



City Of Mountain View Tenant Relocation Assistance Program

Administrative Procedures

This summary is intended to be an overview of key provisions in the City's Tenant Relocation Assistance Ordinance and State's Housing Crisis Act of 2019 (SB330). The stricter of the TRAO or SB 330 requirements shall prevail where applicable. Please refer to the each respective laws for the complete text and requirements.

These guidelines may be revised from time to time to clarify or revise procedures consistent with state law.

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1. Tenant Relocation Assistance Program

A. Introduction

Developers/residential landlords in the City of Mountain View must conform to various relocation assistance requirements when a project results in displacement of residential tenants. The following laws need to be taken into account:

CSFRA:

The Community Stabilization and Fair Rent Act (CSFRA) is a voter approved rent stabilization measure (Measure V, 2016), to promote neighborhood and community stability, healthy housing and affordability for renters. Most multi-family rental properties in Mountain View built before December 23, 2016 are covered under the tenant relocation requirements of the CSFRA. The CSFRA requires payment of relocation assistance for **No-Fault Terminations** to all income eligible households whose income does not exceed 120% AMI. **No-fault Terminations** include tenant displacements for reasons including withdrawal of a unit from the rental market, necessary and substantial repairs requiring temporary vacancy, owner move-in and demolition (CSFRA Section 1705). The CSFRA's requirements are implemented through the Tenant Relocation Assistance Ordinance, discussed below.

TRAO:

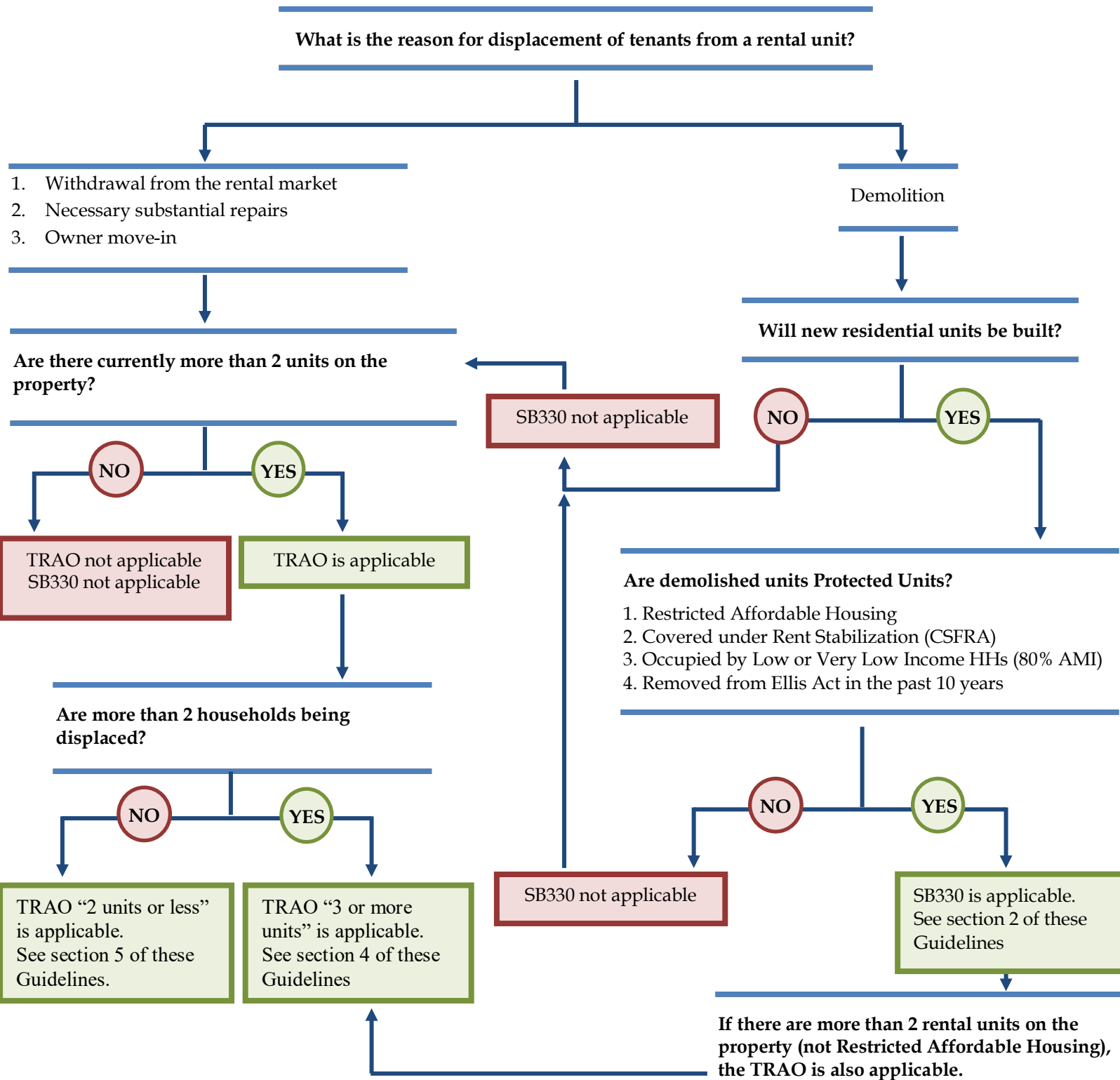
The Mountain View City Council adopted the Tenant Relocation Assistance Ordinance (TRAO) in 2010. Since then the ordinance has been amended several times, most notably in 2018 to conform to the CSFRA requirements. In 2020, City Council modified the TRAO to enhance relocation benefits. The ordinance requires payment of relocation assistance for **No-fault Terminations** to all **Eligible Residential Households** defined as tenant households whose income does not exceed 120% AMI plus \$5,000. **No-fault Terminations** are defined the same as in the CSFRA (see above).

