



## CITY OF ALBANY CITY COUNCIL AGENDA STAFF REPORT

Agenda Date: December 1, 2025  
Reviewed by: NA

**SUBJECT:** Tenant Protections Study Session

**REPORT BY:** Leslie Mendez, Planning Manager  
Dina Tasini, Community Development Director

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### **SUMMARY**

The City's certified Housing Element includes Program 5.D which is to evaluate tenant protection measures for a potential local ordinance that could include provisions related to anti-harassment and non-discrimination, just cause for eviction and/or rent stabilization. The Housing Advisory Commission (HAC) has held a series of meetings and developed recommendations for City Council consideration. This study session is intended to provide an opportunity for the City Council to consider the recommendations from the HAC and receive further input from the community regarding any proposed local ordinances regarding tenant protections. s further.

### **STAFF RECOMMENDATION**

That the Council conduct a study session regarding tenant protection measures including provisions related to anti-harassment and non-discrimination, just cause for eviction, and rent stabilization, and provide feedback to staff regarding next steps in developing any local ordinances regarding tenant protections.

### **BACKGROUND**

California's [Fair Employment and Housing Act \(FEHA\)](#) and the [Unruh Civil Rights Act](#), which applies to housing providers that qualify as a business establishment, are state Fair Housing Laws that prohibit discrimination and harassment based on protected characteristics (e.g. race, religion, etc.). AB 1482, also known as the [California Tenant Protection Act of 2019](#), is a statewide law that limits rent increases and protects tenants from evictions without cause. It went into effect on January 1, 2020, was amended in 2023 ([SB 567](#)), and is currently set to expire on January 1, 2030.

Since March 2025, the Housing Advisory Commission (HAC) has held a series of meetings to study and consider local tenant protection policies. Each meeting focused on a key policy area, with staff providing reports and presentations, followed by public input and Commission discussion.

During the meetings, commissioners and the public discussed the need for local tenant protection measures. Ongoing discussion focused on balancing stronger protections with concerns about cost, complexity, effectiveness and enforcement. There was no strong indication of a current crisis in renter-owner relations, but rather a question of what standards should be set for the City as a statement of community values. Over the range of topics, there was broad recognition on the need for education to improve awareness and understanding of existing rights and responsibilities required by state law, for both tenants and property owners. Commissioners discussed and made specific regulatory recommendations to be included or excluded in a potential local tenant protection ordinance. Numerous additional educational, program-oriented and enforcement recommendations emerged from the HAC's discussions as well.

At the September 3, 2025, HAC meeting, staff requested the Commission, through public comment and discussion, identify areas of consensus and ranges of disparity on specific tenant protection issues related to Non-Discrimination and Anti-Harassment, Just Cause for Eviction, and Rent Stabilization. The results, briefly summarized under each topic area below, will be included in an advisory report to be presented to City Council for consideration and direction on next steps with respect to possible adoption of a local ordinance or other measures to strengthen tenant protections.

The City received feedback during and after the September HAC meeting that the three-minute public comment time limit was insufficient to comment on the range of policy options being considered. To ensure the process is broad and inclusive, this study session provides an additional opportunity for public comment on tenant protections while also considering the recommendations as provided by the HAC for further direction by the Council.

## **DISCUSSION**

This study session focuses on regulatory policies related to non-discrimination and anti-harassment, just cause for eviction, and rent stabilization. To facilitate the discussion, staff has provided the list of items for each topic area that were discussed during the September 3<sup>rd</sup> HAC meeting. The items are intended as a focal point but not meant to curtail more expansive comment or discussion.

### **Anti-Harassment & Non-Discrimination Protections**

California law prohibits discrimination by providers of housing based on a broad range of protected characteristics (e.g. race, religion, etc.). During the [March 5th HAC meeting](#) on anti-harassment and non-discrimination, there was broad support for clear prohibitions against harassment. Although one Commissioner noted that there is not need for additional regulations, during the September 3<sup>rd</sup> meeting, the majority of HAC members supported the policies below:

1. **Explicitly protect non-nuclear, nontraditional, and multigenerational families from harassment and discrimination.** Non-traditional families would include multigenerational households, blended families, chosen families, unmarried partners, foster or kinship care arrangements, and non-related roommate households functioning

as a family unit. State law does not explicitly define or protect non-traditional family arrangements.

2. **Explicitly prohibit retaliation against renters for engaging in specific tenant organizing activities.** State law protects participation in tenant associations but does not detail specific activities, so a local ordinance could explicitly include actions like distributing flyers, holding meetings, posting notices, and using digital communication as protected tenant organizing.
3. **Define harassment to include any threat to report a renter to immigration authorities and/or any unnecessary demand for proof of U.S. citizenship.** State law already prohibits property owners from inquiring about or disclosing a renter's immigration or citizenship status but does not explicitly classify these activities as harassment.
4. **Define harassing behaviors to include refusing lawfully offered rent, failing to provide or threatening to withhold required repairs, repeated or excessive entries into a rental unit without proper notice, and interruptions or shutoffs of essential services such as water, heat, or electricity.** Not explicitly covered by State law, some local jurisdictions have expanded their ordinances to cover these activities, recognizing them as common tactics that disrupt renters' quiet enjoyment and may create unsafe living conditions.

