



# HAYWARD

# REGULATIONS

## *Tenant Relocation Assistance Ordinance*

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EFFECTIVE JANUARY 17, 2025

**City of Hayward | Rent Review Office**

**HAYWARD-CA.GOV/HOUSING | (510) 583-4454 | HOUSING@HAYWARD-CA.GOV**

Este formulario está disponible en español en nuestra oficina y en nuestro sitio web: [www.hayward-ca.gov/housing](http://www.hayward-ca.gov/housing)

可以在我們的辦公室和網站上以西班牙語獲取此表格：[www.hayward-ca.gov/housing](http://www.hayward-ca.gov/housing)

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## **CHAPTER 1: REGULATIONS OVERVIEW**

The following regulations provide guidance and standards for the implementation of the Tenant Relocation Assistance Ordinance, Ordinance No. 24-08 (TRAO), codified in Chapter 12, Article 2 of City of Hayward Municipal Code (HMC). These Regulations apply unless otherwise preempted by the TRAO.

Key components of these regulations include:

- The types of relocation assistance
- Noticing requirements for Landlords
- The process for making relocation payments
- The appeals process for rental assistance eligibility determinations
- The types of remedies available for non-compliance with the TRAO
- Criteria for determining if a Landlord failed to pay the relocation assistance owed to a Tenant
- City payments and cost recovery

Unless otherwise specified, the following capitalized terms used in these regulations shall have the same meanings ascribed to them in Ordinance No. 24-08:

- Fair Market Rent
- Health or Safety Conditions
- Landlord
- Relocation Payment
- Rent
- Rent Review Officer
- Rental Unit
- Security Deposit
- Temporary Relocation Payment
- Temporary Relocation Assistance
- Tenant

Landlords are encouraged to review HMC Section 12-2.02 for a full list of terms defined in the TRAO.

## **CHAPTER 2: PERMANENT RELOCATION ASSISTANCE**

### **201. Applicability**

Permanent relocation assistance payments are to be paid by Landlords to Tenants when there is a no-fault eviction. No-fault evictions are based on allowable reasons for ending a tenancy that are not caused by the Tenant. When tenancy is terminated for one of these, the Tenant is eligible for relocation assistance from the Landlord. No fault evictions include termination of tenancy based on the following reasons:

- The Landlord is demolishing a Rental Unit after obtaining permits, and will not replace the residential Rental Unit
- The owner or owner's family move into the Rental Unit
- The owner moves in based on terms of the lease
- Any other no-fault eviction that may be allowed under state or federal law

However, even if the termination of tenancy falls within one of the above-outlined reasons, in some instances permanent relocation assistance does not apply. Consistent with Civil Code section 1946.2(e), Tenants who live in the following types of units are not eligible for permanent relocation assistance:

- Hotels or motels not occupied by the same Tenant for 30 or more continuous days
- Nonprofit hospitals, religious facilities, extended care homes, or licensed residential care homes for the elderly
- Dormitories
- Housing where the Tenant shares a bathroom or kitchen with owner (unless more than two units are rented)
- Owner-occupied single-family homes where the owner rents no more than two units or bedrooms including accessory dwelling units on the property
- Duplexes where the owner lives in one unit
- Single unit properties with owners who are not real estate trusts, LLCs, or Corporations.
- New housing built within the last 15 years

Note that when the Landlord has issued a no-fault eviction but fails to provide relocation assistance, the termination notice is void.

For more information on the distribution of permanent relocation assistance, see Section 203 of Chapter 2 of this document.

For more information, see HMC Section 12-2.03.

## **202. Determination of Payment Amount**

In the case of a no-fault termination of tenancy, the Landlord is responsible for determining the amount of payment owed to the Tenant in compliance with the TRAO requirements. The Landlord may choose between two payment options:

1. Make a payment to the Tenant equal to one month's Rent, or
2. Waive payment of the last month's Rent.

For more information, see HMC Section 12-2.03.

## **203. Distribution of Payment**

The Landlord shall distribute the permanent relocation assistance payment within 14 calendar days of serving a notice to terminate tenancy.

For more information, see HMC Section 12-2.03.