SB 330/SB 8:

The Housing Crisis Act of 2019 (SB 330) is a California state law that went into effect on January 1, 2020, was amended by SB 8 in 2021, and is in place until December 31, 2029. SB 330 aims to promote residential development by (1) suspending certain restrictions on the development of new housing and (2) expediting the permitting of housing in regions suffering housing shortages and high levels of displacement. As codified in Government Code section 66300, SB 330 requires that when demolition of existing housing units is necessary for the development of new housing, those existing units must be replaced. Tenants in **Protected Units** are entitled to remain in their units until six months before the start of construction on the new residential development project. (**Protected Units** are 1. Affordable Housing Restricted to Low, Very Low and Extremely Low Income Households; 2. Covered under Rent Stabilization (CSFRA); 3. Occupied by Low or Very Low Income Households (80% AMI); or 4. Removed from the Ellis Act in the past 10 years). In addition, tenants in **Affordable Residential Rental Units** (Protected Units occupied by households whose income does not exceed 80% of the Area Median Income (AMI) for Santa Clara County) are entitled to relocation assistance and a right of first refusal to return to the newly developed project at an affordable price (subject to limited exceptions). For more information on unit replacement requirements please review the City of Mountain View's BMR Administrative Procedures.

B. Applicability of SB 330 and/or TRAO

Displacement of tenants might require providing tenant relocation assistance through either the TRAO and/or SB 330 (effective until December 31, 2029). To determine which tenant relocation laws may be applicable to your specific situation, please follow the questionnaire below.



If both the TRAO and SB 330 are applicable, a project must comply with the stricter requirements of the two. SB 330 guidelines are covered in Section 2 of these guidelines. TRAO guidelines are covered in Section 3, 4 and 5: Section 3 summarizes exemptions from the TRAO; Section 4 covers properties with displacement of households in three or more rental units; and Section 5 covers properties with displacement of households in one or two rental units.

The following overview summarizes the respective requirements of SB 330 and the TRAO. In case both the TRAO and SB 330 are applicable, the shaded area indicates the stricter requirement that needs to be adhered to.

Requirements	SB 330 Demolition and rebuild of residential units	TRAO (3+ units) Displacement of HHs in 3 or more rental units	TRAO (1 or 2 units) Displacement of HHs in one or two units
Submittal	<ul style="list-style-type: none"> Rent Rolls Funding for consultant Notice of Intent Escrow Account County Recording 		<ul style="list-style-type: none"> Copy of termination notice to City (within 3 days) Tenant information to relocation agency (within 5 days)
Tenant Eligibility	<p>Protected Units:</p> <ol style="list-style-type: none"> Affordable Housing Restricted to Low, Very Low and Extremely Low Income Households Covered under Rent Stabilization (CSFRA) Occupied by Low or Very Low Income Households (80% AMI) Removed from Ellis Act in the past 10 years 	The vacating of a rental unit covered by the CSFRA or three or more rental units on a parcel for non-CSFRA covered rental units within a one year period upon notice from the landlord.	
Relocation Assistance Benefits	<p>Household Income not to exceed 80% AMI:</p> <ul style="list-style-type: none"> Relocation Advisor Moving Cost Assistance Relocation Assistance Payment 	<p>Household Income not to exceed 120% AMI plus \$5,000</p> <ul style="list-style-type: none"> Relocation Advisor Security Deposit return Relocation Assistance Payment Rental Agency Subscription 	
Relocation Assistance Payment Calculation Note: Calculation can be made once tenant income is received	<p>Monthly rent differential of 42 months (at least \$5,250) is available to tenants whose income does not exceed 80% of the AMI.</p> <p>Determined by subtracting the lower of 30% of the household's monthly income or current rent from the rent for their replacement housing and multiplying that amount by 42 months. See Section 2(c)(3)</p>	<ul style="list-style-type: none"> Three times median monthly rent and Special Circumstance payment of \$8,000, if applicable, for Special Circumstance Households: <ol style="list-style-type: none"> At least one HH member 62 years or older At least one HH member disabled or handicapped One or more legally dependent minor children (19 years of age or under) 	

