

From: Jenny Zhao

Sent: Thursday, May 04, 2017 8:29 AM

To: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; Jenny Zhao ; City Clerk <city.clerk@sanjoseca.gov>; Duenas, Norberto <Norberto.Duenas@sanjoseca.gov>

Subject: Strongly Against Our City of San Jose to Adopt Just Cause Eviction

Dear Mayor Liccardo,

As a 18 years San Jose resident, property owner, voter and tax payer. I strongly against our city to adopt JCE Ordinance. And thank you for your NO vote on 4/18 meeting.

I have read through the attached Housing staff Memo for 5/9 council meeting. On Page #5, "Data in Support of the Need for Just Cause Eviction Protections", the total number of eviction notice from 2012-2016 is 1874 or 375 per year. With 43800 ARO units, the eviction rate is 0.9% per year, is this a joke?

375/43800 = 0.86%

Despite how many of this 0.86% evictions are with "Good Cause", are you trying to tell your residents that we are spending our valuable 2+ years to consider a multi-million program just to "protect" 0.86%(?) of the renters, with the price to be paid by all property owners, 99% of the good renters, and the entire City's safety?

While you are leading the City to discuss Budget Priorities, how can you let such ridiculous thing happen in our City? JCE is the most mis-use public funds' program which the City should not adopt.

One of my friends owns a 6-plex in a non-JCE city, one of the renter's child joined local gangster and held loud party near the building all the time, the other renters and entire street all suffered and complained, even the local police department wanted my friend to let them leave. Without JCE, it took my friend 4 months (without rent) to finally evict them. Under JCE the eviction will be nearly impossible to happen. My friend is willing to testify and proof if you and the City office would like to listen, they have all the records.

Under JCE, owner is not going to risk our own life to collect criminal evidence and most owners don't live in the rental properties. Will any neighbors or renters dare to be the witness in court? No. So think about who are going to suffer?

While the Memo also described how hard for the flood victims to find a new home due to the high rent, it's true that the current market rent is high, but in no circumstances a rent control program can control the ASKING RENT, we all know this!

As a resident and tax payer, how can we support a government decision like this? The Dept of Housing is extremely bias and misleading the council from the very beginning! In my opinion the Director of Housing deserve to be fired. Our tax money is better off to be used in flood prevention, rather than to create a bureaucracy that's going to do nothing but waste my tax money.

Sincerely yours,

Jenny Zhao
A resident in D1

From: John Gan

Sent: Thursday, May 04, 2017 9:52 AM

To: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Duenas, Norberto <Norberto.Duenas@sanjoseca.gov>

Subject: strongly against Just Cause Eviction

Dear Mayor Liccardo:

Firstly I want to thank you for your vote against JCE on 04/18 meeting.

As a San Jose resident, property owner, Tax payer, I strongly against our city to adopt JCE Ordinance.

According to housing staff memo for 05/09 council meeting, the total number of evectioin from 2012 to 2016 us 1874 or 375 per year, With 43800 ARO units, the eviction rate in San Jose is only around 0.86%.

$375/43800 = 0.86\%$

When I discuss about JCE with my friends who own rental property, they are all scared by this law.

They want to sell rental property if JCE got passed. San Francisco passed rent control and JCE couple years ago, the consequence is 40,000 rental units withdraw from rental market because property owner are afraid of either losing their property or involved in law suit.

San Jose needs more rental property not less, but JCE will make supply less and rent higher!
Other 99% of tenants deserve heathy rental market.

thank you very much!

John

From: Jenny Fan

Sent: Thursday, May 04, 2017 10:11 AM

To: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Duenas, Norberto <Norberto.Duenas@sanjoseca.gov>

Subject: Strongly Against JCE

Dear Mayor of city San Jose,

Thank you so much for being fair and vote No on JCE.

I am not a apartment owner and I live in San Jose in last 20 years. I have seen how city of SF and Oakland went too far to make everyone suffering from the rent control. **JCE** type of rent control in SF and Oakland clearly demonstrated that **discouraging people work hard to gain property ownership, to be a respectful tenants, to trust fairness in this great country.**

Current all rental rules are effective enough to protect Tenants and Landlord. It may have few unreasonable landlords to do unfair things, and it also some unreasonable Tenants cause landlord huge loss. However those cases need to be solved individually. **JCE will victimized many good landlords and consequently causing a lot bigger issues that would hurt all residents.**

Thank you in advance for considering my thought.

Sincerely,
Jenny F

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From: Duli Mao

Sent: Thursday, May 4, 2017 10:54 AM

To: Liccardo, Sam; The Office of Mayor Sam Liccardo; City Clerk; Duenas, Norberto

Subject: Please do not pass more housing regulations that kills housing supply!

Dear Mayor Liccardo,

As a San Jose resident for over 20 years and a small housing supplier, I thank you for casting No vote in last council meeting on Just Cause Eviction. It is unfortunate that it was passed by one single vote and the City of San Jose may be set on the wrong path. Look at Oakland: many years of strict housing regulation not only made the housing crisis even worse, but the crime rate among the highest in the nation. We do not want San Jose to become another Oakland.

I will cite a couple of examples: recent unexpected flooding in south San Jose has resulted in many tenants struggling to find new place. Will the passage of Just Cause Eviction help those tenants to find new place? Anyone who tells you yes is lying. With just cause eviction and tightening cap on rent increase, existing tenants who got in a protected unit will never leave. The limited affordable housing supply will be depleted.

Just cause eviction is also bad for large pool of tenants, especially the most vulnerable. Many landlord would hesitate to rent to seniors (or people who may become seniors), single mothers, and handicapped, just for the fear of never getting their property back within their life time. With current housing shortage, there are always more applicants with better income and credit, there is no grounds for discrimination accusations.

Statistics show that Americans move every 5 years (including home owners). Family and employment situation change, people size up or down based on their need and resource. Rent control regulations are unnatural and encourage people to hoard the limited housing supply. San Jose is growing and attracting new big employers like Apple and Google, where do you plan to house the new employees that are coming to the city?

Thanks again for voting No, and please help to bring some common sense to those council members who are misled and voted yes.

Sincerely,

Duli Mao

From: Deb

Sent: Thursday, May 4, 2017 11:42 AM

To: Grabowski, Ann; Liccardo, Sam; The Office of Mayor Sam Liccardo; City Clerk; Duenas, Norberto

Subject: Just Cause Eviction

Honorable Mayor, City Manager Norberto Duenas and SJ Housing Dept,

I have read the housing Memorandum by Jacky Morales-Ferrand on 4/28/2017

(http://sanjose.granicus.com/MetaViewer.php?meta_id=632277)

On Page #5, "Data in Support of the Need for Just Cause Eviction Protections", (see the screenshot below)

Data in Support of the Need for Just Cause Eviction Protections

Since 2012, the Rental Rights and Referrals Program staff has received 1,962 no-cause notices to terminate. The following is a table summarizing the number of no-cause notices filed by year:

Year	# of Notices Filed
2012	252
2013	358
2014	395
2015	503
2016	366
2017 (to date)	88
Total	1,962

The trend of no-cause notices appears to be correlated with the strength of the rental housing market. This suggests that in past years, landlords were motivated to issue no-cause notices to increase rents in ARO apartments. Considering the total number of apartments in San José, it is likely not all landlords are submitting copies of the notices as required by the ARO. Under the current ARO Program, there is no mechanism in place that allows the staff to effectively ensure compliance with the noticing requirements. The just cause provisions will ensure that all tenants experience the same rights when facing a termination of tenancy. Based on the number of notices filed to date in 2017, it is anticipated there will be nearly 300 no-cause notices in the current year.

The total number of eviction notice from 2012-2016 is 1874 (252 + 358 +395 +503 +366 = 1874) or 374.8 (1874/ 5yr = 374.8) per year. With 43800 ARO units, the eviction rate is 0.8557% (274.8/43800=0.008557) per year, and among the 0.8557% of eviction cases, the majority of the eviction case is for non-payment, so the left would be around 0.1% no cause eviction cases, as we all know that RC and JCE are going to make housing shortage even worse and worse, are we spending our valuable 2+ years to just to "protect" 0.1% of the renters by passing JCE and RC to punish the 99.9% of the good landlords? and also the 99.9% of renters will pay the price with the consequence of JCE and RC!

As a resident and tax payer, how can we support a government decision like this? The Dept of Housing is bias and misleading the council! In my opinion the Director of Housing deserve to be fired.

Another thought, why the total income of a staff of the City Housing Dept in 2016 had 15.6% increase from \$340K in 2015 to \$393K in 2016? did she really resolve the SJ housing crisis problem? why do we have to rent control cap to CPI while property tax, water bill(25%+), waste bill(10% +), house insurance (3%) and maintenance ALL increased

From: Jin Feng Chou

Sent: Thursday, May 4, 2017 11:45 AM

To: Liccardo, Sam; The Office of Mayor Sam Liccardo; City Clerk; Duenas, Norberto

Subject: Strongly against JCE

Dear Mayor of San Jose and consul members,

Thank you so much for being fair and vote No on JCE.

I have lived in San Jose and proud to be a property owner of San Jose for over 20 years. I strongly believe in fairness and justice, current all rental rules are effective enough to protect both Tenants and Landlord. The world is never perfect, there may have few unreasonable landlords taking advantage from the tenants, yet there are also some unreasonable Tenants cause landlord huge loss. However those cases need to be solved individually. **JCE will victimized many good landlords and consequently causing even bigger issues that suffered both landlord and all residents.**

I have seen how city of SF and Oakland went too far to make everyone suffering from the rent control. **JCE** type of rent control in SF and Oakland clearly demonstrated the effect of encourage unreasonable tenant to take advantage of fair landlord.

The rental market is a matter of supply and demand, if we have more affordable housing the rent will drop, I believe this is the way

to solve the fundamental problem and make our great city continue prosperous instead of JCE type rent control.

Thank you in advance for considering my thought.

