

RULES AGENDA: 3/12/25
ITEM: C.1



Memorandum

**Rules and Open
Government Committee**

FROM: Mayor Matt Mahan
Councilmember Bien Doan
Councilmember Michael Mulcahy
Councilmember David Cohen

SUBJECT: SEE BELOW

DATE: 03/06/25

APPROVED:

SUBJECT: ADDRESSING VANLORDING AND ENSURING SAFE, REGULATED HOUSING IN PUBLIC RIGHT-OF-WAY: A PROPOSAL FOR INCREASED ENFORCEMENT IN SAN JOSÉ

Recommendation:

- 1) Direct the City Manager, in collaboration with the City Attorney and other relevant departments, to report back to the City Council within 90 days with an analysis and recommendations for a proposed City ordinance to curtail the leasing, renting, let out, or otherwise loan of recreational vehicles in the public right of way in exchange for money, goods, or services. Include the following items within the scope of work:
 - a) Any relevant existing ordinances or codes that may be enforced.
 - b) The feasibility of adopting new ordinances that place restrictions on the sale, trade, and/or auctioning of recreational vehicles in the public right of way.
 - c) Explore the prevention of the trade or sale of recreational vehicles between tow yards, salvage yards and vanlords.
 - d) Research similar ordinances in other municipalities and gather relevant data on effectiveness in order to produce a staff recommendation.
 - e) Explore enforcement mechanisms that can be potentially executed by Planning, Building and Code Enforcement, Parking Control Officers, or any other relevant departments.

Analysis:

Vanlording, or the practice of unlicensed and often illegal property management, is a growing concern in many urban areas across the Country, including cities like San José. Typically associated with unregistered, poorly maintained, or substandard housing conditions, vanlording refers to individuals who rent out properties, including recreational vehicles (RVs) or other vehicles, without meeting legal or safety standards. These arrangements often occur in high-

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demand areas where affordable housing is scarce, leaving vulnerable tenants susceptible to exploitation.

In San José, a significant issue has emerged with individuals engaging in “vanlording” practices by renting out RVs parked on city streets to exploit homeless residents for a quick profit. According to a briefing with the San José Police Department, it was revealed that two known individuals are responsible for providing at least 15-20 recreational vehicles for rent in this manner. These vehicles are parked on public streets, creating unsafe and substandard living conditions for renters. Additionally, there is limited value in the scrapping and resale of recreational vehicles, and this encourages tow and scrap yards to sell these vehicles for low prices and tow to locations where vanlording takes place. The lack of regulation and oversight in this practice raises serious concerns about tenant safety, legal protections, and the broader implications for the local community.

Tenants residing in these unregulated RVs often face dangerous living conditions. These vehicles often do not meet basic health and safety standards, and their placement on city streets can create challenges for fire safety, sanitation, and emergency access. Additionally, these RVs may lack proper utilities or ventilation, which can further jeopardize residents’ well-being.

Greater enforcement of vanlording laws will address issues of exploitation and inequality. In San José, as in many urban centers, affordable housing is limited, and many individuals are forced into substandard living situations due to financial constraints. Vanlords take advantage of this vulnerability by offering poorly maintained and uninhabitable housing options, often at inflated prices

Moreover, stricter enforcement of vanlording laws can serve as a deterrent for others who might be tempted to engage in similar practices. When individuals see that there are real consequences for illegally renting out RVs or other substandard housing, the risk of punishment may outweigh the potential profits. This can help reduce the overall prevalence of vanlording, encouraging the adoption of ethical and legal property management practices across the city.

The County of Los Angeles has been actively working to address vanlording by strengthening their zoning regulations and housing codes to prevent this practice; including enforcing laws that prohibit vehicles from being used as dwellings unless they are located in designated RV parks or private properties that meet specific requirements. Additionally, in response to the growing prevalence of vanlording in certain neighborhoods, Los Angeles has been working closely with law enforcement to monitor and respond to reports of illegal RV rentals, including the removal of illegally parked vehicles and fines to those responsible for renting them out. This multi-faceted approach that includes stricter zoning, code enforcement, and collaboration with law enforcement may prove to be effective in San Jose.

In conclusion, increased enforcement of vanlording regulations is essential in ensuring tenant safety, preventing exploitation, and fostering a fair housing market. In San José, where the problem of RVs being rented out on city streets has become a notable issue, authorities must take action to safeguard vulnerable renters and maintain the integrity of the local housing market. By prioritizing enforcement, cities can promote safer living conditions, reduce inequality, and create a housing market that is both fair and sustainable for all.

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The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.