Relocation Payment Process	<ul style="list-style-type: none"> • Submit claim form • Consultant determines eligibility • Must occupy replacement housing within 12 months of vacating unit to claim payment 	<ul style="list-style-type: none"> • Submit claim form • Consultant determines eligibility • 50% paid upon determination of eligibility; remaining 50% paid once unit is vacated or secured replacement housing 	<ul style="list-style-type: none"> • Submit claim form • Consultant determines eligibility • Full payment to be made within 15 days of claim form submission • Tenant to confirm payment by signing an acknowledgment form
Notice of Termination/ Vacate Date	Vacate date not earlier than 6 months before start of construction	<ul style="list-style-type: none"> • 120-day notice to vacate or 1-year notice for senior or disabled tenant • Submit copy of termination notice to RHC within 3 days 	<ul style="list-style-type: none"> • Pursuant to State law and the CSFRA • Submit copy of termination notice to RHC within 3 days
First Right of Return	First Right of Return to newly built units at an affordable level available to tenants whose income does not exceed 80% of the AMI.	First Right of Return to existing units	First Right of Return to existing units
Translation of Documents	Recommended	Required	
Waiver of 30-day Notice to Vacate	Recommended	Recommended	Recommended
Services of Relocation Consultant	<ul style="list-style-type: none"> • Prepare relocation study • Interview each tenant household to understand their needs • Research and determine comparable replacement housing cost • Determine maximum replacement housing cost for each household • Explain relocation program and eligibility requirements • Inspect replacement housing for compliance with State safety standards • Provide ongoing tenant assistance 	<ul style="list-style-type: none"> • Provide Notice of Intent and application documents • Hold tenant community meeting • Qualify and process tenant applications and payments • Provide bi-lingual assistance • Provide ongoing tenant assistance 	<ul style="list-style-type: none"> • Qualify and process tenant applications and payments • Provide bi-lingual assistance • Provide ongoing tenant assistance

2. SB 330 Relocation Assistance

SB 330 Relocation Assistance applies when a developer submits an application that requires demolition of rental housing units, in order to build new housing development.

A. Submittal Requirements

To comply with SB 330, all of the following must be submitted to the City before a development or building permit application will be deemed complete.

- **Rent Rolls.** Rent roll information must be submitted with development, demolition or building permit applications. Rent roll information includes the unit addresses, associated monthly rents, and names of all household members on the lease or rental agreement.
- **Funding for Relocation Assistance Consultant.** The City will hire a relocation consultant to be paid for by the landlord. The relocation consultant will provide information to tenants, interview tenants, determine eligibility, and assist with the calculation and distribution of relocation assistance payments. The landlord must complete a contractual agreement with the City to provide relocation assistance and fully fund the relocation consultant's services.
- **Notice of Intent (NOI).** The landlord has to inform tenants about any pending redevelopment and tenants' relocation assistance rights under the applicable laws. Within thirty days of filing an application for discretionary or ministerial approval with the City, that will result in a displacement of a residential household, the landlord must complete the City's Notice of Intent form and provide tenants with a copy of the form. The relocation consultant will be assisting with the proper form and translations and mailing requirements. The NOI shall be sent by regular, certified mail and posted on the tenants' doors. The landlord must provide verification to the City that notices were sent in order for their application to be deemed complete.
- **Escrow Account.** Within 30 days of submitting an application, funds must be submitted into an escrow account for the estimated relocation assistance payments; the relocation assistance consultant shall have access to those funds to make payments to eligible residential households.
- **County Recording.** A summary memorandum of tenant relocation requirements must be recorded with the County Recorder when a unit is withdrawn under the Ellis Act. The memorandum shall summarize the obligations of the landlord and any successor-in-interest related to the property, including the tenant right to return, the tenant relocation assistance requirements, and the City's CSFRA (if applicable).

B. Tenant Eligibility

Tenants are eligible for relocation assistance if their rental units are being demolished in order to build new housing and they are displaced from **Protected Units**.

Protected Units are residential rental units defined as the following:

- (1) affordable housing restricted to low, very low and extremely low income households;
- (2) covered under rent stabilization, including Mountain View's CSFRA;
- (3) removed from the rental market via Ellis Act in the past 10 years; or
- (4) occupied by low or very low income households whose income does not exceed 80% of the Area Median Income (AMI) for Santa Clara County.

C. Relocation Assistance Benefits

Relocation assistance benefits under SB 330 are provided to **Qualifying Households**, defined as households living in **Protected Units**, which are **Affordable Residential Rental Units** (Units occupied by households whose income does not exceed 80% of the Area Median Income (AMI) for Santa Clara County).