Sincerely,

Jin

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From: BAHN Org

Sent: Thursday, May 4, 2017 11:48 AM

To: Jimenez, Sergio; Bay Area Homeowner network

Cc: Sandoval, Vanessa; Chapman, Helen; Hernandez, Kimberly; Liccardo, Sam; City Clerk; The Office of Mayor Sam Liccardo; Duenas, Norberto

Subject: Thank you for meeting with BAHN

Dear Councilman Jimenez,

Thank you for your valuable time listening to us yesterday, we really appreciate you and your staff!

As first generation immigrants like you, all of us have gone through and still are facing many life challenges, risks and family difficulties. It is not easy for us to slowly build up our small business. We are passionate, serious and we care about our renters.

BAHN is also involving in peer-to-peer consulting to educate our members to comply with regulations and give back to the community while we can.

As we have been involving in the rental housing business for many years, we have seen many real cases which shows JCE and strict Rent Control policy could only do harm to the community and cause a lose-lose situation. The only winners are the lawyers and the bureaucracy Housing Department. We will be more than willing to have further discussion with you at anytime.

We would like to work with the City to be part of the solutions to this housing crisis. The private sector can only be motivated by incentive policies, it applies to any business in this world. We welcome and will promote business-friendly policies to make San Jose the City that we can all be proud of. Small mom-and-pop business are the backbone of this country that we all love!

Even though we didn't reach agreement on everything, we would like this to be the beginning of the conversation. We hope you will keep us, a group of mom and pop immigrant owners into your consideration when making policy decision.

Sincerely yours,

Jenny

BAHN Representative

Phone:

The Bay Area Homeowners Network (BAHN), is a non-profit grassroots organization representing mom and pop rental property owners in the Bay Area. BAHN advocates mom and pop's property rights. It promotes education and professional development among members for their daily property management issues.

From: Deb

Sent: Thursday, May 4, 2017 12:01 PM

To: Grabowski, Ann; Liccardo, Sam; The Office of Mayor Sam Liccardo; City Clerk; Duenas, Norberto

Subject: Against Just Cause Eviction

Honorable Mayor, City Manager Norberto Duenas and SJ Housing Dept,

I am a long time San Jose resident, a voter and a tax payer, I don't have a rental property in san Jose, but I have read the housing Memorandum by Jacky Morales-Ferrand on 4/28/2017 (http://sanjose.granicus.com/MetaViewer.php?meta_id=632277)

On Page #5, "Data in Support of the Need for Just Cause Eviction Protections", (see the screenshot below)

Data in Support of the Need for Just Cause Eviction Protections

Since 2012, the Rental Rights and Referrals Program staff has received 1,962 no-cause notices to terminate. The following is a table summarizing the number of no-cause notices filed by year:

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The total number of eviction notice from 2012-2016 is 1874 (252 + 358 +395 +503 +366 = 1874) or 374.8 (1874/ 5yr = 374.8) per year. With 43800 ARO units, the eviction rate is 0.8557% (274.8/43800=0.008557) per year, and among the 0.8557% of eviction cases, the majority of the eviction case is for non-payment, so the left would be around 0.1% no cause eviction cases, as we all know that RC and JCE are going to make housing shortage even worse and worse, are we spending our valuable 2+ years to just to "protect" 0.1% of the renters by passing JCE and RC to punish the 99.9% of the good landlords? and also the 99.9% of renters will pay the price with the consequence of JCE and RC!

As a resident, a voter, and tax payer, how can we support a government decision like this? The Dept of Housing is bias and misleading the council! In my opinion the Director of Housing deserve to be fired.

Another thought, why the total income of a staff of the City Housing Dept in 2016 had 15.6% increase from \$340K in 2015 to \$393K in 2016? did she really resolve the SJ housing crisis problem? why do we have to rent control cap to CPI while property tax, water bill(25%+), waste bill(10% +), house insurance (3%) and maintenance ALL together increased? the housing shortage is not caused by landlord, why can't our city really focus on having reasonable regulations to encourage housing builders and providers to create more affordable houses?

Thank you very much for your time!

San Jose resident
Debbie Paul

From: Mary Shao

Sent: Thursday, May 4, 2017 1:34 PM

To: District3; District5; District7; District9; District2; District8; District 10; Grabowski, Ann; Duenas, Norberto; City Clerk

Cc: The Office of Mayor Sam Liccardo; District1; District4; District 6

Subject: I against our city to adopt Just Cause Eviction Ordinance.

Dear Council Members and City Manager:

As a 15+ years San Jose residents, voters, tax payers, and a small housing provider in several of your districts, my family againsts our city to adopt Just Cause Eviction Ordinance (JCE).

Per San Jose Housing “Data in Support of the Need for Just Cause Eviction Protections”, in San Jose, one year eviction cases is only 0.9% out of 43800 ARO units, the complain about “no cause eviction” is even less, so average less than 0.1%. Therefore, San Jose has 99.9% good landlords and good tenants. JCE is very costly for city of San Jose to administer and run. The budget will be very costly to administrate the complication raised from Just Cause Eviction. Please save those funds for low income families.

In fact, California state level has the laws to protect the tenant rights well, San Jose really does not need JCE.

Some of your 4/18/2017 decision can cause huge damage for all parties: tenants, housing providers, San Jose City, your kids, and yourself. After passing JCE at San Jose, all parties are losers.

The bad tenants can abuse JCE system very easily. The housing providers are forced with much heavier burden and with many unnecessary limitations applied. JCE hurts the resale ability of housing provider’s buildings and scares away the future investors. After the JCE was passed on 4/18/2017, I notice many housing providers decide to sell their San Jose buildings and invest in other cities instead. This will cause less San Jose rental house inventory on market and increased market rent at San Jose. In SF, landlords withdrew 30K+ rentals after SF launched JCE.

Our kids and new comers will be punished to pay much higher price to live in San Jose in the near future. JCE scares away good tenants and keeps bad tenants. It causes unsafe neighborhood. The cities having JCE, have higher criminal rates.

San Jose needs more housing. Providing more rental housing is the answer to San Jose housing crisis. We need to keep San Jose a safe, fair, and nice place to live, for the benefits of our kids and ourselves.

San Jose has 57% homeowners and 43% renters, and San Jose has 99% good landlord and good tenants. More and more homeowners and good tenants are woken up to the big damages of JCE now and very soon. We, The People In San Jose, are watching you to make the reasonable and right decision for the best interests of San Jose good residents, San Jose City, and our kids on 5/9/2017.

Regards,

Mary's family

San Jose Residents, Voters, Tax Payers, and Housing Provider

From: Lilly Liang
Sent: Thursday, May 4, 2017 1:54 PM
To: The Office of Mayor Sam Liccardo; City Clerk; Duenas, Norberto; Nguyen, Tam; Khamis, Johnny
Cc: Jimenez, Sergio
Subject: Fwd: BAHN Appreciation and My Suggestion

BAHN represents: BAY AREA HOMEOWNER NETWORK. We precisely and strongly against City adopt JCE.

I am a resident living in San Jose for over 30 years. As a tax payer and home owner, I am in deep worry to see City of San Jose going to a wrong direction in saving and fighting current housing crisis. **The data provided by Jackie on 4/18 was misleading and falsified**. In order to win, she feeds public, renters and your Council members a horrible story about home owner/landlord, called: " they have so much powers". She collected stories that was bias, painting a dirty picture on the home owners, blaming housing crisis and high rents as home owner/landlord's fault. She is dumping the responsibility of City to a group of home providers who were greedily evicting renters without cause. As you know, the current State law already exists to protect tenants from wrongful eviction such as rent-increase. Only **0.86% of filled eviction cases from 2012-- 2017 were (most) due to NON-PAYMENT & DRUG DEALER**. Her proposal **JCE is going to protect only 0.86% of bad tenant in scarifies 99.14% good tenant privilege and to penalize 99% of good landlord.**

Yes, we all know the fact that our City is short of affordable housing. City needs to focus on how to build more affordable units, not to kill current home owner who provides 44,000 units to supply the City. We don't want to be penalized. We need incentive. Home owner/providers are powerless and need equal treatment. **We don't want City wasting our tax payer money on JCE, instead, to spend money on Police, Safety (too many home robbery), dirty side-walk & street, and pot-hole roads, providing residence of San Jose a clean & safe-streets, fresh-air and CRIME LESS environment to live .**

The following email was FYI to you. 😊

----- Forwarded message -----

From: Lilly Liang
Date: Wed, May 3, 2017 at 4:17 PM
Subject: BAHN Appreciation and My Suggestion
To: sergio.jimenez@sanjoseca.gov, vanessa.sandoval@sanjoseca.gov, helen.chapman@sanjoseca.gov
Cc: BAHN Org < >, lilly liang < >

Dear Mr. Council Jimenez,

With our deep appreciation and respect in meeting with you this afternoon, we felt a bit of relief that our GRASS ROOTS PAPA AND MOMS home owners/rental providers spoke out JCE potential negative impact to the rental market. Hopefully, you could exam the data that we provided, standing on all equality for tenant and home owners, not to punish 97% of good home owner/home provider.

We all know the fact that San Jose has more renters than the home owners. To protect the rental market and renters right, JCE is NOT the answer and is not going to help in wrongful eviction and in stabilizing the rent. On the other hand, it will exacerbate condition & to break the balance of supply & demand, therefore, to even escalating the rent a lot of higher due to owner withdrawing available housing for rent.

Please take a deep look of San Francisco, about 25 years JCE and rental control, has the rent in SF coming down? The answer is NO. San Francisco rental market is a **chaos**. Renter and owner relationship is so intense. Unnecessary Lawsuits and lawsuits have plugged our system. There is no Win-Win Situation except lawyers. Both renter and home owner are loser under JCE. The Fears deeply hurt home owners. They are less and less in willing to rent out their unit, even let it vacant.

The demand is high and migration of population into SF and our City are increasing. However, land to develop affordable housing is depleting and lesser builder is willing to build apartment because of extreme JCE and rental control policy. The free market rule does not apply to America FREEDOM any more, instead, a government controlled socialist distribution system.

