



RENT STABILIZATION AND JUST CAUSE EVICTION

Fairfax Community Forum 9/7/2022

BENEFITS



Protect existing affordable
housing stock



Works for seniors on fixed
incomes, young people,
people of color, immigrants,
and working people



Enables residents to live
where they work, shortening
commutes, improving traffic
and carbon footprint

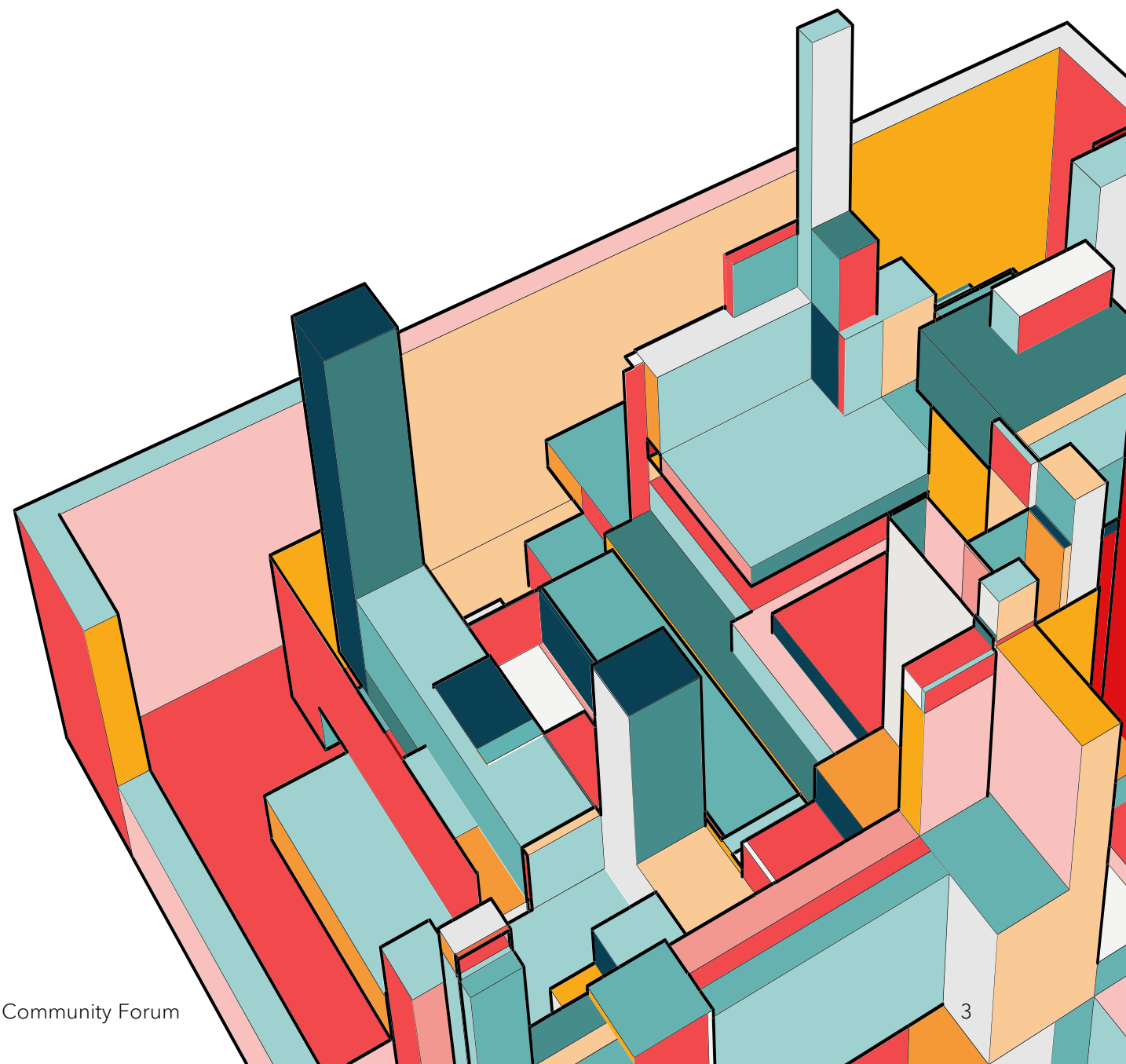
PREVIOUS DISCUSSIONS

- March 2, 2022: DSA Presentation
- May 4, 2022: Direct Town Resources and Select Option for implementation resources
- July 12, 2022: Discussion of just cause eviction protections

Today September 7, 2022: Community Forum on Rent Stabilization and Just Cause Eviction

Projected September 21, 2022: 1st Reading

October 6, 2022: 2nd Reading



KEY QUESTIONS FOR TONIGHT

Ready for ordinance(s) ?

