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

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

powered by Legistar™