We urge you and your law maker to exam the whole picture and analysis the 10-15 years impact by implementing JCE and extreme rental control policy. We as home providers would love to help City of San Jose in solving housing/rental shortage, with incentive not punishment.

I would like to suggest:

- 1) Provide incentives to home owners for a long term lease program, taking section A, taking new immigrants and disabled renters.
- 2) Develop policy to implement check-point to the existing law to protect tenant and to avoid wrongful eviction.
- 3) Working with building department to incentive the developer building more apartments, 5 units more plexus.
- 4) Aggressively re-develop abandoned shopping centers, and shopping centers with low ratio of business, into our City model project like Santana Roll, Blossom Village etc.
- 5) Changing zoning code to be able to develop in high density area where the center of jobs. So builder can build.
- 6) Implement ordinance to check-point to apartment owners maintaining their property yard appearance, cleaning over grown grass and bushes, therefore to reduce the drug dealer hide-out.

JCE can not fix a long term problem. We need to go down the roots not to kill the grass on surface in order to solve the problem. You may contact me should you have any questions.

Sincerely,

Lilly Liang, MBA. MSW
Broker/Officer/Owner
CAR, SCCOR Member
Delta Investment and Properties, Inc

San Jose, CA 95131
BRE #: 01489739

(O)
(Fax)

www.DeltaPropertyCA.com

We appreciate to do business with you in the past and in future !!
Your dream is our Mission. As always, THANK YOU for referral !!

From:**Sent:** Thursday, May 4, 2017 2:41:29 PM**To:** Grabowski, Ann; Duenas, Norberto; City Clerk; The Office of Mayor Sam Liccardo; District3; District5; District7; District9; District2; District8; District4; District 6; District 10**Cc:** City Clerk**Subject:** Please vote against just cause eviction

Dear Council Members and City Manager:

As a long time San Jose residents, voters, tax payers, and a small housing provider in several of your districts, my family againsts our city to adopt Just Cause Eviction Ordinance (JCE).

Per San Jose Housing "Data in Support of the Need for Just Cause Eviction Protections", in San Jose, one year eviction cases is only 0.9% out of 43800 ARO units, the complain about "no cause eviction" is even less, so average less than 0.1%. Therefore, San Jose has 99.9% good landlords and good tenants. JCE is very costly for city of San Jose to administer and run. The budget will be very costly to administrate the complication raised from Just Cause Eviction. Please save those funds for low income families.

In fact, California state level has the laws to protect the tenant rights well, San Jose really does not need JCE.

Some of your 4/18/2017 decision can cause huge damage for all parties: tenants, housing providers, San Jose City, your kids, and yourself. After passing JCE at San Jose, all parties are losers.

The bad tenants can abuse JCE system very easily. The housing providers are forced with much heavier burden and with many unnecessary limitations applied. JCE hurts the resale ability of housing provider's buildings and scares away the future investors. After the JCE was passed on 4/18/2017, I notice many housing providers decide to sell their San Jose buildings and invest in other cities instead. This will cause less San Jose rental house inventory on market and increased market rent at San Jose. In SF, landlords withdrew 30K+ rentals after SF launched JCE.

Our kids and new comers will be punished to pay much higher price to live in San Jose in the near future. JCE scares away good tenants and keeps bad tenants. It causes unsafe neighborhood. The cities having JCE, have higher criminal rates.

San Jose needs more housing. Providing more rental housing is the answer to San Jose housing crisis. We need to keep San Jose a safe, fair, and nice place to live, for the benefits of our kids and ourselves.

San Jose has 57% homeowners and 43% renters, and San Jose has 99% good landlord and good tenants. More and more homeowners and good tenants are woken up to the big damages of JCE now and very soon. We, The People In San Jose, are watching you to make the reasonable and right decision for the best interests of San Jose good residents, San Jose City, and our kids on 5/9/2017.

Regards,

Jim yan

San Jose Residents, Voters, Tax Payers, and Housing Provider

Sent from my iPhone

From: Michael Liang

Sent: Thursday, May 4, 2017 4:02 PM

To: District3; District5; District7; District9; District2; District8; Grabowski, Ann; Duenas, Norberto; City Clerk

Cc: The Office of Mayor Sam Liccardo; District1; District4; District 6; District 10

Subject: Strongly Oppose Just Cause Eviction

Dear Council Members and City Manager:

I am a small housing provider, and my family strongly oppose the city to adopt Just Cause Eviction Ordinance (JCE).

Per San Jose Housing "Data in Support of the Need for Just Cause Eviction Protections", in San Jose, one year eviction cases is only 0.9% out of 43800 ARO units, the complain about "no cause eviction" is even less, so average less than 0.1%. Therefore, San Jose has 99.9% good landlords and good tenants. JCE is very costly for city of San Jose to administer and run. The budget will be very costly to administrate the complication raised from Just Cause Eviction. Please save those funds for low income families.

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Regards,

Mike Liang

Housing Provider

From: Chunchi Ma

Sent: Thursday, May 4, 2017 4:02 PM

To: Liccardo, Sam; The Office of Mayor Sam Liccardo; Duenas, Norberto

Cc: City Clerk

Subject: strong opposition to implementation of JCE at SJ

Hi Honorable Mayor,

My name is Chunchi Ma, a small housing provider in bay area.

1. It is simply a waste of Govt's money since most of the tenant protection measures already existed in many forms, one of them is Lease Agreement. There is no need for duplication of such measures. There is really zero incentive for any landlords to evict a good tenant, since each turn around costing us time/money.

2. Per data from city's own housing dept, only several hundred cases of eviction, out of 43000 available units, and among them most are probably due to non-payment of rents. One can not just throw up crazy assumption without any data to support it. Since you as the elected leader of the biggest city in bay area, need to ask yourself a serious Qs: is it worthwhile to spend so much time and energy for the benefit of maybe 0.1% of the population, while 99% of SJ citizen's well-being deserves more of your attention and effort, such as neighborhood safety, and more urgently the flood prevention? So which deserve the higher priority? How about the time and energy spent by the Housing committee created by City council, and their last two years effort, all went to waste, simply because of the change of council members? Clearly, right now the SJ Housing dept is very biased toward tenant side, and they are the one which determine the city council agenda, this is NOT RIGHT!

3. JCE simply shifts the burden of physical prove of wrong-doing, to landlord side, but collecting such evidences is next to impossible. The net result is: tougher and tougher to remove any bad tenants, and neighborhoods with JCE stuck with more and more bad tenants, thus city becoming crime ridden like Oakland, EPA, etc. FBI crime report showing those cities always on the top of the list of the most danger cities, and certainly not a good role model to SJ

4. My own experiences with couple of eviction: one of them took us 6 months for a simple case of refusing to pay rent, tenants knew how to take advantages of the loopholes in legal system, took us 6 months to finally kick out this bad tenants, costing us more than 10 grands adding together the lost rents plus over 4k of attorney fee, even though the city has no JCE. Can you imagine if JCE was in placed? Could make it 3x more difficult.

5. Our last eviction case against a family with two young sons in the local gang. They are paying the rent on time, but sons caused a lot of headaches to local police and also to other tenants. But tenants refused to testify against them due to being afraid of retribution, thus impossible for us to collect any physical evidence, and police refused to give us the official case files of those two young sons due to both of them underage despite the police told us in uncertain term that these two teens were part of gang and suspects for numbers of theft, disturbances cases in the area, they wished we could evict them but couldn't help us in evidences. Eventually we were able to evict them since there was no JCE at this city, but it took us another 4 months without any rent.

Thus from my own experiences, and many others like mine, all point to the same conclusion: just cause eviction will do nothing more than protecting the bad tenants from being evicted, causing the once safe neighborhood to deteriorate into crime ridden area as good tenants moved away. I hope this info can be helpful to you in your decision making process. Siding with JCE might be an easier thing to do, but oftentimes doing the right thing means picking the harder thing to do, and one needs to follow his heart to do it.

Best wish for making the tough, yet right decision in this matter,

Chunchi

From: Sophie Song
Sent: Thursday, May 4, 2017 4:34 PM
To: City Clerk
Subject: Protest against JCE

Dear City Council member,

My name is Sophie Yan Song, I live in West San Jose. I protest the proposed JCE as it damaged the ownership of home owner.

I am surprised to read JCE bill, are you using your elected power to benefit few people while taking away majority's constitutional rights?

I would urge you to review your bill again more carefully and more consideration.

Best,
Sophie Yan Song

From: RM < >
Sent: Thursday, May 4, 2017 9:48 PM
To:
Cc: City Clerk
Subject: FULL JUST CAUSE EVICTION ORDINANCE

Dear

I am writing to express my strong OPPOSITION to "Just Cause Eviction." As a retired teacher with one rental property, this ordinance would create undue complications and hardship that I cannot afford. To have to pay relocation fees to a tenant because I want to live in my own property, or sell it, is outrageous. To have to pay expensive legal costs to remove drug dealers or gang members is outrageous. If anything, there should be exemptions for small-property landlords.

Thank you for voting against this ordinance, and please continue to do so.

Sincerely,

Robert Macias

From: Jim Chien [mailto:]
Sent: Friday, May 05, 2017 12:26 PM
To: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>
Subject: Please vote no to just cause evition law. Enforce currently not to make more bad laws!

Dear council members:

As a 25 years San Jose resident in Alma den valley, property owner, tax payer and voter, I strongly urge you to consider all fact and volt no to Just cause eviction, and thank you for your NO volt on 4/18 meeting. I have many points to dispute this but just want to list three below:

1) There is no need to have the JCE law. It is redundant and is a bad law!

The advocates for JCE claim that many landlord evict tenant to raise rent. This is not true and this is illegal according to current ARO law! The housing and council should work to enforce the current law. Not to add more costly and ill conceived law like JCE.

Once JCE becomes law, it does no more than current law to prevent evict current tenants to raise rent, but there are many many bad unintended bad consequences. Even though the JCE list conditions that qualify for eviction, but it put the burden of proof squarely on the housing provider, who are mostly mom and pop owners that are not qualified for this complicated job. This will lead to deteriorate living condition for all tenants!

