

Mina Malek

[External Email]

Dear City Clerk,

As a rental housing provider in the City of San Jose, I have been deeply impacted by not only the COVID-19 pandemic but also the recent steps the Council has taken with the eviction moratorium and the proposed rent freeze. The rent freeze proposal is particularly concerning as it is scheduled to be heard tomorrow and as of 2:30pm today we have yet to review a draft of the ordinance.

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I am asking that the Council defer this item to the April 28th meeting to allow time for the Council and those impacted time to review the ordinance and provide feedback.

Thank you

Sincerely,

Mina Malek

Tifini Vega

[External Email]

Dear City Clerk,

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Thank you

Sincerely,

Tifini Vega

GURUMURTHY SRINIVASAGAM

[External Email]

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GURUMURTHY SRINIVASAGAM

Khalid Mahmud

[External Email]

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Sincerely,

Khalid Mahmud

Andrea Vernerova

[External Email]

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Sincerely,

Andrea Vernerova

Marsha Paulding

[External Email]

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Sincerely,

Marsha Paulding

Todd Robillard

[External Email]

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Todd Robillard

Wendy Schultz

[External Email]

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Thank you

Sincerely,

Wendy Schultz



Chad Hale

[External Email]

Dear Mayor and Council members,

It was only two weeks ago that two council members stirred up the community unnecessarily. Do you want to do this again, already?

Please exercise sound judgement in bringing this city together not apart.

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Thank you



**Chad Hale**

Pintail Property Management

martha O'Connell  
Mon 4/20/2020 4:46 PM

Additions to my chart:

Confirmed by email from resident  
Riverbend got notice of rent increase for June 1, 2020  
Riverbend  
124 homes  
D3

Confirmed by email from resident  
Rancho Santa Theresa  
annual rent increase is in November  
314 homes  
D2



**Joanne Ingold**

Mon 4/20/2020 10:52 PM

Agendadesk

I am for the rent freeze item 8.1'

Sincerely

Joanne Ingold

Colonial Manor Mobile Home Park

**George Van Buskirk**

Tue 4/21/2020 8:32 AM



Stopping the rent increase year on my mobile home would help me during this economic downturn ~ thanks.

## **Defer the Rent Freeze**

**John Hyjer**

Mon 4/20/2020 4:50 PM

Dear City Clerk,

As a rental housing provider in the City of San Jose, I have been deeply impacted by not only the COVID-19 pandemic but also the recent steps the Council has taken with the eviction moratorium and the proposed rent freeze. The rent freeze proposal is particularly concerning as it is scheduled to be heard tomorrow and as of 2:30pm today we have yet to review a draft of the ordinance.

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John Hyjer

## **Defer the Rent Freeze**

**Alan Engel**

Mon 4/20/2020 4:50 PM

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Thank you

Sincerely,

Alan Engel

## **Defer the Rent Freeze**

**Christina Van Zandt**

Mon 4/20/2020 4:50 PM

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Thank you

Sincerely,

Christina Van Zandt



## **Defer the Rent Freeze**

**Dion Chow**

Mon 4/20/2020 4:50 PM

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Thank you

Sincerely,

Dion Chow

## **Defer the Rent Freeze**

**Rick Smith**

Mon 4/20/2020 4:50 PM

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Thank you

Sincerely,

Rick Smith

## **SJ rent increase ordinance**

**Raymond Shen**

Tue 4/21/2020 10:24 AM

Dear City Clerk,

I would like to add one exception to the universal rent increase moratorium:

- when the tenant is not affected financially by Covid-19. Tenants should make known that they have financial hardship.

Raymond Shen

## **Defer the Rent Freeze**

**Eleanor Perazzo**

Tue 4/21/2020 10:20 AM

Dear City Clerk,

As a rental housing provider in the City of San Jose, I have been deeply impacted by not only the COVID-19 pandemic but also the recent steps the Council has taken with the eviction moratorium and the proposed rent freeze. The rent freeze proposal is particularly concerning as it is scheduled to be heard tomorrow and as of 2:30pm today we have yet to review a draft of the ordinance.

