



SUMMARY

Any residential tenant of [the property] who is displaced due to actions taken to address the OMC violations identified in a Notice of Violation **may be eligible for relocation assistance** from the property owner pursuant to OMC 15.60 et seq.

Furthermore, failure to make payments required under OMC 15.60 et seq. may result in the City making payments on your behalf, and failure to reimburse the City for all payments made and other costs incurred may result in a lien being placed on your property. In addition, failure to provide relocation payments to eligible tenants could result in further enforcement actions by the City or by the tenants, including the assessment of treble damages and attorney's fees.

Consult OMC 15.60 et seq. regarding obligations you may have. In addition to OMC 15.60 et seq., please consider OMC 8.22.300, Oakland's Just Cause for Eviction Ordinance, for guidance on any potential evictions.

For more information please contact :
Connie Taylor of the Rent Adjustment Program at ctaylor@oaklandnet.com or 510-238-6246, or go to 250 Frank Ogawa Plaza, 6th Floor, Oakland, Ca.

Landlord Relocation Responsibilities

*City of Oakland |
Department of Planning
& Building*



City of Oakland

Building Services

**250 Frank Ogawa Plaza
Suite 2340
Oakland, CA 94612
www.oaklandnet.com**

Tel: 510 238 6402

Relocation

The Code Enforcement Relocation Ordinance, codified in Chapter 15.60 of the Oakland Municipal Code, requires a property owner to pay relocation benefits to a residential tenant who must move because of the City’s enforcement of housing and building codes. If the owner refuses to make the payment, the City **may** choose to make the payment to the displaced tenant and then place a lien on the property to recover these costs.

TENANT ELIGIBILITY

A tenant is eligible for relocation benefits if he/she is displaced from their housing unit due to the City’s code enforcement actions. A tenant becomes eligible after the City either: (a) issues a notice of order to vacate the unit; (b) issues a notice to abate life-threatening conditions in the unit; or (c) declares the unit substandard or a public nuisance, and after the owner fails to correct the conditions within the abatement period specified in the notice or order.

Notwithstanding the above, a tenant is not eligible if: (a) the tenant’s move was primarily due to a cause other than the condition of the unit or the need to make repairs; (b) the condition was caused by the tenant or their guests, or the tenant prevented the owner from making repairs; (c) the owner corrects the condition or the City’s notice is rescinded before the tenant begins to move; or (d) the condition is due to damage caused by a natural disaster and not due to the negligence of the owner. An owner is also not required to pay benefits if the owner offers to move the tenant into a comparable replacement unit in the same building for the same rent.

AMOUNT OF BENEFITS

If the displacement is permanent (i.e. the move is for 60 days or longer), an eligible tenant is entitled to a payment equal to twice the HUD Fair Market Rent figure for a unit of comparable size to the vacated unit, plus a set payment of \$200. The payment amount is set forth in the table below.

Unit Size	HUD Fair Market Rent	Relocation Payment
Single Room Occupancy (SRO)	\$ 709	\$ 1,618
0 Bedroom (Studio)	945	2,090
1 Bedroom	1,132	2,464
2 Bedroom	1,342	2,884
3 Bedroom	1,870	3,940
4 Bedroom	2,293	4,786
5 Bedroom	2,637	5,474

Please note that the amounts listed above are based on HUD Fair Market Rent figures as of the date of this notice. These figures are regularly adjusted by HUD.

Please contact the City for the latest published HUD Fair Market Rent numbers.

If the displacement is temporary (i.e. the move is for less than 60 days), an eligible tenant may recover their actual and reasonable moving expenses and the cost of temporary housing accommodations incurred as a result of the displacement.

TIMING OF PAYMENT

In the case of permanent displacement (i.e. the move is for 60 days or longer), the owner must make the payment directly to an eligible tenant at least 10 days before the

tenant’s expected move date. If the owner has not been informed of an expected move date, the tenant is responsible for making a demand for payment to the owner within 30 days of the. In this case, payment is due within 10 days of the demand. In the case of temporary displacement (i.e. the move is for less than 60 days), the owner must make payment within five days after the tenant has submitted reasonable documentation to the owner of their actual or anticipated moving and temporary housing expenses.

MOVE-BACK OPTION

In addition to these payments, a displaced tenant has the option of moving back into the unit or a comparable unit in the same building when the unit is ready for re-occupancy. The owner must notify a displaced tenant, by certified mail, at least 30 days in advance of the availability of the unit. The displaced tenant must keep the owner informed of their current address while they are displaced, and must notify the owner of their intention to move back within seven days of receiving notice of the unit’s availability.

NOTICE FROM OWNER

Any eviction or other notice from an owner to a tenant to vacate a unit after the City has taken code enforcement actions must include the following: (a) the reasons for the vacation, (b) the tenant’s entitlement to relocation benefits, and (c) the tenant’s move-back rights and the estimated date of re-occupancy.