2) Regarding to limit rent to CPI, this is bad and will not help the population that it intent to protect.

Limiting rent increase does not help the poor because this measure is not means tested!

As you know, labor/handyman cost goes up much more than CPI, utility cost goes up much faster then CPI, San Jose water had send me letter that water rate will increase by 20% for instance. Why is it fair to limit my rent increase to only CPU with is only about 1.5% to 2%?

I looked in public info, the housing director, **Jacky Morales' pay in 2015 was \$340,714.00**, her pay for **2016 was \$393,539.00**, an increase of 15.5%! If she is a renter, why is it fair to limit her housing provider to CPI? Does this policy really help the poor?

3) The housing director need to focus on productive measures instead making more costly and bad laws.

The housing director Jacky, which is making huge salary on the back of tax payers, should be thinking of ways to increase the affordable housing units, not just invent counter productive ways to hurt the law bidding, tax paying, mom and pop housing providers with more bad laws that does not address real issues.

Please consider your power carefully and not making new counter productive laws. Please vote no to JCE. No to rent increase @ CPI!

Regards
Jim Chien

From: Dan Pan < >
Sent: Thursday, May 4, 2017 10:00 PM
To: District3; District9; City Clerk
Cc: District1; District2; District5; District 6; District7; District8; District 10; The Office of Mayor Sam Liccardo; District4
Subject: Re: JCE passed in San Jose Yesterday

Dear Council Member Sergio Jimenez:

I think you should be very pleased and proud that you successfully defeated Landlords by passing JCE. But unfortunately in real life you may lose your good intention you advocated for renters yesterday.

I know you may throw my email to your trash box because you don't want to read and listen to different voices. But by any luck, I still want you to read my email patiently.

Actually we housing providers never ever want to call ourselves landlords. I was shocked when you said that "Landlords have so much power." You would change your mind if you read California Tenant Right Law, which is very pro-tenant already. California has enough laws to protect renters. From your yesterday's questions and reasons to pass JCE, I am sorry to say that you don't understand rental business AT ALL.

Let us first talk about the reasons you passed JCE yesterday:

1) I believe you heard already that from existing ARO rules in San Jose, housing providers CAN'T raise rent to market AT ALL if a tenant is evicted. But you kept saying that housing providers kicked tenants out because they wanted to raise RENT to market. You used a false statement to prove yourself JCE was needed to protect tenants to be evicted. You could say well housing provider would do that by against ARO rules. But how can you prevent housing providers from doing that with JCE protection?

2) You said a lot housing providers evict tenants because they don't like children or a certain group of people. From CA tenant law, tenants can always go to court to sue housing providers for doing so if they have evidence for those reasons. Well you could say renters have no money to go to court and they can't find testimony. If that is case, how do you think JCE will protect renters? JCE can only be ENFORCED at court. And JCE eviction case ALWAYS ends at COURT. Also if it is very hard for tenants to testimony to sue housing providers, why do you expect that it will be very easy for housing providers to testimony at COURT for the JUST CAUSE eviction reasons?

3) We told you it will be extremely hard to testimony at COURT for the JUST CAUSE eviction reasons. I know you don't believe that and you have reasons: renters are poor to hire lawyers and housing providers are rich to do so. How can you assume that ALL housing providers are rich? A lot of housing providers have only one or two units. Less

than one thousand of profit per month will make us rich??? Do you think we can afford lawyer for a JCE case??

Second let us talk about the result of JCE you just passed yesterday:

1) Since JCE case will be very expensive to housing providers, most housing providers will not file JCE to evict tenants. They will evict tenants by increasing rent. As you know a lot units (2/3 of whole rental properties) are not under ARO. Housing providers can increase rent to whatever they want. That is the reason the rent is extremely high in the cities with JCE ordinance, such as SF, Berkley, Oakland, etc. The rent in San Jose is \$500-1000 lower than those cities in general. The renters you try to protect will face extremely high rent in San Jose very soon.

2) Decrease of supply: did you know that 10% units were withdrawn from market in SF? I believed a lot of people sent you the data already. Well I know you don't believe that. And you truly believe that housing providers will do their business to receive some rent at least since you believe "Landlords are greedy." Well let us face the logic: when JCE is enforced, it will be very expensive to evict tenants to get your property back. Think about this: if you relocate from San Jose to other cities, do you think you will rent your house when you are gone? One JCE case will wipe ALL your rent income in many years. A lot of owners will definitely chose to leave the house vacant in case they will come back to San Jose or sell it.

3) The renters, specially in old age, with children, or with low income, will face more difficulties to find rental. Why? As you said now we are in housing crisis. More demanding than supply. With JCE in force, housing providers will be extremely careful to choose tenants. They even want to wait much longer to find a young, single, high income candidate. Your good intention to help renters with low income will go exactly opposite way.

"The landlords have all the power and tenants have none," said Jimenez, who grew up in low-income housing in East San Jose and fought hard for the policies Tuesday. "We didn't have much, but we did have stability. We had the same apartment for many years — and if we didn't have that, I'm not sure I'd be here with you today." <http://www.mercurynews.com/2017/04/18/san-jose-city-council-hears-emotional-testimony-ahead-of-rent-protection-vote/?from=groupmessage&isappinstalled=0>

I am very sorry to tell you under JCE and current housing situation, your family may not be able to find any place to stay at day one!

4) Do you really help renters by passing strict RC? As you said above, you want STABILITY. So you know that only current renters who are occupying ARO units benefit from rent control. But how about those renters who didn't get a chance to get the ARO units yet? Who do you think will move out if they live in a way-below-market rent ARO units? Did you hear that a lawyer who earns \$500K per year is still living in a couple hundred dollar rent apartment in SF? You know that there is no mean testing for ARO units, right? With highly demanded ARO units, do you think those renters with low income will be picked? Are you sure the renters will live there forever? They don't change their needs for housing forever? Also all ARO units are occupied, how about our new generation? How about newcomers in San Jose? They have to face extremely high rent. Do you think you are fair to them? San Jose city will be dead without newcomers and new

generation to live there. RC only provides chance for people to take advantages of the system. But RC can't help people in need. Also think about the other way of RC. If renters benefits RC so much, do you think they have motivation to buy their own houses? You kill their dreams to own their own houses by offering them strict RC. A 92-year old man in New York gave testimonies that he hated RC because RC made him spent all his saving but not buying his own housing. He didn't own his own house when he died.

We fully understand you want to protect renters. We, housing providers, want to have a good relationship with our customers too, renters. You may say well RC is not perfect but works some way. But JCE + strict RC will go exactly opposite way in a long run. You are leading San Jose housing market in a wrong direction. You are killing everyone's motivation, renters and housing providers. I have millions of reasons to prove that.

I have a SFH rental property in your district. I will increase my rent to market to a single mom with 3 children who has been benefiting low rent for many years, and I will sell the property after she moves out. JCE makes no choice for me. I don't know what will happen next. What I can only do is to protect myself if nobody cares about my rights. Please remember WE ARE HUMAN BEINGS too, who are not someone living in the heaven. In San Jose there are many housing providers like me who are eventually providing affordable housing now. But unfortunately bad policies hurt everyone. I believe a lot them will do the same thing like me. JCE kills housing, especially affordable housing.

I know my email is long. And I am sorry for your reading. I will be more than happy to talk to you face to face if you want to.

Thanks,

Dan

From: bob tom < >
Sent: Friday, May 5, 2017 4:10 PM
To: bob tom
Subject: a letter from Blair. Friday May 5, 2017. _____ to describe a practical banking system.

I hope the letter below, can make for good weekend reading, for city government, and everyday community, I will be sending it to.

Can you write, why the 12 items, of the Just Cause ordinance, already established, to help and represent, both tenants and landlords, needs to be covered, by a TPO, at this time, as well.

We can work on the TPO, during the summer, and set up the 12 item Just Cause, as an emergency, urgency ordinance provision, now.

The flood, can make decision making difficult. It will possibly cause problems, and landlord abuses, this summer. On the other hand, you would possibly be seen as cynical, or political opportunists, taking advantage of the flood situation, to insure, interesting new ideas in local government.

Please remember, good dreams and good ideas, were building, long before there were thoughts and worries, about the flood.

Human rights, civil rights, and labor rights, are always important issues.

Sincerely,
Blair.

Dear city government, of San Jose,

At last night's meeting, (April city council meeting), I thought I heard Councilperson Rocha state, that there is renewed basic idea, of landowners, being assured of banking.

So they can put money in one year, and to be able to charge, surprising rate changes to tenants, in future years, based on an accumulated years of savings and waiting.

At the end of January 2017 meeting, on the subject, the majority of council people, seemed to no longer supported this banking idea for landowners, for one reason or another.

I was very impressed, at such a high minded way of working.

It was at that meeting, where Mayor Sam Liccardo was a bit unsettled, about this development, and implied he will be working, to have some sort of banking system in place, in the future.

I spoke during the ending council public forum, to try to head off, a possible future crisis, and to try to help set a course, where a banking system can still be used.

It is my hope, the Mayor wants a banking system, to be used, but is not sure, where exactly to use this banking system.

So I suggested, a basic, practical idea for the idea of banking, at that council meeting.

An idea, that may be already being used, but one that can try to figure out, a new home, and an open, straightforward purpose, in the future of the ARO.

And as a way, we do not have to keep government help, a secret.

And, that I feel, is more in the spirit, of the rental and housing ordinances being worked on, at this time. And what the ordinances, should be working towards.

I stated, at the end of January meeting, and a few times now in public meetings, since then, the idea that banking, should only be used, as 'fixer upper', and as for earthquake retrofit, ideas.

A small sum, or a tax, paid for each year, by landowners, to the city government, and with some small federal grant money, as a starter, or with some existing city models,

can create a budget, investment plan, that can give back to landowners, each year, for fix it repairs, and earthquake retro-fits.

Possibly a limited amount, of around \$2,000-\$3,000 each year, for repairs.

A separate 'banking system', can be created, for both fix it, and earthquake retrofit ideas.

It would pay for, the many very costly repairs, both landowners and tenants, have to deal with each year.