## **204. Proof of Payment**

Within 7 calendar days of providing payment to Tenants, Landlords must submit proof of payment to the Rent Review Officer with the time, date, and amount of payment provided to the Tenant.

For more information, see HMC Section 12-2.03.

### **205. Tenant Failure to Vacate**

If a Tenant fails to vacate after the expiration of the notice to terminate the tenancy, the actual amount of any relocation assistance or Rent waiver provided in compliance with the TRAO shall be recoverable through the eviction process.

For more information, see HMC Section 12-2.03.

## **CHAPTER 3: TEMPORARY RELOCATION ASSISTANCE DUE TO SUBSTANTIAL REPAIRS**

### **301. Applicability**

This chapter describes how Landlords will determine the applicability of Temporary Relocation Assistance, compliance options, how to calculate the amount of relocation assistance and when the Landlord is required to make the Temporary Relocation Payments to the Tenant.

Landlords must pay Temporary Relocation Assistance to Tenants who must leave their unit for the Landlord to complete substantial repairs. Tenants who live in the following types of units are not eligible for Temporary Relocation Assistance:

- A mobile home or mobile space
- Hospital, extended care facility, convalescent home, nonprofit home for the aged, or dormitory where rooms are offered along with services like meals, cleaning services, or social programs
- Motels, hotels, inns, tourist houses, rooming houses, and boarding houses that are not occupied by the same Tenant for more than 30 days in a row

If the Tenant chooses to permanently relocate as the result the temporary displacement, the Landlord is not required to provide permanent relocation payment to the Tenant in addition to providing Temporary Relocation Assistance.

For more information, see Section HMC 12-2.04.

### **302. Temporary Relocation Assistance Compliance Options and Payment Amount**

For Temporary Relocation Assistance, the Tenant has the option to choose how they will receive the temporary relocation assistance. The Tenant can choose between the following payment options:

1. Receive a one-time Temporary Relocation Payment; or
2. If offered by the Landlord, move to a comparable unit, and the Landlord must pay for actual moving costs.

If the Tenant chooses to receive a one-time Temporary Relocation Payment, the Landlord must make a payment based on the number of days the Tenant is displaced from the unit and the size of the unit, calculated with the U.S. Department of Housing & Urban Development's Fair Market Rents (FMRs) for Alameda County<sup>1</sup>:

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<sup>1</sup> To see current Fair Market Rent levels for Alameda County visit:  
<https://www.huduser.gov/portal/datasets/fmr.html>

- For displacement lasting 30 calendar days or more, the payment shall be three times (3x) the current FMR
- For displacement lasting fewer than 30 calendar days, the payment shall be three times (3x) the current FMR, prorated based on the number of days the Tenant is displaced

The Landlord is required to complete and provide the Tenant with the “Notice of Entitlement to Temporary Relocation Assistance (Substantial Repairs)” (provided by the City or available on the City’s website) to disclose to the tenants their options for receiving relocation assistance, a summary of the repairs to be undertaken, an estimated duration of the relocation, and the tenant’s right to re-occupy the unit once the repairs are complete at their current rent plus and adjustments allowable pursuant to HMC Chapter 12, Article 1.

For more information, see HMC Section 12-2.04.

### **303. Timing of Payment**

If the Tenant chooses to receive a one-time Temporary Relocation Payment and agrees to vacate the unit, payment is due immediately after the Tenant agrees to vacate the unit. If the Tenant chooses to receive a one-time Temporary Relocation Payment and does not agree to vacate the unit, payment is due immediately after the Tenant vacates the unit.

For more information, see HMC Sections 12-2.04.

### **304. Proof of Payment**

Within 7 calendar days of providing the payment to Tenants, Landlords must submit proof of payment with the time, date, and amount of payment of made to the Rent Review Officer.

For more information, see HMC Section 12-2.04.

## **CHAPTER 4: RELOCATION ASSISTANCE DUE TO ORDER TO VACATE**

### **401. Applicability**

This chapter describes the requirements for Relocation Assistance following the issuance of a government order to vacate. When an order to vacate has been issued, the Rent Review Officer will review the case and issue a Determination Letter regarding relocation assistance. The Determination Letter will include, information about the landlord’s responsibilities, relevant forms for Landlords to use to notify the Tenants of their rights, and forms to appeal the decision of the Rent Review Officer.

