

ADVISORY COMMITTEE: APARTMENT RENT ORDINANCE

REGULAR MEETING ACTION MINUTES

OCTOBER 17, 2015

MEMBERS PRESENT: Matthew Carney
Joshua Howard – arrived at 11:24
John Hyjer
Aimee Inglis
Melissa Morris
Michael Pierce
Elisha St. Laurent
Tom Scott

MEMBERS ABSENT: Gustavo Gonzalez
Roberta Moore
Elizabeth Neely
Eloise Rosenblatt

STAFF: Jacky Morales-Ferrand Housing Department
Wayne Chen Housing Department
Maria Haase Housing Department
Ann Grabowski Housing Department
Shawn Spano Contracted Facilitator

(a) Call to Order/Orders of the Day—Shawn Spano opened the meeting at 10:14am.

(b) Introductions— Mr. Spano introduced himself, committee members introduced themselves, and members of the Housing Department introduced themselves.

(c) Approval of the September 30, 2015 Action Minutes

Ms. Morris asked for clarification on whether the committee was allowed to vote on the minutes as a non-decision making body.

Ms. Grabowski answered that the committee was not required to approve the minutes, but because the meeting minutes were part of the public record, staff wanted the committee to have an opportunity to provide any necessary clarifications.

The approval of the 9/30 minutes was deferred.

(c) Unfinished business from October 14th meeting, if any (Housing Staff, Facilitator)

There was no unfinished business.

(d) Discussion and possible action of unfinished business from October 14th meeting (Housing Staff, Facilitator)

Mr. Chen presented information on alternative standards to the annual allowable increase.

Mr. Scott stated his objection to the focus questions as presented because: the cap was not intended to be an index and comparing our policy to other cities policies because both are bad public policies.

Ms. Morris responded that the ARO allows for the pass through of specific costs. Mr. Carney recited the section of the Ordinance. Ms. Morris continued that the annual allowable increase is similar to an index because there are other mechanisms to pass through indexed costs for maintenance.

Ms. Inglis shared that from past meetings information was shared that there had not been any operations and maintenance pass throughs, only debt service, so owners in San Jose were likely using the 8% annual allowable increase to absorb costs that were eligible to be passed on outside of the allowable.

Mr. Pierce shared that markets are cyclical and landlords can't receive/charge more rent than the market allows. CPI punished landlords severely. When the market drops, rents can't reset. Regardless of the annual allowable rate, a landlord can't charge rents at a rate that people aren't willing to pay. Mortgages aren't indexed – most are fixed rate.

Ms. Morris stated that she was glad to hear about fixed rate mortgages. As a homeowner her homeownership costs are relatively predictable and stable. Homeownership is out of reach for many people. Those people aren't choosing to rent over buying a home – they can't afford a home. People choose to get into the real estate business, but they rarely choose to rent. The purpose of the ARO is to provide stability to those who cannot afford to buy a home.

Mr. Pierce responded that renters have a choice on where to rent. Market forces need to apply to all parties. This policy needs to be fair to all parties.

Mr. Chen continued the presentation.

Focus Question: does the annual allowable increase meet the public policy purpose as stated in the ARO? [prevention of excessive increases, alleviation of undue hardship on tenants, assurance of a fair and reasonable return]

Ms. Morris responded that because the annual allowable increase is so high, the ARO does not meet the first two public policy goals.

Mr. Scott said that there is no practical way for the City to fully understand the business practices of thousands of property owners operating ARO housing to properly determine the fair rate of return. A cap is not an index.

Ms. Morris said that regarding fair rate of return – there is a difference between fair rate of return and unfettered pursuit of profit. The ARO has provisions to pass through costs and seek an additional amount of an increase to ensure a fair rate of return. This provision is allows landlords their constitutional right to a fair rate of return and will be a provision in a new ordinance.

Ms. St. Laurant said that she doesn't have another income like landlords do. Has to make significant choices between basic needs on a regular income. Believes that a 2% cap on the annual allowable increase would be ideal.

Mr. Pierce said that while discussions of pass through provisions can continue, it's important to remember that the hearing officer has the right to determine what is reasonable and reduce the amount passed-on to the tenants, even if the owner was otherwise entitled to recoup more of their costs.

Ms. Inglis doesn't believe that the ARO meets the tenant-focused public policy goals. The 8% was set based of inflation in 1979. Because there haven't been operations and maintenance petitions, it seems that the 8% provides a fair rate of return. The ARO is not a rent ceiling.

Mr. Pierce said that the entire basket of housing costs are up – not just rents. The escalating cost of home sales puts pressure on the rental market. Is the City going to cap the price of single family homes? We need to think about who is going to pay for the rental subsidy that we're looking for.

Mr. Scott asked if an increase to the 8% cap in certain circumstances should be considered, perhaps in circumstances when rents have been flat for years, but the building suddenly needs a major capital work.

Ms. Inglis offered that in other markets there are regulations against price fixing and price gouging. The ARO provides that regulation for the rental market.

Ms. Morris said that there is a provision in the current ARO to bank rental increases at 21% over 24 months. Wants to be clear that rent control does not "cap" rents because vacancy decontrol exists.

Mr. Chen continued the presentation.

Focus Question: Does the fixed percentage increase align with the shared principles of certainty, predictability and fairness & Pros and Cons

Mr. Scott said that because other cities have shifted their annual increase doesn't mean San Jose should, especially without researching the impacts on the rental market in those cities. Considers tracking CPI as bad public policy.

