

San Rafael Council Approves Renter Protections

By [ADRIAN RODRIGUEZ](#) | Marin Independent Journal UPDATED: June 5, 2019 at 5:52 am

To cheers from the audience, the San Rafael City Council approved mandatory mediation and just-cause for eviction ordinances on Monday.

The council approved each ordinance separately in 3-1-1 votes, with John Gamblin dissenting and Maribeth Bushey absent, after a 90-minute hearing. Tenants, fair housing advocates and a few landlords supported the move, while other landlords and real estate representatives said the new rules could make matters worse.

Councilwoman Kate Colin said she supported the ordinances because they show that the council supports renters, who make up 48% of San Rafael residents.

“Often renters are more likely to be people of color, who are older, people who have disabilities, people who have lower incomes,” Colin said. “So it’s important that we put these renter protections in place to support everybody in our community who might not have the power or the platform to advocate for themselves.”

Gamblin said the problem is a lack of housing in Marin County and that renter protections won’t solve the problem. He said a better mix of housing, including affordable and market rate units, would stabilize rents.

“I just don’t believe that the ordinances will do anything,” he said, “other than they will be written on a piece of paper that might make some feel that they are getting adequate protections against further rent increases.”

Gamblin and Mayor Gary Phillips cautioned that the ordinances are not rent control.

The ordinances were drafted after two public discussions. At those meetings, supporters implored the council to adopt protections that mirror those of the county and Fairfax, arguing that any deviation would weaken the laws, create inconsistency in enforcement and be unfair to renters.



About 30 members of the Marin Organizing Committee congregate on the steps of San Rafael City Hall before a public hearing on renter protection laws on Monday. (Adrian Rodriguez/Marin Independent Journal)

The mandatory mediation ordinance will require landlords to enter into mediation if they increase rents more than 5% within a 12-month period. The law applies to all rental units.

The ordinance requiring just cause for evictions applies only to buildings with three or more units, similar to the county's law.

Andrew Hening, a city homelessness official, clarified that the mediation law requires the landlord and the tenant to participate in mediation "but the outcome would not be binding."

For the first year of the mandatory mediation program, the city will pay up to \$40,000 with money from its homeless initiatives fund.

Tom Gable, pastor of Marin Lutheran Church and member of **Marin Organizing Committee**, urges the council to adopt renter protection laws: pic.twitter.com/kCLyupf0tj

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To support the ordinances, members of the Marin Organizing Committee rallied on the steps of City Hall prior to the meeting.

Gabriella Ventura, a committee member who works at Marin Community Clinics to enroll patients in health insurance, said it's common for families to sacrifice their health by discontinuing treatment and medication in order to afford rent.

"This law has the power to save lives, and I really hope that you guys will enact it," she said.

Len Rifkind, a San Rafael attorney and a landlord, said these renter protection laws are not the solution.

"More housing is the answer," he said, calling just-cause for eviction and mandatory mediation "mere Band-Aids."

Alex Khalfin, vice president of public affairs of the California Apartment Association, agreed. He said such laws could come with "unintended consequences."

"There's a shortage of housing," he said. "Until we move the needle to increase the supply the demand is going to be high no matter what you do. You can have these policies. They're just not really going to make a huge difference."

Alex Khalfin, spokesman for the California Apartment Association, says there could be unattended consequences associated with adopting renter protection laws. He opposes the ordinances: pic.twitter.com/tMLn4KkSj7

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For others, the passage of the ordinances was a victory.

"MOC is pleased that the San Rafael City Council is moving forward with these small steps to protect renters," said Meredith Parnell, a leader of the MOC. "We look forward to working with the city to ensure there is a well-resourced and multilingual community education and outreach campaign to explain these new ordinances to landlords and tenants alike."