Tenants who live in the following types of units are not eligible for Relocation Assistance (Order to Vacate)<sup>2</sup>:

- A mobile home or mobile space
- Hospital, extended care facility, convalescent home, nonprofit home for the aged, or dormitory where rooms are offered along with services like meals, cleaning services, or social programs
- Motels, hotels, inns, tourist houses, rooming houses, and boarding houses that are not occupied by the same Tenant for more than 30 days in a row

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<sup>2</sup> Unpermitted residential units are still subject to relocation assistance requirements.

Relocation Assistance does not apply when:

- The damage was caused by natural disaster, for example: fire, flood, or earthquake.
- The Tenant or their guest caused or substantially contributed to the damage that needs to be repaired.

The City will consider these factors in determining if relocation assistance applies in cases of a government order to vacate. If the Tenant or Landlord disagrees with the City's determination, they may appeal to the Rent Review Office. See Chapter 5 of this document.

If the Tenant finds alternative, permanent housing, the Landlord is not required to provide a permanent Relocation Payment to the Tenant in addition to the relocation assistance required by the City's determination.

For more information, see Section HMC 12-2.05.

#### **402. Relocation Assistance Compliance Options and Payment Amount**

For relocation assistance required as a result of a governmental agency's order to vacate, the landlord must provide relocation assistance in compliance with the TRA0 (HMC Sec. 12-2.01 et seq.) and Article 2.5 of the California Health and Safety Code (HSC) (Sec. 17975-17975.10). The amount of payment is cumulative.

Pursuant to the TRA0, the Tenant has the option to choose how they will receive relocation assistance. The Tenant can choose between the following payment options:

1. Receive a one-time Relocation Payment; or
2. If offered by the landlord, move to a comparable unit, and the landlord must pay for actual moving costs.<sup>3</sup>

If the Tenant chooses to receive a one-time Relocation Payment, the Landlord must make a payment based on the number of days the Tenant is displaced from the unit and the unit's size, calculated with the U.S. Department of Housing & Urban Development's Fair Market Rents (FMRs) for Alameda County<sup>4</sup>:

- For displacement lasting 30 calendar days or more, the payment shall be three times (3x) the current FMR
- For displacement lasting fewer than 30 calendar days, the payment shall be three times (3x) the current FMR, prorated based on the number of days the Tenant is displaced

Pursuant to Article 2.5 of the California Health and Safety Code (HSC) (Sect. 17975-17975.10), the Landlord must make a payment to the Tenant that includes:

1. An amount equal to two times the established Fair Market Rent (FMR) as determined by the Department of Housing and Urban Development (HUD);

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<sup>3</sup> If a Tenant accepts the offer of a comparable unit in lieu of a Temporary Relocation Payment, the Landlord is still responsible for providing the Tenant with State Relocation Assistance.

<sup>4</sup> To see current Fair Market Rent levels for Alameda County visit:  
<https://www.huduser.gov/portal/datasets/fmr.html>

2. A utility deposit in the amount of \$875; and
3. Any Security Deposit held by the Landlord, as required by law.

The landlord is responsible for payment of relocation assistance pursuant to Article 2.5 of the California Health and Safety Code (HSC) (Sect. 17975-17975.10) even if they provide a comparable unit.

The Landlord is required to complete and provide the Tenant with the “Notice of Entitlement to Relocation Assistance (Order to Vacate)” (provided by the City) to disclose to the Tenants their options for receiving relocation assistance, a summary of the repairs to be undertaken, an estimated duration of the relocation, and the Tenant’s right to re-occupy the unit once the repairs are complete at their current rent plus and adjustments allowable pursuant to HMC Chapter 12, Article 1.

For more information, see HMC Sections 12-2.04 and 12-2.05.

#### **403. Distribution of Payment**

Relocation Payments must be made either 1) 10 days after the order to vacate is mailed to the owner and posted at the property or 2) at least 20 days before the date the Tenant is required to vacate, whichever of the two is later. For example, if a notice to vacate is posted on June 1 with a vacate date of June 21, the latter option would be option 1, ten days after posting (i.e., June 11), instead of 20 days before the order to vacate (i.e., June 2).