Mr. Hyjer said that when looking at other cities represented on the graph, each of the cities on the low end on the annual increase have the largest problem with housing because when you reduce the annual allowable increase the housing stock declines. People choose to leave the housing market because it's not worth it. This is a societal problem – why are housing providers being burdened by this issue. The City should create a fund to provide a subsidy through a means test. People will stay in units there will be little vacancy.

Ms. Inglis doesn't agree that rent stabilization is a failed policy. Rent control exists in cities because rents were out of control, AROs were not the cause of rent shortages. Must consider whether the policy has worked to prevent displacement. Believes that existing 8% allowable provides certainty and predictability, but doesn't believe that it provides fairness.

Ms. Morris responded to Mr. Hyjer's comments about subsidy programs. Subsidies are one part of meeting the affordable housing needs of a community, as rent control is. Neither is a panacea. Empirical studies show that rent control has a net neutral effect on housing prices – but it does prevent displacement. Does not agree that the correlation between SF's tight rental market and rent

control is causation. Without rent control, low income tenants probably would've been gone long ago. Rent control isn't the only policy that will solve our affordable housing shortage. Fixed percentage provides predictability and certainty but does not track the economy.

Mr. Pierce said if the goal is fairness, perhaps tenants should be forced to stay in units when the market goes soft instead of allowing them to move where the jobs are. Supply is an important factor. Housing supply is not fluid and the City has a lot of policies that restrict housing supply. The housing problem is not the fault of property owners.

Mr. Scott commented that when you clamp down on the annual increase cap, you see other changes to the policy like San Francisco.

Mr. Chen continued the presentation to an inflation-based index.

Focus question: Does an inflationary index align with the principals of predictability certainty and fairness?

Mr. Pierce asked why 1978-2007 was selected.

Mr. Chen answered that 1978 was selected because that's when the Ordinance was created.

Ms. Morris asked if Berkeley and San Francisco had a floor and a ceiling.

Mr. Pierce asked if data on housing costs during that period is available.

Mr. Chen answered that the data can be provided.

Ms. Inglis said that rent control is often litigated. San Francisco's index of 60% of CPI has been upheld by the courts.

Mr. Scott offered that the price of housing has skyrocketed since 1978.

Ms. Morris believes that CPI offers an element of fairness, though the fluctuation does limit the certainty or predictability.

Mr. Scott said that you can write anything into an ordinance to make it legal but it doesn't make it responsive to the market. Our economy fluctuates in big cycles. The problem with using an index is that it locks in the downside but doesn't respond to the upside.

Mr. Carney said that the fixed increase is a little daunting. Even as a teacher with a wage schedule, his income doesn't meet the 8% schedule. If buying power matched annual rent increase, he would be able to invest in a rental property. Even with a lower increase, he wouldn't choose to stay in an apartment, he would choose to buy a home.

Mr. Pierce said that markets are cyclical. People are mobile but buildings are not. Family member moved to Portland because housing costs were lower there. The relative change of costs to occupancy make CPI very difficult to recoup costs.

Mr. Howard said that he needs to understand the magnitude of the problem that we're trying to solve before he can respond to an alternative standard. Would like to know how many petitions were denied

because they were allowed by rite. Does not know any other entity that sets a required rate of return. If owners feel that they aren't getting a fair rate of return they will flip the unit. No other city fees are tracking with inflation. Everything is tracking higher than inflation. Model doesn't meet any of the shared principles.

Mr. Carney said that with the fluctuation of the economy, lower income folks don't see the benefit of a higher income or growth in wages. Appreciates that landlords want to capitalize on a higher market. People can't just get up and leave the area. Some can't afford to move to another city.

Ms. Inglis said that if the annual increase is tied to inflation there should be a petition process to recoup O&M costs, which already exists under the program. The housing crisis is happening nationally, so even when people move, housing costs are going to be a problem.

Mr. Pierce said that the reason that housing costs are increasing because of public policy. There are tons of jobs, but the City isn't allowing housing production to occur at a rate close to the job growth. The supply issue is the one we should be focused on. [Provided modeling example]

Ms. Morris said that as the "burdens" on landlords are discussed, the benefits provided through public policy and government influence like good schools, parks, community infrastructure, which drives up rents because properties become more valuable should also be discussed. This is important to remember when discussing fairness. As a city we've said we believe in diversity and preserving affordable housing, which is to say that we need to work to prevent displacement.

Mr. Chen continued the presentation to the operating cost standard.

Focus questions: does an operating cost model provide predictability, fairness and certainty?

Mr. Howard doesn't believe that this model is very difficult to administer and would create a significant amount of work, while reducing predictability. Would not achieve any objectives.

Mr. Scott said that he's not sure exactly what a fair return is, but without City Hall underwriting the downside of the economy, landlords aren't going to sign up for this.

Mr. Carney asked if staff was suggesting any specific model at this point.

Ms. Inglis said that this model appears to be a significant amount of work and that there should be a separate pass-through for operations and maintenance.

Mr. Hyjer had questions about the data. In the Bay Area operating costs makeup about 37% of total costs and smaller operators likely have higher costs. There is no consistency in the change in utility costs except that they never go down.

Mr. Pierce offered that an additional standard to look at should be means testing of incomes for renters.

Mr. Howard said that in New York City when rents hit a higher level and the tenant's income meets a certain level, then unit is removed from rent control or the annual increase moves above the allowable increase.