Relocation assistance is paid per rental unit, not per tenant. If multiple individuals occupy a unit, relocation assistance is paid to the household or individual on the rental agreement or lease. **Qualifying Households** are entitled to the following assistance:

1. **Relocation Advisor.** Each **Qualifying Household** will be assigned a relocation advisor who will provide the following assistance:
 - Interview household to ascertain specific household needs from documents concerning length of occupancy, income, and assistance.
 - Provide current and continuing information on the availability of comparable replacement housing in the area
 - Act as a liaison with prospective landlords, realtors, the City, and the Developer.
 - Provide referrals to other local assistance programs to eligible persons in order to minimize their hardship
 - Provide a personalized Letter of Entitlement to explain relocation benefits and the maximum payment the household is entitled to
2. **Moving Cost Assistance.** Moving cost assistance to help move tenants personal property to their replacement home. Tenants can choose either to receive a fixed moving cost allowance or to have reasonable professional moving cost expenses reimbursed.

3. **Tenant Relocation Payments. Qualifying Households** are entitled to tenant relocation amount equal to the rent differential when buying or renting **Replacement Housing**, defined as the new dwelling secured by the displaced tenant. The rent differential payment is determined by subtracting the lower of 30% of the displaced household's average monthly income or the rent for the unit to be demolished from the rent for a comparable replacement unit and multiplying that amount by 42 months. The tenant's actual benefit will depend upon the cost of the tenant's **Replacement Housing**, the tenant's income and tenants current rent.

Example of a Rent Differential Payment:

Example 1:

- A **Qualifying Household** with an average monthly income of \$6,000 pays a monthly rent of \$2,000.
- The lower of 30% of the average monthly income (\$1,800) OR the current rent for the unit to be demolished (\$2,000) is used to determine the rent differential.
- In this instance, the lower amount of the two is 30% of the monthly income at \$1,800.
- The household finds replacement housing with a monthly rent of \$2,800. The rent differential per month is $\$2,800 - \$1,800 = \$1,000$
- Under SB330, the amount of relocation assistance is 42 months of rent differential which would amount to $42 \times \$1,000 = \$42,000$

Example 2:

- A **Qualifying Household** with an average monthly income of \$8,000 pays a monthly rent of \$2,000.
- The lower of 30% of the average monthly income (\$2,400) OR the current rent for the unit to be demolished (\$2,000) is used to determine the rent differential.
- In this instance, the lower amount of the two is the monthly rent amount of \$2,000.
- The household finds replacement housing with a monthly rent of \$2,800. The rent differential is $\$2,800 - \$2,000 = \$800$
- Under SB330, the amount of relocation assistance is 42 months of rent differential which would amount to $42 \times \$800 = \$33,600$

*Note: A **Qualifying Household** will receive a minimum relocation benefit amount of \$5,250 under SB330 or the relocation assistance amount under the TRAO (if applicable), whichever is greater.*

D. Relocation Assistance Payment Process

- Households must submit a claim form to the relocation consultant, including size of household, household income, copies of leases, expense receipts and other necessary documents in order to receive assistance. The relocation consultant will provide claim forms.
- The relocation consultant will determine eligibility, after which payment will be made available within a timely manner. Advanced payments may be provided if a later payment may result in financial hardship.
- To claim a payment, a **Qualifying Household** must occupy **Replacement Housing** within 12 months of vacating their unit. The household relocation payment cannot be calculated without the tenant first securing new **Replacement Housing**.

Note: In cases where both TRAO and SB330 apply, the landlord will follow the 50/50 payment rule under the Relocation Assistance Payment Process requirements for the TRAO. See page 15.

E. Notice of Termination

Tenants lawfully occupying a **Protected Unit** must be allowed to occupy their units until 6 months before the start of construction activities and generally receive 90 days' notice of the termination, effectively resulting in a 9 month notice of termination.

Note: In cases where both TRAO and SB330 apply, the landlord will also follow the termination noticing guidelines for the TRAO. See page 16.

F. First Right of Refusal

Tenants of **Protected Units** whose household income does not exceed 80% of the Area Median Income (AMI) for Santa Clara County are entitled to a **First Right of Refusal** to rent or buy a comparable unit in the new development. Qualifying households will qualify for a new unit at an affordable cost, which varies based on household income.

G. Translation of Documents

It is recommended that the landlord provides required documentation, including the Notice of Intent, Notice of Termination and claim forms, in Spanish, Chinese and/or Russian, or other languages as requested by tenants, responsive to the needs of the tenant population with limited English proficiency.

Note: In cases where both TRAO and SB330 apply, the landlord will follow the translation guidelines for the TRAO. See page 16.

H. Waiver of Tenant's Obligation to Provide a 30-Day Notice to Move-out

Landlords have the option to waive a tenant's obligation to provide a 30-day move-out notice, when a tenant decides to move out before the termination date indicated on a landlord's termination notice. Waiving the 30-day notice will help provide maximum flexibility for tenants, so they can secure **Replacement Housing** and avoid potentially paying double rent (for the current unit and the replacement unit).