It would also take the surprise out of, landowners banking, that springs misunderstood and uneven rate changes on tenants.

I am offering this idea, on basic ideas, we probably are already familiar with. And, with the intention, to work with an active economy, based on stability, cooperation, and dependability, as opposed to unevenness and risk.

I feel, it would allow much room, for profit and growth, in the yearly savings, landowners and tenants alike would have, by not having to pay so much, for repairs and such.

And for tenants, to not be as vulnerable, to rate hikes, to pay for landowner repairs, and earthquake retrofits. And other sorts of surprises that happen, in the name of people having to keep, financially afloat.

Jackie Morales-Ferrand, the Housing Dept. Director, seemed to mention in the January 2017 city council meeting, on the subject of the ARO,

that she has figured, some good new ideas, to cut subsidy waste and inefficiency, and how this can be applied to the ARO, and other housing programs, at this time.

I felt at the time, her working to learn, and to handle the problems of subsidy misuse, would come in very handy, and was incredibly good idea. It was simply, good practice and homework, in how to prepare for how to work the future of the ARO, however it will eventually be used.

In fact, sadly, her ideas to end waste, misuse and mis-management, of certain ARO subsidy ideas, in the future, would be incredibly useful, in how to practically and politely deal with, the many issues, you will have to deal with, with flood issues, as a city, at this time.

So much so, I asked at a recent council meeting, to please do not abuse, the graciousness, and the gift, of what the housing department director, has studied, prepared for, and has learned.

A system and a process, that was originally meant, for housing and tenant rights, and the ARO process.

But to also respect, that questions of flood issues, will be needed to be answered, with her homework on more efficient subsidy practices. and in the much shifting around, of available city funds, in the coming months.

That is my story. I have learned some hopefully while writing it.

I still like the idea, of a clear and simple banking system, based on repairs.

Banking, based on the ideas and whims, of future landowners, being able to blindsides tenants, with rate hikes, are a bit risky, slightly irrelevant,

and no longer as necessary, to continue, some needed historical links, with the past.

I feel a simple practicality, can bring a few, well intentioned results.

Including a more healthy, cooperative, less competitive idea, for all within a community. Making tenant rights, and human rights, easier to talk about, and work with.

And a few economic models, to create and basically insure, a steady and continual slight profit, and wasy they can rely on a more steady income, year after year. for landowners.

Sincerely,
Blair Beekman



California Apartment Association

May 5th, 2017

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

Re: Tenant Protection Ordinance – item 4.2

Dear Mayor Liccardo,

The notion of a “just cause” eviction policy has proven to be a failure wherever it’s been implemented. There are many stories of where a so-called “just cause” eviction law has risked the safety and security of good tenants to protect bad tenants.

It is in those stories where you will find the data that this “just cause” law, if approved, will lead to the further degradation of San Jose’s rental housing stock. Take, for example, the story of a group of tenants who pleaded with their landlord in Mountain View to evict a problem tenant, but due to that city’s new “just cause” law, the owner was powerless to remove the tenant.

Over and over again, landlords have explained that it is in their best interest to retain their long-term tenants. Arbitrarily evicting tenants isn’t a sound business practice. The majority of landlords, much like the majority of tenants, are good and operate in an ethical manner. But there are bad tenants that will take advantage of this new law to prevent their eviction because of the high burden of proof that landlords must establish in order to win an eviction.

The decision by the City Council majority to support a so-called “just cause” law significantly changes the eviction process and it is a fact that it makes it overly burdensome for landlords to evict problem tenants. This law exposes both the landlord and the tenant to the judicial process for nearly every instance when a landlord seeks to terminate a tenancy. This is both costly and very time consuming.

Under this law, rental property owners would have to depose and subpoena other residents to testify against their neighbors. There is no guarantee that judges or juries will find cause under subjective criteria. For example, how long would neighbors have to put up with loud music at 2 a.m. before the owner establishes cause to evict? And, how is an owner ever going to remove drug dealers or other criminals from their property? What residents will voluntarily testify in such cases?

By placing the bad tenants on a higher footing than the good tenants, moving forward, the landlords will be powerless to evict those tenants.

This proposed policy would apply to nearly 100,000 rental units across the City. That's at least 100,000 families that will lose their protection against the removal of bad tenants. That's at least 100,000 units that may have to live in fear of a bad tenant. It's ironic that the City Council majority would reduce the protections for so many tenants while claiming to be doing the opposite.

As proposed, the current "just cause" ordinance before the City Council has serious flaws and requires substantial changes for it to even comply with state law:

- The implied warranty of habitability – Habitability should be a defense against eviction, not a precondition. How would the owner demonstrate habitability? Would an inspection be required to demonstrate that? In addition to proving habitability, some of the conditions for eviction under the Just Cause ordinance have nothing to do with habitability.
- Compliance with the Apartment Rent Ordinance – How does an owner indicate their compliance? Is it a box they check or would they have to bring all their files to court to provide compliance? And once more, this precondition has nothing to do with some of the conditions for eviction under the Just Cause ordinance.
- The noticing requirement requires that the notice be served in accordance with Civil Code 1946.1 which requires 30/60 days notice. However, many of the things listed as a good cause only require a 3 day notice under Code of Civil Procedure 1161.

This poorly written ordinance is inconsistent with California law, creates situations where tenancies can never be terminated and reduces the protections for the good tenants. There is nothing "just" about the proposed ordinance. It's unworkable and unnecessary.

This ordinance requires rental owners to prove "cause" in court or, in some cases, before a political body every time they need to remove a problem resident. The list of "just causes" sounds sensible, including nonpayment of rent, illegal activity, and disorderly conduct, among other items. Yet, proving cause in court is hard for a landlord to do and unfair to the good tenants.

This ordinance would be an unmitigated disaster for the city, apartment owners, and residents. Every renter would be rolling the dice anytime they moved into a

new apartment because they might have to endure “the neighbor from hell” because the owner can’t prove cause in court or establish enough favor from a political body to remove the problem tenant.

The California Apartment Association and our members oppose this ordinance, especially the additional pre-conditions one must meet to even begin the process to terminate a tenancy.

Sincerely,

Anil Babbar

Vice President of Public Affairs

cc: Jacky Morales-Ferrand, Department of Housing
Shasta Greene, Office of the City Attorney
Rick Doyle, Office of the City Attorney
Toni Taber, City Clerk

May 8, 2017

Office of Mayor Sam Liccardo
200 East Santa Clara Street, 18th Floor
San Jose, CA 95113

Dear Mayor Liccardo and Members of the City Council.

I am writing to oppose the “Just Cause Eviction Ordinance” because both the Ordinance and the Staff reports that accompany them, like a great deal of what has preceded them, are riddled with statements that are inaccurate, based on conjecture, or just outright misrepresentations of the facts.

I make this statement with regret, and only after more than two years of participating in a process that is so completely one sided that it leaves a whole segment of the business community, the Rental Housing Industry questioning whether the staff in the Housing Department are interested in anything but blindly following the failed policies of San Francisco and the dozen or so other cities in California that have some of the worst outcomes for affordability, homelessness and crime of over 400 cities in the State of California.

I am not going to insult anyone by claiming that all property owners will all go broke. The real lesson of San Francisco is far more complex and involves a whole host of distortions in the market, with outcomes contrary to those intended, all caused by attempting to solve a housing shortage with burdensome legislation. The appeal to resist extreme rent controls should not be solely based on sympathy for rental property owners, although the negative consequences can be significant, but also out of concern for renters, homeowners and the business community who all have a stake in a healthy rental housing stock. Any fair evaluation of policy and their outcomes would lead thoughtful policy makers to far different solutions than are being proposed and acted on in San Jose. The following are just a few examples of what I am referring to.

1. **The conclusions about No Cause Notices are pulled out of the air.** On page 4, Staff presents a Table of the number of No Cause Notices it has received since 2012. There is no tally of the number of notices staff has received dating back to 2002 (when the new noticing requirements became part of the modified Rent Control Ordinance). The next paragraph states that “the number of No Cause Notices tends to be correlated with the strength of the housing market” If this is the case, why would the chart only include years in which the housing market was strong, and not the years immediately preceding

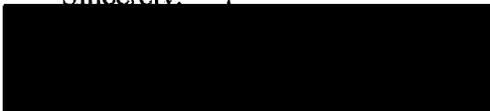
that in which the housing market was either flat or declining. The paragraph also contains the highly speculative statement, "This suggests that in past years, Landlords were motivated to issue No Cause Notices to increase rents in ARO apartments". Immediately following, in a paragraph about the Santee Neighborhood, staff draws similarly unfounded conclusions about "no-fault notices issued over the same period of time. By way of background, Santee is a neighborhood with a long history of social problems and crime caused directly by those who reside there, as well as the related problems of poor ownership and management of the rental properties in the neighborhood. The problems in this neighborhood have a long history, some of which involved significant litigation and involvement with the City, and most of which has little or nothing to do with Rent Control laws or Just Cause evictions. It is also well known, that when a neighborhood is allowed to deteriorate to this level, both the ownership of properties and the renter population needs to be evaluated and appropriate measure taken to fix the problems. When done successfully, these measures include both, a more aggressive stance with Code Compliance and the police department, as well as, a tolerance for evicting residents who are causing the problems. Using the Santee neighborhood as a reason to enact Just Cause is likely to do nothing except produce more neighborhoods like Santee.