Ms. Morris said that if we're going to means test we would need to place a restriction on landlords being able to increase rents beyond 30% of a tenants income. This increases unfairness between the tenant and the landlord. This is very sensitive information.

Mr. Hyjer said that we need to remember that truly affordable housing is affordable in perpetuity. The City has been lacking in providing enough incentive to developers to provide that kind of housing.

Ms. Morris said that if we wanted to frame what we are doing as providing a subsidy, we need to talk about all of the restrictions that come with subsidy programs. Rent control is not a subsidy program.

Mr. Pierce said that as an owner of property he can choose to participate in the housing authority's programs and opt-in to those limits or choose to accept subsidies to comply with an affordability restriction.

Ms. Inglis said that rent control is an anti-displacement mechanism not a subsidy.

Mr. Carney asked if the unit would remain decontrolled after a means-tested tenant vacated the unit.

Mr. Pierce said that means testing allows the free market to set the rental price. Current restrictions depress the rent amount.

Mr. Chen continued the presentation to multi-year increases/banking.

Focus question: does banking align with certainty, predictability and fairness?

Mr. Pierce says that banking is fair-er.

Mr. Carney said that the current 21% is unfair to tenants.

Mr. Scott said that banking should be as lenient as possible. Has rarely seen the 21% used except in cases when rents have been flat.

Mr. Pierce said that residents of units during a soft market is also "banking" because rents fall.

Mr. Carney said that not all tenants are banking in any circumstance. Some tenants are paying up and over 50% of their income in rent.

Mr. Howard said that markets are cyclical. Property owners have to respond to the market and banking allows for the quick recovery of market-based reductions in rent.

Mr. Carney said that he would like to see data on declines in rent. Not sure that households are so mobile to up and move based on rent prices.

Ms. Morris said that she has not experienced rent decreases for in-place tenants. Regarding banking, it does not allow much predictability for tenants. If it's to be considered, it does need to be capped.

Mr. Hyjer said that rent decreases do happen. Landlords lower their rents to keep people in their homes to prevent vacancy. The housing market is supply and demand based.

PUBLIC COMMENT

Owner: Annual increase at 8% doesn't mean that landlords actually increase that much. Increases hinge on the responsibility of the tenant; irresponsible tenants increase costs. 8% allows flexibility.

Tenant: 8% increase shouldn't be optional. Wages don't reflect the 8%. Increase should be 2%. Has to work every day to afford living here. 2% allows owners to survive.

Tenant: Los Gatos has rent control and its fine.

Owner: Against rent control. Doesn't help rental market. Look at San Francisco. Policy doesn't make rentals more affordable. 8% allows owners to keep up with rising costs of the bay area. Also against just cause eviction. San Jose government should create a program to provide for affordable rentals.

Owner: Root cause of issue is supply and demand imbalance. 400 new housing permit per 1,000 new residents. Informal survey among group – 2br. 1,500 – 2,200. During downturn, 2brs dropped down to 1,700. takes 12 years to recover to original rent.

Owner: Parents worked hard after immigrating to invest in rental properties. Property is speaker's college fund and parent's retirement. Setting rental caps is not the American way.

Owner: Family has worked very hard to get where they are.

Owner: Apartments under ARO are older and more expensive to operate but are still affordable. CPI doesn't accurately capture increased costs. Double paned windows in 17-unit building cost \$37,000.

Tenant Advocate: Supports an increase over 2% and the committee is limited by lack of consensus. The owners operate units that are under the ordinance that is attempting to achieve public policy goals, but they have to make money. This is a public interest –

Tenant Advocate: Participated in the debate when the policy was originally implemented. The 8% was never supposed to continue in perpetuity. The world has changed since 1979. Wages have been stagnant.

Owner: ARO properties are the oldest buildings in San Jose. Costs of maintenance on properties have increased dramatically. Need structural repairs and require the most maintenance. Some owners maintain their properties but others do not.

Tenant: 8% increase isn't beneficial to the middle class because they can't climb the economic ladder. Can't save money to move out of ARO unit. Can't start a family in a 1BR apartment. Can't get married.

Owner: Rent prices are not set by owners, but by the market. The housing shortage has caused this problem.

Owner: Property manager for 8 years. Works with different owners. Owners have high mortgage and cost of ownership. Long-term owners have more room to work with and they subscribe to many public programs like Section 8. Few bad actors started this problem.

Owner: Small housing provider with a 3BR 2BT, residents pay 1980. Wants to keep the good tenant so she doesn't really raise rent. Changes to rent control punish good owners like her. If she leaves market her tenant will leave.

Owner: Main problem is to solve housing supply. Planning Department should approve more housing.

Owner: Against decrease in 8% annual allowable increase. Research did not consider property taxes which equates to 3 months income. Foreclosure is a real threat. Many property taxes add to cost of operation.

Owner: Gross rents 2,035 – only increase 6% among ARO units. It's a subsidy. Lowering the increase will lower the vacancy rate. Low vacancy rate increases evictions.

Owner: Disagrees with 2% rent increase because it doesn't capture enough income to maintain property.

Owner: Reducing 8% cap will restrict owners from being able to maintain their properties.

Tenant: Renters don't have a choice but to rent, many want to be owners. People need to save money to be able to purchase property. Owners have the choice to walk away and many have a second income. Tenants don't have a choice.

Owner: Used to rent and is now a homeowner. Government policies should be fair. When people are renters they want rent control. But rent control is not fair to owner. People choose to live here and move here from other areas. People can choose to live elsewhere.

