



# PROPOSED RENT STABILIZATION ORDINANCE

City of Salinas



Economic & Planning Systems, Inc.  
*The Economics of Land Use*

455 Capitol Mall, Suite 701 ■ Sacramento, CA 95814  
916.649.8010 ■ [www.epsys.com](http://www.epsys.com)

# CONTENT

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- Introduction and Background
  - Who does Rent Stabilization affect?
  - California Rent Stabilization
  - Local effects
- Literature Review
- Key Topics and Findings
- Overall Conclusions and Recommendations



# INTRODUCTION AND BACKGROUND

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# DATA SOURCES

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- EPS used the most up-to-date and reliable data sources including, but not limited to:
  - US Census ACS, HUD, CoStar, ParcelQuest, County of Monterey, DOF
- EPS surveyed other cities with rent stabilization programs to help inform:
  - Recommended rent limit percentages
  - Tenant protections
  - Staffing amount and costs
  - Fee recommendation ranges



# INTRODUCTION TO RENT STABILIZATION

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Rent stabilization protects tenants from unaffordable rent increases while providing landlords a reasonable return on investment through a maximum annual rent increase

**ONLY** applies to the following residential units:

- Multifamily Rental dwelling units
- Must be built **BEFORE** February 1, 1995
- Remodeled residential units converted from space long dedicated to residential

The following residential units are **EXEMPT**:

- Single-family rentals
- Condominium rentals
- Multifamily dwelling units built **AFTER** February 1, 1995
- Newly constructed dwelling units
- Government Subsidized Affordable Units

# STATE LAW

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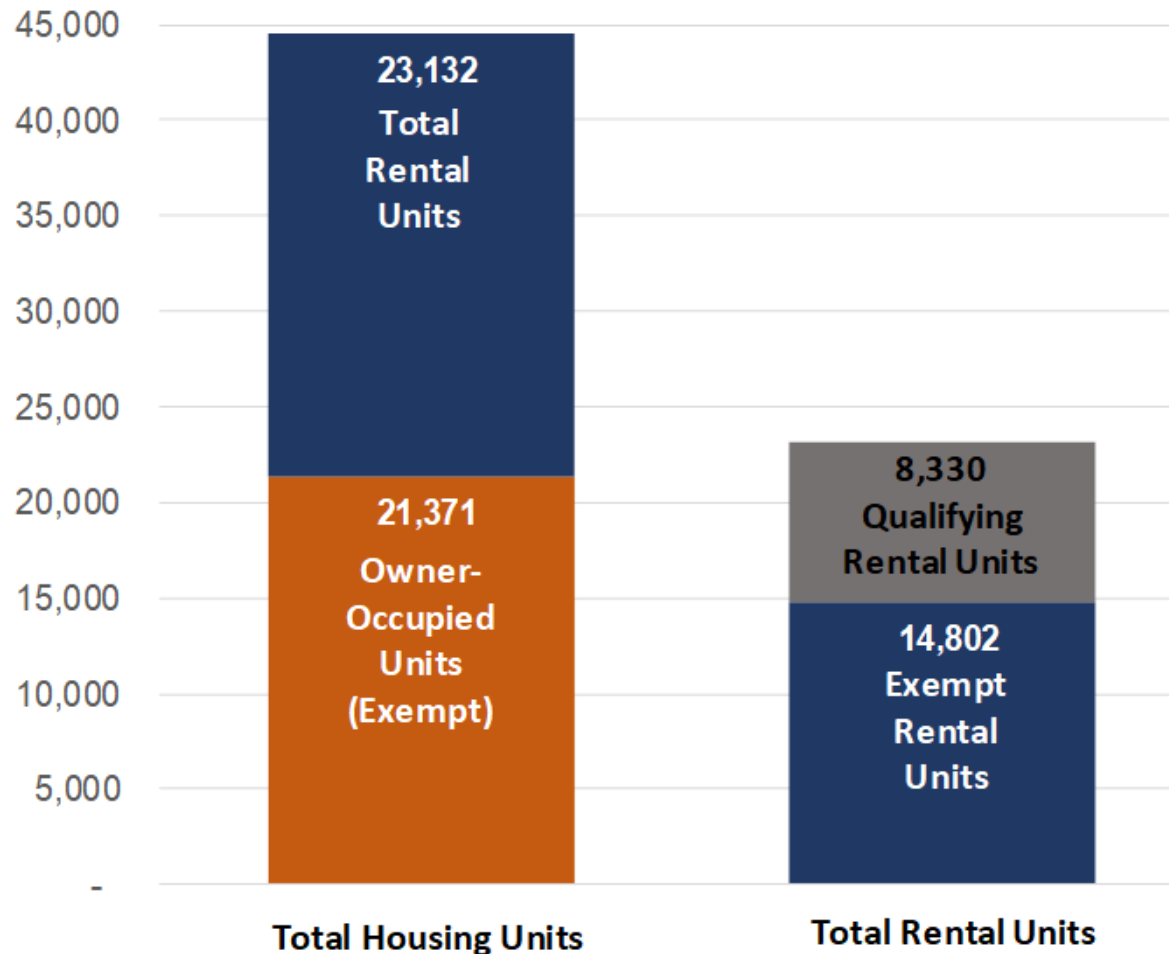
## COSTA-HAWKINS (THE RENTAL HOUSING AND CALIFORNIA TENANT PROTECTION ACTS)

