



CITY OF BELVEDERE

450 San Rafael Avenue • Belvedere, CA 94920-2336

Tel: 415/435-3838 □ Fax: 415/435-0430 □ www.cityofbelvedere.org

October 25, 2022

Resident(s)
Mallard Road Properties

RE: Tenant Rights – Mallard Pointe

Dear Resident(s) of the Mallard Road Properties:

As you may be aware, the owner of the property where your home is located has filed an application with the City of Belvedere to construct a new housing development called Mallard Pointe on the property. If approved, the project would demolish the existing 22 duplexes on the property and replace them with 40 units in a mixture of single-family homes, duplexes, and apartments.

Mallard Pointe is subject to a state law called the Housing Crisis Act of 2019.¹ If the project is approved, the City must ensure that the tenants receive certain benefits provided by the Act and must verify that the owner will replace any apartments occupied by lower income households with units that remain affordable.

The purpose of this letter is to inform you of the benefits available to tenants under the Housing Crisis Act and to ensure that you will receive all of the benefits for which you are eligible. In addition, the City wishes to ensure that the Mallard Pointe's developer replaces all apartments occupied by lower income households with units that will remain affordable.

Benefits to All Tenants. Under the Housing Crisis Act, all tenants have the right to remain in their home until six months before the start of construction at Mallard Pointe, if it is approved. In addition, any tenants that are required to leave their home to permit construction to begin may return at their current rental rate if the demolition does not in fact proceed, and the property returns to the rental market.

Benefits to Lower Income Tenants. All tenants who reside in lower income households are entitled to relocation benefits as required by state law,² which includes assistance in finding a new home, moving costs, and up to 42 months of rental assistance if a comparable apartment that is affordable is not available. The attachment explains these benefits in more detail.

If Mallard Pointe is built, lower income tenants also have a right of first refusal to return to a unit in the new project with the same number of bedrooms and same size as the one they are currently renting. The unit must be provided at a rent or sales price affordable to lower income households.

¹ Government Code Section 66300.

² Government Code Section 7260 et seq.

Replacement Units. In addition to providing benefits to individual tenants, the owner must replace any units currently occupied by lower income households with units affordable to lower income households.

Income Limits for Marin County (2022)

Household Size	Very Low Income	Low Income
1	\$62,250	\$104,400
2	\$74,600	\$119,300
3	\$83,900	\$134,200

Establishing Your Right to Relocation Benefits. The City is aware that the Mallard Pointe applicants surveyed the tenants earlier this year regarding their incomes. The applicants then provided summary information to the City, but did not identify which tenants were eligible for relocation benefits and indicated that some tenants did not provide income information.

The City would like to ensure that all tenants eligible for relocation benefits are known to the City and receive those benefits, and that the correct number of affordable replacement units are provided. As a tenant of the property, we are requesting that you complete and return the attached form. **Your cooperation with this request is completely voluntary.** Should you choose to participate, the information you provide will help the City ensure that you receive the benefits to which you are entitled and will also help determine the owner's replacement housing obligations.

Any personal identifying information that is shared with us will not be disclosed publicly and will be kept confidential to the extent permitted by the California Public Records Act.

For Further Information. For additional information, please contact the City by mail, phone, or e-mail using the contact information below:

Irene Borba, Planning Director
City of Belvedere
450 San Rafael Avenue
Belvedere, CA 94920
iborba@cityofbelvedere.org
(415) 435-3838

Sincerely,


Irene Borba, Director of Planning & Building



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SUMMARY OF TENANT RELOCATION BENEFITS

ELIGIBILITY. Tenants who reside in lower income households ("Qualifying Households") are entitled to a number of relocation benefits under state law. Relocation benefits are paid per rental unit, not per tenant. If multiple individuals reside in a rental unit, the relocation benefits are provided to the household or the individual on the rental agreement or the lease. Below is a chart of the current **INCOME LIMITS** for Marin County.

Household Size	Very Low Income	Low Income
1	\$62,250	\$104,400
2	\$74,600	\$119,300
3	\$83,900	\$134,200

RELOCATION BENEFITS. Relocation benefits are provided by the developer or applicant but will be reviewed and approved by the City of Belvedere.

