



Rent Stabilization Department

PRESENTATION OF PASADENA RENTAL HOUSING BOARD  
ON RECOMMENDED CHANGES TO PASADENA FAIR AND  
EQUITABLE HOUSING CHARTER AMENDMENT (ARTICLE  
XVIII) AND POTENTIAL DIRECTION TO CITY STAFF TO  
PREPARE NECESSARY RESOLUTIONS TO AMEND THE CITY  
CHARTER

July 8, 2024





# Background

## Rent Stabilization Department

- On June 17th, City Council unanimously approved (6) Pasadena Rental Housing Board approved and (3) additional staff recommendations on potential charter amendments to Article XVIII to be placed on the November ballot measure.
- The Council also requested the Board review the Pasadena Housing Providers five recommendations and gauge their interest in exploring these recommendations further.



# Background

## Rent Stabilization Department

- At the June 26<sup>th</sup> Board meeting, Board concluded:
  - > No majority interest to consider four of PHP's recommendations to meet deadline for inclusion on the November 2024 ballot
  - > Acknowledged that these topics could be discussed more substantively for the next municipal election, March 2026
- PHP proposed modifications to the penal provision for a more workable enforcement mechanism of the Article XVIII (4<sup>th</sup> recommendation)



# Additional Landlord Recommendations

## Rent Stabilization Department

- Staff recommended alternative modifications to the penal provisions
  - > Collaboration between Rent Stabilization Department, City Attorney and City Prosecutor



# New Charter Amendment Recommendations

## Rent Stabilization Department

- Article XVIII Section 1817(g) and (h) Changes:
  - > Current language creates an ambiguity as an infraction is both a criminal penalty and allows for administrative fees.
  - > Move "infraction" language from subsection (g) to subsection (h) which deals with criminal penalties.
  - > Revise subsection (g) to mirror existing code, allowing for a wider range of penalties (misdemeanor, infraction, or administrative action) at the discretion of legal counsel.



# New Charter Amendment Recommendations

## Rent Stabilization Department

- > Benefits:
  - Clarifies a confusing section of the Article
  - Aligns with existing practices of the City Attorney's Office
  - Reduces potential legal challenges
  
- Board unanimously approved proposed clarifications related to penal provisions in Article XVIII



# New Charter Amendment Recommendations

## Rent Stabilization Department

Revise 1817(g) and (h) to read as follows:

In addition to any other remedies provided by law, Landlords and Tenants covered by this Article shall have the following remedies for violations of this Article.

- (g) Administrative Penalties for Violations. In addition to the any affirmative defense or any other rights of a tenant under law, a violation of ~~the provisions of this Article~~ shall be punishable ~~as an infraction by way of a fine~~ administratively by way of a fine. The Rental Board may establish, and periodically modify, a schedule of fines for violations of various provisions of this article as they see fit, provided these amounts are reasonable, and are chosen in accordance with applicable law.
  
- (h) Criminal Penalties. In addition to the administrative penalties in subsection (g) above, ~~any Landlord person that violates this Article shall be guilty of a~~ may be prosecuted for a misdemeanor or an infraction and shall be punished in accordance with Section 1.24.010 of the Pasadena Municipal Code, in the discretion of the city attorney or city prosecutor, or their assistants.



# Recommendations

## Rent Stabilization Department

1. Find that the proposed action in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Direct staff to prepare and return with necessary resolutions, subject to Council approval, of any changes to City Charter Article XVIII, as detailed in the agenda report, or any variation as directed by Council, on the November 5, 2024 General Municipal Election ballot in the City of Pasadena.