- Statewide policy adopted in 1995 and amended in 2018:
  - Caps rent increases at the lesser of 5% plus the increase in regional consumer price index (CPI) OR 10%
  - Local jurisdictions can enact a rent increase cap but are limited to the unit types listed on the previous slide
  - Subject to vacancy decontrol, which allows landlords to set the rent back up to a market rate for new tenants
- Statewide ballot initiative for November 2024 would repeal Costa-Hawkins
  - Local ordinance must clearly state which units are exempt and provide vacancy decontrol for landlords, if not
    - The City's rent stabilization policy would apply to all rentals
    - Landlords would not be able to bring a vacated unit back up to market rent



# LOCAL HOUSING INVENTORY

## CITY OF SALINAS HOUSING SUPPLY



- 52% of housing supply comprises rental units
- 18.7% of total housing units (36% of rental units) qualify for Rent Stabilization

# POTENTIAL PROS AND CONS

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The empirical evidence dispels many of the concerns listed below



## Positive Outcomes

- Housing stability:
  - Reduced displacement of racial minorities
  - Reduced worker turnover.
  - Improved educational outcomes.
  - Reduced demand for social services.
- Increased discretionary income to potentially help boost the local economy.
- Protecting communities of color from historical housing cost burdens.
- Increased income equality.



## Concerns

- Reduced rental unit supply.
- Reduced residential mobility.
- Reduced property value.
- Decreased revenue leading to property disinvestment.
- Inflated rent as an effect of vacancy decontrol.



# LITERATURE REVIEW

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# KEY FINDINGS ON RENT STABILIZATION

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## EMPIRICAL EVIDENCE

- Tenants in rent-stabilized apartments have longer tenures and are less likely to move than renters in non-rent stabilized units.
- Moderate rent stabilization policies with exemptions for new construction find little to no effect on new housing supply.
- May generate a minimal shift toward for-sale housing.
- While rent control does not directly decrease income inequality, the benefits of housing, rental expenditure, and neighborhood stability are much more impactful for low-income households.



# KEY FINDINGS ON RENT STABILIZATION

## EMPIRICAL EVIDENCE

- Moderate rent stabilization policies allowing for vacancy decontrol and allowances for capital improvements have been shown to have little to no effect on property values.
- Moderate rent stabilization policies which allow landlords a return on investments in building improvement do not depress the amount of building maintenance.
- Positive impacts:
  - Sales tax
  - Workforce benefits
  - Educational benefits
  - Decreased demand for social services
  - Neighborhood and community



# SOCIOECONOMIC AND REAL ESTATE TRENDS

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CITY OF SALINAS

# RENTER-OCCUPIED HOUSEHOLDS IN SALINAS

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## Majority

- 53% of City households are renter-occupied compared to 44% statewide.

## People of Color

- Latinx population comprises 81% of renter-occupied units in Salinas compared to 30% countywide & 37% statewide.

## Young

- 57 percent of renter-occupied households comprise householders ages 44 or younger compared to 37 percent countywide and 53 percent statewide.

## Overcrowded

- Overcrowding increased 24+ percent over the last decade, compared to only 6 percent statewide.
- 53 percent of City renter-occupied households have 4 or more occupants, compared to 27 percent statewide.

## Cost Burdened

- Mirroring a trend negatively affecting all of California, more than half of renter-occupied households are considered rent-burdened and 26 percent are considered severely cost-burdened

