

Fw: Item 8.2 Eviction Moratorium

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:07 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Elizabeth Gonzalez [REDACTED]**Sent:** Tuesday, September 28, 2021 10:00 AM**To:** The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>**Cc:** Andrew Bigelow [REDACTED]**Subject:** Item 8.2 Eviction Moratorium
[REDACTED]

[External Email]

Sept 28, 2021

Mayor and City Councilmembers,

We're writing on behalf of Silicon Valley De-Bug in support of the memo by Councilmembers Peralez and Arenas directing staff to develop a workplan establishing a Tenant Right to Counsel. As an organization that has also supported tenants through the pandemic and observed eviction court, we've seen the great imbalance of power that exists between tenant and landlord in the courtroom. We have seen tenants left to defend themselves in an eviction case get railroaded by the court and landlord attorneys. Tenants did not know how the process works, nor what their options were while being isolated in the hallways of the court, forced to make a decision by the landlord's attorney where they gave up their rights and didn't even go before the judge.

While supporting tenants through the pandemic, we have come to see that all other relief efforts for tenants fall short except for Right to Counsel. Right to Counsel for tenants is the solution that will level the playing field in the eviction process that favors landlords who overwhelmingly have legal representation. Having a defense attorney represent tenants would immediately shift the dynamics of eviction court and have all the positive effects on our city and county that come with the most vulnerable being able to stay housed.

We would like to echo our support for the letter put forth by the Law Foundation on this memo as well. The letter clearly articulates the need for Right to Counsel and the positive outcomes that can come from the program such as reducing displacement and saving the city and county money. We would also like to emphasize the urgency of the current pending eviction wave and ask the City Council to move quickly with the workplan and in collaboration with the County of Santa Clara so that tenants are represented in court when the eviction wave comes.

As the City of San Jose moves forward with creating a work plan to develop Right to Counsel, we ask for the City Council to also consider the following:

- **The process of creating a work plan for Right to Counsel should prioritize and center the experience of tenants and those who have experienced the imbalance of power in eviction courtrooms.** We have observed that other programs and aid for tenants are contingent upon the cooperation of landlords, centering the landlords financial interests and needs. As the City of San Jose considers right to counsel, it must rely and focus on the experience of tenants and those who have gone through the eviction process. The imbalance of power that exists in eviction court can only be described by those who have experienced it, witnessed it or supported a tenant going through it.
- **As the City of San Jose moves towards a Right to Counsel program, it should also collaborate with and support the efforts to expand legal representation in the County of Santa Clara.** We encourage the city and the housing department to coordinate with the county on a countywide right to counsel. Already the county and city are in deep coordination for rent relief and expanding education to tenants, it only makes sense that this collaboration be expanded to Right to Counsel.
- **The Right to Counsel program should not be limited to evictions related to COVID hardships but instead should be for all indigent tenants facing eviction moving forward.** While COVID hardships are front and center, to further the goals of anti-displacement, preventing homelessness, and equity all tenants facing eviction who are unable to afford legal defense themselves should get representation. Within this great opportunity to set up an equitable program, we must not limit our scope of who needs this program, including those who will be facing eviction and financial hardship in the most expensive places to live in the world, even after the pandemic.

Lastly, De-Bug has been exploring how a Right to Counsel program would exist within Santa Clara County. From that exploration, we understand that setting up a Right to Counsel program, much like what exists in San Francisco, will take a coordinating effort of the County, the municipalities, and legal service organizations to not just have representation but have quality and accountable representation for all tenants in need. As we explore these options, there will undoubtedly be overlap between the City of San Jose and the County of Santa Clara, reason we continue to encourage collaboration and cooperation with each other to get a program set up as quickly as possible.

Thank you for your attention to this urgent matter.