#### **404. Proof of Payment**

Within 7 calendar days of providing the payment to Tenants, Landlords must submit proof of payment with the time, date, and amount of payment of made to the Rent Review Officer.

For more information, see HMC Section 12-2.04 and 12-2.05.

### **CHAPTER 5: APPEAL PROCESS**

This chapter describes what types of decisions can be appealed and what the process is for making those appeals. This chapter only applies to relocation assistance cases initiated by a governmental agency’s order to vacate. Under certain circumstances, a Landlord and/or a Tenant can file an appeal to the Rent Review Officer regarding Tenant relocation assistance. The following disputed reasons may be appealed:

- Whether the Landlord caused or contributed to the conditions giving rise to the governmental agency’s order to vacate due to a natural disaster
- Whether the Tenant, or guest, caused or contributed to the conditions leading to an order to vacate
- Whether the Tenant has good cause to vacate a comparable unit

Appeal forms are available on the City website and by contacting the Rent Review Officer. Appeals must be filed within 14 calendar days of receiving the decision. Following the filing of an appeal, the Rent Review Officer will provide all relevant documentation on the determination to a Hearing Officer, who may ask for additional documentation. Parties should file any documentation that will support their claim. The Hearing Officer will set a date for an appeal hearing not more than 30 calendar days from when the request for a hearing is filed. All parties will have the opportunity to testify and present witnesses on their behalf. After reviewing testimony and evidence, and within 30 calendar days of the conclusion of the hearing, unless otherwise agreed to by the parties, the Hearing Officer shall issue a final written decision.



The City will mail the decision to the parties within a reasonable timeframe. If the decision requires translation, the City will mail the translated decision to the parties no later than 14 calendar days after mailing out the original decision.

For more information, see HMC Section 12-2.06.

## **CHAPTER 6: FAILURE TO COMPLY AND RECOVERY OF COSTS**

This chapter describes the two types of remedies available under the TRAO: 1) civil remedies available to either the Tenant or Landlord in court and 2) City paid relocation assistance available under certain circumstances when Landlords fail to provide the assistance due to a governmental agency's order to vacate. This chapter also establishes what constitutes a Landlord's failure to comply with the TRAO and Landlord remedies for a Tenant's failure to vacate after receipt of rental assistance.

### **601. Civil Remedies**

Civil remedies refer to action that a Tenant or Landlord may take against the other party through the court system when they believe the other party has violated the TRAO. As described in Section 12-2.09, any person who believes the TRAO has been violated can file an action for injunctive relief and/or damages.

If a Tenant fails to vacate after the expiration of the notice to terminate the tenancy, the actual amount of any relocation assistance or rent waiver provided in compliance with the TRAO shall be recoverable through the eviction process.

For more information, see HMC Section 12-2.09.

### **602. City-Paid Relocation Assistance**

As authorized in the TRAO and approved by City Council, the Rent Review Officer may make relocation assistance payments to Tenants in the following circumstances:

1. Code Enforcement issues an order to vacate and the Landlord fails to pay; or
2. There is a natural disaster and the Tenant must relocate due to Health or Safety Conditions (see Chapter 6 for more information)

When a Landlord fails to make required relocation assistance payment(s) resulting from a governmental agency's order to vacate, the Rent Review Officer may provide the relocation payments, subject to funding availability, in the Landlord's place as described in Section 603 of this Chapter. In these instances, the Rent Review Officer shall initiate process to provide relocation assistance on behalf of the Landlord as described in Section 604 of this Chapter. Any relocation assistance provided to the Tenant on behalf of the Landlord plus the City's cost including costs to investigate, enforce, administrative fees and reasonable attorney's fees shall be recovered through a lien or special assessment as described in Sections 605 and 606 of this Chapter.

For more information, see HMC Section 12-2.10.