## Poverty

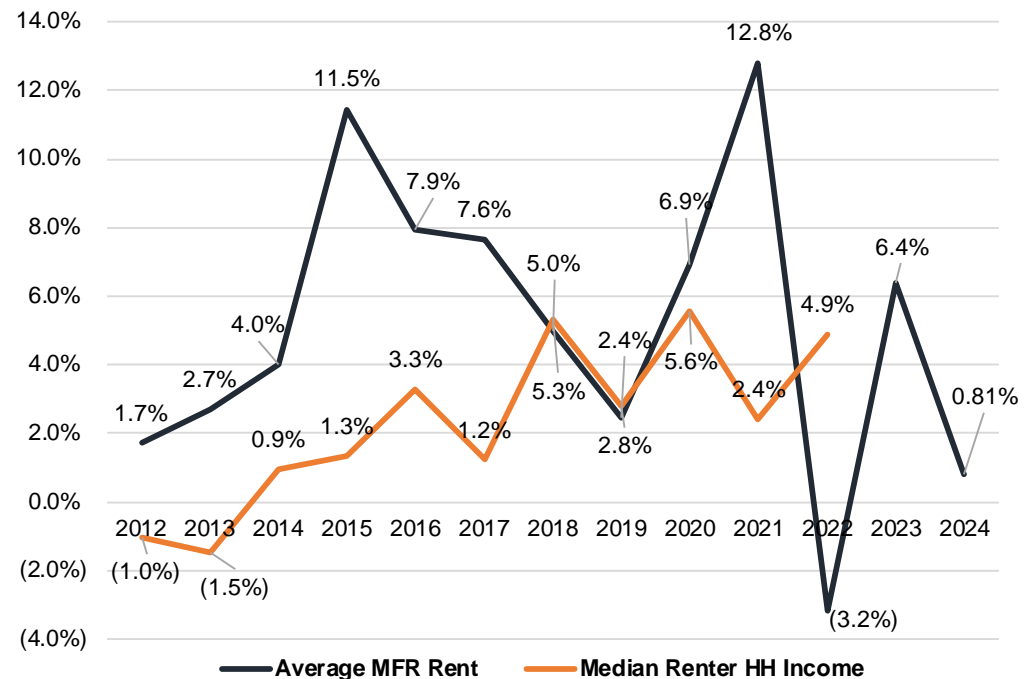
- Approximately 18 percent of families that are renters fall below the poverty level compared to 6 percent of owner-occupied families

# HOUSEHOLDS AND HOUSING IN SALINAS

- Median renter household annual income: \$64,500
- 30% of median renter household income (per month): \$1,612
- Median rent for Multifamily apartments built before 1995 (per month): \$1,994
- **Difference of almost \$400 per month**

- **Extremely low residential vacancy of about 3% compared to the County's 8% average – very little room for new residents or existing residents looking to move**

**Annual Percentage Change in Rents vs. Renter HH Income**



# INCREASES IN RENT VERSUS INCOME

Unbalanced increases in rent compared to incomes in cities with recently adopted or no Rent Stabilization Ordinance

Item	Comparable Cities							
	Salinas	Oxnard	Antioch	Mountain View	Oakland	San Diego	Richmond	Sacramento
<b>Year RSO Adopted</b>	--	2022	2022	2016	1980	AB 1482 as of 2023	2017	2019
<b>Median Renter Household Income (2022\$)</b>								
2012 [1]	\$48,547	\$55,058	\$52,256	\$100,070	\$45,906	\$60,767	\$39,634	\$33,850
2022	\$64,509	\$68,872	\$61,411	\$153,279	\$68,434	\$75,291	\$62,537	\$56,131
<b>% Change</b>	<b>32.9%</b>	<b>25.1%</b>	<b>17.5%</b>	<b>53.2%</b>	<b>49.1%</b>	<b>23.9%</b>	<b>57.8%</b>	<b>65.8%</b>
<b>Average Monthly Effective Rent [2]</b>								
2012	\$1,070	\$1,193	\$994	\$2,050	\$1,318	\$1,289	\$1,158	\$1,368
2022	\$1,859	\$1,942	\$1,647	\$2,675	\$1,701	\$2,093	\$1,896	\$1,888
<b>% Change</b>	<b>73.7%</b>	<b>62.8%</b>	<b>65.7%</b>	<b>30.5%</b>	<b>29.1%</b>	<b>62.4%</b>	<b>63.7%</b>	<b>38.0%</b>
<b>Percentage Point Difference Rent Inc. to Income Inc.</b>	<b>40.9%</b>	<b>37.7%</b>	<b>48.2%</b>	<b>(22.68%)</b>	<b>(20.02%)</b>	<b>38.5%</b>	<b>5.9%</b>	<b>(27.81%)</b>

Source: U.S. Census Bureau ACS 2012 & 2022, Table S1901; CoStar; EPS.

[1] The median household incomes reported by ACS are inflation-adjusted to constant dollars.

[2] This data reflects market rate multifamily apartment units built before 1995 from CoStar.