#### **Just Cause for Eviction Policies**

Feedback during the [April 2<sup>nd</sup> HAC meeting](#) on just cause for eviction included concerns that the eviction process is already difficult and expensive, which may discourage property owners from renting units, and that state protections already exist. Others emphasized the importance of stronger protections against no-fault and retaliatory evictions to maintain fairness and diversity in the City. During the September 3<sup>rd</sup> HAC meeting, the majority of Commissioners, with some variation, supported the following policies, though concern was expressed that owners may remove units from the rental market if regulations become too onerous:

1. **Eliminate sunset date for California Just Cause for Eviction protections.** Currently the just cause for eviction protections provided for in AB 1482/SB 567 are set to sunset January 1, 2030.
2. **Lessen or remove minimum tenancy requirement.** State law currently protects renters only after 12 months of tenancy.
3. **Include units exempt under AB 1482 (single-family homes, newly constructed housing, etc.) in just cause requirements.** A local jurisdiction can broaden just cause protections to unit types currently exempted from State law protections, including single-family homes, duplexes where the owner lives in one of the units, and housing constructed in the last 15 years (a rolling exemption).
4. **Require property owners to file eviction notices with a designated City department.** In addition, make failure to file such notices a defense in eviction cases. This was discussed as a low-burden requirement that would provide metrics on the instances of eviction in the City.

5. **Require owners to maintain a valid business license and unit registration as a condition for pursuing an eviction.** Failure to comply would provide tenants with a valid defense in eviction proceedings.
6. **Increase relocation assistance for no fault evictions.** State law currently requires one month's relocation assistance.

### **Rent Stabilization Policies**

Lengthy discussions occurred during the [May 7th HAC meeting](#) on rent stabilization focused on rising rents outpacing incomes, with calls for limits beyond state law. Others mentioned the increased costs to property owners, particularly related to insurance, how rent stabilization may restrict rental supply, how regulations would be enforced, and questioned whether a local rent stabilization program is needed in Albany considering state limits. Local rent stabilization measures would only apply to units eligible under the Cost-Hawkins Rental Housing Act, primarily older multifamily properties built before 1995, while single-family homes, condos, and newer construction would remain exempt under state law. At the September 3<sup>rd</sup> HAC meeting, the Commissioners generally agreed with the following policies, with one Commissioner only agreeing if means testing accompanied rent stabilization:

1. **Eliminate sunset date for California rent stabilization provisions.** Currently the rent stabilization limits provided for in AB 1482/SB 567 are set to sunset January 1, 2030.
2. **Cap annual rent increases below the state limit.** State law currently caps rent increases on non-exempt units to the lesser of 5% of the current rent plus the regional Consumer Price Index (CPI), or 10%, in any 12-month period. The City could set an alternative limit such as a flat percentage, the regional CPI, or a combination of the two. To comply with constitutional requirements, the City would also establish a process for property owners to petition for higher increases based on a fair rate of return.
3. **Expand rent stabilization coverage to units not included in AB 1482/SB 567 but legally eligible by state law.** This could include duplexes where the owner does not occupy a unit at the beginning of tenancy.
4. **Limit rent increases to once a year.** State law currently allows an owner to raise rent twice in 12 months provided the total increase does not exceed the annual limit.
5. **Prohibit rent increase in first year of tenancy.** Allow rent increases only after 12 months of tenancy.
6. **Invalidate any rent increase on the property that is not licensed and registered.** A property owner's failure to obtain a business license or register their unit could be used as a valid tenant defense to an eviction for nonpayment of increased rent. A local registration requirement to validate rent increases could apply to all rental units, including those exempt from rent stabilization laws.

## **SOCIAL EQUITY AND INCLUSIVITY CONSIDERATIONS**

The intent of Housing Element Program 5.D is to ensure that all Albany residents, regardless of their income or tenure, have a secure and stable place to live. The program was included in direct response to community feedback received during the 2023-2031 Housing Element Update and to the State of California's mandate that the Housing Element affirmatively further fair housing for lower income households.

## **CITY COUNCIL STRATEGIC PLAN INITIATIVES**

This study session is consistent with the following City Council Strategic Plan initiative:

- GOAL 2: Promote Housing Availability; OBJECTIVE: Fulfill the City's Housing Element Commitments

## **NEXT STEPS**

Staff will incorporate direction and feedback from the Council to further develop any draft ordinances related to tenant protections for Council review at a future meeting.