Owner: Sole income, family's 401k and children's tuition. Vacancy is harmful.

Tenant: 14 years in San Jose. Works for a school district in San Jose. Renter – pays 1,600 per month which is over 50%. Gouging his rent means he can't reinvest in local economy. Not all people work for google.

Owner: Negative consequences to apartment owners: garbage passed on to owners.

Tenant: Has been an property manager for 10 years. Wants a list of people who have lowered rents. Hearing a lot of delay tactics. Not fair to charge renters different amounts.

Broker and tenant: Focus questions: certainty and predictability are objective. Fairness is subjective and brings up social ills that aren't addressed by rent control.

Owner: Not all landlords are bad people and not everything is about money. Allows tenants flexibility. ARO passes social issue to landlords.

Owner: Rent control is a bad policy – tight supply is real issue. Zoning requirements are very tight and the City should increase supply and ease restrictions to builders. Housing costs have gone up over 8% for last few years. Owners pay market price when purchasing properties. Against reducing annual allowable increase.

Owner/tenants: Against rent control and against reducing annual allowable increase.

Owner: Has been a tenant and is now a tenant. Berkeley ARO properties are slums because owners don't make enough to take care of properties. Now as an owner, bought properties in San Jose and renters want updates made. Previous owners neglected, but no money to do so.

Owner: Lived in San Jose for 30 years. Been tenant and owner. Against rent control. Understands issues. City should address issue in other way.

Owner: Property taxes have gone up 44% in 6 years. Insurance has gone up 3.9% since 2014. If rental increase is capped then all costs should be capped as well.

Tenant: Happy to hear other people have worked hard to own homes. Two-income household work more than 50 hours a week. Good tenants and got a 21% increase anyways.

Owner: Unless all costs can be limited, rent increases shouldn't be limited. If residents can't afford rent, they need to find other solutions.

Tenant: Pays rent every month in a 2BR household – can't save money to buy a house or a car. Only pays rent.

Owner: Single mom with two kids. Bought property as an investment for retirement.

Tenant Advocate: The market isn't free because zoning impacts the market. Everyone should all agree that 8% was derived from an old standard.

Owner: No other source of income. 8% is fair. Accept a variable rate but CPI is artificially controlled. The cost of living goes up higher and faster than 8%.

Owner: Manages her own property and works closely with the tenants. Understands difficulty for tenants. Solution isn't to add more restrictions on top of ownership.

Tenant: Conversation shouldn't be about who is good or bad but about how to create solutions to the affordable housing crisis for all residents. Rent control needs to be at 2% or CPI.

(e) Open Forum

Renter: Property manager and believes that increases in rent are not unscrupulous but are reinvestment in properties. Property owners are business owners

Owner: Invested in duplex in 1978. Rent has grown over time at 4% a year – not 8% which would be ahead of market. Rate of job growth has decreased. This is good for tenants and landlords.

Owner: Perception that every landlord raises rents 8% every year. Concerned about origin of data. Where will the consultants get the rental information? Consult websites and databases or contact smaller property owners?

Tenant: 2% is a viable number because housing was still provided during downturn. Big incentive to push tenants out. Believes that people should've had two minutes.

Tenant: ARO only impacts 35% of the housing in San Jose, and many owners in the room aren't owners of ARO units. Hasn't been updated since 1978 and needs to look at it again. Too polarized.

Owner: Small housing provider. Renovation of apartment takes money and time – roughly 2 months without rental income. Cost of turnover of unit is roughly \$10,000.

Owner: Prices aren't driven by cost, it's driven by the market. Regardless of cost, the market sets the price.

Owner: Tighter rental controls creates a decline in rental units.

Owner: People may not be able to afford even low rent. Government should be providing housing to low income people, not private market.

Landlord: This affects San Jose as a whole. Please be mindful of that. This isn't about landlords and tenants. It's about families.

Tenant: Lack of incentive for people to invest in housing is absurd – everyone wants to own. Are all wages going to increase to match the annual allowable increase? Most people don't get this raise. Rent prices are out of control.

Tenant: Costs are often tax write-offs. Owners make a profit. Don't lie about that. If it wasn't profitable you wouldn't be buying them. Mobile home parks have a 3-7% increase. Why are these different?

Owner: In economic upturn right now but there are also downturns and owners must be able to save for those times. Rent control is a subsidy.

Owner: 20 years ago the home prices were high. 10 years ago companies left and house prices went down. Be reasonable.

Owner: Owns a 4-plex under rent control. Bought 10 years ago – not free and clear.

Owner: Not all costs can be written off in 1 year. If the annual allowable increase is capped at 2% owners won't have money to maintain properties.

Property manager: Rent control does not work. Should look at the number of units that are taken off the market when rent control changes are made.

Tenant: Landlords profit off of the poverty of tenants. Landlords in the audience are mocking tenants which makes it impossible to trust them.

Owner: Provides housing, which is not charity. Rent control forces small property owners to provide more and more charity. Normally doesn't increase rent but will now.

Owner: Pass through is not a good viable way to recoup costs and it's controversial, will lead to more lawsuits. Low increase makes it difficult for owners to frontload costs.

Tenant: Committee needs to stop using the word subsidy – rent control isn't a subsidy.

Owner: Owns one building. Costs are increasing. Root cause of the problem is high incomes from tech companies. Should create a fund to produce affordable housing.