Sincerely on behalf of Silicon Valley De-Bug,

Andrew Bigelow & Liz Gonzalez

--

Liz González // Silicon Valley De-Bug
www.siliconvalleydebug.org

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Fw: Oppose San Jose Eviction Delay Program

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:08 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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From: Lawrence Gaffaney [REDACTED]

Sent: Tuesday, September 28, 2021 8:59 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Oppose San Jose Eviction Delay Program

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Larry

Lawrence Gaffaney



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Fw: Opposing San Jose City Eviction-Delay Program

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:09 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

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From: Soroosh Pourmehraban [REDACTED]**Sent:** Tuesday, September 28, 2021 8:39 AM**To:** CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>**Subject:** Opposing San Jose City Eviction-Delay Program

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

--

Soroosh Pourmehraban
Senior Analyst, Investments



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Fw: I oppose Councilmember Peralez's proposal

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:09 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

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From: Oceania Vaillancourt <[REDACTED]>

Sent: Tuesday, September 28, 2021 8:30 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: I oppose Councilmember Peralez's proposal



[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

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I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Oceania Vaillancourt

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Fw: Oppose San Jose City Eviction-Delay Program

City Clerk <city.clerk@sanjoseca.gov>

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From: Branham House Manager [REDACTED]

Sent: Tuesday, September 28, 2021 8:27 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Oppose San Jose City Eviction-Delay Program

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Sincerely,

Lorraine Vitoria

Multi-Site Community Manager



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Fw: Oppose Taxpayer-funded lawsuits to delay evictions

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:09 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

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From: MARTHA MIROYAN [REDACTED]

Sent: Tuesday, September 28, 2021 8:08 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Oppose Taxpayer-funded lawsuits to delay evictions

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of October 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Martha Miroyan
Property Owner, City of San Jose

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Fw: Vote No on Councilmember Peralez’s proposal - Item 8.2

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:09 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

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From: Jeffrey Berg <[REDACTED]>

Sent: Tuesday, September 28, 2021 7:51 AM

To: City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>

Subject: Vote No on Councilmember Peralez’s proposal - Item 8.2



[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,
Jeffrey T. Berg



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Fw: Oppose Taxpayer-Funded Lawsuits to Delay Evictions

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:09 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

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San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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From: Mimi Machado <[REDACTED]>

Sent: Tuesday, September 28, 2021 2:26 AM

To: City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>

Subject: RE: Oppose Taxpayer-Funded Lawsuits to Delay Evictions



[External Email]

Dear Mayor Liccardo and City Council and City Clerk,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Mimi Machado



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Fw: Oppose San Jose City Eviction-Delay Program

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:10 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

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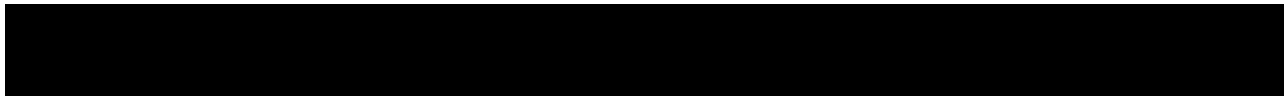
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From: June Gu [REDACTED]

Sent: Monday, September 27, 2021 8:56 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Oppose San Jose City Eviction-Delay Program



[External Email]

Dear Mayor Liccardo and City Council,

My name is Lijun Gu. As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available. Thank you for your consideration.

Sincerely,

--

Best regards,
Lijun Gu

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Fw: No on Councilmember Peralez’s proposal to fund free legal representation for tenants

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:11 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

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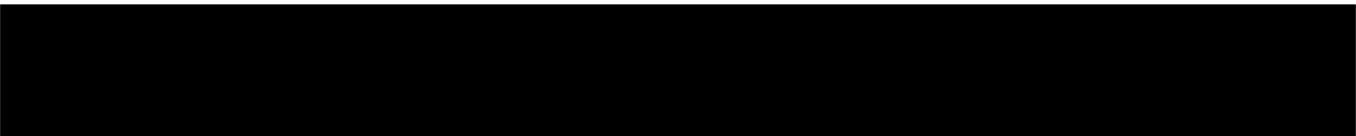
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From: Meina Young [REDACTED]