# RENT PRESSURES AND DISPLACEMENT

## ECONOMIC IMPLICATIONS

- Displacement due to:
  - Disparity between rent increases and household incomes, Estimated farmworker housing shortage of more than 45,500 units
  - Overcrowding
  - Housing Cost-Burdened
- The affordability crisis disproportionately affects people of color and other vulnerable communities because these populations are over-represented in the renter population





# FISCAL IMPLICATIONS OF RENT STABILIZATION

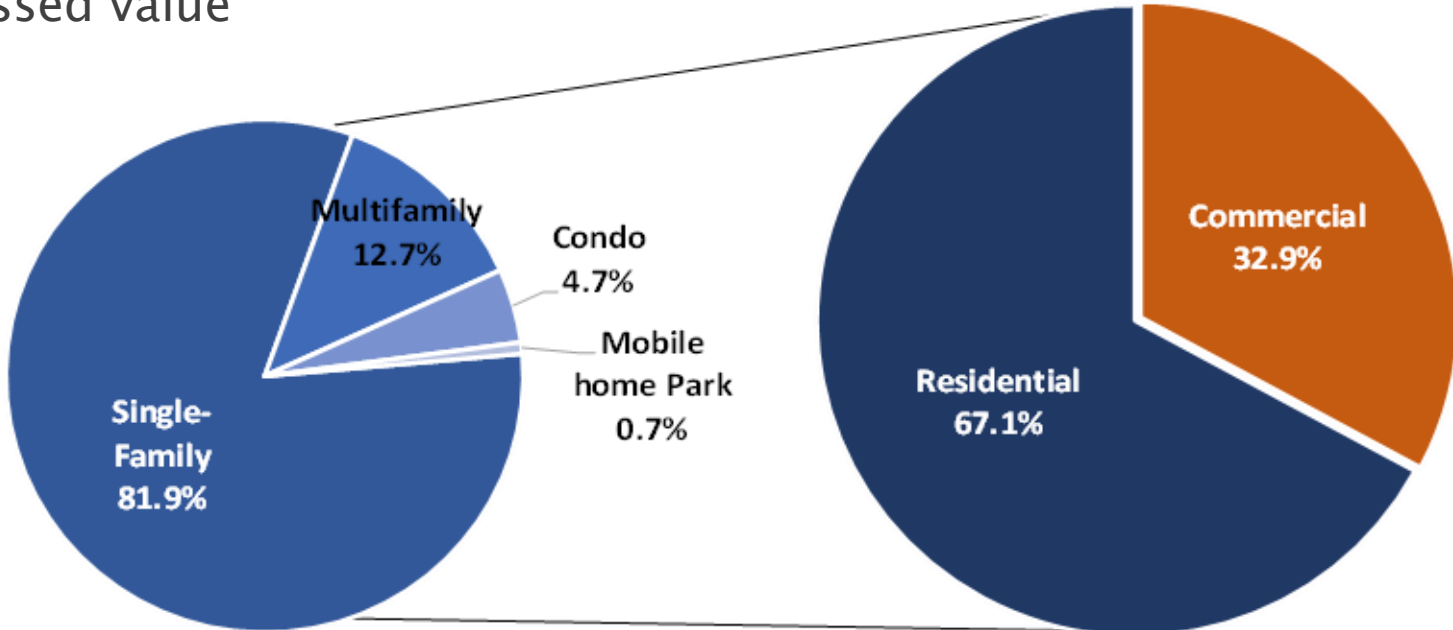
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CITY OF SALINAS'S GENERAL FUND

# PROPERTY TAX

## FISCAL IMPLICATIONS

- Property tax accounts for about 21% of City's General Fund Revenue
- Rent Stabilization may affect the City's general fund:
  - Increased revenue through conversion of rental housing to ownership +
  - Reduced revenue due to reduced increase in assessed value of rent-stabilized property
  - Increased sales taxes due to increased discretionary income
- Affected units comprise less than 13 percent of City's residential assessed value



# ECONOMIC IMPACTS ON HOUSING SUPPLY

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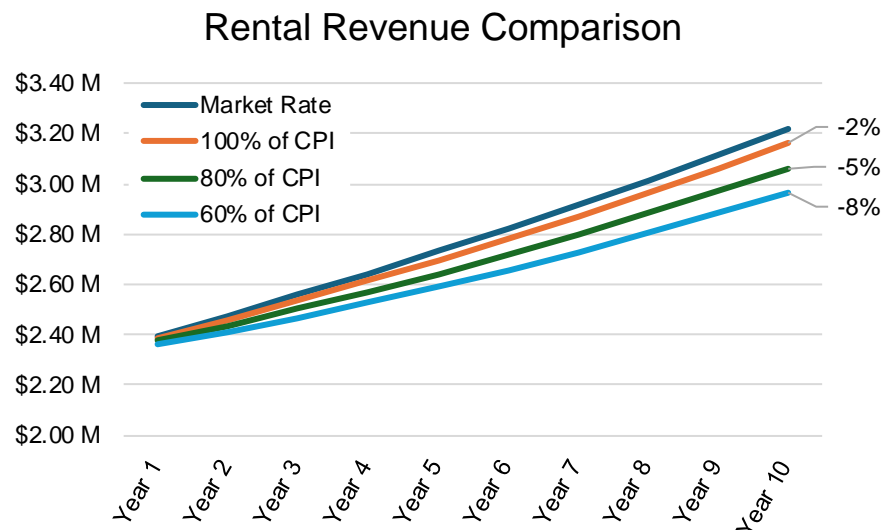
## FEASIBILITY TESTING

