

Attachment 6

TENANT/LANDLORD COMMISSION

The Glendale City Council has expressed interest in considering the establishment of a permanent Landlord/Tenant Commission which, depending upon its responsibility and scope of work, may provide a medium through which landlords, tenants, and other interested parties can help formulate potential policy recommendations regarding issues relating to rental housing in Glendale. Such a commission would be placed in the Community Development Department and would be staffed by the Rental Rights Program.

This report examines the feasibility of establishing a Tenant Landlord Commission in the City of Glendale. The analysis includes a review of the advantages and disadvantages, a comparison with other cities in California that have similar entities. The report will also explore the potential responsibilities, goals, and decision-making powers of the proposed commission.

In conducting research for this report, staff first looked at previous activity within the City of Glendale in terms of past experience with landlord and tenant commissions and/or committees and then researched models that may exist within other public agencies.

City of Glendale Past Experiences

In the early 2000s, responding to residents' concerns about excessive rent increases, the City Council/Housing Authority tasked staff with exploring mitigation options. Staff presented several options, including rent control, eviction protections, and mediation programs. An Ad-Hoc Committee of rental housing owners, representatives, and tenant advocates was formed to discuss potential changes to the ordinance. The committee's proposed changes were adopted on January 21, 2003.

Following this, on February 18, 2003, the City Council established the Rental Housing Issues Working Committee to discuss broader rental housing issues. The committee, consisting of rental-housing property owners, tenants, and other concerned residents, formed four sub-committees: Affordability, Habitability, Outreach, and Just Cause for Eviction. The committee met bi-monthly from March to October 2003, and their recommendations, including changes to the Just Cause Eviction ordinance, an Inclusionary Zoning Policy, and Proactive Outreach and Education, were presented to the City Council on November 4, 2003. After presenting their recommendations, the committee dissolved.

From 2016 to 2019, in response to renewed concerns about rent increases, the City Council/Housing Authority held meetings and received reports on affordable housing issues. Discussions included the potential establishment of a Landlord/Tenant Committee. Ultimately, the City Council implemented the Rental Rights Program, and no further action was taken on forming such a Committee.

After renewed concerns from residents due to COVID-19-related eviction restrictions being lifted, on August 24, 2021, the City Council approved the formation of a Landlord/Tenant Ad-Hoc Committee to serve as a conduit for citizen input and to analyze and recommend options regarding changes to the Rental Rights Program ordinance. The Ad-Hoc Committee recommended several improvements to the Rental Rights Program, including simplifying one-year lease requirements, enhancing protections for tenants facing no-fault evictions, revisiting the formula for calculating relocation assistance, and exploring mechanisms to track illegally constructed units. Many of the recommendations were considered by the City Council, and ultimately, on February 6, 2024, a new ordinance was adopted.

Other Agencies with Tenant/Landlord Commissions

Staff previously researched various cities with longstanding Landlord/Tenant commissions. It was noted that nearly all these boards or commissions were associated with Rent Control or Rent Stabilization programs. These programs are typically complex and require extensive regulatory frameworks to manage rent increases, tenant protections, and dispute resolutions. Some notable examples include:

Pasadena: The Pasadena Rental Housing Board (PRHB) was established following the approval of Measure H by voters in November 2022. The board oversees rent control measures that limit annual rent increases and establish just cause eviction protections for certain rental units. The PRHB is responsible for implementing and enforcing these provisions independently from the City Council and other city departments.

Santa Monica: The Santa Monica Rent Control Board regulates rent increases and ensures tenant protections under the city's rent control law.

West Hollywood: The West Hollywood Rent Stabilization Commission oversees the city's rent control ordinance, which includes controlling rent increases and offering eviction protections.

City of Los Angeles: The Los Angeles Rent Adjustment Commission manages the city's rent control ordinance. The commission sets guidelines for allowable rent increases, oversees the registration of rental properties, and enforces other rent stabilization related rules.

San Francisco: The San Francisco Rent Board administers the city's Rent Stabilization and Arbitration Ordinance. The board handles petitions related to rent increases and tenant-landlord disputes, offering a structured framework to manage their rent stabilization program.

Berkeley: The Berkeley Rent Stabilization Board, oversees the city's rent control regulations, including the Rent Stabilization and Eviction for Good Cause Ordinance. The

board handles rent adjustment petitions and enacts regulations to support the city's rent control program.

As previously mentioned, nearly all cities in California that have a tenant-landlord board or commission are tied to a Rent Stabilization or Rent Control program. These programs are complex and require significant oversight to manage rent increases, provide tenant protections, and resolve disputes.