Sent: Monday, September 27, 2021 7:52 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: No on Councilmember Peralez’s proposal to fund free legal representation for tenants



[External Email]

Dear Mayor Liccardo and City Council,

I strongly oppose Councilmember Peralez’s proposal to misuse government funds to give free legal representation to tenants who claim they cannot pay rent. Rental housing providers have suffered greatly being without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow; there is no need to aggravate the strained relations among our community members any further.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are

expedited and more broadly available.

Thank you for your consideration.

Sincerely,
Meina Young

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Fw: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:11 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Alain Thai [REDACTED]

Sent: Monday, September 27, 2021 7:46 PM

To: City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>

Subject: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

[External Email]

Dear Mayor Liccardo and City Council,

As an employee of a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Alain

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Fw: oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:11 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

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From: degifford [REDACTED]

Sent: Monday, September 27, 2021 6:40 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

Implementation of this proposal will result in reducing housing inventory.

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and

their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

D. Gifford

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Fw: Mr. Peralez's proposal

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

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From: Kirit Dave <[REDACTED]>
Sent: Monday, September 27, 2021 6:26 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Mr. Peralez's proposal



[External Email]

Dear Sir:

Please vote NO on Mr. Peralez's last-minute proposal. It is unthinkable to me. Please realize that some of us, senior citizens rely on rental income to support us in our old age and for which we have worked all our lives. Covid laws and lack of rents have made it impossible for us to survive deal with this situation. The COVID rent relief also has not yet made it to us. So far all of that is just promises to us. The laws should be fair and balanced to all parties involved.

Please vote NO.

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Fw: Peralez's proposal - NO Vote

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

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From: Berenice Aggarwal <[REDACTED]>
Sent: Monday, September 27, 2021 5:56 PM
To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>
Subject: Peralez's proposal - NO Vote



[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

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I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,
Neeraj

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Fw: Please Vote NO on Peralez's proposal

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Berenice Aggarwal [REDACTED]**Sent:** Monday, September 27, 2021 5:55 PM**To:** CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>**Subject:** Please Vote NO on Peralez's proposal

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Rajat

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: NO on Peralez proposal

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Berenice Aggarwal [REDACTED]

Sent: Monday, September 27, 2021 5:53 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: NO on Peralez proposal



[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,
Berenice Aggarwal

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Yelena Menchaca [REDACTED]

Sent: Monday, September 27, 2021 5:39 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters



[External Email]

Dear Mayor Liccardo and City Council,

As an employee of a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Yelena Menchaca
Community Manager/Prime Residential



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: Please Oppose Taxpayer-Funded Lawsuits to Delay Evictions

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:13 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Home Ca <[REDACTED]>**Sent:** Monday, September 27, 2021 5:20 PM**To:** CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>**Subject:** Please Oppose Taxpayer-Funded Lawsuits to Delay Evictions

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, and important property Tax payer, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

Please, I urge you to vote NO on this proposal and focus on ensuring that rent

relief payments are expedited and more broadly available.
Thank you for your consideration.

Sincerely,
Marissa Chen

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: Oppose Councilmember Peralez's proposal

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:13 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Laura Kreuger [REDACTED]

Sent: Monday, September 27, 2021 5:22 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Oppose Councilmember Peralez's proposal