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Thank you

Sincerely,

Eleanor Perazzo

## **Defer the Rent Freeze**

Bruce Rueppel

Tue 4/21/2020 10:00 AM

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Thank you

Sincerely,

Bruce Rueppel

## **Defer the Rent Freeze**

**Stephen Gaffaney**

Tue 4/21/2020 10:00 AM

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Thank you

Sincerely,

Stephen Gaffaney

From: Roger Wong  
Sent: Tuesday, April 21, 2020 9:47 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Thank you

Sincerely,

Roger Wong

From: Joseph Tersigni  
Sent: Tuesday, April 21, 2020 9:27 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Thank you

Sincerely,

Joseph Tersigni



From: Richard Shulman  
Sent: Tuesday, April 21, 2020 8:58 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Sincerely,

Richard Shulman

From: Mark DeGraff  
Sent: Tuesday, April 21, 2020 8:25 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Mark DeGraff

From: Nancy Avelar  
Sent: Tuesday, April 21, 2020 8:19 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

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Thank you

Sincerely,

Nancy Avelar

From: Virginia Espiritu  
Sent: Tuesday, April 21, 2020 7:58 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Sincerely,

Virginia Espiritu

From: Thalia Georgopoulos  
Sent: Tuesday, April 21, 2020 7:45 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Thalia Georgopoulos

From: Maria Goulart  
Sent: Tuesday, April 21, 2020 3:50 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Sincerely,

Maria Goulart

From: Greg Haas  
Sent: Tuesday, April 21, 2020 2:42 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Sincerely,

Greg Haas

From: Thomas Zimmerman  
Sent: Tuesday, April 21, 2020 12:20 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

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Thank you

Sincerely,

Thomas Zimmerman



## **Defer the Rent Freeze**

**Yat-Pui Au**

Mon 4/20/2020 10:30 PM

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Thank you

Sincerely,

Yat-Pui Au

## **Rent increase**

**Maria Teresa Munoz**

Tue 4/21/2020 11:10 AM

Como miembro de la comunidad, les pido que sea considerado la congelación de el incremento a la renta. Todos estamos estresados sin trabajo y sin poder pagar la renta. Esto es extremadamente difícil para personas sin documentos y con ingresos limitados. En el parque de casas móviles donde resido hay muchas personas en esta situación. Por favor ayúdenos a aliviar un poco el estrés que los residentes están viviendo. Ayúdenos a mantener el derecho básico de tener vivienda.

María Teresa Munoz

GSMOL u714 chapter presidente.

## **Postpone rent freeze vote**

**Marilyn <**

Mon 4/20/2020 9:58 PM

Dear Mayor and Council Members,

It is unconscionable to vote on a matter that has not been available for the public to see or comment on as of 4pm the day before you vote. How can this be fair or reasonable behavior on your part? Really—consider how you would feel if you were a citizen and not part of city government.

Please postpone this agenda item for at least a week in order for the public to comment and have dialogue with you.

Thank you,

Marilyn McAlpine

## **Letter urging that consideration of the proposed rent freeze be deferred until at least April 28**

**Kirk Mckenzie**

Mon 4/20/2020 8:31 PM

Dear Mayor Liccardo and City Council Members:

I am the owner of two duplexes in west San Jose, and am writing to urge you to postpone until at least April 28 any consideration of the emergency ordinance that was proposed at the April 14 City Council meeting, which as I understand it would freeze rents at existing levels until December 31, 2020.

I feel compelled to write to you about this proposal for an emergency ordinance because, according to an email from the California Apartment Association that was sent out on Monday afternoon, April 20, the actual text of the ordinance is not yet available. This situation makes it impossible for the public to read or comment upon the proposed ordinance, and as such violates generally-accepted notions of due process.

The right to have adequate time to review and comment upon the proposed emergency ordinance is especially important in this case because of the issues raised about the proposed rent freeze in the April 13 memorandum concerning Agenda Item 8.1 that was distributed last week by Council Members Khamis, Davis and Foley. As they pointed out, any emergency ordinance freezing rents should run parallel to the moratorium on evictions recently adopted by the City Council, apply only to tenants who have experienced an income loss directly resulting from the COVID-19 crisis, allow property owners to reduce rents temporarily without impacting the original rent level for purposes of calculating future rent increases, and preclude tenant petitions for rent reductions based upon the loss of common area amenities such as swimming pools and gym facilities if those amenities have been closed in order to comply with public health orders related to COVID-19. These are fair and equitable limitations, and the public should have an opportunity to review and comment upon any draft ordinance that incorporates (or rejects) them.

For these reasons, I urge the City Council to defer any consideration of the proposed emergency ordinance freezing rents until at least April 28.

Sincerely,

Kirk McKenzie

## **Rent increase freeze**

**Maria Teresa Munoz**

Tue 4/21/2020 11:12 AM

As member of the community I please ask you to consider the freeze of the increase In the rent. We already have tremendous stress not been able to pay rent and without work. This is also extremely hard for undocumented workers as well as fixed-income individuals living at the mobile home park were I reside. Please help alleviate some of stress that the residents have; to keep the most important basic human need housing.