# ECONOMIC IMPACT FOR PROPERTY OWNERS

## OVER A 10-YEAR PERIOD

### Rental Revenue

- Over a 10-year timeframe, rent stabilization reduces rental revenue by 2% to 8%
- Vacancy decontrol brings vacated units back up to market rate, mitigating the reduction in rental revenues.



### Effective Rent Roll Growth with Vacancy Decontrol by Rent Stabilization Rate

Measure	Rent Stabilization Rate - % CPI									
	60%	65%	70%	75%	80%	85%	90%	95%	100%	
Effective Rent Roll Growth Rate [1][2]	2.50%	2.58%	2.66%	2.74%	2.83%	2.91%	2.99%	3.07%	3.16%	

Source: US Census; Costar; EPS.

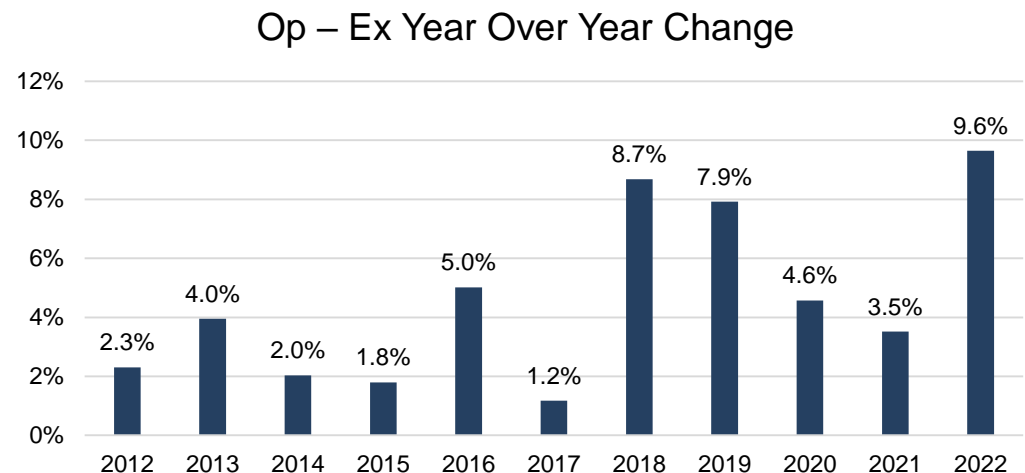
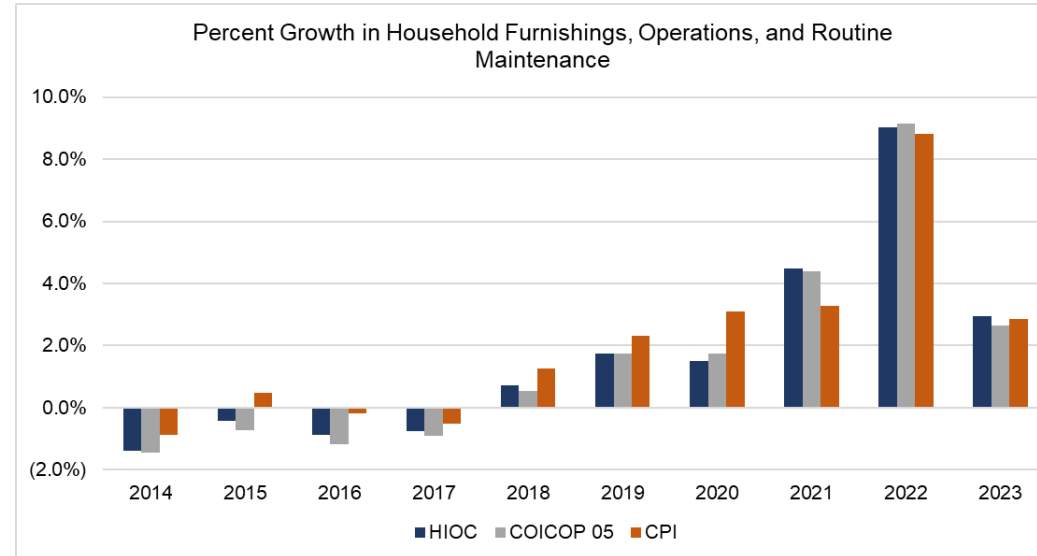
[1] Assumes 11% turnover (20% reduction from current state due to rent stabilization), average CPI of 3%, and vacancy decontrol market-based annual rent growth of 3.35% (based on recent historic average).