A board like those in the aforementioned cities, working in conjunction with Glendale's Rental Rights Program, would not be as effective unless the City Council grants the commission significant decision-making power. For such a commission to function effectively, it would need the authority to make changes to current policies, such as modifying the 7% relocation trigger, adjusting relocation fee amounts, and altering other areas of the law.

Additionally, the Rental Rights Program in Glendale is not as complex and layered as Rent Control or Rent Stabilization programs. These programs typically involve systems of mediation, rent adjustments, and administrative processes, which are necessary due to the comprehensive nature of rent control laws. Implementing a commission with similar oversight for Glendale's relatively simpler Rental Rights Program would likely add unnecessary layers of oversight and complexity.

The one exception of a commission or board without a locally established ordinance was the City of Burbank and its Burbank Landlord-Tenant Commission, which was included in the previous report and will go into more detail in the next section.

Burbank Landlord-Tenant Commission

In 1979, the City of Burbank established a committee to address renter and landlord issues, which was formally changed to The Burbank Landlord-Tenant Commission (Burbank Commission) in 1985. The Commission was designed to address various issues such as property maintenance, repairs, lease disagreements, evictions, and rent increases, and sometimes mediates between landlords and tenants. Its powers are limited to potential violations of the Burbank Municipal Code or other local regulations. The Commission meets publicly on the first Monday of each month and its duties include recommending rent increase guidelines, mediating rent disputes, receiving complaints, facilitating information exchange, and providing tenant referrals.

Despite its long existence, the Burbank Commission has not accomplished anything noteworthy or made any significant alterations to local laws. Its powers are limited, and the Commission has no authority to enforce meaningful changes. The number of members of the public who actually attend the Commission is minimal, further indicating its limited impact.

Although the Burbank Commission was established to provide guidance on issues mentioned above, due to complexities of State laws, they are limited in the services they can provide.

Unlike Glendale, Burbank does not have a Rental Rights Program or a Rent Control program like other jurisdictions. Burbank's rules largely adhere to state law without offering additional protections or innovations. The Commission members are not allowed to provide legal advice, as it is illegal for them to do so, further diminishing their effectiveness.

In contrast to Burbank's limited protections, Glendale has implemented more comprehensive and advanced regulations that have done an effective job balancing tenant and landlord relationships without unnecessary oversight and bureaucracy.

Recently, Burbank has been looking into Glendale's Rental Rights Program as an examples of what they could implement. In recent council meetings, Burbank officials have discussed the possibility of adopting measures like Glendale's to enhance their local regulations. This interest highlights the effectiveness of Glendale's approach and underscores the need for Burbank to make significant changes to improve its landlord-tenant relations framework.

Whatever the Burbank Landlord-Tenant Commission is currently doing is already being efficiently handled by staff in Glendale. As evidenced by the agenda from the last meeting in Burbank and minutes of July 1, 2024 meeting tenants' issues typically include no-fault evictions, security deposit questions, and rent increase concerns. These are the same types of issues that Glendale's Rental Rights Program staff addresses on a daily basis.

Burbank Landlord-Tenant Commission agenda excerpt:

6. NEW LANDLORD-TENANT FORMS

- 2024-15 Landlord Form – Commissioners Pelayo & Toth
Address: 3418 W Burbank Blvd, Burbank, CA 91505
Issue: Tenant refuses to vacate.

7. FOLLOW-UP ON PRIOR MONTH LANDLORD-TENANT FORMS

- 2024-10 Tenant Form – Commissioner Nahabedian & Smith
Address: 2736 N Lamer Street, Burbank, CA 91506
Issue: Notice to vacate and tenants' rights questions.
- 2024-11 Tenant Form – Commissioners Pelayo & Ingalsbee
Address: 531 E Santa Anita Ave #H, Burbank, CA 91501
Issue: Rent increase and tenant protection questions.
- 2024-12 Tenant Form – Commissioner Smith & Toth
Address: 606 East Cypress Ave #D, Burbank, CA 91506
Issue: Notice to vacate and tenants' rights questions.
- 2024-14 Tenant Form – Commissioner Smith & Ingalsbee

Address: 1300 W Olive Ave #M, Burbank, CA 91506
Issue: Eviction notice and rent increase questions.

Burbank Landlord-Tenant Commission minutes excerpt:

NEW LANDLORD-TENANT FORMS

- 2024-11 Tenant Form – Commissioners Pelayo & Ingalsbee

Address: 531 E Santa Anita Ave #H, Burbank, CA 91501

Issue: Rent increase and tenant protection questions.