I. Post NOI Lease Addendum

If a landlord wishes to re-rent a unit once a displaced tenant has vacated, without providing tenant relocation benefits to the new tenant, the landlord must provide a post NOI lease addendums. The addendum must inform incoming tenants of the proposed redevelopment project and explain that they are not eligible to receive relocation benefits. If such addendum is not provided, the new tenant will be entitled to apply for relocation benefits.

Note: In cases where both TRAO and SB330 apply, new tenants will receive access to a relocation subscription as described by the TRAO. See page 16.

J. Services of Relocation Consultant

- Prepare a Relocation Impact Study and Last Resort Housing Plan, to meet the planning and community participation requirements of the California Code of Regulations (Title 25, Section 6038).
- Assist the landlord in providing each tenant household with the following documentation:
 - Notice of Intent
 - Notice of Eligibility
 - Conditional Entitlement Letter
 - Referrals to replacement sites
 - Notice to Vacate
- Meet with each household to determine household characteristics, income, special assistance needs, replacement site needs and collect necessary documentation.
- Research the area housing market to determine the cost of comparable replacement housing. Review study every 90-day to determine if housing costs have fluctuated and prepare new study if housing costs have increased.
- Determine the maximum replacement housing payment available for each household.
- Explain the relocation assistance program and eligibility requirements for relocation payments

- Inspect each replacement dwelling to determine whether the property meets Decent, Safe and Sanitary (DS&S) standards as defined in California Code of Regulations, Title 25, Section 6040(a)(6).
- Respond to occupant questions and provide continuing relocation advisory assistance until all tenants have moved to Replacement Housing.

Note: In cases where both TRAO and SB330 apply, the landlord will follow the Services of the Relocation Consultant guidelines for the SB330.

3. TRAO Exemptions

Some types of housing units and displacements do not require payment of relocation assistance, such as displacement from single-family dwellings (as defined by the CSFRA), mobile home park conversions (which are covered by other laws), and temporary displacements due to renovations where tenants have chosen to accept temporary alternative housing provided by the owner. Please refer to the TRAO set forth in Mountain View Cities code Chapter 36, Article XIII for a complete list.

4. TRAO Relocation Assistance for Displacement of Three or More Rental Units

TRAO relocation assistance applies to terminations of three or more rental units due to necessary and substantial repairs requiring temporary vacancy, owner move-in, withdrawal of the unit permanently from rental market, demolition.

A. Submittal Requirements

To comply with the TRAO, all of the following requirements must be submitted to the City before a development or building permit application will be deemed complete.

- **Rent Rolls.** Rent roll information must be submitted with development, demolition or building permit applications. Rent roll information includes the unit addresses, associated monthly rents, and names of all household members on the lease or rental agreement.
- **Funding for Relocation Assistance Consultant.** The City will hire a relocation consultant to be paid for by the landlord. The relocation consultant will provide information to tenants, interview tenants, determine eligibility, and assist with the calculation and distribution of relocation assistance payments. The landlord must complete a contractual agreement with the City to provide relocation assistance and fully fund the consultant's services.
- **Notice of Intent (NOI).** The landlord has to inform tenants about any pending redevelopment and tenants' relocation assistance rights under the applicable laws. Within thirty days of filing an application for discretionary or ministerial approval with the City, that will result in a displacement of a residential household, the landlord must complete the City's Notice of Intent form and provide tenants with a copy of the form. The relocation consultant will be assisting with the proper form and translations and mailing requirements. The NOI shall be sent by regular, certified mail and posted on the tenants' doors. The landlord must provide verification to the City that notices were sent in order for their application to be deemed complete.
- **Escrow Account.** Within 30 days of submitting an application, funds must be submitted into an escrow account for the estimated relocation assistance payments; the relocation assistance consultant shall have access to those funds to make payments to eligible residential households.
- **County Recording.** A summary memorandum of tenant relocation requirements must be recorded with the County Recorder when a unit is withdrawn under the Ellis Act. The memorandum shall summarize the obligations of the landlord and any successor-in-interest related to the property, including the tenant right to return, the tenant relocation assistance requirements, and the City's CSFRA.

B. Tenant Eligibility

The vacating of three or more rental units covered by the CSFRA or three or more rental units on a parcel for non-CSFRA covered rental units within a one year period upon notice from the landlord.

C. Relocation Assistance Benefits

For projects requiring relocation assistance, a residential household is eligible for assistance if they are not delinquent on payments of rent, and their annual household income does not exceed 120 percent of the Area Median Income (AMI) for Santa Clara County as adjusted for household size. A tenant household may exceed the 120% AMI limit by up to \$5,000 and still qualify for relocation assistance. For purpose of Section 4 and 5 of these guidelines, households meeting these requirements are **Eligible Residential Households**.