Owner: Against rent control of any kind. Family moved here for good job opportunities. Strong believer in free market and smaller government. Doesn't agree with government interference. Bay Area has prospered because hardworking people from all over the world came here.

(f) Adjourn Facilitator Shawn Spano adjourned the meeting at 1:58 pm.



Public Discussion: Updating the ARO Apartment Rent Ordinance

Discusión Pública: Actualización de la ARO Apartamento Ordenanza de Arrendamiento

Share Your Comments

Comparta sus comentarios

Item # _____
Número de artículo

Remes serve two functions:
① compensate providers the cost of providing shelter to consumer.
② provide the ~~also~~ ^{economic} incentives needed to attract new investment as well as maintain existing housing stock. In this respect, housing is no different from other commodities, such as food or clothing.

over continuado

OR send your comments to o envíe sus comentarios a Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

About You Acerca de usted

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Email Email: *

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thank you

gracias



Public Discussion: Updating the ARO Apartment Rent Ordinance

Discusión Pública: Actualización de la ARO Apartamento Ordenanza de Arrendamiento

Share Your Comments

Item # _____

Número de artículo

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One thing that needs to be addressed is the affect of rent control on very low income seniors and the disabled.

We live on fixed incomes. Many seniors & disabled face the prospect of becoming homeless due to rent increases. Without subsidized or below market housing this
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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Bruce Roberts
Email Email: bruceroberts@yahoo.com

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would be the case.

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Public
Discussion:
Updating the
ARO
Apartment
Rent
Ordinance

Discusión
Pública:
Actualización
de la ARO
Apartamento
Ordenanza de
Arrendamiento

Share Your Comments

Comparta sus comentarios

Item # F
Número de artículo

Tax deduct,
write off
over 10 year

over continuado

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Email Email : _____

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Public Discussion: Updating the ARO Apartment Rent Ordinance

Discusión Pública: Actualización de la ARO Apartamento Ordenanza de Arrendamiento

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Item # [handwritten 'f'] Número de artículo

Talk about the 8% allowable increase

over continuado

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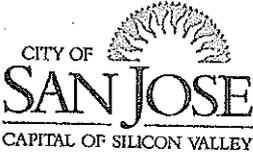
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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Carlos Tripodi Email Email: ctripodi2000@yahoo.com

check all that apply marque todo lo que corresponda

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Public Discussion:
Updating the ARO
Apartment Rent Ordinance

Discusión Pública:
Actualización de la ARO
Apartamento Ordenanza de Arrendamiento

Share Your Comments

Comparta sus comentarios

Item # _____
Número de artículo

Rent control will
make housing shortage
worse not better

over continuado

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Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Shuong Malkin
Email Email: shuong@comcast.net

check all that apply marque todo lo que corresponda

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- I am a member of the public. Soy un miembro del publico.

Lined writing area with 20 horizontal lines.

thank you

gracias



**Public
Discussion:
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ARO
Apartment
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Ordinance**

**Discusión
Pública:
Actualización
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Apartamento
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Arrendamiento**

Share Your Comments Comparta sus comentarios

Item # F
Número de artículo

Think about the future of the generations to come. Putting a cap of 2% will get things moving for the people to save and not feel trapped. Keep in mind of everyone not just you but everyone bc this also involves the whole city and state. Including the family of everyone and so on that's
over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Hestie Martin

Email Email: _____

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Soy dueño o opero un apartamento alquiler ordenanza.
- I am a member of the public. Soy un miembro del publico.

over 1 million people times
that by 3 bc everyone knows
someone. It effects everyone
on a difrent level. So please
I beg you to keep this in
mind when taking these
things back to the committee.
when making the's decisions
its not just you.

thank you

gracias

Share Your Comments Comparta sus comentarios

Item # E
Número de artículo

I have a question here. If a cap should be put on the rent, should we put a cap on the purchasing price as well? If not, that is not fair!

If a cap put on the rental price, this means a cap on the income of owners of the rental unit. Shall we put a cap on the income of people in other business or industry? If not, that is not fair!

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Wu Yang

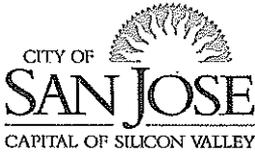
Email Email: astorenyang@hotmail.com

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thank you

gracias



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Item # Número de artículo

Handwritten signature/initials

No Rent Control!

No ~~CAES~~ Just Cause Eviction!

over continuado

OR send your comments to o envíe sus comentarios a Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

About You Acerca de usted

PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Adeles Fan

Email Email: fcl.mediapon@gmail.com

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Item # f Número de artículo

Rent control is a bad thing to have for the city and the society. Instead, ways to find more sources of housing providers, incentives to encourage more ~~people~~ housing providers from the community, incentives to encourage housing providers and over continuado

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PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Quan He Email Email: Quan-he@yahoo.com

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Residents to get along with each other, incentives to encourage housing providers to keep their residents and to encourage residents to stay in their current places happily, should be looked into.

Please don't use constraints to force people to do something that people doesn't want to do.

Please use incentives to encourage people to do things that will have mutual benefits for everyone, and people are willing to do.

thank you

gracias



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Item # 5
Número de artículo

Rent Control as a whole thing doesn't make sense. It causes social problems as it would incur housing providers and residents to go against each other, and residents would be stuck in one place, to deal with the same housing provider for long long time, their conflicts would be accumulated to a level that both sides could not handle. If no rc, the price that the tenant pays would be similar to market value, tenant would be able to find a place to move ^{over, continuado} to.