### **603. Failure to Pay Relocation Assistance Due to Government Order to Vacate**

The City may initiate the process to provide relocation assistance to the Tenant based on failure to pay under the following circumstances:

1. Landlord tells the City that they are unable to make the required relocation assistance payment

2. Landlord fails to issue a notice of termination of tenancy with required notice of relocation assistance payments
3. Landlord initiates a termination or temporary termination of tenancy because of a governmental agency's order to vacate but does not provide the Tenant with a notice of entitlement to payment
4. Landlord does not provide relocation assistance payments within the timeframes required under HMC Section 12-2.04
5. City receives documentation that the Landlord does not intend to pay the relocation assistance
6. Tenant submits a sworn statement under penalty of perjury to the City that the Landlord has not provided full payment after City issues determination that relocation assistance is owed. Landlord has not submitted proof of payment as required under Section 404 of Chapter 4
7. Landlord does not pay relocation assistance consistent with decision issued by Hearing Officer

Failure to pay relocation assistance due to a governmental agency's order to vacate will result in a \$1,000 penalty.

For more information, see HMC Sections 12-2.10.

#### **604. Requests for Payment**

When a Landlord fails or refuses to pay as per Section 603 of this chapter and the Rent Review Officer determines that relocation assistance is required per the criteria in Section 602 of this chapter, the Rent Review Officer will take the following steps to ensure that the Landlord has been notified about their obligation to pay relocation assistance and to ensure the Tenant is provided with the required financial assistance to assist them find alternative housing:

1. Within 7 calendar days following determination that Landlord has failed to pay required relocation assistance as described in Section 603 of this chapter, the City may mail an initial failure to pay notice to give the Landlord a final opportunity to pay the required relocation assistance to the Tenant. The notice will include:
  - a. Reason(s) for determining failure to pay based on the circumstances listed in Section 603 of this chapter.
  - b. Required forms for notifying the Tenant of the assistance and determining the amount of assistance owed by the Landlord to the Tenant
  - c. Ways and time frame to cure failure to pay
  - d. Explanation of the City's right to make the relocation assistance payment on the Landlord's behalf and recover the City's cost through lien or special assessment on the property
  - e. A warning that a \$1,000 penalty fee will be imposed if the Landlord does not provide payment to the Tenant
2. If the Landlord has not cured the failure to pay within 7 calendar days of the City mailing the initial failure to pay notice, the City will disburse payment to the Tenant and initiate cost recovery processes.
3. After the Tenant endorses and deposits the check with their financial institution, the City will mail a final request to the Landlord ordering reimbursement of the City's funds prior to initiating the process to record a lien or special assessment (as required by HMC Section 12-2.10). The final request will include:
  - a. Ways to repay the City.

- b. A \$1,000 penalty fee incurred for failure to pay the Tenant and administrative costs associated with providing payment to the Tenant
- c. A warning notice that if the unpaid relocation payments are not paid within 30 calendar days, the amount of the payment owed plus the City's costs will be placed on the Landlord's real property tax rolls.
- d. Information about any additional administrative charges that will become due if a lien is recorded against the Landlord's property.
- e. Notice that the Landlord's property will be assessed on the next property tax statement if the relocation payment(s) remains unpaid.
- f. Information about the Landlord's right to request an administrative hearing.
- g. Description of collection process should the Landlord not make the required payments, including the role of the administrative hearing described in Section 605 and recordation of lien or special assessment described in Section 606 of this chapter.
- h. Contact information of the Rent Review Officer.

If the Landlord does not respond to request for payment within 30 calendar days, the City will initiate collection cost recovery process described in Sections 605 and 606 of this chapter.

For more information, see HMC Section 12-2.10.

#### **605. Lien/Special Assessment Administrative Hearing**

If the Landlord does not pay the relocation assistance payments within 30 calendar days after the Rent Review Officer mails the final request for payment, the Rent Review Officer will send a notice of opportunity for an administrative hearing:

- a. The name(s) of the Landlord
- b. The property address
- c. The amount owed

The notice of opportunity will be mailed to all parties listed on the most recent property assessment rolls from the County Assessor. It will be mailed following the final request for payment if the Landlord has not reimbursed the City. The Landlord will have 14 calendar days upon the date the notice is issued to submit a request for a Lien/Special Assessment Hearing. The Landlord will bear the cost for the hearing pursuant to the City's Master Fee Schedule. The scope of the hearing shall be limited to compliance with the requirements of HMC Section 12-2.10.

A Hearing Officer will conduct the administrative hearing to determine if an assessment or lien should be imposed upon the property of a Landlord who has not paid outstanding relocation assistance payments. The Rent Review Officer and the Landlord will supply the Hearing Officer with all relevant documentation to inform their decision. The Landlord is responsible for providing any documentation that supports their case.