2. **Rent levels in older Rent Controlled neighborhoods.** The next justification is based on the City's experience with units in the flooded Rock Springs neighborhood. Staff notes that people who were living in flooded units were paying rents as low as \$900 for a one bedroom and \$1,100 for a two bedroom, and that market rents in this neighborhood are roughly twice that amount. This information directly contradicts the facts that appear in all of the "affordability studies" produced by the Staff over the last two years. The reason is very simple. The Staff reports are based on market rents, not rent controlled rents, and are based on properties over 50 units in size, whereas the units in the Rock Springs Neighborhood are more typical of many older communities in San Jose, which are smaller, and make up the bulk units in the ARO program. A more accurate analysis would conclude that the existing rent control was a significant benefit to long term residents, and the owners in Rock Springs were largely not abusing the no-fault notice provisions in the existing ordinance. It should also not be surprising that when a rental unit is destroyed by a natural disaster, (or a man-made disaster like SF style rent control) it is not easily replaced.
3. **The urgency to pass more legislation.** Staff states that Landlords have a "Financial Incentive" to serve No-Cause Notices with the specific intent to increase rents on new tenants, and warns the Council that unless they enact the "Emergency Ordinance", Landlords will issue some unknown number of no-cause notices prior to the final assemblage of the last two plus years endeavors. Quite frankly, this is a whole lot to unpack. For starters, property owners who are following the existing law have no incentive to issue no-cause notices just to raise the rent. Since the city has done no analysis of the no-cause notices it has collected over the last 14 years, nor has documented or investigated any of the horror stories we have all heard, it has no basis to make sweeping generalizations about what is happening with ARO units which represent

far less than ½ of the cities rental housing stock, or about the rest of the cities rental housing stock. In the absence of this analysis, heaping new regulations on the ARO units, which are the most affordable sector of the market, seems counterproductive, at best. Since the city claims to be understaffed and cannot enforce the laws that are on the books, how can it assert the need to pass an emergency ordinance to implement new laws that will require additional staff to investigate, document and enforce, particularly when enforcement involves not just an already overburdened housing department, but an understaffed Code Enforcement Department as well.

I will summarize this opposition by saying that I have been in the Property Management Business in Silicon Valley since 1976. Shortly thereafter, both San Jose and San Francisco passed rent control laws. San Francisco's ordinance has been amended almost every year since then, and remains a topic of bitter and prolonged fighting between property owners and the portion of renters who are getting a subsidy. It is no so popular among renters looking for a place to live or for the business communities looking to house current and future employees. The costs to the city far exceed the annual costs to administer the program. The costs involve millions of dollars in legal costs, ballot initiatives and staff time for creating and implementing new laws. Sadly, it appears that some council members want San Jose to be the next big city with housing policies that are proven failures. Some have doubts, but hope this will all be over soon and go away. Both are mistaken. We cannot fix a decades-old and growing housing shortage by heaping more regulations on the bottom half of the housing industry. There is an old saying. "We have seen this movie, and we know how it ends", but a more apt analogy would be the Bill Murray movie "Groundhog Day" which just keeps repeating itself over and over.

Sincerely,



Thomas Scott, CPM
President
Cambridge Management Company
2975 Scott Blvd
Santa Clara, CA 05054

cc: Toni Taber, San Jose City Clerk; Chappie Jones, Council Member - District 1, Sergio Jimenez, Council Member - District 2; Raul Peralez, Council Member - District 3; Lan Diep, Council Member District 4; Magdalena Carrasco, Vice Mayor - District 5; Devora Davis, Council Member - District 6; Tam Nguyen, Council Member - District 7; Sylvia Arenas, Council Member - District 8; Donald Rocha, Council Member - District 9; Johnny Khamis, Council Member - District 10; Shasta Greene, Deputy City Attorney; Richard Doyle, City Attorney; Jacky Morales-Ferrand, Director of Housing

From: Shu Liu <[REDACTED]>
Sent: Friday, May 5, 2017 10:43 PM
To: City Clerk
Subject: Just Cause Eviction against Contract Spirit

Hi Dear Sir/Madam,

I am a homeowner in San Jose city. I am providing housing for the people who are in needs.

Usually I am doing fix term lease with my tenant. Once the fix term is over, the lease is to be terminated automatically unless both sides are willing to renew for 1 more year fix term.

The fix term lease is agreed and signed by both parties each year.

Tenant agreed once the term is over, they will have to move out unless there is a renew in the place no matter what I want to do with our private property.

With the Just Cause Eviction ordinance, tenant can continue to stay even though they agreed to vacate the home once the lease is over. This is violate the contract they have entered in. This is against the Contract Spirit which is the foundation for doing any business.

Just Cause Eviction is to allow or encourage people to be dishonest, violate the Contract Spirit.

It is to build a society that everybody don't need to keep their promise.

Do you want your kids, your business partner, your co-workers to promise one thing, and then violate it later with no consequence? Just Cause Eviction ordinance is helping to build a bad society, ruin people's moral, allow everybody to lie when they make a contract.

Please STOP introduce this evil to the city. It is making human unhuman.

It is not helping good citizens, but helping bad citizens to stick around this evil, because good citizens will never be evicted.

Without rent control, rent price is fairly balanced by supply and demand. All new tenants can get what they want and pay for what is needed. Rent control will help the existing tenant to lock down the inventory, hugely damage future tenants to get anything even though they are willing to pay for it and they are really in need, while old tenants lock down and hold the vacated rooms and still enjoy the low rent.

Just Cause Eviction must be stopped to protect the city to be ruined.

As an investor, I already started to withdraw my interest in San Jose city to continue to invest anything because personal property cannot be protected in this city if this Just Cause Eviction is passed.

I appreciate your understanding and support.

Shu

From: [REDACTED]
Sent: Saturday, May 6, 2017 11:13 PM
To: City Clerk
Subject: Full Just-Cause Eviction Ordinance

Dear San Jose City Council Members,

I am a co-owner of a San Jose rental property located on Tuscolana Way and I would like to voice my concern about the Full JCE Ordinance that you are considering for San Jose. I am against the proposed Full JCE Ordinance and would like to request that you vote against enacting such an ordinance.

The reasons that I am against the Full JCE Ordinance is that it would unfairly unbalance the ownership rights of property owners in favor of tenants. Property owners invest in properties with hopes of providing fair rental units to tenants that cannot afford to purchase homes or do not want the burden of home-ownership. Making it difficult to terminate leases or rents for problem tenants that fail to pay rents or engage in illegal activities on your property or having to compensate tenants to to relocate if you wish to take back your property to move into your home punishes the property owner. Property owners might get discouraged if the JCE ordinance is passed and consider not renting their units in a difficult rental market like San Jose in favor of holding and selling their properties for appreciated values.

We treat our tenants fairly and hope all property owners do the same. If there are some property owners that do not treat their tenants fairly we hope that your decision is not based on those few property owners that are not fair to their tenants.

Thank you and please vote against the Full JCE Ordinance.

Best Regards,
Gordon Choy

From: Meina Young [REDACTED] >

Sent: Sunday, May 7, 2017 1:39 AM

To: The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10; ann.grabowski@sanjoseca.ca; Liccardo, Sam; City Clerk; Duenas, Norberto

Subject: No on "Just Cause", No on CPI!

Dear San Jose City Officials,

The Housing Department's data do not support the need for ARO changes nor address the impacts of JCE or CPI. (Please see data in the attached letter in PDF format.)

Housing director Jacky Morales-Ferrand is grossly irresponsible if not outright misleading in her memo dated 4/28/17. She mentions that she had no resources to do analyses and thus made her own assumptions on eviction trends, resulting in callous policy recommendations which could unnecessarily derail the otherwise sound housing policies in San Jose. She makes no mention of the enormous resources spent on the two-year ARO study and advisory committee. A simple analysis of the data shows that **San Jose is doing just fine with the current ARO policies. San Jose must resist the failed policies of "Just Cause" and CPI limits** which are wreaking havoc in other cities' tenant/landlord relations and killing their housing stocks! San Jose needs to stay on track with its maximized housing utilization while planning carefully for appropriate housing expansion.

1) San Jose's no-cause termination notices in 2017 are estimated up to **300**, comparable to the 252 in 2012, the normal base year used by the Housing Dept. This is only 0.7% of the 43,000 ARO units. The unique event of residents being displaced by a flood calls for special help but should not drive the ongoing policies that govern people's lives.

2) The ARO study shows San Jose rents remain reasonable and stable vs. inflation, keeping in mind that ARO cannot control the market rent. (<http://www.sanjoseca.gov/DocumentCenter/View/53400>)

3) Per 2015 Census, San Jose housing utilization is the most efficient, whereas SF has 37,000 units off the market!

➤ San Jose's housing stock is efficiently utilized and rent stays low relative to inflation and ownership costs.

➤ San Jose does NOT need more rent regulations; it needs more housing and to maximize housing providers in the market.

➤ JCE and CPI-based rent control in SF and Oakland are pushing 10% of the existing housing off the market...and counting!

➤ Relocation fees requirements are extortionate and endangering mom and pop housing providers.

Judges said it the best: ...the appeals court, upholding a decision by a Superior Court judge, said the 2015 ordinance imposed a “prohibitive price” on owners who exercise their rights under the Ellis Act. ... But the court said the “adverse impact” on evicted San Francisco tenants was not caused by their landlord’s decision, but instead by the city’s “policy decision to impose residential rent control.”

“That policy purposefully causes a tenant’s rent to be artificially below market rate, a gap that could be expected to increase with the length of the tenancy.” Presiding Justice Barbara Jones said in the 3-0 ruling.
<http://www.sfgate.com/bayarea/article/Court-rules-against-SF-in-Ellis-Act-apartment-11018743.php>

JCE divides community: It shelters bad tenants and drives good tenants out, encourages unscrupulous tenants and their EDC lawyers to push owners to bankruptcy, resulting in more homelessness and higher crime rate!

Tenant not paying rent can damage property and claim uninhabitability, so any owner actions would deem retaliation, and the legal nightmare ensues; owner misses mortgage payments, legal fees then become bankrupt and/or homeless.

CPI is an unfair basis for rent and does not reflect the high uncertain costs of ownership. When CPI is coupled with JCE, owners not only lose on investment, work for free, but also need to pay back tenants in relocation fees and legal costs when they simply want to retire or reclaim the unit for family; the strenuous process and financial burden enslave owners for life.

JCE/CPI create a strange phenomenon: an empty unit is worth more than occupied; a SFH is worth more than multiple units.

JCE abuses senior and mom & pop owners: Owners and tenants are the same people. Tenants may invest elsewhere. Owners may be house rich cash poor, disabled, retiring low-income seniors who need care, or immigrants with limited English working in low wages w/o retirement benefits. Owners already risk their greatest asset and family security in sharing living spaces with strangers. Please honor lease terms and allow the rental community flexibility to resolve conflicts as business issues.