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE
Name Nombre: Quan-he
Email Email: Quan-he@yahoo.com

check all that apply marque todo lo que corresponda

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Once the resident moves out, he/she doesn't need to deal with that particular housing provider. Everything starts from fresh. Things will be better with a new housing provider for the resident.

thank you

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Item # F
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First off I want to state that I personally understand the frustrations that tenants feel about the rental market and rent increases as I am a renter. I am also a Property Manager and I want to make clear that the increased rents in the rental market are not a result of owners unscrupulously charging residents to increase their own wallets.

Being a property owner is similar to owning over continuado

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PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: RYAN JASINSKY
Email Email: RYAN@ZELL.COM

check all that apply marque todo lo que corresponda

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A business, when costs increase the prices are passed on to the customers in order to provide similar or better quality product. If you were an property ^{or business} owner wouldn't you continue to increase your costs to at least cover these expenses to allow your business to continue to succeed?

By restricting rent increases to 4% there will be further strain on the rental market. Tenants will be less likely to move creating a larger supply problem. The residents ^{families} that do decide to move or leave to move will then be faced with higher rental rates due to supply constraints.

These are just a few reasons why this ordinance should not pass. ~~and it is not in the best interest of the community~~

thank you

gracias



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What michale said is ~~very~~
^{true} Landlords are not the ones
^{responsible to} provide affordable housing to
the public.

over continuado

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9% increase is not guaranteed
It is dictated by the market,
similarly as job market,
companies are not forced to
increase or decrease employees
salary to a certain amount as
the rental control. over continuado

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Item # e Número de artículo

CPI does not measure consumer prices. It is adjusted by congress to make it appear prices are not rising. If gas is going up, it is excluded. When gas goes down, it's added back. The whole purpose is to reduce any adjustments to Social Security. • my utility costs have doubled in the last 3 years with reduced usage

over continuado

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- Macdonald's \$1 menu is now closer to \$1.50
- Eggs are over \$5/dozen
- Tomatoes over \$3.50/pound.
etc.

Despite these CPI says there had been no inflation, so there is no cost of living for 65 million social security people.

It is not reasonable to tie allowable increases in rent to an artificially controlled index.

- 3 time in the last 6 years have had a CPI which deleted Social Security cost of living increases.

CLEARLY IT IS ARTIFICIALLY CREATED
The cost of living is increasing

thank you

gracias



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Item # F
Número de artículo

Rent control benefits tenants and how comfortable they are living in this city. Many people I know have to get 2 jobs to rent in this city and to afford their homes. Landowners do not have those problems. Rent control will keep people in san jose. Boost the economy of san jose. And landowners will no doubt survive either way.

over continuado

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Item # E
Número de artículo

An increase in rent this
year is an outrage.

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: ISAAC Gomez
Email Email: isaacgomezdgo@yahoo.com

check all that apply marque todo lo que corresponda

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Item # E Número de artículo

1. "Resident not able to afford the rent?" Resident should work on how to make ~~th~~ affo themselves capable.

What about company lay off ~~per~~ employees? Employees have to find other jobs!

Can city stop company laying off people?

2. Can you control the increase of housing price? No. over continuado

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PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Michael Liang

Email Email: Xinglong@yahoo.com

check all that apply marque todo lo que corresponda

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thank you

gracias



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Item # E
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We are against Rent Control in San Jose. We are against to cap the annual increase for rent, we should rely on market to adjust itself. House market has high and low, rent market also has high and low, cap it will restrict the flow and bring in unexpected result, undesired result for both landlords and tenants.

over continuado

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Name Nombre: Lei Li

Email Email: leilei@hotmail.com

check all that apply marque todo lo que corresponda

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Item # E
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Rent control is on older buildings. But those are the ones need maintenance. That cost is currently taken in consideration with current ordinance. Please keep it that way so landlords can maintain and keep up properties & neighborhoods.

over continuado

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Name Nombre: Michelle Nguyen
Email Email: mhn123@yahoo.com

check all that apply marque todo lo que corresponda

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Item # E / Número de artículo

The cost of houses and land has gone up a lot more than inflation rate, from 1979 to now, a house in San Jose Price has gone up by 8 to 9 times, which is a lot more than inflation rate.

The cost of maintaining rental units has gone up a lot more than inflation. Capping rent increase by 8% inflation will bankrupt housing providers. rent control is failure policy.

over continuado

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Name Nombre: [Signature] Jim Yan / Email Email: _____

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Li Li

thank you

gracias



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Item # EoF
Número de artículo

Michael Percep made an excellent comment.

Something like "If we are going to have some type of rent control, maybe it should be tied to income. So, if a household experiences an income increase, and would not need the protection, ~~the~~ they wouldn't get it."

→ I am a tenant, for rent control, and this seems to be a solution that could work for everyone.

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Mark Lieberman

Email Email: mark.j.lieberman@gmail.com

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Item # E
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I do believe a government policy should be fair to everybody. RC is a punishment to home owners. A person who is renting now could become a home owner in the future. A person who is a home owner now could become a renter in the future as well. The government policy should not favor one side and punish the other side. The rental price, housing price is just like any other stuff's price which
over continuado

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Name Nombre: Na Yang

Email Email: astoneyang@hotmail.com

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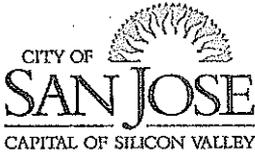
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is decided by the market. We should let market to decide the rental price, not the government. Without market, any control by government is meaningless.