If the Hearing Officer determines that the City has met the requirements to place an assessment on the property, the Hearing Officer will set a final deadline for payment of all unpaid fees and assistance. If the Landlord fails to pay the relocation assistance within the timeframe established by the Hearing Officer, the Rent Review Officer will keep an account of the cost of relocation assistance and any other costs incurred by the City.

For more information, see HMC Section 12-2.10.

#### **606. Assessment or Lien**

An annual report will be provided to the Hayward City Council which will include a list of unpaid relocation assistance with any associated costs and penalties. Hayward City Council will review and confirm the report and lien/special assessment list by way of resolution.

The City Clerk will post a copy of the report and lien/special assessment list on the bulletin board designated for the posting of agendas for City Council meetings. It will include a notice of filing and the time and place of when and where the report will be submitted to the City Council for confirmation by way of resolution. Notice will also be published once in a newspaper of general circulation that is published and circulated within the City. The posting and first publication of the notice will be completed at least 10 calendar days before the report is considered by the Council.

Once City Council confirms the annual report and lien/special assessment list, the Director of Finance will be given a copy of the list and will receive payments and issue receipts at any time after Council confirms the report and until the list is sent annually to the County Auditor for effecting collection on the tax roll as part of the municipal tax process. All laws and ordinances applicable to the levy, collection, and enforcement of City taxes will apply to the liens or special assessments, and the lien/special assessment will have priority of the taxes it is collected with.

The right to Judicial Review shall be governed pursuant to HMC Section 1-7.13.

For more information, see HMC Sections 5-7.70 through 5-7.130.

#### **607. Additional remedies**

Any person who violates the TRA0 may be required to reimburse the City for its investigative and enforcement costs, and reasonable attorneys' fees, as well as other potential remedies outlined in the HMC (see 1-3, 1-7, and 12-1).

For more information, see HMC Section 12-2.09.

### **CHAPTER 7: NATURAL DISASTERS AND PUBLIC SAFETY EMERGENCIES**

The City has limited funds to provide one-time relocation assistance to households displaced because of a natural disaster or public safety emergency as determined by the Chief of Police, City's Fire Department, Code Enforcement Division, or Building Official. Natural disasters include fire, flood, earthquake, or other event beyond the control of a Landlord that lead to a City of Hayward order to vacate (12-2.05(b)(1)). For public safety emergencies, Tenants must have a direct referral from the Police Chief or their designee.

One-time relocation assistance payments are available for households that meet the following criteria:

- Household income is 80% of the area median income (AMI) or lower<sup>5</sup>
- Household does not have insurance coverage that provides for payment and/or replacement housing in the event of housing loss

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<sup>5</sup> To see current income limits for Alameda County visit:  
<https://www.huduser.gov/portal/datasets/il.html>

- The property owner has not provided replacement housing

Applications will be prioritized based on income level, using the following household income categories:

- Extremely low-income (below 30% of AMI)
- Very low income (50-31% of AMI)
- Low income (80-51% of AMI)

Assistance payments will be based on the estimated length of time that the Tenants will be displaced from their rental unit:

- For displacement lasting 30 calendar days or more, the payment shall be four times (4x) the current FMR
- For displacement lasting fewer than 30 calendar days, the payment shall be four times (4x) the current FMR, prorated based on the number of days the Tenant is displaced<sup>6</sup>

The City recognizes that property owners, the Red Cross, and other non-profit entities may also provide emergency relocation assistance to provide immediate support with lodging expenses following a natural disaster. Any payments made by these entities of \$2,000 or less will not be deducted from the City's assistance payment. When these entities make payments of more than \$2,000, any amount greater than \$2,000 will be deducted from the City's assistance payment.<sup>7</sup> Tenants must list any forms of additional assistance provided on their application form. The City reserves the right to confirm the length of displacement or provision of relocation assistance with the property owner.

Eligible households must complete the application form that they can request from the Rent Review Office and submit it to the Rent Review Officer along with documentation of income eligibility. The household must apply for assistance within 60 calendar days after the disaster and there must be a City of Hayward Code Enforcement inspection resulting in a Notice of Violation with an order to vacate or a determination from the Fire Department or Building Official that the home is uninhabitable.