Homeowners and tenants are the same people, and housing in the Bay Area has always been more expensive than elsewhere. Owners have to sacrifice all else to secure their homes as a priority through a lifetime of hard work and often at the expense of their retirement savings. Small owners, often chip in as a clan, do three job shifts, day, evening and weekends to keep up with mortgages and manage renting out spare units. As they are reaching retirement age like the general population, owners can no longer handle their rentals physically, mentally, financially or intellectually. They are enslaved by increasingly oppressive rent regulations that indulge bad tenants and deprive owners of their rights. It has reached the point that rentals are no longer doable by small moms and pops who cannot afford to lose control of their properties. That’s the danger of our society.

Please vote No on JCE/CPI!

Sincerely,

Meina Young
Concerned Citizen and Property Owner

Dear San Jose City Officials,

The Housing Department's data do not support the need for ARO changes nor address the impacts of JCE or CPI.

Housing director Jacky Morales-Ferrand is grossly irresponsible if not outright misleading in her memo dated 4/28/17. She mentions that she had no resources to do analyses and thus made her own assumptions on eviction trends, resulting in callous policy recommendations which could unnecessarily derail the otherwise sound housing policies in San Jose. She makes no mention of the enormous resources spent on the two-year ARO study and advisory committee. A simple analysis of the data shows that **San Jose is doing just fine with the current ARO policies. San Jose must resist the failed policies of "Just Cause" and CPI limits** which are wreaking havoc in other cities' tenant/landlord relations and killing their housing stocks! San Jose needs to stay on track with its maximized housing utilization while planning carefully for appropriate housing expansion.

1) San Jose's no-cause termination notices in 2017 are estimated up to **300**, comparable to the 252 in 2012, the normal base year used by the Housing Dept. This is only 0.7% of the 43,000 ARO units. The unique event of residents being displaced by a flood calls for special help but should not drive the ongoing policies that govern people's lives.

Since 2012, the Rental Rights and Referrals Program staff has received 1,962 no-cause notices to terminate. The following is a table summarizing the number of no-cause notices filed by year:

Year	# of Notices Filed
2012	252
2013	358
2014	395
2015	503
2016	366
2017 (to date)	88
Total	1,962

The trend of no-cause notices appears to be correlated with the strength of the rental housing market. This suggests that in past years, landlords were motivated to issue no-cause notices to increase rents in ARO apartments. Considering the total number of apartments in San José, it is likely not all landlords are submitting copies of the notices as required by the ARO. Under the current ARO Program, there is no mechanism in place that allows the staff to effectively ensure compliance with the noticing requirements. The just cause provisions will ensure that all tenants experience the same rights when facing a termination of tenancy. Based on the number of notices filed to date in 2017, it is anticipated there will be nearly 300 no-cause notices in the current year.

2) The ARO study shows San Jose rents remain reasonable and stable vs. inflation, keeping in mind that ARO cannot control the initial market rent. (<http://www.sanjoseca.gov/DocumentCenter/View/53400>)

Table 4.12
Average Rents of Tenants Moving In Within Past 12 Months
Compared with Average Rents for All Tenants
Multifamily Properties (5 or more units) in San José
1990, 2000, and 2005-2014
Pre and Post 1980 Buildings

Year	Units built before 1980		Units built 1980-present	
	Average Rent	Average Rent Moved in within 12 months	Average Rent	Average Rent Moved in within 12 months
1990	\$628	\$666	\$735	\$798
2000	\$990	\$1,075	\$1,115	\$1,260
2005	\$1,035	\$1,089	\$1,157	\$1,237
2006	\$1,041	\$1,058	\$1,174	\$1,278
2007	\$1,096	\$1,184	\$1,170	\$1,284
2008	\$1,159	\$1,298	\$1,266	\$1,365
2009	\$1,136	\$1,239	\$1,366	\$1,424
2010	\$1,145	\$1,209	\$1,316	\$1,447
2011	\$1,148	\$1,226	\$1,342	\$1,480
2012	\$1,248	\$1,398	\$1,396	\$1,603
2013	\$1,294	\$1,442	\$1,491	\$1,688
2014	\$1,388	\$1,500	\$1,600	\$1,963

Sources: American Community Surveys (ACS) and Decennial Census, Public Use Microdata Sets.

Table 4.11
Average Rents Multifamily Properties (5 or more units) in San José
Current and Inflation Adjusted Dollars
Pre and Post 1980 Buildings
1990, 2000, and 2005-2014

Year	Units built before 1980		Units built 1980-present	
	Average Rent	Inflation Adjusted Average	Average Rent	Inflation Adjusted Average
1990	\$628	\$1,144	\$735	\$1,337
2000	\$990	\$1,366	\$1,115	\$1,538
2005	\$1,035	\$1,263	\$1,157	\$1,412
2006	\$1,041	\$1,228	\$1,174	\$1,385
2007	\$1,096	\$1,261	\$1,170	\$1,345
2008	\$1,159	\$1,275	\$1,266	\$1,392
2009	\$1,136	\$1,261	\$1,366	\$1,517
2010	\$1,145	\$1,249	\$1,316	\$1,434
2011	\$1,148	\$1,217	\$1,342	\$1,423
2012	\$1,248	\$1,298	\$1,396	\$1,452
2013	\$1,294	\$1,320	\$1,491	\$1,521
2014	\$1,388	\$1,395	\$1,600	\$1,607

Sources: American Community Surveys (ACS) and Decennial Census, Public Use Microdata Sets.

3) Per 2015 Census below, San Jose housing utilization is the most efficient, whereas SF has 37,000 units off the market!

ALL TOPICS	Q = Browse more datasets	SAN JOSE CITY, CALIFORNIA	OAKLAND CITY, CALIFORNIA	SAN FRANCISCO COUNTY, CALIFORNIA
Housing				
Housing units, July 1, 2015, (V2015)		X	X	390,204
Housing units, April 1, 2010	⇒	314,038	169,710	376,942
Owner-occupied housing unit rate, 2011-2015		57.2%	39.8%	36.4%
Median value of owner-occupied housing units, 2011-2015		\$609,500	\$458,500	\$799,600
Median selected monthly owner costs -with a mortgage, 2011-2015	⇒	\$2,738	\$2,364	\$3,167
Median selected monthly owner costs -without a mortgage, 2011-2015		\$592	\$563	\$566
Median gross rent, 2011-2015	⇒	\$1,585	\$1,144	\$1,558
Building permits, 2015		X	X	3,665
Families and Living Arrangements				
Households, 2011-2015	⇒	314,297	158,424	353,287
Persons per household, 2011-2015		3.14	2.53	2.32

<https://www.census.gov/quickfacts/table/PST045215/0668000,0653000,06075>

- San Jose's housing stock is efficiently utilized and rent stays low relative to inflation and ownership costs.
- San Jose does NOT need more rent regulations; it needs more housing and to maximize housing providers in the market.
- JCE and CPI-based rent control in SF and Oakland are pushing 10% of the existing housing off the market...and counting!
- Relocation fees requirements are extortionate and endangering mom and pop housing providers.

Judges said it the best: ...the appeals court, upholding a decision by a Superior Court judge, said the 2015 ordinance imposed a "prohibitive price" on owners who exercise their rights under the Ellis Act. ... But the court said the "adverse impact" on evicted San Francisco tenants was not caused by their landlord's decision, but instead by the city's "policy decision to impose residential rent control."

"That policy purposefully causes a tenant's rent to be artificially below market rate, a gap that could be expected to increase with the length of the tenancy," Presiding Justice Barbara Jones said in the 3-0 ruling.

<http://www.sfgate.com/bayarea/article/Court-rules-against-SF-in-Ellis-Act-apartment-11018743.php>

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Tenant not paying rent can damage property and claim inhabitability, so any owner actions would deem retaliation, and the legal nightmare ensues; owner misses mortgage payments, legal fees then become bankrupt and/or homeless.

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JCE/CPI create a strange phenomenon: an empty unit is worth more than occupied; a SFH is worth more than multiple units.

JCE abuses senior and mom & pop owners: Owners and tenants are the same people. Tenants may invest elsewhere. Owners may be house rich cash poor, disabled, retiring low-income seniors who need care, or immigrants with limited English working in low wages w/o retirement benefits. Owners already risk their greatest asset and family security in sharing living spaces with strangers. Please honor lease terms and allow the rental community flexibility to resolve conflicts as business issues. **Please vote No on JCE/CPI!**

Sincerely,

Meina Young
Concerned Citizen and Property Owner

From: Roger Pennington [REDACTED] >

Sent: Tuesday, May 9, 2017 1:16 AM

To: Roger Pennington

Subject: Owners are losing control of their property rights due to lack of attendance by owners next meeting in 3 weeks on JUST CAUSE

Didn't the Mayor and other council members take an oath of office which includes a promise to preserve and defend the Constitution?

"the constitution is a sacred instrument; and a sacred trust is given to us to see to it that its preservation in all its virtue and its vigor is passed on to the generations yet to come."

President McKinley Spoken on this spot May 13, 1901, erected by the people of Santa Clara county a. D. 1902"

From: Roberta Moore [REDACTED]
Sent: Tuesday, May 9, 2017 12:13 AM
To: City Clerk
Subject: Just Cause Eviction - Vote on Tuesday the 9th

Thank you for voting against Just Cause Eviction. Here is a letter I sent To Those who Plan to Vote for Just Cause Eviction or TPO,

A council member was overheard saying, "I don't care if the policy only helps 2% of the population, that is 2% that need our help so we should help them."

Are any of you paying any attention?

Please look at your Housing Department's data:

- Just Cause would take 10 years to have any type of impact on 2% of San Jose's renters. 2,000 No Cause Evictions on 140,000 Rentals in 7 years is .02% of the rentals not 2%.
- It would take 20 years to impact 2% of San Jose's ARO renters. 28 No cause eviction complaints per year on 40,000 rentals. Only 4 ended up needing a hearing. That's .01%.