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

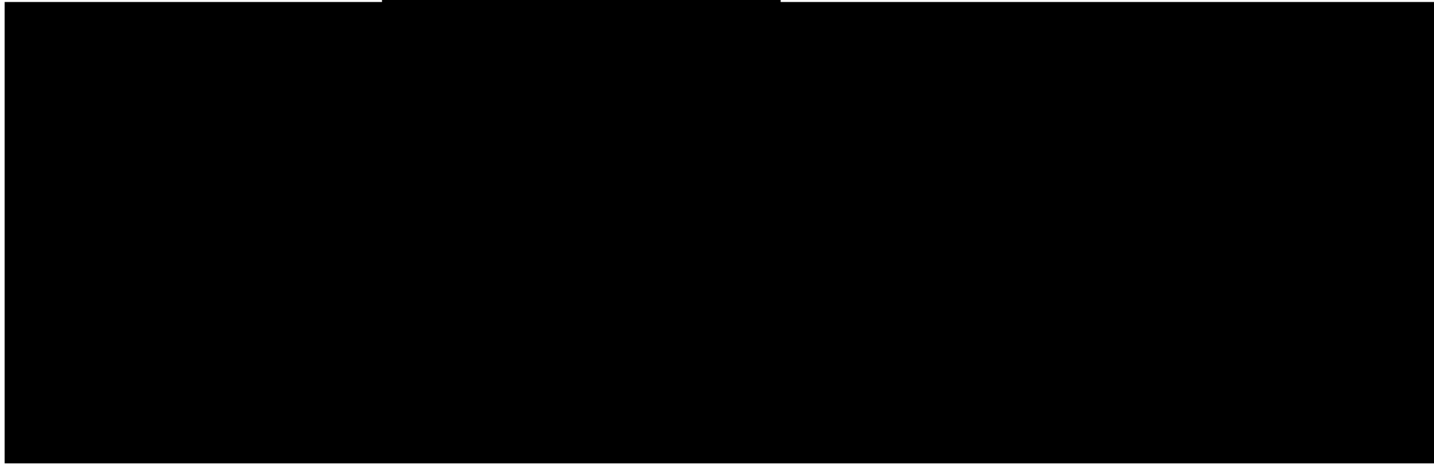
Thank you for your consideration.

Sincerely,

Laura Kreuger

--

Laura L. Kreuger~Najera | 



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: Rental assistance and eviction. What about us poor landlords that were not paid over \$50,000 in rent during the pandemic!!!

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:13 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: nbatliwa@gmail.com <[REDACTED]>

Sent: Monday, September 27, 2021 5:12 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Rental assistance and eviction. What about us poor landlords that were not paid over \$50,000 in rent during the pandemic!!!

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

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I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:14 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Vivian Ho <[REDACTED]>

Sent: Monday, September 27, 2021 5:02 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters



[External Email]

Dear Mayor Liccardo and City Council,

As an employee of a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

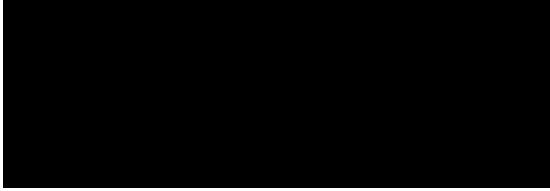
I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Warm Regards,

Vivian Ho
Community Manager



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Fw: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:14 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Vivian Ho <[REDACTED]>

Sent: Monday, September 27, 2021 5:01 PM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

As an employee of a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

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I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Vivian Ho

"Set your goal high and don't stop until you get there"

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Fw: Item 8.2 Eviction Moratorium

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:16 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor
San Jose, CA 95113
Main: 408-535-1260
Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

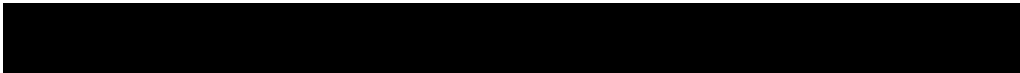
From: Elizabeth Gonzalez <[REDACTED]>

Sent: Tuesday, September 28, 2021 10:00 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Cc: Andrew Bigelow <[REDACTED]>

Subject: Item 8.2 Eviction Moratorium



[External Email]

Sept 28, 2021

Mayor and City Councilmembers,

We're writing on behalf of Silicon Valley De-Bug in support of the memo by Councilmembers Peralez and Arenas directing staff to develop a workplan establishing a Tenant Right to Counsel. As an organization that has also supported tenants through the pandemic and observed eviction court, we've seen the great imbalance of power that exists between tenant and landlord in the courtroom. We have seen tenants left to defend themselves in an eviction case get railroaded by the court and landlord attorneys. Tenants did not know how the process works, nor what their options were while being isolated in the hallways of the court, forced to make a decision by the landlord's attorney where they gave up their rights and didn't even go before the judge.