[2] Compound Annual Growth Rate (CAGR).

# ECONOMIC IMPACT FOR PROPERTY OWNERS

## INCREASES IN OPERATING COSTS

- Operating Expenses
  - Significant increase in costs of goods associated with apartment operation starting in 2020. Cost increases in this category minimal prior to 2020.
  - LIHTC operating expenses increased 5% on average from 2012 –2022. LIHTC operating costs likely higher than market-rate due to higher compliance and administrative costs.

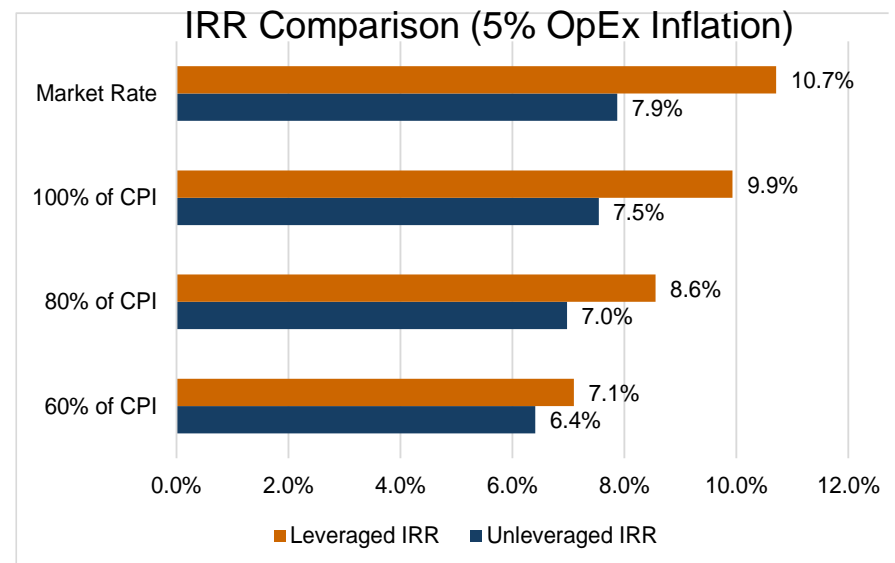
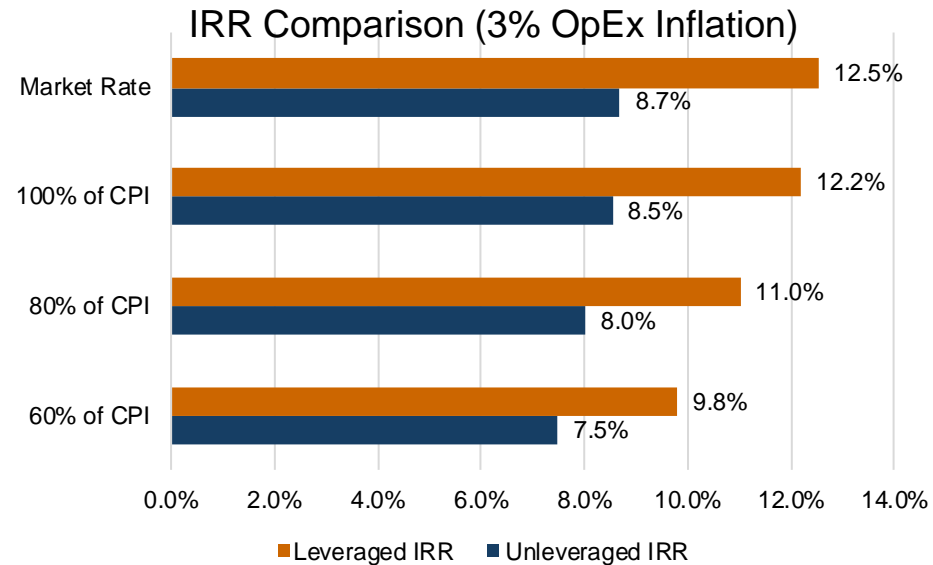


Source: Novogradac, 2023. Low-Income Housing Tax Credit Income and Operating Expenses Report.