## **CHAPTER 8: NOTICING REQUIREMENTS**

### **801. Notice of the Ordinance and Regulations**

To comply with noticing requires, Landlords must provide written notice to their Tenants that the unit is subject to the TRAO along with a copy of the TRAO or summary prepared by the Rent Review Office.

The Landlord must obtain a signed acknowledgement of receipt from the Tenant(s). A form ("Notice to Tenants about the Tenant Relocation Assistance Ordinance") is available on the City's website.

If the Tenant does not acknowledge receipt within 14 calendar days, the Landlord must prepare a declaration under penalty of perjury stating that the information, documents, and notices required by the

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<sup>6</sup> To see current Fair Market Rent levels for Alameda County visit:  
<https://www.huduser.gov/portal/datasets/fmr.html>

<sup>7</sup> For example, a two-bedroom household being displaced for over 30 days is eligible for \$10,728 in assistance from the City (i.e., four times the FMR of \$2,682). If the property owner provides a household \$2,500 to relocate, the City will provide \$10,228 in assistance (\$10,728 minus \$500).

TRAO were delivered to the Tenant, including the date they were provided. The Landlord should retain the declaration in the event notification of the TRAO is disputed.

For more information, see HMC Section 12-2.12.

## 802. Notice of Relocation Assistance

Any time the Landlord terminates a tenancy for a no-fault eviction (HMC Section 12-2.03) or to temporarily relocate Tenants (HMC Section 12-2.04), they must provide a notice to the Tenant(s) that the Tenants are entitled to relocation assistance. The Landlord must also provide a copy of the notice to the Rent Review Officer. Submitting the notice to the City functions as proof to the City that the Landlord intends to pay. For relocation assistance cases regarding a governmental agency's order to vacate, if the Landlord does not submit the notice to both the City and Tenant, the City will notify the property owner of the presumed failure to pay and will proceed with the steps for recovery of payment listed in Chapter 6 of this document.

Table 1 below summarizes the forms and timelines required for a Landlord to provide notice of relocation assistance payments to a Tenant.

**Table 1. Notice of Relocation Assistance Payment Forms**

	<b>Permanent Displacement (Section 12-2.03)</b>	<b>Temporary Displacement (Section 12-12.04)</b>	<b>Displacement due to Government Order to Vacate (Section 12-2.05)<sup>8</sup></b>
<b>Form Title</b>	Notice to Tenants about Right to Permanent Relocation Assistance	Notice of Entitlement to Temporary Relocation Assistance	Notice of Entitlement to Relocation Assistance
<b>Form Availability</b>	City website or contact Rent Review Officer	City website or contact Rent Review Officer	Provided by Rent Review Officer after Notice to Vacate has been issued
<b>Deadline to notify Tenant</b>	Issue at the same time as the notice to terminate tenancy	Issue at the same time as the notice to temporarily terminate tenancy	Issue immediately after receiving the Determination Letter from the Rent Review Office
<b>Deadline to file with the Rent Review Officer</b>	Within 30 days of giving to the Tenant, with proof of payment that includes time, date, and amount of payment	Within 30 days of giving to the Tenant, with proof of service that includes time and date of service	Within 30 days of giving to the Tenant, with proof of service that includes time and date of service

## CHAPTER 9: CONTACTING THE RENT REVIEW OFFICE

For general questions, Landlords and Tenants can contact the Rent Review Officer in the following ways:

<sup>8</sup> Article 2.5 Tenant Relocation Assistance (Sections 17975-17975.10) of the California Health and Safety Code also applies in cases of displacement due to a government order to vacate.

- Phone: (510) 583-4454 (English); (510) 583-4246 (Spanish)
- Email: relocation@hayward-ca.gov
- Mail: 777 B Street, Hayward, CA 94541

Landlords may provide copies of notices or proof of service of payments electronically or by mail to their assigned staff member from the Housing Division.

## **CHAPTER 10: PROMULGATION OF THE REGULATIONS**

The Tenant Relocation Assistance Regulations are effective on January, 17 2025. Landlords must provide notice of these regulations when providing notice of eligibility for relocation assistance to eligible Tenants.