After the discussion tonight, staff needs direction as to whether the full council wants the Town Attorney to focus the next six work days preparing for first reading on September 21, 2022, and second reading on October 6, 2022

Implementation Timing

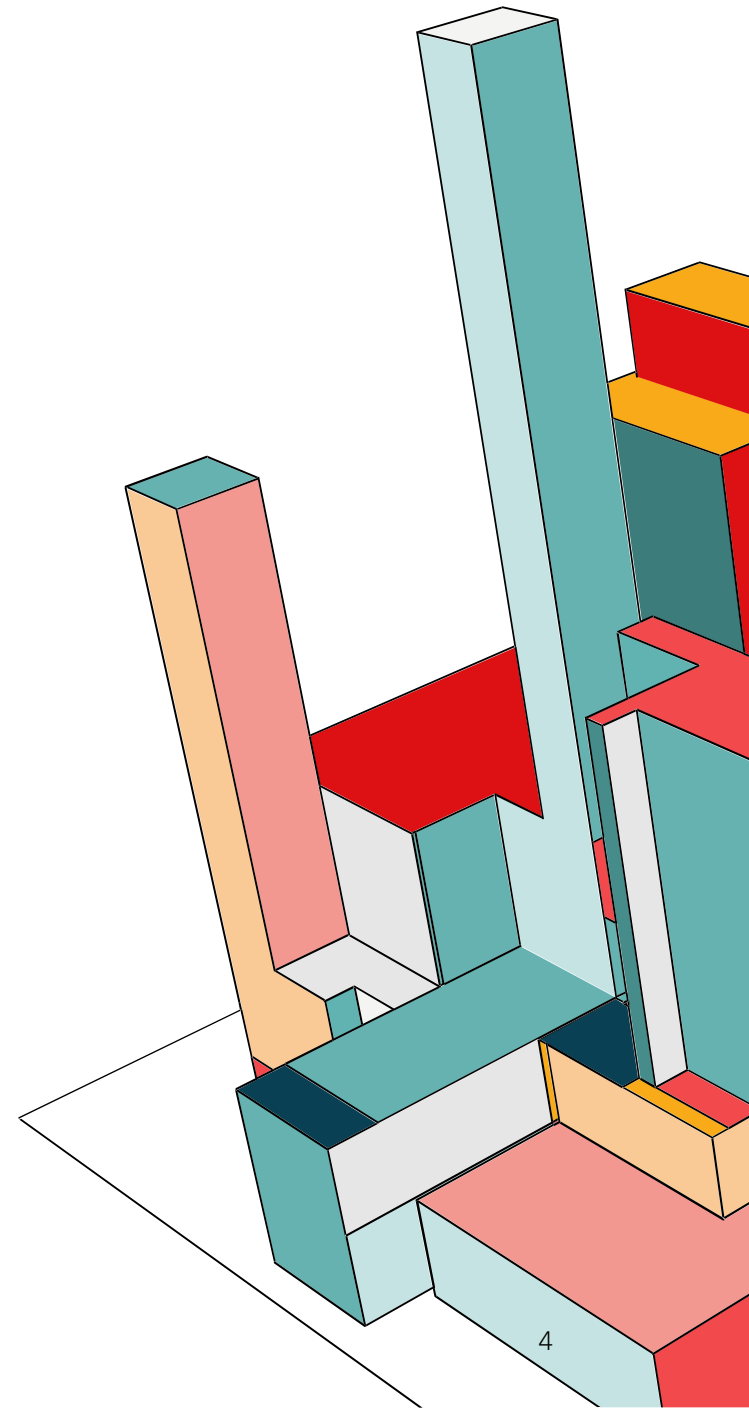
When will the ordinance(s) be effective? If the outsourcing model is selected, time is needed to finalize contracts, obtain and train staff needed to support the contracts. This may take six months. The internal staffing model will take longer.