1. **RELOCATION ADVISOR.** Each Qualifying Household will be assigned a relocation advisor to provide, at a minimum, the following assistance:
 - a. Household interviews to ascertain specific household needs;
 - b. Current and ongoing information on the availability of comparable replacement housing in the household's preferred geographic area(s); and
 - c. Referrals to other local assistance programs.
2. **MOVING COST ASSISTANCE.** Each Qualifying Household is entitled to moving cost assistance to help move personal property to replacement housing. The Qualifying Household may choose either to receive a fixed moving cost allowance or to have reasonable, professional moving costs reimbursed.
3. **TENANT RELOCATION PAYMENTS.** Each Qualifying Household is entitled to tenant relocation payment(s) equal to the rent differential for their replacement housing, i.e., the new dwelling secured by the displaced tenant household. The rent differential payment is determined by subtracting the lower of thirty percent (30%) of the Qualifying Household's monthly average income or the rent for the unit to be demolished from the rent for a comparable replacement unit. That amount is then multiplied by forty-two (42) months. The amount of your actual benefit will depend on the cost of your replacement housing, your household income, and your current rent.

EXAMPLE #1:

- A Qualifying Household with an average monthly income of \$6,000 currently pays a monthly rent of \$2,000 for the apartment it is required to move from.

- The lower of thirty percent (30%) of the average monthly income (\$1,800) OR the current rent for the unit to be demolished (\$2,000) is used to determine the rent differential. In this instance, the lower amount is thirty percent (30%) of the monthly income at \$1,800.
- The Qualifying Household finds comparable replacement housing with a monthly rent of \$2,500. The rent differential per month is \$2,500 minus \$1,800 = \$700.
- The amount of relocation assistance is forty-two (42) months of rent differential, which would amount to 42 times \$700 = \$29,400.

EXAMPLE #2:

- A Qualifying Household with an average monthly income of \$8000 pays a monthly rent of \$2,000.
- The lower of thirty percent (30%) of the average monthly income (\$2,400) OR the current rent for the unit to be demolished (\$2,000) is used to determine the rent differential. In this instance, the lower amount is the monthly rent amount of \$2,000.
- The Qualifying Household finds replacement housing with a monthly rent of \$2,500. The rent differential per month is \$2,500 minus \$2,000 = \$500.
- The amount of relocation assistance is forty-two (42) months of rent differential, which would amount to 42 times \$500 = \$21,000.

4. **RIGHT OF FIRST REFUSAL.** Most Qualifying Households are also entitled to a right of first refusal for a "comparable" unit in the development at affordable rent or affordable housing cost, with the exceptions listed below. A "comparable" unit must have the same number of bedrooms, have the same number of total rooms, and be the same size as your current unit. (Note: "Comparable unit" has a slightly different definition if you currently live in a single-family home with four or more bedrooms.)
- a. **EXCEPTION #1:** You are not entitled to a right of first refusal in the new development if you live in a single-family home that will be demolished and replaced with just one new single-family home.
 - b. **EXCEPTION #2:** You are also not entitled to a right of first refusal if the developer is proposing a housing development in which 100 percent of the units will be reserved for lower-income households UNLESS you otherwise qualify for residence in the new development and the developer is able to provide you with a comparable unit.



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CITY OF BELVEDERE TENANT INFORMATION FORM RELOCATION BENEFITS AND REPLACEMENT UNITS

DATE: _____

TENANT/OCCUPANT NAME: _____

PROPERTY ADDRESS: _____

UNIT NUMBER: _____

NUMBER OF BEDROOMS: _____

CURRENT HOUSEHOLD SIZE: _____

Income Limits for Marin County (2022)¹

Household Size	Very Low Income	Low Income
1	\$62,250	\$104,400
2	\$74,600	\$119,300
3	\$83,900	\$134,200

The income of my household is equal to or is less than the 2022 low income limits for Marin County.

The income of my household is greater than the 2022 low income limits for Marin County:

(Signed)

(Dated)

If your income is equal to or less than the 2022 low income limits for Marin County, and the Mallard Pointe applicants have already determined that your income is low income or very low income, no further verification will be required. If the Mallard Pointe applicants have not already determined that your income is low income or very low income, the City will contact you to arrange for an outside agency to verify your income.

Please Return To:
Irene Borba, Planning Director

¹ These have increased from 2021 income limits.

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