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No rent review ordinance for Lafayette

By Pippa Fisher



The apartment complex owned by Tilden Properties was the focus of discussion about rent at a recent city council meeting. Photo Pippa Fisher

Lafayette lawmakers fell short of the votes needed to adopt a residential rent review ordinance at this time.

With only three members of the council voting at the Nov. 13 city council meeting and one of them publicly opposed to such an ordinance, it was clear from the start that there could be no further action. Council members Ivor Samson and Mark Mitchell had elected to recuse themselves from the discussion due to potential conflict of interest.

Nonetheless the council heard follow up from city staff on several points that had been raised at the September city council meeting.

At issue was whether the city should adopt an ordinance capping rent increases in complexes of 25 units or more at 10 percent.

Lafayette City Planning and Building Director Niroop Strivatsa presented the \$60,000 roughly-estimated costs of a rent review program (including the hiring of a part-time planner to run the program) and showed studies of other cities - Fremont, San Leandro and Concord - that have implemented similar programs.

City Attorney Mala Subramanian drew the council's attention to the recent ban on price gouging implemented at the state level by California Gov. Jerry Brown, which will remain in effect until April, stating that rental-housing rates may not be increased by more than 10 percent, with certain exceptions.

As at the September council meeting, several speakers complained of rent increases, all from the 1038 Second Street complex in Lafayette. One such resident, Peggy Pricco, said that she had sought legal advice and had been advised to consider legal action. She said she was told, "If your city is not willing to stand behind you, the legal action should become a class action and be inclusive of the city."

The council also heard from a representative of the property owner, Tilden Properties. Ryan Crowley spoke of a "good faith effort" to work with the city but the 15 percent cap that the company has recently imposed on itself to which he was referring, exceeds the city's request for a 10 percent ceiling.

Following public comment, Council Member Cam Burks reiterated his remarks from the previous meeting; that he is fundamentally against government intervention in this area. Referring to the program as the first steps to rent control, he said he views it as a slippery slope and believed the money could be better spent elsewhere.

Vice Mayor Don Tatzin disagreed and again voiced his concerns for the possibility of forcing out lower income categories of the community. He said he thought that Tilden Properties had the potential to be in violation of the governor's order and encouraged residents to take action at the state level.

As Mayor Mike Anderson reflected on what he sees as a real problem with affordable housing in the area, he summed it up as an issue that's not going to be going away.

Reach the reporter at: pippa@lamorindaweekly.com

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