Implementation Resources

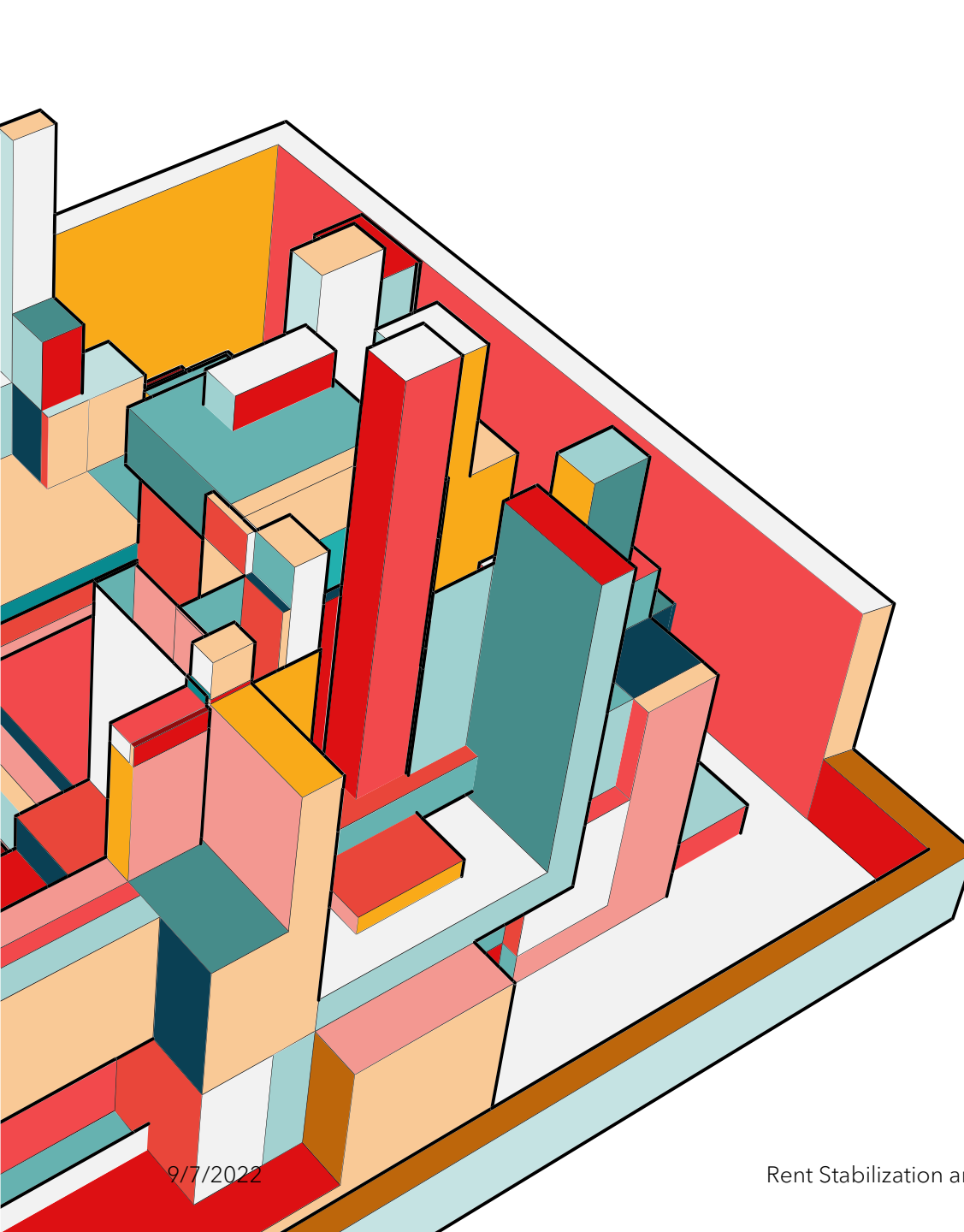
Contractors, staff, town attorney, and software resources are needed to implement the program. Staff needs Council direction to launch the financial and contracting resources.

Form of Ordinance(s)

Staff needs direction regarding whether Council prefers to a) delete existing protections and replace them with one ordinance as ACCE has proposed, or b) amend existing protections in two separate sections of the Fairfax code.



RENT STABILIZATION

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- A. Establish local Rent Control Board
 - B. Education about the program for both tenants and landlords
 - C. Require registration of units: pay a business license fee and a Rental Housing Registration Fee
 - D. Set base rent in effect at a date previous to ordinance adoption, or at the start of the tenancy
 - E. Annual General Adjustment equal to approximately 60% of the percentage increase in the Consumer Price Index for the local region; not be less than zero percent or more than 5%
 - F. Landlords and Tenants can petition for adjustments up or down to AGA
 - G. A hearing officer process, and appeal process; a 30-day for increases upwards of Maximum Allowable Rents
 - H. Landlords must maintain properties in a specified "habitable condition"
 - I. Landlords have right Reasonable Return on their Investment
 - J. Rent Board (i.e. Town Council) establish rules, regulations, and penalties for enforcement of the Rent Control provisions



