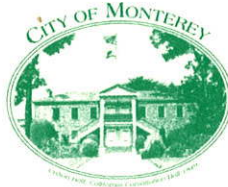


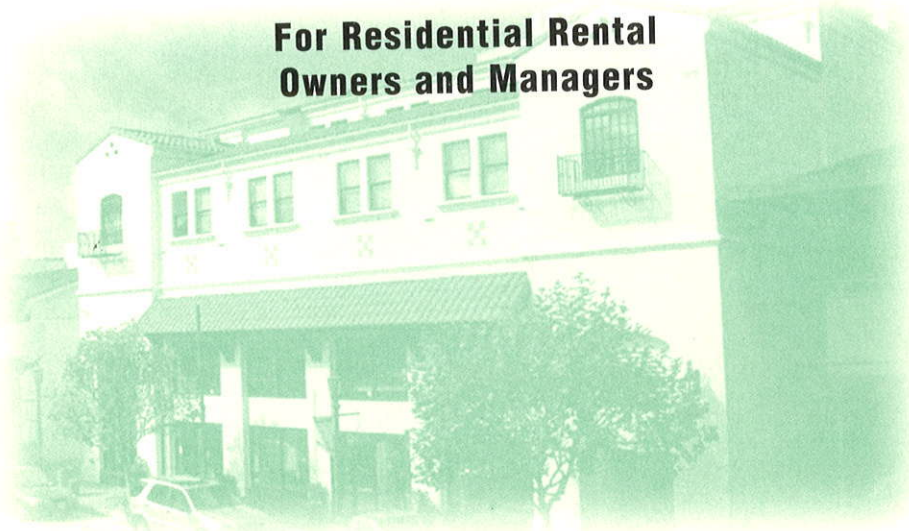
HOUSING PROGRAMS

Shaping our City. . .



Voluntary Rental Guidelines

**For Residential Rental
Owners and Managers**

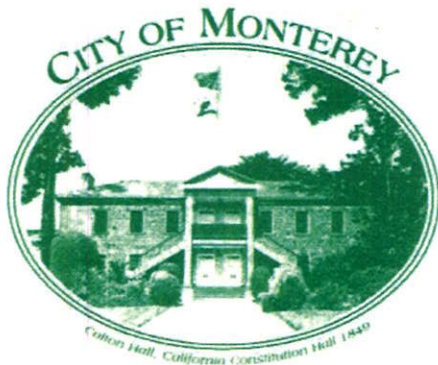


(Traducción al español al reverso de la página)

Citizens and Friends

Monterey, CA 93940

PRESORTED
STANDARD
U.S. POSTAGE PAID
MONTEREY, CA
PERMIT NO. 256



A Program of the City of Monterey Housing Office

.....

.....

A collaborative effort for community-based solutions by:

City of Monterey

Apartment Association of Monterey County

Individual Managers and Property Owners

Renter Advocates

Coalition of Minority Organizations (COMO) Committee on the Housing Crisis

Voluntary Rental Guidelines For Residential Rental Owners and Managers

TABLE OF CONTENTS

Introduction	1
Voluntary Guidelines	2-5
Apartment Association of Monterey County (AAMC) Peer Intervention Program (PIP)	6-7
Confidential Intake Form - Request for Dispute Resolution	8

INTRODUCTION

On October 24, 2001 the City adopted Voluntary Guidelines for Residential Rental Owners and Managers for a one-year trial period. The Guidelines are meant to assist landlords and tenants towards fair and reasonable resolution of issues regarding a variety of rental-related issues such as:

- ♦ Reasonable Rent Increases
- ♦ 60-Day Increase Notices
- ♦ One Annual Rent Adjustment
- ♦ Longer-Term Leases
- ♦ Consideration for Good & Long Term Tenants
- ♦ Consideration of Tenant Hardships
- ♦ Communication, Openness, Availability, Responsiveness
- ♦ Property Maintenance/Habitability
- ♦ Mediation to Resolve Disputes
- ♦ Quality Service to Tenants (Customer Satisfaction)
- ♦ Resident Managers as an On-Site Emissary

For Landlord-Tenant issues please contact:

**Monterey College of Law
Mandell Gisnet Center for Conflict
Management
100 Colonel Durham Street, Seaside
Phone: 831.582.4000**

If you need additional copies of program materials or have any questions regarding this program, please contact the Conflict Resolution and Mediation Center of Monterey County.

This booklet contains a reference to a handbook produced by the State of California, Department of Consumer Affairs: "California Tenants, A Guide to Residential Tenants' and Landlords' Rights and Responsibilities." This is a comprehensive publication that addresses many renter / landlord issues, and is provided for your reference (see website www.dca.ca.gov).

VOLUNTARY GUIDELINES

While there may be individual circumstances under which these guidelines cannot be followed, the following voluntary guidelines are submitted for the consideration of residential property managers and owners:

1. Keep rent increases reasonable for your residents. A variety of factors should be considered when determining what is reasonable. These factors include, but are not limited to the following items, which should be considered collectively, not individually:
 - ♦ Maintenance and operating costs
 - ♦ Capital improvements & debt service
 - ♦ Provision of housing services
 - ♦ Return on investment to property owner
 - ♦ Utility costs
 - ♦ Rent history of tenant
 - ♦ Local Area Consumer Price Index (CPI) ¹
 - ♦ Period of time resident has lived at the property
 - ♦ Existing market value of rents for similarly-situated units
2. Give your residents predictability and the opportunity to plan ahead.
 - a. Provide at least a 60-day notice for all rent adjustments;
 - b. Consider adopting a policy of one annual rent adjustment;
 - c. Consider offering your residents the option of longer-term leases instead of short-term rental agreements.
3. Recognize the value of long-term, stable residents, who pay their rent on time.
 - a. Consider phasing-in the rent adjustment to accommodate a hardship request by a resident;

¹ The City of Monterey uses the San Francisco-Oakland-San Jose Area Index, U.S. Department of Labor, Bureau of Labor Statistics (see website www.bls.gov).