María Teresa Munoz

GSMOL u714 chapter presidente

Sent from my iPhone

**Albert Van Horn**

Mon 4/20/2020 6:01 PM

Dear Mayor Liccardo and City Council members,

We are property owners in San Jose & like many we are concerned about the impact the COVID-19 pandemic is having in our communities, the United States & World at large.

It is our understanding that the San Jose City Council is set to consider a rent freeze ordinance on Tuesday April 21. However, to our knowledge, as of 4:00 pm on Monday, April 20, the draft ordinance has not been released. Enacting a rent freeze ordinance without adequate time for review by property owners to ensure legal & operational issues are addressed is unfair representation for the property owners.

We respectfully ask that the Mayor and City Council defer the rent freeze ordinance until the April 28, 2020 City Council meeting to provide sufficient time to allow those impacted to review the ordinance.

Sincerely,

Albert R. & Antonia N. Van Horn

## **San Jose Council. Rent Freeze**

**Don & Kathy**

Mon 4/20/2020 5:35 PM

Please delay the Council vote on the Rent Freeze Bill until interested parties have the opportunity to view what is in the bill.. Apparently the language of the bill has not been made public. Therefore those property owners of rental properties and organizations representing property owners have not had an opportunity to review what is being proposed.

I would hope that Council is being fair and transparent to both renters and rental property owners as Council represents all those in San Jose.

It is a difficult time for renters earning incomes and for rental property owners who earn their income from their rental properties.

Council needs to be fair, just, and transparent to all concerned .

Sincerely,

Kathleen Anderson

San Jose Property Owner



California Apartment Association

1530 The Alameda, Suite 100  
San Jose, CA 95126  
408.342.3500 • caanet.org

April 21, 2020

Mayor Sam Liccardo and City Council  
City of San Jose  
200 E. Santa Clara St.  
San Jose, CA 95113

Item 8.1

Dear Mayor Liccardo and City Council,

The California Apartment Association is concerned about the limited time that was provided to fully review the draft framework for the ordinance and the subsequent ordinance. The City, in the rush to enact this ordinance, is not providing sufficient time to either the Council or stakeholders to review the language of the ordinance for legal concerns, the impact of the ordinance on the operations of rental housing or if there are any other unforeseen challenges with this untested ordinance.

The initial framework for the draft ordinance was provided to stakeholders the evening before we were asked to provide input on it and the draft ordinance was given similar time for review. This ordinance is set to sunset in 7 months, if we cannot have adequate time to review it then those flaws will persist for remainder of the year. The limited time for oversight should stand as cause to delay the consideration of this ordinance by one more week.

CAA conducted an initial review of the ordinance and has come up with this preliminary list of issue that we feel must be addressed to avoid confusion and promote compliance. While this review cannot be exhaustive due to the limited time, it highlights several issues we have found. The following are changes that we strongly recommend:

- **Section 6(A) (rent increase moratorium)** – This section adds confusion to the ordinance because it doesn't address our concern about how this will affect rent increase notices given, and lease renewals agreed to, before the rent freeze ordinance but with an effective date during the moratorium period. This section should add language that clarifies any rent increase noticed or agreed to before the enactment of this ordinance should be deferred until the rent freeze sunsets on December 31st, 2020.
- **Section 6(B) (rent increase moratorium)** – sets the rent “during term of ordinance” at the March 31 rent. However, there needs to be language added that clarified that the ordinance applies only to the rent that comes due after the effective date of the ordinance. If a rent increase already went into effect prior to the enactment



of the ordinance that has to be withdrawn, then the new rent amount should be due after the effective date of the ordinance.

- **Section 7** – The Apartment Rent Ordinance limits rent increases to one increase per 12-month period, and that increase is calculated based on the rent charged for the previous 12 months. Section 7 fails to ensure that a landlord will not be penalized for allowing a temporary reduction in rent because it does not allow that reduction to be excluded from the base rent calculation upon which the Annual General Increase will be calculated, and also does not state that the restoration of the rent after the temporary decrease is not a rent increase that would prohibit the landlord from increasing the rent in the following 12 months.
- **Section 8(A)** – The waiving of late fees should be extended through fiscal year 2020-21. Many property owners have paid their fees on time to avoid late fees. Waiving late fees for 2019-20 fiscal year provides little if any benefit because those fees were due by December 2019. Extending this benefit to the next fiscal year will provide the intended benefit.
- **Section 8(B)** – Waiving building maintenance permits fees should be extended to all buildings covered by the ordinance. The 20 unit threshold is arbitrary and doesn't take into account that larger buildings have more tenants sheltering in place and therefore carry a higher maintenance load than the smaller buildings.
- **Section 9** – This section should strike the words 'during the period of this ordinance' and instead included language that denies any reduction in service claims related to COVID related health orders. If the reduction in service that was required by the health order continues following the sunset of this ordinance, a reduction in service claim could be filed on January 1st, 2021.
- **Section 10** – This section provides that non-compliance with the ordinance can be used as a defense to eviction. CAA does not object to this concept, however the phrasing of the section presents two issues: (1) it applies the protection to "affected tenants" – a term not defined in this ordinance, but which is defined in the eviction moratorium – which could have the effect of applying the rent increase moratorium to all effected tenants, even if they reside in non-ARO regulated units, and (2) applies the protection to any unlawful detainer action, even if that unlawful detainer action is not based on failure to pay a rent increase implemented in violation of the ordinance (e.g., a tenant being evicted for criminal activity could raise non-compliance with the rent increase moratorium as a defense). To correct this issue, Section 10 should be amended to strike any reference to "affected tenants" and should clarify that the affirmative defense applies only in those cases where the landlord seeks to evict the tenant for refusing to pay a rent increase implemented in violation of the ordinance.

