

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: December 11, 2024 10:55 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING "THE HOUSING PROTECTION ORDINANCE," BY AMENDING CHAPTER 58 OF THE MIAMI BEACH CITY CODE, ENTITLED "HOUSING," BY AMENDING ARTICLE IV, ENTITLED "RENTAL HOUSING," BY AMENDING DIVISION 3, ENTITLED "TERMINATION OF TENANCY," BY AMENDING SECTION 58-386, ENTITLED "WRITTEN NOTICE OR TERMINATION OF TENANCY," TO REQUIRE RESIDENTIAL LANDLORDS TO PROVIDE AT LEAST 90 DAYS WRITTEN NOTICE TO THE CITY OF PROPOSED INCREASES IN TENANTS' MONTHLY RENT PAYMENT OF TEN PERCENT OR MORE FOR SPECIFIED RECIPIENTS OF CITY SERVICES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

This proposed ordinance is presented on first reading by the sponsor, Vice Mayor Alex J. Fernandez, for the consideration of the Mayor and City Commission.

Many tenants residing in the City may be unable to afford the rental price, and the corresponding cost(s) of a residential property in the City. Due to a number of factors (including the recent market conditions), it has become increasingly difficult for potential renters to find suitable housing at an affordable price.

Since 2020, the City of Miami Beach Office of Housing and Community Services has processed and approved 822 applications for housing assistance across various programs, which includes rent, utility, and mortgage assistance, allocating a total of \$2,772,877.00.

Moreover, the Housing Authority of the City of Miami Beach (HACMB) administers the federal government's Housing Choice Voucher (HCV) program, assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Across the three Miami Beach zip codes (33139, 33140, 33141) the Housing Authority currently has 748 vouchers for Section 8 housing; and over half of these available vouchers are utilized by senior citizens aged 65 to 85+, underscoring the critical need for continued housing assistance for this and other vulnerable demographics. Additionally, over 500 vouchers are administered by the HACMB through eight (8) Housing and Urban Development programs, which include the Emergency Housing Vouchers, Mainstream Vouchers, HCV – Northside Commons, Moving Up Program, Stability Vouchers, Harding Village – PBV, Meridian Place – PBV, and the Veterans

Affairs Supportive Housing program.

Many media outlets have reported the problems that have befallen residents subjected to huge rent increases.

For example, the Miami Herald recently reported that large rent increases have created unsustainable burdens on some residents by encumbering large portions of residents' wages (<https://www.miamiherald.com/news/local/community/miami-dade/article293359674.html>); Moneywise recently reported that senior citizens were left scrambling for cash after their affordable housing community in Miami threatened a rent hike just months after its grand opening (<https://moneywise.com/news/seniors-left-scrambling-for-cash-after-affordable-housing-community-in-miami-threatens-rent-hike>); and the New York Times recently reported that Miami-Dade County is the second-toughest spot for renters in the United States based on five metrics: occupancy and lease renewal rates, average days vacant, prospective renters per vacant unit, and the share of newly constructed units (<https://www.nytimes.com/2024/10/03/realestate/apartment-rent-renewal-rates.html>).

Many tenants who were previously able to find and secure a residential property, in which to reside within the City, have been unable to absorb an imposed large rental increase, leading to the increased risk of the tenant(s) becoming homeless in the City.

If adopted, the proposed ordinance will require ninety (90) day advance notice to the City of large residential rental increases for specified recipients of City services in order to allow the City to potentially offer services to prevent these residents from becoming homeless in the City. It would be enforced by code compliance fines ranging normally from \$1,000.00 to \$5,000.00 per day for each violation.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on: 11/27/2024
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Is this item related to a G.O. Bond Project?

No

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

10:55 a.m. 2nd Rdg, Notice to City of Large Rent Increases for Specified Recipients of City Services. (AF) CA