



Legislation Details (With Text)

File #: 18-550 **Version:** 1

Type: Community & Economic Development **Status:** Agenda Ready

File created: 4/9/2018 **In control:** Housing Department

On agenda: 4/24/2018 **Final action:**

Title: Amendments to the Apartment Rent Ordinance - Title 17 for Utility Pass Throughs to Tenants.

Sponsors: City Council

Indexes:

Code sections:

Attachments: 1. Memorandum, 2. Memorandum from Mayor Liccardo, 3. Memorandum from CM Jimenez, 4. Memorandum from CM Jones, 5. Supplemental Memorandum, 6. Attachment, 7. (b) Ordinance, 8. Letter(s) from the Public, 9. Presentation

| Date | Ver. | Action By | Action | Result |
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Amendments to the Apartment Rent Ordinance - Title 17 for Utility Pass Throughs to Tenants.

- (a) Accept the staff report on submetering, submetering incentives, and pass throughs of utility costs, including Ratio Utility Billing System (RUBS).
- (b) Approve an ordinance amending Part 3 of Chapter 17.23 of Title 17 of the San José Municipal Code to:
 - (1) Clarify that the pass through of utility charges to tenants via RUBS or other unmetered allocations is not allowed;
 - (2) Allow landlords with written utility pass through contracts for water, sewer and/or garbage in place prior to January 1, 2018, to petition for a one-time rent increase equal to the lesser of:
 - (i) The average monthly charges for water, sewer and/or garbage passed through to the tenant over the 2017 calendar year; or
 - (ii) An amount equal to the sum of the 2018 Santa Clara County Housing Authority Utility Allowance rates for multifamily water, sewer and garbage costs; and
 - (3) Allow landlords with written gas and/or electric pass through contracts in place prior to January 1, 2018 to petition for a one-time increase if a landlord’s units are not separately metered for gas and electricity and the landlord has complied with the requirements of Civil Code Section 1940.9. The increase shall be the lesser of:
 - (i) The average monthly charges passed through to the tenant over the 2017 calendar year;
 or
 - (ii) An amount equal to the sum of the 2018 Santa Clara County Housing Authority Utility Allowance rates for multifamily gas and electric costs.
- (c) Direct staff to submit the revisions to the Regulations implementing the limited term one-time rent increase petition process to the City Manager for approval.

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Housing)

TO BE HEARD LAST