Due to the absence of the assigned commissioners, the report of the form has been postponed to the upcoming meeting in August.

- 2024-12 Tenant Form – Commissioner Smith & Toth

Address: 606 East Cypress Ave #D, Burbank, CA 91506

Issue: Eviction notice question and tenants' rights questions.

Due to the absence of the assigned commissioners, the report of the form has been postponed to the upcoming meeting in August.

- 2024-13 Tenant Form – Commissioner Pelayo & Nahabedian

Address: 1921 N Buena Vista St #404, Burbank, CA 91504

Issue: Rent increase and tenants' rights questions.

Commissioners provided information on AB 1482 and staff provided contact information for the Building division, this case is closed.

- 2024-14 Tenant Form – Commissioner Smith & Ingalsbee

Address: 1300 W Olive Ave #M, Burbank, CA 91506

Issue: Eviction notice and rent increase questions.

Due to the absence of the assigned commissioners, the report of the form has been postponed to the upcoming meeting in August.

FOLLOW-UP ON PRIOR MONTH LANDLORD-TENANT FORMS

2024-10 Tenant Form: 2736 N. Lamer Street, Burbank, CA 91506

Commissioner Nahabedian and Commissioner Smith received an intake form regarding a No-fault eviction, rent increase, and tenants' rights questions.

Due to the absence of the assigned commissioners, the report of the form has been postponed to the upcoming meeting in August.

Another concern with Burbank's Landlord-Tenant Commission is that fact that sometimes Commissioners are absent, and therefor reports and answer for issues they were looking into

are postponed until future meetings, which adds an additional month.

In Glendale, staff are readily available to provide personalized and immediate assistance. They handle inquiries and provide guidance without the need for tenants to wait for a monthly meeting. If Glendale were to create a commission similar to Burbank's, the process would become unnecessarily cumbersome and less responsive. Tenants would be required to complete forms and wait for the commission to meet, potentially exacerbating their issues due to delays.

Additionally, when the Burbank Commission does meet, it has limited power and often ends up referring tenants to other agencies. In contrast, Glendale's RRP staff can provide more comprehensive support, and direct assistance, ensuring that tenants receive the help they need promptly.

The Burbank Commission is not a suitable example to follow. Glendale's proactive measures, including the establishment of the Rental Rights Program, have demonstrated a more effective approach to managing landlord-tenant relations. In its short history Rental Rights staff have successfully assisted thousands of individuals, responded to countless calls and emails, and provided in-person services, often mediating disputes effectively.

In staff's opinion, establishing a commission similar to that of Burbank's in Glendale would be a step backward, reducing the efficiency and responsiveness of the current system. The personalized and guided experience that Glendale already offers would be compromised, leading to potential frustration and unresolved issues for tenants. Therefore, creating a similar commission is not only redundant but also counterproductive, given the effectiveness of Glendale's existing framework.

Options for Glendale

Temporary Committee/Task Force

Similar to the 2022 Landlord/Tenant Ad-Hoc Committee, the Council can establish another temporary committee and assign specific goals and tasks for the committee to complete. The primary benefit of this type of committee is its flexibility and the lack of a long-term commitment, allowing the Council to address pressing issues without being tied to a permanent structure. Such a temporary committee could study the Rental Rights Program and evaluate recommendations for any necessary changes. Additionally, it could discuss and formulate other potential policy recommendations to address emerging issues.

However, one potential drawback of continually changing the program is the risk of creating instability and confusion. Frequent adjustments to the program might lead to a lack of continuity and could hinder the effectiveness of the policies implemented. Stakeholders, including landlords and tenants, may find it challenging to keep up with the constant changes, which could undermine the program's overall stability and predictability.

If Council is interested in establishing a new temporary committee, staff would recommend choosing goals and tasks that would not significantly impact the current programs rules.

Permanent Landlord/Tenant Commission – Decision Making Authority

Another option for consideration would be for Council to pass on the oversight of the Rental Rights Ordinance and delegate it through the creation of a permanent commission similar to those overseeing rent stabilization programs in other cities. This type of commission would be vested with the authority to make decisions regarding the Rental Rights Program and oversee its operations. Responsibilities of such a commission could include adjusting the annual rent increase trigger, modifying relocation assistance amounts, and making other policy-related decisions that directly impact tenants and landlords.

Advantages:

Efficient Decision-Making: By delegating decision-making authority to a commission, the process of adjusting and improving the RRP can be expedited. The commission would be able to respond swiftly to emerging issues without requiring Council approval for every change.