The more the government involve in the market, the more cost which will apply to the rental market. those cost will eventually be paid by either home owners or renters. This hurts the community.

thank you

gracias



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Item # E Número de artículo

Even though the rental price in San Jose is higher than other cities outside of California, but I think the rental price is still reasonable and most people can afford. otherwise, people have moved to other low cost cities already. There are so many places in the US have lower rental price than San Jose, people choose to stay in San Jose means they are able to afford the living cost here. No law enforce people to live in high cost area. when people over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Na Yang Email Email: astoneyang@hotmail.com

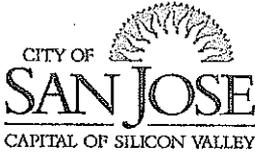
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choose to live in high density, high cost area, they know they should accept the higher rental price. This is no difference from the situation that people choose to pay higher price to buy organic food or famous brand clothes or bags. We should not punish home owners in high cost area by putting cap on the rental price just because some people cannot afford. This is just like we should not punish the farmers by putting price cap on the organic food just because not every one can afford organic food. For those low income people, there are other ways to help them, just like food stamp program, government can build shelters, more affordable houses for low income people. government should not let the organic food farmers or home owners to take this responsibility to solve the problems of low income people.

thank you

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Item # e
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Force question establishes 'sides'
Certainty & Predictability area
quantifiable
Fairness is judgment & emotional,
which pits 'sides' against
each other
Fairness is social issue RO is seen
as solution but puts burden on owner
over continuado

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Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: W. Gene Hunt
Email Email: geneshemes@earthlink.net

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Item # E
Número de artículo

The house price has gone up way over 80% per year during the past several years. Construction cost and ~~service~~ Maintenance Service Providers cost have gone up by 80%. Capping the rent increase puts undue financial pressure on hardworking property owners.

over continuado

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Name Nombre: Jim Yan

Email Email: yan_jim100@yahoo.com

check all that apply marque todo lo que corresponda

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Item # E
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manual cap or index rent
against free market works
only inviting trouble, not
going to help neither resident
nor home provider

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre : Tony Meng

Email Email : tonyg.meng@gmail.com

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Lined writing area with 20 horizontal lines.

thank you

gracias



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Item # 7 Número de artículo

Landlord's pressure / cost from
1) the building maintenance cost - repairs, fixins
2) the public cost - water, garbage utility, inflation
3) the city
89% is reasonable average, normal. Some cities even don't have it.
Income increase depends on the private over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Lucy Zhang Email Email: lucy7@pacbell.net

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no. not the government.

So, there is no necessary
connections between rent

increase and income increase

• my suggestion "just let the
market adjust it."

if the market not strong,

no rent will be received.

if the market is strong

that means the tenant need

of and willing to pay it.

built

SF - After 1990. no rent
control.

thank you

gracias



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Item # e
Número de artículo

I'm a San Jose resident for 14 years. I have been reading the public materials and I am concerned about the current items. Why is \$100,000 a median income. Why is there a focus on 8%. We need a lower percentage. Cost and debt pass through is added to rent. That is unfair.

We need rental stabilization in a comprehensive and broad manner

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Carlos Tripodi
Email Email: CTripodi2002@yahoo.com

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Item # E Número de artículo

annual cap or index induce destructive moves against fair free market. It is unAmerica against hard working equal opportunity residents and housing providers, both.

over continuado

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PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Jiu long Email Email: jiu long @ yahoo. com

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Item # E
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A potential argument is that it isn't the fault of owners for stagnant wages. All this projection and deflection of blame isn't a productive action to take. The reality is that my family has been here for over 60 years, and no one in my family owns their home.

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Name Nombre: Noah Sanchez De Tregle

Email Email: noahsdx@gmail.com

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thank you

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Item # ~~6~~ Número de artículo

I don't know a single person whose income increases at 8% a year, or at all.

Allowing landlords to increase rent annually at such a steep level has, does, and will continue to force people to make undue sacrifices for themselves and their families.

over continuado

OR send your comments to o envíe sus comentarios a Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

About You Acerca de usted

PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Jesus Rodriguez

Email Email: rodriguez.jesus810@gmail.com

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Item # E 9
Número de artículo

I am a renter. I can't afford luxury apartment but don't want to live in a slump either. Rent control that's too tight will get middle-of-the-road but nice rental become slump which force get renters like me to pay more for a nice clean safe place to stay in a slump.

over continuado

OR send your comments to o envíe sus comentarios a
Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

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Item # E
Número de artículo

- Melissa said let's have other
measures to compliment rent-
control. But more complex law
will only benefit lawyers, not
tenants, nor owners. No more
complex law PLEASE!

over continuado

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Name Nombre : _____

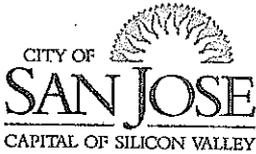
Email Email : _____

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Item # E Número de artículo

The lady (Melissa?) keeps on referring to current rent ordinance, as a way to protect the landlords but this is the exact same ordinance that she is trying to change to make it worse.

This same lady wants tighter rent control yet she is not a renter to understand the type of renters who would not mind staying in a nice (not luxury) place, and not wanting to live in old un-maintained housing like

over continuing

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St, E Palo Alto, Hayward

- She said rent needs to be controlled so it would not be unconstitutional. Does that mean the rest of other cities are unconstitutional.