99.999999% of owners do not evict without a real cause. So all you will do if you vote for Just Cause eviction is make it so the owners have to hire an attorney and private security to get a Just Cause Eviction. Most of these owners are minorities and small mom and pops. Even worse, you will make it more dangerous for the vulnerable renters who are stuck living with the dangerous renters. (I know as I own a 4 plex in one of these neighborhoods.)

The Housing Department claims "No Cause" evictions are used to increase rent. A no cause eviction to increase rent is already illegal under current law. Using existing law, they could enforce and fine those rental providers who are breaking it. Why hasn't the Housing Department gone after these owners or been held accountable on enforcing the current law before creating new regulations and more tax payer burden?

So who are you really helping and who are you really hurting?

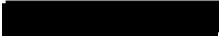
Make no mistake: If you vote for Just Cause Eviction and TPO as it is written, you are

- helping dangerous criminals have a safe haven.

- hurting vulnerable renters who live by the "snitches get stitches" mantra and the small mom and pop owners who can't afford to hire professionals to handle these situations.

Regards,
Roberta

Roberta Moore
Broker Associate . President's Club
BRE #00791365



From: Jenny Niklaus [mailto:]

Sent: Tuesday, May 09, 2017 9:52 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; district4@sanjoseca.go; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; district7@sanjoseca.go; District8 <district8@sanjoseca.gov>; District9@sanjoseca.gov; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Just Cause Ordinance and Urgency Matter

All

My namé is Jenny Niklaus and I am downtown resident. I am not able to be at the meeting today but am writing to urge you to:

1. Pass the just cause ordinance; and
2. Pass an urgency measure to prevent landlords from serving no-cause eviction notices on tenants before the just cause ordinance goes into effect.

Thank you for your work and consideration on this critical measure

--

Take care,

Jenny

From: Chad Hale <>

Sent: Tuesday, May 9, 2017 10:44 AM

To: The Office of Mayor Sam Liccardo; Herrera, Rose; Jones, Chappie; Kalra, Ash; Peralez, Raul; Nguyen, Manh; Carrasco, Magdalena; Oliverio, Pierluigi; Nguyen, Tam; Rocha, Donald; Khamis, Johnny; City Clerk; Diep, Lan; Jimenez, Sergio; devora.davis@sanjoseca.gov; District7; Nguyen, Tam; Arenas, Sylvia

Subject: NO to further San Jose Rent Control / Eviction Proposals

Dear San Jose Leaders,

Do not eliminate my ability to properly manage my and others properties for the safety and wellbeing of the tenants and owners a like. **Please reject any further rent control or just cause ordinances.**

As a local property owner, landlord and property manager I am extremely concerned regarding the continuing expansion of rent control proposals. The past San Jose rent control policy and laws were a fair balance for all involved. In 2016, a number of changes were put in place. Now you want to put more in place without even waiting to see the full effects of what you already changed. Not to mention, rent prices have stabilized and even dropped a little bit in some areas.

Have you personally looked at what housing is available? I keep hearing mean/average rent prices. What they don't reflect is the pricing of the rent-controlled units. They are the luxury units not under rent control. Please have a look at housing available on craigslist to get a real time picture of rents. Also, please look at many of the small multi-family properties that are for sale. Many of them have rents that are far below market rates.

Personally, most of my rent increases are half of the previously allowed 8%. I even had (until recently) a very long term senior tenant of 40yrs whose rent was less than half of the market value. Adding more complex laws, rules will likely not have the intended effect. A look at our neighbors to the north, San Francisco with very strict rent controls is a complete mess in terms of housing. Tying rent increases to CPI or any other index is a severe limitation on one's ability to improve, maintain and repair a property.

The current housing shortage is a community wide issue. Placing the responsibility and burden unfairly on landlords is not fair or just. Significant personal risk is taken on by property owners both in terms of financial costs and personal time and energy. I have spent several hours late at night and on weekends working on improving my property for the tenants benefits.

Please do not make any more tenant/landlord changes. I implore you to act slowly, responsibly and take in a wide census. Changes almost nearly always have unintended consequences. You are already seeing this with property owners evicting tenants now while

they can. I personally faced this situation two weeks ago. A tenant breached the contract. Normally, I would work with them to reconcile the breach and if a solution could not be reached over a reasonable time, I could end their tenancy without expensive lawyer's costs. Now I had to decide to either work with them taking my chances that my legal ability to end the tenancy would be eliminated by the new ordinances or just end it now. What would you do in my situation? I chose to work with them. **Do not eliminate my ability to properly manage my and others properties.**

If you feel the need to make additional changes, may I suggest offering tenant education of the existing laws and enforcing those already in place. Please do not let the few bad landlords color your perception of the entire housing industry.

Sincerely,
Chad Hale

From: David Zhao <[REDACTED]>

Sent: Tuesday, May 9, 2017 3:14 PM

To: Liccardo, Sam; The Office of Mayor Sam Liccardo; City Clerk; Duenas, Norberto

Subject: Strongly Against JCE

Dear Mayor of city San Jose,

Thank you so much for being fair and vote No on JCE.

I am not a apartment owner and I live in San Jose in last 15 years. I have seen how city of SF and Oakland went too far to make everyone suffering from the rent control. **JCE** type of rent control in SF and Oakland clearly demonstrated that **discouraging people work hard to gain property ownership, to be a respectful tenants, to trust fairness in this great country.**

Current all rental rules are effective enough to protect Tenants and Landlord. It may have few unreasonable landlords to do unfair things, and it also some unreasonable Tenants cause landlord huge loss. However those cases need to be solved individually. **JCE will victimized many good landlords and consequently causing a lot bigger issues that would hurt all residents.**

Thank you in advance for considering my thought.

Sincerely,
David Zhao

[REDACTED]
San Jose, CA 95120

From: Kenneth Rosales [mailto: [REDACTED]]
Sent: Tuesday, May 09, 2017 1:29 PM
To: District 10 <District10@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District4 <District4@sanjoseca.gov>
Cc: Felix Antonio Rosales [REDACTED] Maria Javier < [REDACTED] >
Subject: Re: Renter's Rights- Just Cause and Ellis Act

Please excuse typos from my mobile phone. Thank you.

Kenneth

On May 9, 2017 12:23 PM, "Kenneth Rosales" [REDACTED] wrote:
Hi San José City Council,

This is an adendum email for today's meeting.

Maria, Felix, and I are in full support of and emergency ordinance of Just Cause for renter protections from malicious home owners evicting hard working people and families, like what happened in Mountain View and some residents recently in San José:

<http://www.mercurynews.com/2017/05/08/san-jose-council-to-consider-putting-no-cause- eviction-policy-in-place-right-away/>

Secondly, please uphold the Council's decision in support of the Ellis Act to protect the Reserve tenants (as an example) "of the world" from malevelant property owners like the Maio Family.

Thank you!

Kenneth Rosales

On Apr 18, 2017 9:45 AM, "Kenneth Rosales" [REDACTED] wrote:
Hello Again San José City Council,

I made a typo in the bold section of my previous email. It should read as follows, indicating our joint support of the bullet list from Maria, Felix, and I (not just Maria and I):

First and foremost, my partner Maria, my brother Felix, and I would like to clearly provide our support for the following:

- **Councilmembers Arenas/Jimenez's memorandum proposal of a full just cause ordinance for all residents**

- **The Ellis Act amendment memorandum from Jackie Morales-Ferrand; Director, Department of Housing**

Thank You,

Kenneth

On Apr 17, 2017 8:50 PM, "Kenneth Rosales" [REDACTED] wrote:
Dear City of San José City Council,

My partner Maria Javier (cc'd), brother Felix Rosales (also cc'd), and I are taking the time out of our busy lives to write to you on tomorrow's important decisions on a full Just Cause Ordinance for all renters in San Jose and an amendment proposed for the Ellis Act ordinance.

First and foremost, my partner Maria and I would like to clearly provide our support for the following:

- **Councilmembers Arenas/Jimenez's memorandum proposal of a full just cause ordinance for all residents**
- **The Ellis Act amendment memorandum from Jackie Morales-Ferrand; Director, Department of Housing**

I have been a renter for my entire life with the attainable goal of one day becoming a homeowner. However, I have never been in fear of getting arbitrarily kicked out my home more than I have since I moved to San Jose. I have been living in downtown for the last 10 years with my brother and one year with my partner. About 90 percent of my time in San José has been as a student, for undergraduate and graduate studies at San José State University. When my brother and I rented in a rent controlled unit near campus for nearly eight years, our property owner was constantly threatening our stay for capricious, irrelevant, and unjust reasons. It must be understood that throughout our entire lives, we have been a hard-working immigrant family looking to rise above poverty and racial injustices; against all odds.

After obtaining a bachelor of science and master's degree as a first generation child, along with being entrusted with an endless amount of duties at my work, I was still afraid that I'd get kicked out of my rent-controlled home. However, I am not alone. There are thousands of renters in San José that live in greater fear. The Waterloo Apartments, the Reserve, and even 96-year old veterans are at risk from being evicted for no good reason whatsoever. Countless stories of individuals wanting to start their own businesses, families saving to buy a home, or parents preparing for their children's educational futures – have been at risk of becoming homeless. As we know, thousands of San Joséans are homeless while a majority of these people live along Coyote Creek or the Guadalupe River. Not only do broken rent regulations destroy lives, but they also have unprecedented negative environmental, aesthetic, and psychological impacts to the public.

We must put an end to this careless historical behavior our San José decision makers have made: prioritizing monied interests that are not considerate of the public whole. The "public whole" includes police officers, teachers, students, entrepreneurs, business owners, etc. These are the

everyday people who make-up San Jose and its culture. Allowing business as usual will only continue our downward spiral of increased homelessness, poverty, and shattered dreams.

Make the right choice by prioritizing a majority of San José people's lives over the profit of the very few. Maslow's law of hierarchy includes the element of shelter and giving socially irresponsible property owners too much power belittles this necessity that every human being needs and deserves.

Respectfully Submitted,

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