Relocation assistance is paid per rental unit, not per tenant. If multiple individuals occupy a unit, relocation assistance is paid to the household or individual on the rental agreement or lease. **Eligible Residential Households** are entitled to the following assistance:

- **Security Deposit.** Full refund of a tenant's security deposit, except for funds necessary to repair tenant's damage to property in units that will be reoccupied prior to undergoing renovation or demolition.
- **Rental Agency Subscription.** Unlimited access to a subscription service to a rental agency until the time of move-out.
- **Relocation Advisor.** Each household will receive personalized **Replacement Housing** assistance based on preferences, housing budget, preferred location, and other requirements. Services will include up to five rounds of referrals through analysis of available rental housing, including internet listings, contact with property management companies, and available affordable housing options to include wait-list opportunities and other leads on housing.
- **Tenant Relocation Payment.** The cash equivalent of three (3) months' rent, based on the median monthly asking rent for a similar-sized unit with the same number of bedrooms and bathrooms as determined by a survey taken at least once a year of apartment rents in Mountain View, shall be paid to the **Eligible Residential Household** renting a unit.

- **Special Circumstances.** An additional \$8,000 will be paid to **Special Circumstance Households**, which is defined as households with at least one member who is 62 years of age or older, a person who is disabled or handicapped, or a minor child aged 19 years old or younger. This figure will be adjusted annually for inflation using the Consumer Price Index for the San Francisco Bay Area.

Example of a Relocation Assistance Payment:

Household Size	1	2	3	4	5
120% AMI*	\$118,950	\$135,900	\$152,900	\$169,900	\$183,500
120% AMI* Plus \$5,000	\$123,950	\$140,900	\$157,900	\$174,900	\$188,500

*2020 State Area Median Income adjusted for household size

- A displaced household of 3 makes a yearly household income of \$155,000.
- The household lives in a 2 bedroom rental unit.

Average Monthly Rent	Studio	1 Bed	2 Bed	3 bed
2020 Quarter 2	\$2,157	\$2,661	\$3,354	\$4,276

*2020 Quarter 2 average asking rent in Mountain View adjusted for bedroom size

- In this instance, the household is below the income threshold of 120% AMI plus \$5,000 adjusted for a 3 person household. This household would qualify for relocation assistance.
- The relocation assistance payment is $\$3,354 \times 3 = \$10,062$
- One of the 3 tenants in the household is under 19 years of age, qualifying this household for the special circumstance payment of \$8,000.
- Total household relocation payment is $\$10,062 + \$8,000 = \$18,062$.

D. Relocation Assistance Payment Process

- Households must submit a claim form to the relocation consultant including size of household, household income, etc. before the date to vacate in order to receive assistance. Claim forms will be provided by the relocation consultant.
- The relocation consultant will determine eligibility, after which half of the relocation assistance amount must be paid to eligible households within 15 days of receiving a request. The remaining half of the relocation assistance amount shall be paid once the household provides verification of secured housing or whenever the household vacates the unit.

- All relocation assistance to **Eligible Residential Households** must be paid prior to issuance of demolition, building, planning, or other City permits for the project. The City must receive verification that all required relocation assistance has been paid prior to issuance of permits.

Note: In cases where both TRAO and SB330 apply, the landlord will follow the 50/50 payment rule under the Relocation Assistance Payment Process requirements for the TRAO.

E. Notice of Termination

In case of withdrawal of units from the rental market, landlords must give a tenant at least a -120 day notice or 1 year if tenants are seniors or disabled, prior to the date a tenant must vacate their unit. The date to vacate shall not be prior to the City's determination that the landlord has complied with the TRAO.

Note: In cases where both TRAO and SB330 apply, the landlord will also follow the termination noticing guidelines for SB330.

F. First Right of Return

Any tenant whose tenancy is terminated when a covered rental unit is permanently withdrawn from the market has the **First Right to Return** to the unit if that same unit is returned to the rental market by the landlord or successor landlord.

G. Translation of Documents

Under the TRAO, documents that are to be provided to the tenant, including the Notice of Intent, Notice of Termination and claim forms, shall also be provided in Spanish, Chinese and/or Russian, or other languages as requested that is responsive to the needs of the tenant population who have limited English proficiency.

H. Waiver of Tenant's Obligation to Provide a 30-Day Notice to Move-out

Landlords have the option to waive a tenant's obligation to provide a 30-day move-out notice, when a tenant decides to move out before the termination date indicated on a landlord's termination notice. Waiving the 30-day notice will help provide maximum flexibility for tenants, so they can secure **Replacement Housing** and avoid potentially paying double rent (for the current unit and the replacement unit).

I. Post NOI Lease Addendum

Landlords who wish to re-rent a unit once a displaced tenant has vacated must provide a post NOI lease addendum to incoming tenants. The addendum should be given to all tenants who move in after the NOI was served. The addendum must inform incoming tenants of the proposed redevelopment project and explain that they are not eligible to

receive relocation benefits. If such addendum is not provided, the new tenant will be entitled to apply for relocation benefits.

