RENT BOARD

March 13, 2024
6:00 PM

ZOOM INFORMATION:

a. Please click the link below to join the webinar:
https://portlandmaine-gov.zoom.us/j/82440227907?pwd=MDBBb0p5cDgzd0R3emlhT1l6QjdDQT09
Passcode: 701254
Or One tap mobile :
+13126266799,,82440227907#,,,,*701254# US (Chicago)
+16469313860,,82440227907#,,,,*701254# US
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
+1 312 626 6799 US (Chicago)
+1 646 931 3860 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 689 278 1000 US
+1 719 359 4580 US
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US
Webinar ID: 824 4022 7907
Passcode: 701254
International numbers available: https://portlandmaine-gov.zoom.us/u/keBjlVAEqp

II. ROLL CALL:

III. COMMUNICATIONS:

Please note: Written public comment must be received via email (rentboard@portlandmaine.gov) by 12pm the day before the scheduled meeting. The subject line needs to read "Written Public Comment"

IV. New Business

a. Rent Board Workshop

b. Licensing & Housing Safety Procedures

V. Adjourn

Portland Maine Rental Registration and Rent Control Procedures

Permitting and Inspections Department

Licensing and Housing Safety Office, Portland Maine

March 13, 2024

Portland, Maine Rent Control History

Rent Control referendum passed November 2020 (Chapter 6, Article XII. Rent Control and Tenant Protections)

- Established Rent Board
- Limited covered units to specific rental increases, and capped increases at 10%
- Required rental information be provided for each unit during registration
- Required 75-day notice for rental increases
- Requires reimbursement of tenant for termination of tenancy notices of less than 90 days

Amendments to Rent Control referendum passed November 2022

- Amended allowable rental increases
  - Allowable Increase Percentage now 70% of CPI
  - Removed Tax Rate Rent Adjustment
  - Maintenance of Net Operating Income - Fair Rate of Return
- Requires 90-day notice of rental increases
- Other requirements still in effect with minor changes

Portland, Maine Rent Control

The ordinance applies to all rental units in Portland, including short-term rentals. The following types of units are exempt from the limits placed on rent increases:

- Units in an owner-occupied building containing either 2, 3, or 4 dwelling units;
- Units where rent is publicly controlled or subsidized (such as Section 8, GA, etc.);
- Accessory dwelling units;
- Units owned, operated, or managed by municipal housing authorities (such as Portland Housing Authority);
- Accommodations in a hospital, convent, church, religious facility, or extended care facility;
- Dormitories owned and operated by an institution of higher education or by Portland Public Schools

Allowable Increases

A landlord may only increase rent once every 12 months by an amount that conforms to the following:

- Allowable Increase Percentage (AIP):
  - The AIP is established and published by the City of Portland's Licensing and Housing Safety Office every September 1st to be used for the following calendar year.
  - Equal to 70 percent of the change in the Consumer Price Index (CPI-U) for Greater Boston Metro Area
    - 2022: 4.3%, 2023: 7.0%, 2024: 2.0%
    - No AIP prior to 2022
- New Tenancy: A landlord may increase the rent by 5% of their Base Rent when a new tenant occupies a unit, but only if the previous tenancy was terminated voluntarily.
- Banked Rent: A landlord may use Banked Rent to increase rent.
- Additional Rent Board Approved Increases: A landlord may seek approval from the Rent Board by submitting an application to increase rent "to amount necessary to ensure a fair rate of return".

Landlords may total increases together, but may **NOT** raise rent of a Covered Unit by more than **10%.**

Base Rent

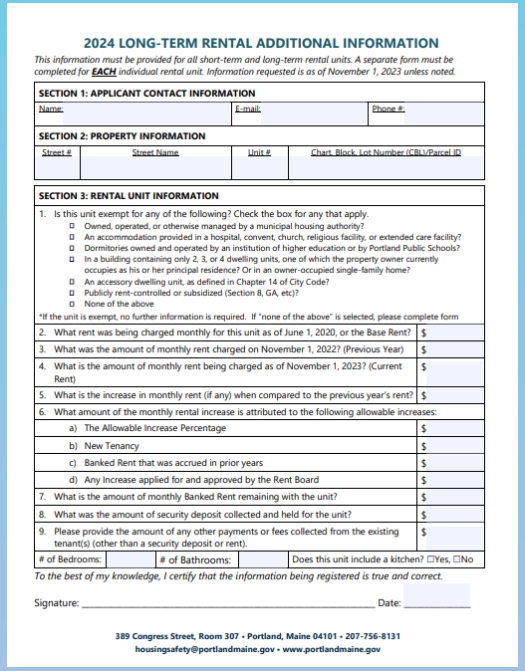
- The Base Rent is the amount of rent charged for the unit in of June 2020.
- If the unit was vacant on that date, was not a rental, or did not exist, the Base Rent is the amount of rent charged 120 days prior to the change in status, or if no Rent was charged at such time, the amount charged by the Landlord any time thereafter.
- Base Rent does not reset upon transfer of ownership.
- If the unit is removed from the rental market for at least 60 months, the Base Rent may be reset upon reentry.
- Landlords may apply to the Rent Board to establish a new Base Rent following major renovations.