# ECONOMIC IMPACT FOR PROPERTY OWNERS

## OVER A 10-YEAR PERIOD

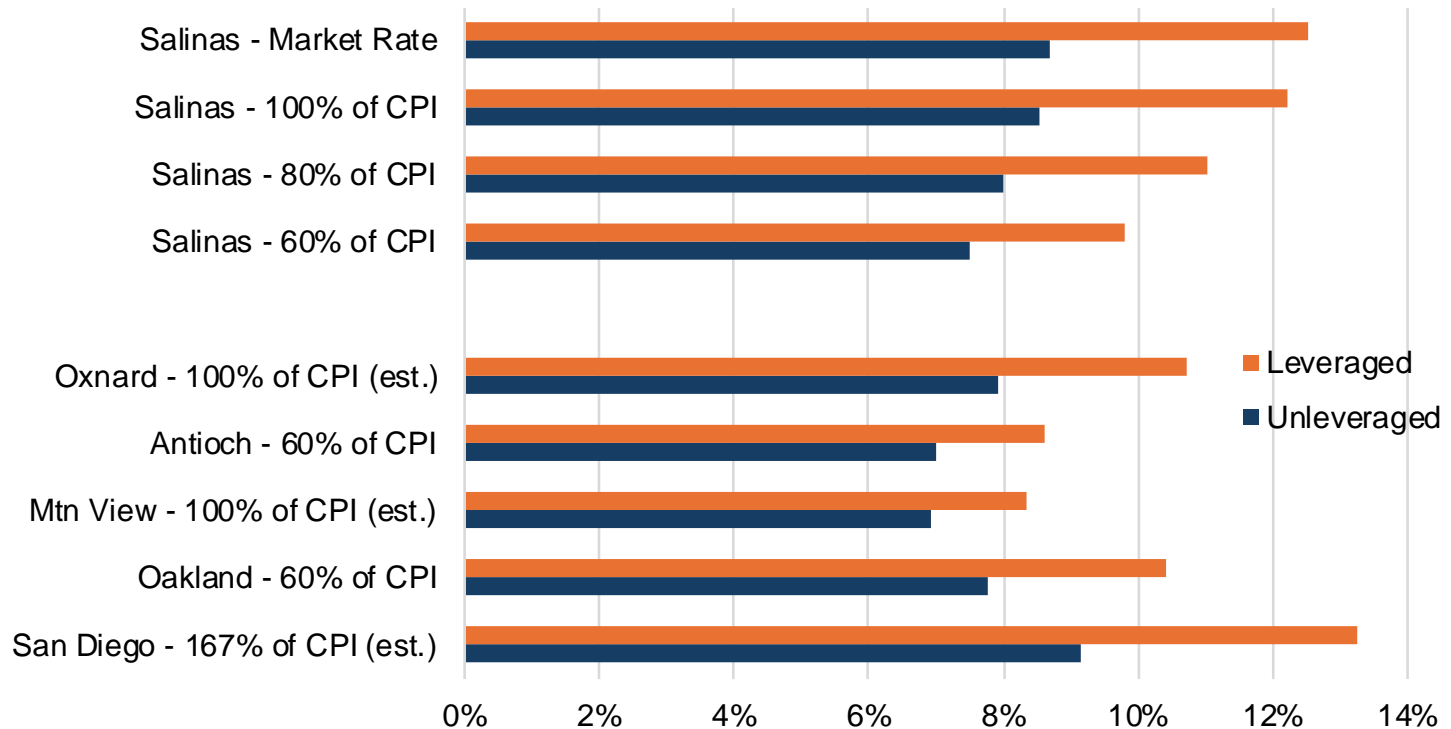
- Internal Rate of Return (IRR)
  - Measures the potential project return over time against the investment required
  - Leveraged IRRs include debt
  - Unleveraged IRRs do not
  - Existing buildings are considered a low-to-moderate risk investment – a stable IRR ranges from 8% to 12%
  - Elevated operating expense inflation erodes investment return



# ECONOMIC IMPACT FOR PROPERTY OWNERS

## PEER CITIES FEASIBILITY COMPARISON

- San Diego's high IRR due to higher allowable rent increase, high rents, and high turnover



Note: Based on purchase, 10-year operation, and resale of prototypical existing, occupied 100-unit building/complex using current local market variables. Leveraged analysis assumes 30% equity, 25-year loan at 6%.

# COSTS TO THE CITY

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## STAFFING AND FEES



# COST TO THE CITY

## PROGRAM IMPLEMENTATION COSTS

- Staffing ratios based on cities with complaint-driven enforcement
- Costs based on City data

Item	Assumption	Existing Rental Registry (No Tenant Protections)	Rental Registry + Rent Stabilization Program Level of Enforcement Range		
			Minimum	Average	Maximum
<b>Residential Units [1]</b>					
Fully Covered Units (Qualify for Rent Stabilization)	8,330 Units				
Partially Covered Units (Qualify for Just Cause Protecti	14,464 Units				
<b>Total Rental Residential Units</b>	<b>22,794 Units</b>				
Total Staff		2.1	5.1	6.7	13.4
City Cost Staffing and Third Party Software + Services		\$399,706	\$1,124,884	\$1,194,406	\$1,835,027
<b>Estimated Fee Revenue</b>					
Rent Program Fee Amount to Break Even based on Level of Staff and Third Party Services + Software	per unit/per year	\$28	\$135	\$143	\$220
Total Revenue	annually	\$399,706	\$1,124,884	\$1,194,406	\$1,835,027
<b>Program Surplus/Deficit</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Source: EPS.

[1] See Table 4-1. Total includes single family rentals.

# COST TO THE CITY

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## RENTAL PROGRAM FEES

- The City's current fee structure is based on the number of units within a range per parcel
- This fee structure provides a monetary break for larger developments and creates a net loss to the City
- The annual fee for partially covered units (rental registry + tenant protections) should be less than the fully covered unit fee (rental registry + tenant protections + rent stabilization)
- Goal of the fee is cost recovery (fiscally neutral program)

# ILLUSTRATIVE COST RECOVERY

## RENTAL PROGRAM FEE COMPARISON

Item	Estimated Salinas Rental Residential [1]			Current Rental Registry Fee		Estimated Revenue of a Rental Registry + Rent Stabilization Combined Fee on a Per Unit Basis [3]			Difference between Current Estimate Revenue and Updated Fee
				Annual Registration Fee [2]	Estimated Total Revenue	Partially Covered Units	Fully Covered Units	Total	
	Buildings	Units	%						
Estimated per Unit Fee [3]						\$20	\$115		
Number of Units [4]						14,464	8,330		
<b>Number of Units per Parcel</b>									
1	8,691	8,691	38.1%	\$20	\$173,820	\$110,296	NA	\$110,296	-\$63,524
2-4	11	3,192	14.0%	\$35	\$385	\$40,509	NA	\$40,509	\$40,124
5-9	168	1,455	6.4%	\$60	\$10,080	\$18,468	\$499,416	\$517,884	\$507,804
10-24	118	2,151	9.4%	\$75	\$8,850	\$27,293	\$90,386	\$117,679	\$108,829
25-49	30	1,344	5.9%	\$120	\$3,600	\$17,062	\$56,505	\$73,567	\$69,967
50-99	13	1,132	5.0%	\$225	\$2,925	\$14,369	\$47,586	\$61,955	\$59,030
100+	20	4,829	21.2%	\$350	\$7,000	\$61,278	\$202,934	\$264,212	\$257,212
<b>Total</b>	<b>9,051</b>	<b>22,794</b>	<b>100.0%</b>		<b>\$206,660</b>	<b>\$289,276</b>	<b>\$896,827</b>	<b>\$1,186,103</b>	<b>\$979,443</b>

Source: ACS; CoStar; City of Salinas; EPS.

[1] Estimated based on data from ACS and CoStar.

[2] Registration fees for the rental registry program per the Residential Registry Community Development Council Staff Report dated April 4, 2023.

[3] The annual fee for partially covered units should be less than the fee for fully covered units. For illustrative purposes, EPS is estimating the fees based on the minimum.

[4] See Table 4-13.

# CONCLUSION AND RECOMMENDATIONS

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# CONCLUSION

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Rent stabilization is part of a toolkit that, along with other policies and incentives, can help alleviate some housing cost pressures. Taken in combination with other policies that encourage renter protections and additional supply, it can be part of a multi-pronged effort to improve the outlook for residents struggling to afford housing.



# RECOMMENDATIONS

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- The City should consider adopting a rent stabilization ordinance to help stabilize rents and prevent displacement for the City's vulnerable populations
- EPS has determined an optimal rent cap range providing a minimum and maximum for the City to choose within. Percentages within this range will provide a balance for both the renters and property owners with more positive and negative leanings for one or the other in either direction
- The City should consider adopting a rent stabilization ordinance capping annual rent increases to the lesser of:
  - **2.5% to 2.75% – OR**
  - **65% to 75% of the Consumer Price Index for All Urban Consumers (CPI-U) Series Title: All items in West urban, all urban consumers, not seasonally adjusted**

# RECOMMENDATIONS

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- The ordinance should include strong tenant protections including:
  - Just-cause eviction protections
    - Just-cause curable violation that allows reasonable accommodation
  - No-fault eviction protections including relocation assistance and payment (e.g. owner intent to occupy, withdrawal of property from the rental market, intent to demolish or substantially remodel)
- Consider merging the Rent Stabilization and the Rental Registry programs and adopting a per-unit fee. The amount will differ based on unit type:
  - Fully Covered Units (Rental Registry, Tenant Protections, Rent Stabilization)
  - Partially Covered Units (Rental Registry and Tenant Protections)





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