- b. If your monthly rent for existing residents is significantly below market-rate, increase rents over an extended period of time, bearing in mind the residents' history at your property, and realizing that rents will increase to market as units turn-over.
4. Attach a sensitively written letter to your notice of rent adjustment.
 - a. Point out any increased operational costs such as taxes, utilities, maintenance, and debt service;
 - b. Highlight upcoming or recent improvements to the property;
 - c. If available, provide information on comparable rents.
 5. Be open, available and responsive when residents want to discuss their rent adjustment.
 - a. Be knowledgeable about their rent history at your property;
 - b. Be willing to listen to them openly and consider special arrangements, such as a phased-in rent adjustment for hardship cases.
 6. Keep your property maintained.
 - a. Provide residents with a method to report repairs, damages or conditions that need to be corrected;
 - b. Attend to all maintenance requests promptly.
 7. Embrace voluntary, professional mediation.
 - a. Be responsive if a mediation agency calls;
 - b. Be willing to enter into a mediation discussion.
 8. Be sensitive to the fact there may be circumstances that result in residents voluntarily vacating your property.
 - a. If requested, attempt to help them find suitable housing in other units you may own or manage;

- b. If a resident is forced to break a lease in the middle of a lease term, work with them to quickly fill the unit and minimize the expense to the resident who is leaving;
 - c. As soon as is practical, and within the guidelines prescribed by law, account for and return the resident's security deposit.
9. Consider how your actions concerning adjusting rents may affect public perception of you, your company and the rental housing industry. You are in the business of providing housing, and your residents are your customers. As in any business, you should strive as much as possible to satisfy your customers at all times, which is the foundation for business success.
 10. Ensure that your resident managers are well briefed on your commitment to these guidelines and that they follow through as your on-site emissary.

These voluntary guidelines are suggestions for the property manager and owner's use in their absolute and unqualified discretion. None of the above suggestions are meant to be involuntary, coercive, or in furtherance of violation of any anti-trust, price fixing, or any anti-competition laws.

To be administered in conjunction with the Peer Intervention Program by the Apartment Association of Monterey County, a copy of which is attached hereto.

Drafted in a collaborative effort between the Apartment Association of Monterey County, Individual Managers and Property Owners, renter advocates, the City of Monterey, and the Coalition of Minority Organizations (COMO) Committee on the Housing Crisis.

Landlords and Tenants are encouraged to read and refer to the publication by the State Of California entitled CALIFORNIA TENANTS – A Guide to Residential Tenants' and Landlords' Rights and Responsibilities. This publication is available in English and Spanish language versions on the internet at the State of California Department of Consumer Affairs' homepage at www.dca.ca.gov.

The approved and adopted version of these Guidelines and all program materials will be made available in English and Spanish languages. The City of Monterey Housing Office and The Conflict Resolution and Mediation Center will also maintain subscriptions to the AT&T Language Line Service or its equivalent, to provide these services to Monterey residents in all available languages.

The City of Monterey does not discriminate against persons with disabilities, minorities or other disadvantaged persons or groups. Any inquiries as to how these persons may receive assistance in obtaining information and/or services related to the City's Housing and Community Development (HCD) Programs should contact the Housing & Property Management Office at 831 646-3995

Notes:

APARTMENT ASSOCIATION OF MONTEREY COUNTY (AAMC) PEER INTERVENTION PROGRAM (PIP)

Adopted October 24, 2001

A mechanism for concerned and involved rental housing owners and managers to promote and support Monterey rental housing solutions and encourage adherence to the Voluntary Guidelines for Rental Owners & Managers.

1. A standard Intake Form will be created and utilized to serve as an initial screening tool and provide essential information for PIP follow-up.
2. Intake forms will be available from Monterey City Council members, Housing Office ² staff, Housing Advocacy Council of Monterey County ³ and Conflict Resolution and Mediation Center ⁴, as well as other locations and websites, in response to complaints from rental residents who believe they have received a rent increase that is not in compliance with the Voluntary Guidelines.
3. Intake forms will be submitted to Conflict Resolution and Mediation Center for review and referral. Conflict Resolution and Mediation Center will perform an initial screening.
 - a. If the rent increase is found to be in compliance with the Voluntary Guidelines, Conflict Resolution and Mediation Center will so inform the renter, and the case will be closed.
 - i. If a hardship situation exists, Conflict Resolution and Mediation Center will offer to initiate mediation with the property owner or manager.
 - b. If the rent increase is not found to be in compliance with the Voluntary Guidelines, Conflict Resolution and Mediation Center will forward the intake form to the Apartment Association of Monterey County (AAMC) for review and follow-up by the PIP.

² City of Monterey Housing Office, City Hall, Monterey, CA 93940, Housing Office is located at 669 Van Buren Street, Phone: 831.646.5615, Fax 831.646.5616

³ Housing Advocacy Council of Monterey County, 10 Sherwood Drive #14, Salinas, Ca 93902, Phone 831.424.9186, Fax 831.757.1349

- i. The PIP will identify appropriate member(s), based upon geographic proximity to the subject property or existing relationship with the owner/manager in question, to contact the owner/manager and encourage adherence to the Voluntary Guidelines.
- ii. The PIP committee member will report back to AAMC with the results of their efforts.
- iii. AAMC will report back to Conflict Resolution and Mediation Center which will track overall results of the program and report these results to the Monterey Housing Office. The Housing Office will report progress and statistics to the City Council on a quarterly basis.

Notes:
