

**SUMMARY OF FPPC ADVICE LETTERS WITHIN THE PAST 10 YEARS
RELATED TO RENT STABILIZATION OR TENANT PROTECTION ORDINANCES**

Letter	Question Presented	Conclusion	Takeaway
1. Baker Letter (No. I-23-147) (Culver City)	Whether an official who owns 4 single family residences may participate in the City's Rent Control Ordinance or Tenant Protections Ordinance, but only uses 3 of them as rentals?	There is a real property conflict. "Public generally" exception applies because the laws apply to all residential rental properties, only 3 or fewer rental units (not all of the 4 single family residences were being used as rentals in this case), and the only rental interests affected by those ordinance is as a lessor.	If the official has more than 3 rental units, the official has a conflict of interest in rent control or tenant protection ordinances and does not qualify for the public generally exception.
2. Maurer Letter (No. A-23-182) (Albany)	Whether an official may participate in a housing element decision that will implement rental related restrictions (including rent stabilization and eviction limitations) if he has a duplex in a trust and he manages the duplex.	There is a real property conflict, "Public generally" exception applies since he only has two rental units.	There may be a conflict based upon ownership through a trust or other entity, or if the official manages the rental properties.
3. Richman Letter (A-23-110) (Delano)	May an official participate in a decision to hire a consultant to determine the costs of a city rent control program?	The official with a 4-unit rental property has a real property conflict of interest. The public generally exception does not apply. The official with 3 rental properties with his spouse. The public generally exception applies.	The FPPC will likely go straight to the rental property exception when considering the public generally exception.

**SUMMARY OF FPPC ADVICE LETTERS WITHIN THE PAST 10 YEARS
RELATED TO RENT STABILIZATION OR TENANT PROTECTION ORDINANCES**

Letter	Question Presented	Conclusion	Takeaway
4. <u>Googins Letter (No. A-22-017) (Chula Vista)</u>	Whether an official may participate in a rental protection ordinance as a co-owner of a business with 14 rental properties?	There is a real property, business entity, and source of income conflict based upon the real property and the income it generates. Public generally exception does not apply.	The more rental properties, the more likely there is a conflict, and the less likely the public generally exception will apply.
5. <u>Vanni Letter (No. I-19-084) (San Jose)</u>	Whether an official may participate in a rental protection ordinance as a lessee?	There is a leasehold conflict. Public generally exception applies.	If the only interest is that as a renter and the decision affects all renters the same, then the public generally exception applies.
6. <u>Webber Letter (A-19-010) (Long Beach)</u>	Whether an official may participate in a rental protection ordinance as: (1) a current or future consultant employed by a real estate association; and (2) as a spouse of an owner of a triplex?	There is a source of income conflict related to her work or future negotiations for work with the association. There is a real property conflict of interest. Public generally exception does not apply.	The public generally exception has to be tied to a specific conflict. It applied to the real property conflict but not the source of income conflict because the effect on the association is unique compared to any other employer or source of income since it impacts the association's business.
7. <u>Martirosian Letter (A-18-241) (Glendale)</u>	Whether an official may participate in rent stabilization ordinance if the official has a business that own rental properties?	There is a real property/business entity conflict of interest. Public generally exception does not apply.	The more units, the less likely the public generally exception will apply because the impact to the official is unique.

**SUMMARY OF FPPC ADVICE LETTERS WITHIN THE PAST 10 YEARS
RELATED TO RENT STABILIZATION OR TENANT PROTECTION ORDINANCES**

Letter	Question Presented	Conclusion	Takeaway
8. <u>Condotti Letter (A-17-288) (Santa Cruz)</u>	Whether an official may participate in a rent freeze and just cause eviction ordinance as: (1) owner of rental property; or (2) renter.	There is a real property conflict for both owners and lessees because the ordinance will affect the use, income producing quality, and rental payments related to the rental property. Public generally exception applies in limited circumstances.	Public generally would not apply to rent freeze, because that will only affect a certain subset where there is rent to freeze (renters or lessors). Public generally may apply to just cause evictions because it would apply to eviction procedures for everyone (renters or lessors).
9. <u>Pio Roda Letter (A-16-061) (San Leandro)</u>	If there is a conflict related to rental restrictions, may the official appear as a member of the public	Yes, they can after they disqualify themselves and follow the rule on appearing as a member of the public.	An official can use this exception to participate as a member of the public if the interest is real property or a business entity they own.