Under the TRAO, all income eligible tenants will receive access to a rental agency subscription regardless of when they move in or if they receive a post NOI lease addendum.

J. Services of Relocation Consultant

- Provide each tenant household with a Notice of Intent Letter, information regarding the City's CSFRA and TRAO, and a Tenant Relocation Assistance Payment eligibility application.
- Hold on-site Tenant Community Meetings (if necessary).
- Explain the income documentation required for determination of household's eligibility to the tenants.
- Assist households in completing an application form and analyze their eligibility under the City's CSFRA and TRAO. Process relocation payments to each eligible household, if determined that the household is entitled to a payment.
- Provide bilingual assistance, as necessary, to the tenants.
- Be available to all tenant households to answer questions and provide assistance via phone calls, mail and email correspondence, as necessary.

Note: In cases where both TRAO and SB330 apply, the landlord will follow the Services of the Relocation Consultant guidelines for the SB330. See page 11.

5. TRAO Relocation Assistance for Displacement of One or Two Rental Units

TRAO relocation assistance for one or two rental units applies to terminations due to necessary and substantial repairs requiring temporary vacancy, owner move-in, withdrawal of the unit permanently from rental market, demolition.

A. Submittal Requirements

- **Termination Notice.** The landlord shall file a copy of termination notice to the City within three (3) days after serving the notice on the tenant. The notice must state the specific basis on which the landlord seeks to terminate the tenancy and notify the tenant of their rights to relocation assistance.
- **Household Information.** Within five (5) days of providing termination notice copy to the City, the landlord must provide the relocation consultant with the household information of each displaced unit.

B. Notice of Termination

The landlord must provide written notice pursuant to State law and provide all relevant information as stated in the Community Stabilization and Fair Rent Act (CSFRA) Just Cause for Eviction Protections (section 1705). The notice must state the specific basis on which the landlord seeks to terminate the tenancy and notify the tenant of their rights to relocation assistance.

The landlord shall file a copy of termination notice to the City within three (3) days after serving the notice on the tenant.

C. Tenant Eligibility

The vacating of a one or two rental units covered by the CSFRA for terminations due to necessary and substantial repairs requiring temporary vacancy, owner move-in, withdrawal of the unit permanently from rental market, demolition

D. Relocation Assistance Benefits

For projects requiring relocation assistance, a residential household is eligible for assistance if they are not delinquent on payments of rent, and their annual household income does not exceed 120 percent of the Area Median Income (AMI) for Santa Clara County as adjusted for household size. A tenant household may exceed the 120% AMI limit by up to \$5,000 and still qualify for relocation assistance. For purpose of Section 4 and 5 of these guidelines, households meeting these requirements are **Eligible Residential Households**.

Relocation assistance is paid per rental unit, not per tenant. If multiple individuals occupy a unit, relocation assistance is paid to the household or individual on the rental agreement or lease. **Eligible Residential Households** are entitled to the following assistance:

- **Security Deposit.** Full refund of a tenant’s security deposit, except for funds necessary to repair tenant’s damage to property in units that will be reoccupied prior to undergoing renovation or demolition.
- **Relocation Advisor.** Each household will receive personalized **Replacement Housing** assistance based on preferences, housing budget, preferred location, and other requirements. Services will include up to five rounds of referrals through analysis of available rental housing, including internet listings, contact with property management companies, and available affordable housing options to include wait-list opportunities and other leads on housing.
- **Rental Agency Subscription.** Unlimited access to a subscription service to a rental agency until the time of move-out.
- **Tenant Relocation Payments.** The cash equivalent of three (3) months’ rent, based on the median monthly asking rent for a similar-sized unit with the same number of bedrooms and bathrooms as determined by a survey taken at least once a year of apartment rents in Mountain View, shall be paid to the eligible household renting a unit.
- **Special Circumstances.** An additional \$8,000 will be paid to households with special circumstances, which is defined as households with at least one member who is 62 years of age or older, a person who is disabled or handicapped, or a minor child aged 19 years old or younger. This figure will be adjusted annually for inflation using the Consumer Price Index for the San Francisco Bay Area.

Example of a Relocation Assistance Payment:

Household Size	1	2	3	4	5
120% AMI*	\$118,950	\$135,900	\$152,900	\$169,900	\$183,500
120% AMI* Plus \$5,000	\$123,950	\$140,900	\$157,900	\$174,900	\$188,500

*2020 State Area Median Income adjusted for household size

- A displaced household of 3 makes a yearly household income of \$155,000.
- The household lives in a 2 bedroom rental unit.

Average Monthly Rent	Studio	1 Bed	2 Bed	3 bed
2020 Quarter 2	\$2,157	\$2,661	\$3,354	\$4,276

*2020 Quarter 2 average asking rent in Mountain View adjusted for bedroom size

- In this instance, the household is below the income threshold of 120% AMI plus \$5,000 adjusted for a 3 person household. This household would qualify for relocation assistance.
- The relocation assistance payment is $\$3,354 \times 3 = \$10,062$
- One of the 3 tenants in the household is under 19 years of age, qualifying this household for the special circumstance payment of \$8,000.
- Total household relocation payment is $\$10,062 + \$8,000 = \$18,062$.

