

## **Rental Registry Program Policy & Services Committee, Human Relations Commission, Planning & Transportation Commission, and Housing Ad Hoc Feedback**

### **Policy & Services Committee Feedback**

At the September 13, 2022 P&S Committee meeting, staff presented Palo Alto's rental profile, examples of Rent Registries and Rental Survey Programs in other cities, and key design and implementation considerations.<sup>1</sup>

The P&S Committee provided direction on the types of information to collect, which types of units should participate, frequency of reporting, and asked for additional information on how the data collected would be used. The following details were given in their motion on the registry:

#### **A. Information to Collect:**

1. The reason for vacancy,
2. Identification if the rental unit is deed restricted,
3. Rental unit contact information, including:
  - a. Property owner contact information,
  - b. Landlord/property manager contact information,
4. Rental unit characteristics, including:
  - a. Rental unit size (square feet),
  - b. Rental unit number of bedrooms,
  - c. Property type/number of units at the property,
5. Rent information, including:
  - a. Rent amount,
  - b. Services included in rent,
6. Tenancy information, including:
  - a. Tenancy status (occupied/vacant),
  - b. Tenancy or vacancy commencement date,
7. Affidavit, including:
  - a. Attestation to information accuracy,
  - b. Registration date of submittal,
8. Information relevant to the implementation of existing State and City renter protections, and
9. Information relevant to the development of City rental policy.

#### **B. Program Participation**

Use existing property registration participation requirements outlined in the PAMC Chapter 9.72, which requires registration of any housing structure occupied as a

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<sup>1</sup> For additional background information on the RRP, review the September 13, 2022 staff report, available here: Policy & Services Committee Meeting City Manager Report ID # 14139, 09/13/22: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/policy-and-services-committee/2022/20220913/20220913ppsr.pdf>.

dwelling or offered for rent or lease as a dwelling, whether attached, detached, or a single- or multiple-family residence.<sup>2</sup>

C. Frequency of Reporting

Use initial rental unit registration and thereafter qualifying event-based reporting frequency or an annual affidavit if no qualifying events occur. Qualifying events include:

- Rent increases,
- New tenancy,
- New vacancy or eviction,
- Offer of a one-year lease at renewal, and
- Other events.

D. Use of Information Collected

Provide additional information and suggestions for how the City could use information and data collected.<sup>3</sup>

### **Human Relations Commission Feedback Summary**

On May 24, 2023, after detailed discussion and community feedback, the HRC unanimously supported the basic framework of the RRP as presented in the staff report and staff presentation.

The HRC also unanimously recommended further consideration of the following issues:

1. Potential burden to property owners regarding fees and cost of participation;
  - a. Penalty fee structure and costs;
  - b. Possible RRP participation fee exemptions for duplexes where one unit is owner-occupied and for ADUs;
2. Outlining RRP privacy mandates and how they will be facilitated; and
3. Exemption of ADUs from the RRP.<sup>4</sup>

### **Planning and Transportation Commission Feedback Summary**

On May 31, 2023, the PTC unanimously recommended the draft RRP ordinance to City Council with some minor text clarifications, as well as consideration of the following topics:

1. Clarify the ordinance to be clear that all landlords would provide the same information for the registry;

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<sup>2</sup> Palo Alto Municipal Code (PAMC) Section 9.72.050 Property registration:

[https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto\\_ca/0-0-0-66901](https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-66901). Palo Alto Municipal Code (PAMC) Section 9.72.080(g) Residential rental property:

[https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto\\_ca/0-0-0-66915](https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-66915).

<sup>3</sup> Policy & Services Committee Meeting Action Minutes, 09/13/22:

<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/policy-and-services-committee/2022/20220913/20220913ampsr.pdf>.

<sup>4</sup> Human Relations Commission Staff Report # 2303-1139, May 24, 2023:

<https://www.cityofpaloalto.org/files/assets/public/community-services/human-relations-commission/agendas/5-24-23/item-3-staff-report.pdf>.

2. Identify opportunities to reduce frequency of reporting, such as waiving annual registration if other events were reported within a recent timeframe; and
3. Add a provision that waives the first penalty fee if property owner claims no notification of the RRP program was received.

The PTC also included in their motion that staff return with the mock-up of the rental unit registration form developed in the future selected RRP software.<sup>5</sup>

### **Housing Ad Hoc Feedback Summary**

On August 31, 2023, the HAH recommended:

1. adoption of the draft RRP ordinance to City Council and
2. waiving participation fees for ADUs and rental units on properties with less than five (5) rental units for the first year of RRP implementation.

To follow-up on the HRC's recommendations regarding RRP participation exemptions, the HAH discussed whether all rental units in the City should participate in the RRP program. They concluded that submittal of rental unit information on all rental units, including rented single-family residences and ADUs, helped the City have a complete picture of the rental market in Palo Alto and that RRP participation exemptions are not recommended. Therefore, the HAH did not recommend any changes to the RRP participation requirements in the draft RRP ordinance.

To follow-up on the PTC's recommendations regarding reducing frequency of reporting, the HAH discussed establishment of event-based reporting timeframes, suggesting timely reporting on potential evictions and other events of most importance to the City. They suggested City consideration if other events could be reported within a different timeframe, such as a quarterly or within a 30-day lookback period.

To follow-up on the HRC's recommendations regarding RRP participation fees and cost recovery, the HAH discussed a desire for the RRP participation fees to be on the lower end of the initially estimated \$50 - \$200/per rental unit range. The HAH was aware that permanent exemption of some rental units from RRP participation fees would make RRP implementation costs spread amongst fewer overall rental units in the City, making the fee higher for those not exempted. Therefore, the discussion reflected that City Council should consider the initial and possibly ongoing degree of cost recovery for RRP implementation as part of establishing RRP participation fees.

The HAH discussed the initial rental unit registration form and concluded that it was focused and not onerous to complete. Therefore, the HAH did not recommend any changes to the form (Attachment C). The HAH supported identifying opportunities for the software to make rental

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<sup>5</sup> Planning & Transportation Commission Staff Report #2303-1135, May 31, 2023:  
<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2023/ptc-5.31-rental-registry.pdf>.

unit registration easier for landlords, such as with the ability to do bulk upload of information and having dropdown menus.

The HAH discussed staffing levels in brief, noting a desire to learn more about code enforcement strategies and any associated staffing.<sup>6</sup>

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<sup>6</sup> Housing Ad Hoc Staff Report, August 31, 2023: <https://www.cityofpaloalto.org/files/assets/public/v/3/planning-and-development-services/long-range-planning/rrp-housing-ad-hoc-committee-staff-report-08.16.23-for-jl.pdf>.