Annual Rental Registration Process

Every residential rental unit must be registered with the City of Portland every year by December 31st. Chapter 6 requires units to submit additional information for rent control.

Below is the information requested each year. It is reported "as of November 1st."

- Base Rent (Most Base Rents should not change)
- Previous Rent (on November 1st of the prior year)
- Current Rent (as of most recent November 1st)
- Increase in rent amount (if any)
- What those increases attributable to (as defined in Section 6-232)
- Amount of Banked Rent remaining with the unit
- Number of bedrooms/bathrooms,
- Security Deposit amount and other fees charged.



2024 LONG-TERM RENTAL ADDITIONAL INFORMATION

*This information must be provided for all short-term and long-term rental units. A separate form must be completed for **EACH** individual rental unit. Information requested is as of November 1, 2023 unless noted.*

SECTION 1: APPLICANT CONTACT INFORMATION

Name: | E-mail: | Phone #:

SECTION 2: PROPERTY INFORMATION

Street # | Street Name | Unit # | Chart, Block, Lot Number (CBL)/Parcel ID

SECTION 3: RENTAL UNIT INFORMATION

1. Is this unit exempt for any of the following? Check the box for any that apply.
   - ☐ Owned, operated, or otherwise managed by a municipal housing authority?
   - ☐ An accommodation provided in a hospital, convent, church, religious facility, or extended care facility?
   - ☐ Dormitories owned and operated by an institution of higher education or by Portland Public Schools?
   - ☐ In a building containing only 2, 3, or 4 dwelling units, one of which the property owner currently occupies as his or her principal residence? Or in an owner-occupied single-family home?
   - ☐ An accessory dwelling unit, as defined in Chapter 14 of City Code?
   - ☐ Publicly rent-controlled or subsidized (Section 8, GA, etc)?
   - ☐ None of the above

*If the unit is exempt, no further information is required. If "none of the above" is selected, please complete form

2. What rent was being charged monthly for this unit as of June 1, 2020, or the Base Rent?	$
3. What was the amount of monthly rent charged on November 1, 2022? (Previous Year)	$
4. What is the amount of monthly rent being charged as of November 1, 2023? (Current Rent)	$
5. What is the increase in monthly rent (if any) when compared to the previous year's rent?	$
6. What amount of the monthly rental increase is attributed to the following allowable increases:	
a) The Allowable Increase Percentage	$
b) New Tenancy	$
c) Banked Rent that was accrued in prior years	$
d) Any Increase applied for and approved by the Rent Board	$
7. What is the amount of monthly Banked Rent remaining with the unit?	$
8. What was the amount of security deposit collected and held for the unit?	$
9. Please provide the amount of any other payments or fees collected from the existing tenant(s) (other than a security deposit or rent).	$

# of Bedrooms: | # of Bathrooms: | Does this unit include a kitchen? ☐Yes, ☐No

To the best of my knowledge, I certify that the information being registered is true and correct.

Signature: _____ Date: _____

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-756-8131
housingsafety@portlandmaine.gov • www.portlandmaine.gov

Rental units are not considered registered until the information above and registration fees have been submitted.

Rent Control Enforcement

Rent Control complaints are handled on a case by case basis. The Licensing and Housing Safety Office's goal is compliance. If the office determines that a tenant has been overcharged, the landlord would be required to:

1) Reimburse the tenant any amount that was overcharged (or credit future rent),
2) Issue a new 90 Day Rent Increase Notice with correct amounts, and
3) Update/amend the registration with the City

Tenants may appeal the Licensing and Housing Safety Office's decision to the Rent Board or file a civil suit in district court.

The Licensing & Housing Safety Office has implemented proactive Rent Control auditing.

1) The Rental Registration Inspector compiles the annual registration data and identifies potential violations.
2) Both the Landlord and tenant(s) are contacted to verify the rental information submitted.
3) If the violation is found to be true, the Landlord is would be required to reimburse the tenant, issue a corrected 90 day Rent Increase Notice, and provide verification of reimbursement to update the registration with the City.

Rent Board Meeting Agendas & Deadlines

- Regular Rent Board meetings take place on the fourth Wednesday of each month. They are currently held remotely via Zoom.
- New applications submitted to the Rent Board must be received three weeks prior to the meeting date in order to be placed on the agenda. Applications that were previously tabled must have their additional requested documents submitted two weeks prior to the meeting. During the respective weeks, applications will be added to the shared Google Drive for Board members to review.
- Tenants/affected parties are notified of a public meeting at least one week prior to the meeting date.
- Meeting agendas are published by noon on the Friday prior to the meeting. Any documents (minus public comments) submitted after this time cannot be added to the agenda.
- Any public comment must be received by noon the day before the meeting.