Addressing these technical changes on the dais while the Council deliberates the ordinance can be challenging. CAA recommends that the Council direct staff to incorporate these changes at the April 21st Council meeting and bring the amended ordinance for review at the April 28th Council meeting. This change in the process will allow time for stakeholders to

provide their input on the ordinance and for the Council to evaluate the proposal under consideration.

Sincerely,



Anil Babbar  
Vice President of Public Affairs

## **Defer the Rent Freeze**

**Joan Laird**

Mon 4/20/2020 5:10 PM

Dear City Clerk,

As a rental housing provider in the City of San Jose, I have been deeply impacted by not only the COVID-19 pandemic but also the recent steps the Council has taken with the eviction moratorium and the proposed rent freeze. The rent freeze proposal is particularly concerning as it is scheduled to be heard tomorrow and as of 2:30pm today we have yet to review a draft of the ordinance.

I am concerned that as the City Council you are being asked to adopt a very important ordinance and there will have been less than 24 hours for you and key stakeholders such as myself to review it. Given the impact this ordinance will have on me, my residents, and existing rental contracts, it is critical that impacted stakeholders have an opportunity to provide meaningful input on it and have time to properly comply with the key provisions.

I am asking that the Council defer this item to the April 28th meeting to allow time for the Council and those impacted time to review the ordinance and provide feedback.

Thank you

Sincerely,

Joan Laird

## **Defer the Rent Freeze**

**Michael Fletcher**

Mon 4/20/2020 5:10 PM

Dear City Clerk,

As a rental housing provider in the City of San Jose, I have been deeply impacted by not only the COVID-19 pandemic but also the recent steps the Council has taken with the eviction moratorium and the proposed rent freeze. The rent freeze proposal is particularly concerning as it is scheduled to be heard tomorrow and as of 2:30pm today we have yet to review a draft of the ordinance.

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I am asking that the Council defer this item to the April 28th meeting to allow time for the Council and those impacted time to review the ordinance and provide feedback.

Thank you

Sincerely,

Michael Fletcher

From: Michael Schall  
Sent: Tuesday, April 21, 2020 11:25 AM  
To: City Clerk  
Subject: Defer the Rent Freeze

[External Email]

Dear City Clerk,

As a rental housing provider in the City of San Jose, I have been deeply impacted by not only the COVID-19 pandemic but also the recent steps the Council has taken with the eviction moratorium and the proposed rent freeze. The rent freeze proposal is particularly concerning as it is scheduled to be heard tomorrow and as of 2:30pm today we have yet to review a draft of the ordinance.

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I am asking that the Council defer this item to the April 28th meeting to allow time for the Council and those impacted time to review the ordinance and provide feedback.

Thank you

Sincerely,

Michael Schall

April 18, 2020

**To: Mayor and Council**

From: Carlene Valenti

Office: GSMOL: Chapter President Magic Sands

RE: CC -21-2020 Item: 8.1: Support Rent Freeze as Emergency Ordinance

People are having a hard time buying food paying bills, mortgages and space rentals. Magic Sands is one of the largest family parks in San Jose and all these residents have been sheltering in place for the past month. We are having to make choices on feeding our families or paying our bills and I understand that most people received a stimulus check but not everyone has and you know as well as everyone else \$1200 is nice at this time but no one is going to be able to pay their space rentals with that amount and it increases every year on May 1<sup>st</sup>.

We need the people that we voted in office to be there for us at this moment and support the rent freeze.

Sincerely, Carlene Valenti

**Additional Letters from the Public  
Received. Please Contact City Clerk to View.**