

## Marin group lobbies supervisors for renter protections

By [Richard Halstead](#), *Marin Independent Journal*

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Marin Supervisor Damon Connolly has signaled what may be the Marin Board of Supervisors' next step in addressing the county's affordable housing crisis.

"What we're likely to propose — and it's under consideration right now — is any landlord looking to raise the rent by more than 5 percent would be subject to mandatory mediation," Connolly told a packed house of renters and others in San Rafael on Wednesday.

Connolly made the comment at a meeting on renter protections hosted by the Marin Organizing Committee at St. Raphael Catholic Church. More than 300 people attended, about the same number that turned out for a similar meeting the committee held in January. Marin Organizing Committee is a broad-based network of religious organizations and nonprofits; it is the same group that founded Marin's emergency winter shelter program for the homeless.

No landlords spoke at the meeting that focused on renters' grievances; when contacted Thursday, the head of the Marin Association of Realtors said his group had not taken a position on the idea suggested by Connolly.

"Moreover, we do not comment on half-baked, staff driven proposals that have not been thoroughly vetted through stakeholder work," Andy Fegley, CEO of the association, said via email. "We will continue working with the supervisors to address affordable housing in Marin in a responsible manner that protects the rights of property owners."



Miguel Rodriguez and Yolanda Barahona listen to a renter's landlord experience during a Marin Organizing Committee meeting at Saint Raphael School in San Rafael on Wednesday. (Photo: Alan Dep)

At the meeting, a series of renters recounted their experiences dealing with spiraling rents and landlords who they said are taking advantage of the county's housing crisis by neglecting to adequately maintain their properties.

The meeting concluded with Connolly and Supervisor Katie Rice pledging to participate in a Marin Organizing Committee study session to evaluate mandatory mediation and other potential remedies, including a just-cause-for-eviction law.



*Meredith Parnell of Congregation Rodef Sholom and Supervisor Damon Connolly listen to a renter's landlord experience. Photo: Alan Dep / Marin Independent Journal*

### **'FELT BETRAYED'**

Esmeralda Leiva, a member of St. Raphael, said her family moved into a Novato townhouse eight years ago.

"We were excellent tenants and had no problem with our landlord for three years," Leiva said. "Then out of the blue we were given a 60-day notice to vacate our home without any reason whatsoever. We felt betrayed."

Cecelia Lopez said she has lived in the same San Rafael apartment for 20 years and for the past five years there have been leaks in the ceiling of two rooms, including her daughter's bedroom.

"The owner says he doesn't know why there are leaks, so I have a piece of Sheetrock where the leak is because the ceiling is falling off," Lopez said.

"This is just one of the things that needs to be fixed," she said. "Whenever I call about a problem, I receive a bill for the repairs and my rent increases."

Lopez said two months ago her apartment building was sold and she was told her rent would be increasing by \$700, to \$2,500 a month, beginning Sept. 1.

"I work seven days a week with three different jobs, and I'm sick with diabetes," Lopez said. "I'm afraid I'm going to be kicked out of my home."

### **PERSONAL STORIES**

Rebecca Ramirez said there was mold on the walls of the San Rafael apartment her family moved into a few years ago and after living their two years they found mushrooms growing behind some furniture. She said due to the unsanitary conditions her sister's asthma became worse, requiring emergency medical attention in 2016. She said the property owners refused to do anything about the conditions until she sought help from Legal Aid of Marin.

In discussion groups, renters shared their personal experiences, and the stories ran the gamut: one woman had lived in her apartment for five years with no heat; a man in his

80s, a church organist, had to invite multiple people to share his studio apartment with him to cope with rent increases; a pregnant woman was forced to move into an apartment with unsanitary conditions five days after giving birth; and another woman was evicted from her apartment because she became pregnant.

The latter part of the meeting dealt with possible solutions.

Bob Pendoley, a member of the Marin Interfaith Council, said about 36 percent of Marin County's population, some 95,000 people, are renters, and more than half of them are paying more than 30 percent of their income for housing. Pendoley said two-bedroom apartments in San Rafael that rented for \$1,800 a month in 2011 now rent for \$3,074 a month.

Pendoley laid out three approaches to addressing the crisis: adopting rent stabilization, a cap on apartment rents; enacting a just-cause-for-eviction law, which would require that landlords have a legitimate reason for evicting a tenant, such as failure to pay rent; and mandatory mediation, a law requiring landlord mediation before rents are raised above a certain amount.

#### **LAWS EXIST**

Both Rice and Connolly, who sit on the Board of Supervisors' subcommittee on housing, said they would participate in a Marin Organizing Committee study session to review these options. The supervisors have in the past, however, ruled out rent stabilization.

Connolly and Rice indicated they are interested in mandatory mediation, but when it comes to a just-cause law — not so much.

Regarding just cause for eviction, Connolly said, "Let's look at what is working and what's not in other communities that have taken this approach."

"There are a lot of laws on the books right now," he added. "For example, it is unlawful for a landlord to retaliate against a tenant who complains about bad conditions in their building. I want to make sure that tenants and landlords are educated about their rights."

Rice said, "I want to really reiterate what Damon said about there being laws on the books right now that actually do provide protection for many of these things."

"None of this is easy, most of it is complicated. It's not black and white," Rice said. "We want to make sure we get it right for tenants and landlords in our community."

#### **BURDEN ON TENANT**

Contacted Thursday, Laurie Joyce, a staff attorney for Legal Aid of Marin, said that while there are laws that prohibit retaliation against renters, "No lawyers will take these cases other than Legal Aid of Marin, and we're inundated. We can't handle the number of cases we have."

Joyce said, "A just-cause ordinance would help to level the now very tilted playing field for tenants and landlords. Currently, the burden is on the tenant to go to court and

prove to a judge or jury that the landlord's termination notice or rent increase was retaliatory or unlawfully discriminatory.

“With a just-cause ordinance,” she said, “the burden shifts to the landlord to prove that there is just cause to terminate the lease or increase the rent. This would not level the playing field, but it would decrease the current steep tilt in favor of landlords — especially when that steep tilt lands the tenant into the greased shoot of eviction proceedings.”

Pendoley said in addition to working with supervisors, the Marin Organizing Committee plans to create a safe space for renters to report evictions, rent increases and bad living conditions.