E. Relocation Assistance Payment Process

- **Eligible Residential Households** must submit a claim form to the relocation consultant including size of household, household income, etc. before the date to vacate in order to receive assistance. Claim forms will be provided by the relocation consultant.
- Landlord will pay the full amount of relocation assistance directly to the household within 15 days of the date the tenant submits a claim form and provide proof of payment to the relocation consultant.
- Relocation consultant will confirm issuance of payment by means of an acknowledgment form signed by the tenant.

F. First Right of Return

An **Eligible Residential Household** whose tenancy is terminated when a covered rental unit is withdrawn from the market has the **First Right to Return** to the unit if that same unit is returned to the rental market by landlord or successor landlord.

G. Translation of Documents

Under the TRAO, documents that are to be provided to the tenant, including the Notice of Intent, Notice of Termination and claim forms, shall also be provided in Spanish, Chinese and/or Russian, as needed, or other languages as requested that is responsive to the needs of the tenant population who have limited English proficiency.

6. Alternate Mitigation (TRAO)

As an alternative to the required relocation assistance, a landlord may submit an alternate mitigation strategy that meets the goals of the TRAO. Alternate mitigation proposals must be approved by City Council.

7. Examples of Applicability

Different circumstances will determine which of the tenant relocation assistance requirements apply. There are three categories to consider:

1. SB330 (State law)
2. TRAO benefits related to redevelopment and building permits (section 4)
3. TRAO benefits when removing fewer than 3 units from the rental market (section 5)

Listed below are a few examples of common tenant relocation circumstances and which law(s) apply.

	SB330	TRAO (3 units or more)	TRAO (1 or 2 units)	Applicable Law
Redevelopment including demolition of 3 or more rental units	✓	✓	X	Both SB330 and the TRAO are applicable
Redevelopment including demolition of 2 or fewer existing rental units of a single family home or duplex.	✓	X	X	SB330 is applicable
Redevelopment including demolition of 2 or fewer existing rental units if there are more than 3 units.	✓	X	✓	SB330 and TRAO (1 or 2 units) are applicable
Removal of 3 or more units from rental market without demolition.	X	✓	X	TRAO ((3 or more units) is applicable
Removal of 2 or fewer units from rental market without demolition.	X	X	✓	TRAO (1 or 2 units) is applicable
Demolition of 2 or fewer existing units without redevelopment	X	X	✓	TRAO (1 or 2 units) is applicable
Demolition of 3 or more existing units without redevelopment.	X	✓	X	TRAO (3 or more units) is applicable

8. Definitions:

No-fault Terminations. No-fault Terminations include tenant displacements for reasons including withdrawal of a unit from the rental market, necessary and substantial repairs requiring temporary vacancy, owner move-in and demolition (CSFRA Section 1705).

Protected Units. Units that are (1) Affordable Housing Restricted to Low, Very Low and Extremely Low Income Households; (2) Covered under Rent Stabilization (CSFRA); (3) Occupied by Low or Very Low Income Households (80% AMI); or (4) Removed from Ellis Act in the past 10 years. Defined for S330.

Affordable Residential Rental Units. Units occupied by households whose income does not exceed 80% of the Area Median Income (AMI) for Santa Clara County. Defined for S330.

Qualifying Households. Households living in Protected Units, which are Affordable Residential Rental Units (Units occupied by households whose income does not exceed 80% of the Area Median Income (AMI) for Santa Clara County). Defined for S330.

Replacement Housing. The new dwelling secured by the displaced tenant.

First Right of Refusal. Tenants of **Protected Units** whose household income does not exceed 80% of the Area Median Income (AMI) can option to rent or buy a comparable unit in the new development at an affordable cost, which varies based on household income:

- Very Low Income sale or rental: 30% of 50% AMI
- Low Income rental: 30% of 60% AMI or 30% of household income if income above 60% AMI
- Low Income sale: 30% of 70% AMI or 30% of household income if income above 70% AMI

(Defined for S330)

Eligible Residential households. Residential households who are not delinquent on payments of rent, and their annual household income does not exceed 120 percent of the Area Median Income (AMI) for Santa Clara County as adjusted for household size. A tenant household may exceed the 120% AMI limit by up to \$5,000 and still qualify for relocation assistance. Defined for TRAO.

Special Circumstance Payments. Additional \$8,000 household payment for households with at least one member who is 62 years of age or older, a person who is disabled or handicapped, or a minor child aged 19 years old or younger. This figure will be adjusted annually for inflation using the Consumer Price Index for the San Francisco Bay Area. Defined for TRAO.

First Right of Return. The displaced tenants option to return to the unit if that same unit is returned to the rental market by the landlord or successor landlord. Defined for TRAO.