Specialized Oversight: A dedicated commission would bring focused attention to the RRP, ensuring that the program is managed by individuals with specific expertise and interest in rental rights and housing policies.

Enhanced Flexibility: The commission could be empowered to make technical adjustments to the program, ensuring that it remains effective and responsive to the needs of both tenants and landlords.

For a commission with Decision making authority, City Council would define the scope of the commission's authority. This could include setting clear boundaries on what types of changes the commission can make independently and what would require Council input. Such a framework ensures that while the commission operates with a degree of autonomy, it remains accountable to the broader objectives set by the Council.

Potential Drawbacks:

However, there are potential concerns to consider:

Complexity of the RRP: Unlike rent stabilization or rent control programs, which are often more complex and multifaceted, Glendale's Rental Rights Program may not necessitate a permanent commission with extensive powers. If the program remains relatively straightforward, a commission with limited authority might be seen as redundant or ineffective.

Resource Allocation: Establishing and maintaining a commission requires resources, including administrative support and staffing. If the commission's scope is too narrow, the benefits may not justify the costs.

Balancing Stability and Flexibility: While the commission would bring flexibility, frequent changes to the program might still create instability and confusion among stakeholders. It's crucial to balance the need for adaptability with the need for a stable and predictable policy environment.

Careful consideration must be given to defining the commission's scope and authority to ensure that it adds value without introducing unnecessary complexity or instability.

Permanent Landlord/Tenant Commission – No Decision Making Authority

Another option under consideration is the creation of an advisory commission like Burbank's model. This type of commission would not have the authority to make changes to the Rental Rights Program or its policies. Instead, it would function as an advisory body, providing guidance to residents and at times recommendations and insights to the City Council based on its review and evaluation of the program.

Advantages:

Informed Recommendations: The commission would consist of members with expertise and interest in housing and tenant rights, ensuring that their recommendations are well-informed and relevant to the needs of the community.

Community Representation: Such a commission would provide a formal mechanism for tenants, landlords, and other stakeholders to have their voices heard, fostering greater community engagement and transparency in the decision-making process.

City Council would retain full decision-making authority, using the commission's recommendations as a valuable resource in their deliberations. This ensures that the ultimate responsibility for policy changes remains with the elected representatives.

Potential Drawbacks:

However, there are several potential concerns to consider:

Limited Impact: Without the power to make changes, the commission's influence is limited to advisory roles. This could slow down the implementation of necessary adjustments.

Resource Allocation: Similar to any commission, establishing and maintaining an advisory body requires resources, including administrative support and staffing. The benefits of the commission must justify these costs.

Redundancy with Staff Duties: If the Commission has similar responsibilities to that of Burbank, there would be a redundancy with existing responsibilities of city staff. Many of the functions of an advisory commission could overlap with the tasks already being handled by staff, leading to inefficiencies.

A commission similar to Burbank's, lacking the authority to make changes, would primarily serve to advise residents and advise the Council. While this might ensure that stakeholders' have a venue to voice their concerns outside of council, it adds another layer to the decision-making process without guaranteeing any real impact. This could lead to redundancies with staff duties, redundancies with residents approaching commission and council and create inefficiencies throughout the organization, making the process more cumbersome and less effective.

Establishing a Commission

If Council chooses to establish a Landlord/Tenant Commission, they must first determine a few key points. Below, staff has outlined each consideration for establishing a Landlord/Tenant Commission and provided some analysis of each for City Council consideration.

Mission/Goals:

Council must decide what the mission/goals of a potential Commission would be.

Term:

How long would the Commission be active? Council can choose a set number of years or establish an indefinite Commission.

Work Plan:

What would the Commission responsibilities be? What does Council desire for the Commission to accomplish?

Decision Making Authority

Does Council wish to give the Commission authority to make decisions regarding the Rental Rights Program?

Number of Members:

How many members would the Commission be comprised of? Staff is recommending an odd number of members, totaling either 7 or 9 members.

Meeting Frequency:

How often would the Commission meet? Weekly, Bi-Weekly, Monthly, every other month etc.?

Membership Qualifications:

Who will serve on the Commission? Staff is recommending that the Commission be comprised of members who are representative of the Glendale renter and Glendale landlord population in Glendale, along with a neutral member.

Lessons Learned from the Ad-Hoc Committee

If Council wishes to establish a Commission, the consideration of past committee experiences should be taken into account. The experience of establishing and working with the Ad-Hoc Committee on Landlord/Tenant rental housing issues provided several valuable lessons that can be useful when considering future committees.