RENT STABILIZATION IMPLEMENTATION

Options for Consideration

Fully Outsourced
Town Staff
Hybrid Model

Administration Overview

Refer to Two Process Flow Chart Included in Staff Report

Form of Ordinance(s)

JUST CAUSE EVICTION

1. Right of Return
2. Additional Eviction Protections for Elderly, Disabled, or Terminally Ill Tenants
3. Additional School Year Eviction Protections for Educators and Students
4. Ellis Act Withdrawal Protections
5. Relocation Payments
6. Relocation Payments for Temporary Displacement
7. Breach of Lease Qualifications
8. Failure to Pay Rent Qualifications
9. Substantial Rehabilitation for Health and Safety
10. Buy-Out Agreements
11. Stages of Eviction
12. Applicability

DIRECTION NEEDED

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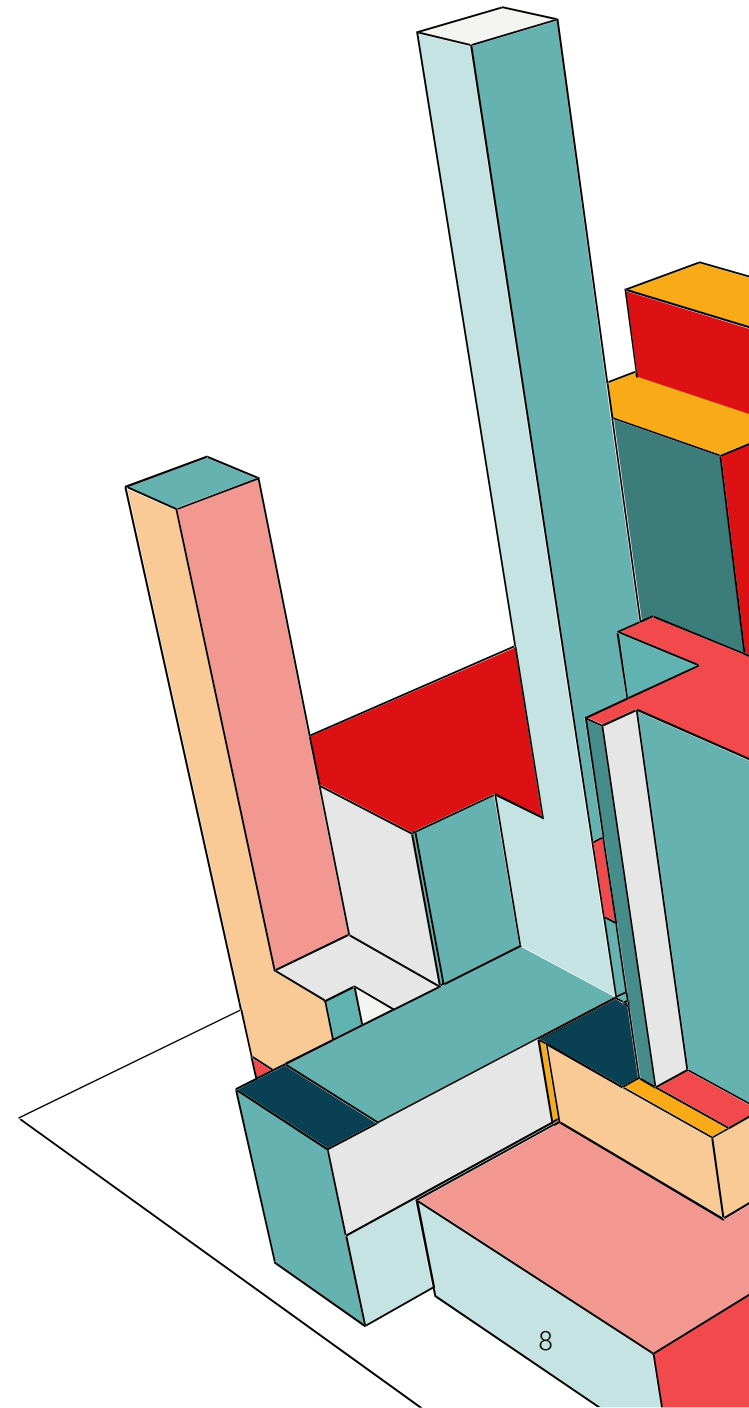
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COMMUNITY FORUM PROCESS

1. Presentation
2. Council Questions
3. Public Comments
4. Council Discussion & Direction