- E. St. Laurent mentioned cost of living and want tight control - but she failed to see cost of living (milk price as her example) affects everyone not just renters. So basically she's asking owners to absorb all the cost?

thank you

gracias

not
 F

Item # F
 Número de artículo

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How can one think that limiting
 the cap at 2% when inflation
 is nearly at 2%?

It might be good for the tenant
 but will put an owner out of
 business.

over continuado

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Name Nombre: DAVID EISBAK

Email Email: deisbak@sbglobal.net

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Item # E
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I don't think we should put cap on the rent. rental price is decided by the market (supply and demand ratio, the local income etc.) The rental price is not decided by the willing of home owners or renters. when job market is getting better, the rental goes up, while when job market is getting worse, the rental goes down. That is reasonable. If we put cap on the increasing rent, shall we also put cap on the decreasing rent? As I know, after the network bubble burst, the rental price dropped a lot during that time. over continuado

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Name Nombre: Na Yang
Email Email: astoneyang@hotmail.com

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Item # 6 Número de artículo

I don't think rent control will solve the housing problem at all. If there are only 1000 unit for rent on the market but there are 2000 family are looking for house to rent, no matter how much the rental price is, only 1000 family can get place to rent. The root cause of the housing problem in bay area is supply is limited and more people move in. putting rent control will discourage building more rental unit and make situation worse. The solution should be change policy to adding supply or moving jobs out of this area. over continuado

OR send your comments to o envíe sus comentarios a Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

About You Acerca de usted

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Name Nombre: Na Yan q

Email Email: astoneyang@hotmail.com

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thank you

gracias



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Item # E
Número de artículo

Comparta sus comentarios

Hi Wayne + Ann: I'm a renter, a mom, a wife and athlete. Rents are so high that I live with my mom. When I was able to afford my apartment we were not able to afford food. We used food banks. The cost of living is so high that I am unable to provide my son with activities that will enrich his life. no soccer, no music, no karate. If things don't change, I will have to leave San Jose ... and this is my home ^{over continuado} ;)

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see ->

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Name Nombre: BROOKE WILLIAMS

Email Email: BROOKE.D.ANDRADE@GMAIL.COM

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- I live at an ARO apartment I just moved out in August
 Vivo en un apartamento alquiler ordenanza. BECAUSE I COULDN'T AFFORD
- I own or operate an ARO apartment
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- I am a member of the public. Soy un miembro del publico.

I am unable to qualify for a home loan and my husband and I do rather well we are moderate income as I heard the term today. I work in the tech industry but I don't get a raise each year. Even BMR Apartments are not in reach! Every time rents increase my childcare provider raises her ~~costs~~ costs. There is so many ripple effects to rents being so high. My mom worked for her whole life and she will also soon be forced into leaving San Jose as well.

On top of the high rents is the astronomical deposits. If it were not for my mom I would be homeless and I work 2 jobs. Two incomes are not enough.

A lot of these places with astronomical rents are not even worth it. My old apartment was very crappy. But that did not stop them from renting the same apartment ~~out~~ for over \$250 more after I left.

Sad. SAD state of affairs.

thank you

gracias



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Item # E or F
Número de artículo

Rent Burdenage that extortion

low income subsidize tenants, artificially lower turnover, lower vacancy, hard for owners to move in, less rent-controlled units for renters. & more need to exist.

Pass throughs are troublesome, s/b for very extraordinary cases, too prone to error / disputes and thus lawsuits

All people are same = low income, single parent, seniors, etc.; life changes, and market/rent allowances should be flexible.

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Email Email: _____

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Item # 6
Número de artículo

I vote against RC, which hurts the housing market

over continuado

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Name Nombre: Jiqing Zhang

Email Email: zjibie@hotmail.com

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Item # E
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Housing crisis has two issues.
1) Housing availability.
2) Housing affordability.
We know RC does not help solve any of them. Even worse, it will reduce both availability and affordability.

over continuado

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Name Nombre: Jay Tang
Email Email: smile from jay @ hotmail . com

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Item # E Número de artículo

Ming Wang

No Rental Control

over continuado

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PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Amy Wang Email Email: amymingwang@hotmail.com

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Item # e
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Yongzhao

No Rent Control. Let

small housing provider survive.

over continuado

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Email Email : _____

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thank you

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Item # E
Número de artículo

I want to know the answer that if poster service charge from \$80 in 2010, to \$125 2015 more than 50% why the small property owner can't keep 5% increase?

over continuado

OR send your comments to Wayne.Chen@sanjoseca.gov OR Ann.Grabowski@sanjoseca.gov

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Lilly D*

Email Email: Lillyden@g2002

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thank you

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Item # e
Número de artículo

Yuntei Duan

No Rent Control

Let small housing provider

survive!

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre : Yuntei Duan

Email Email : jduan@104@yahoo.com

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Item # 2
Número de artículo

- Rent price is not decided by housing providers but based on market price which is formed by renter's offering prices.
- No, it's not renter's affordability issue but only low income issue.
- Helping low income should not target any individual private housing providers. That's taxpayer's responsibility as whole.
- RC is for entire renter's not only for low income. over continuado
- When market is soft, ~~we~~ we need to pay mortgage.

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Item # e
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I am against rent control, and
just cause eviction. ~~It~~ They don't
help the rental market

over continuado

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PLEASE PRINT CLEARLY IMPRIMIR CLARAMENTE

Name Nombre: Jerry Gao

Email Email: jerrygao2011@gmail.com

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