Strengths:

Inclusive and Diverse Representation: Making sure that the committee included a diverse group of stakeholders, such as large property owners, tenant advocates, managers, etc. was crucial. This inclusivity helped in capturing a broad range of perspectives and helped create a final recommendation.

Clear Objectives and Goals: Having well-defined objectives and goals for the committee was essential. This clarity helped keep discussions focused and productive, allowing the committee to address the most pressing issues effectively.

Open Communication Channels: Maintaining open lines of communication between the committee members and the public facilitated transparency and trust. Regular updates and public meetings ensured that all stakeholders were informed and given an opportunity to engage in the process.

Flexibility and Adaptability: The committee's ability to adapt to new information and changing circumstances, such as the evolving impact of COVID-19 on the rental market, was key to developing relevant and timely recommendations.

Areas of Improvement:

Limited Public Participation: While efforts were made to engage the public, participation was limited as interested parties appeared to have bypassed the review process in favor of advocating directly to the Council during their final deliberations. Enhancing outreach strategies and utilizing digital platforms for broader engagement may help increase public involvement.

Potential Bias and Conflicts of Interest: The composition of the committee sometimes led to biases or conflicts of interest in their deliberations. Implementing stricter conflict-of-interest policies and ensuring a more balanced representation can mitigate these issues. Additionally, better vetting of candidates for the committee can help ensure that members are not only knowledgeable but also impartial and dedicated to the committee's mission. This can involve background checks, interviews, and clear criteria for selection to ensure a balanced and unbiased committee.

Disruptive Members: Members who were clearly outnumbered in votes often derailed meetings with long discussions that did not contribute meaningful points. To address this, implementing rules for more structured and time-limited discussions can help keep meetings focused and productive.

Budget

Our current Rental Rights Program Budget is a total of about \$335,000. Approximately \$230,000 of the budget is allocated to staffing, which includes wages, insurance, medical, and retirement costs. This amount covers one Housing Supervisor and one hourly employee. Additionally, we have just over \$15,000 allocated for administrative costs, covering office supplies, equipment, training, insurance, rent, and other related expenses. Approximately \$90,000 is designated for outreach and marketing, including printing, postage, and advertising. In order to take on the responsibilities associated with a permanent Commission, staff anticipates needing an additional Associate level member at a cost of roughly \$109,000 fully burdened.

The Associate would be tasked with administrative support, scheduling and organizing meetings, including preparing agendas and distributing materials, taking minutes during meetings, serving as a point of contact between the board/commission and the public, other government departments, or organizations, handling correspondence and inquiries related to the board or commission's activities, preparing reports and updates for presentation to the board/commission and stakeholders among other things.

Additionally, staff would need a budget for marketing and other administrative costs, staff anticipates roughly \$50,000 for this purpose. A total budget of \$159,000 would be needed to administer the Commission.

Conclusion

Ultimately, in order to evaluate whether the City of Glendale needs a permanent tenant-landlord commission, Council must consider one fundamental question: "What would be the purpose of this commission?". This involves delving into the unique goals that such a commission would strive to achieve. Would these goals address gaps or unmet needs within the current city structure?

Furthermore, the Council should consider the specific responsibilities, duties, and tasks that this commission would undertake. It is essential to identify how these tasks differ from or complement the existing functions of the City Council and its staff. Would the commission provide an additional function that is currently lacking?

In addition, it is crucial to evaluate the potential benefits of establishing this commission. Would it lead to more effective tenant and landlord dispute resolutions, enhanced community engagement, or improved housing policies? These benefits must then be weighed against the

costs associated with forming and maintaining the commission, including financial, administrative, and resource allocation considerations.

In Glendale, the Rental Rights Program aims to address more straightforward issues, such as tenant relocation due to major renovations. Without the multifaceted layers of rent control, the need for extensive mediation and administrative oversight is reduced. A commission designed for complex rent stabilization scenarios may be disproportionate to Glendale's needs.

In conclusion, while tenant/landlord boards in cities with Rent Control or Rent Stabilization have proven beneficial due to the intricate and demanding nature of these programs, a similar board in Glendale would need substantial powers to be effective. However, given the less complex nature of Glendale's Rental Rights Program, establishing such a board may not provide proportional benefits and could introduce excessive administrative burdens. The City should carefully consider whether the benefits of such a board outweigh the potential for increased bureaucracy and whether simpler, more direct solutions might be more appropriate for Glendale's specific needs.