While supporting tenants through the pandemic, we have come to see that all other relief efforts for tenants fall short except for Right to Counsel. Right to Counsel for tenants is the solution that will level the playing field in the eviction process that favors landlords who overwhelmingly have legal representation. Having a defense attorney represent tenants would immediately shift the dynamics of eviction court and have all the positive effects on our city and county that come with the most vulnerable being able to stay housed.

We would like to echo our support for the letter put forth by the Law Foundation on this memo as well. The letter clearly articulates the need for Right to Counsel and the positive outcomes that can come from the program such as reducing displacement and saving the city and county money. We would also like to emphasize the urgency of the current pending eviction wave and ask the City Council to move quickly with the workplan and in collaboration with the County of Santa Clara so that tenants are represented in court when the eviction wave comes.

As the City of San Jose moves forward with creating a work plan to develop Right to Counsel, we ask for the City Council to also consider the following:

- **The process of creating a work plan for Right to Counsel should prioritize and center the experience of tenants and those who have experienced the imbalance of power in eviction courtrooms.** We have observed that other programs and aid for tenants are contingent upon the cooperation of landlords, centering the landlords financial interests and needs. As the City of San Jose considers right to counsel, it must rely and focus on the experience of tenants and those who have gone through the eviction process. The imbalance of power that exists in eviction court can only be described by those who have experienced it, witnessed it or supported a tenant going through it.
- **As the City of San Jose moves towards a Right to Counsel program, it should also collaborate with and support the efforts to expand legal representation in the County of Santa Clara.** We encourage the city and the housing department to coordinate with the county on a countywide right to counsel. Already the county and city are in deep coordination for rent relief and expanding education to tenants, it only makes sense that this collaboration be expanded to Right to Counsel.
- **The Right to Counsel program should not be limited to evictions related to COVID hardships but instead should be for all indigent tenants facing eviction moving forward.** While COVID hardships are front and center, to further the goals of anti-displacement, preventing homelessness, and equity all tenants facing eviction who are unable to afford legal defense themselves should get representation. Within this great opportunity to set up an equitable program, we must not limit our scope of who needs this program, including those who will be facing eviction and financial hardship in the most expensive places to live in the world, even after the pandemic.

Lastly, De-Bug has been exploring how a Right to Counsel program would exist within Santa Clara County. From that exploration, we understand that setting up a Right to Counsel program, much like what exists in San Francisco, will take a coordinating effort of the County, the municipalities, and legal service organizations to not just have representation but have quality and accountable representation for all tenants in need. As we explore these options, there will undoubtedly be overlap between the City of San Jose and the County of Santa Clara, reason we continue to encourage collaboration and cooperation with each other to get a program set up as quickly as possible.

Thank you for your attention to this urgent matter.

Sincerely on behalf of Silicon Valley De-Bug,

Andrew Bigelow & Liz Gonzalez

--

Liz González // Silicon Valley De-Bug


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Fw: Oppose San Jose City Eviction-Delay Program

Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

Tue 9/28/2021 10:29 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Rules and Open Government Committee Agendas

City of San José | Office of the City Clerk
200 East Santa Clara St. – Tower 14th Fl.
San José, CA 95113-1905
Phone 408.535.1275 | Fax 408.292.6207
rulescommitteeagenda@sanjoseca.gov

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Tuesday, September 28, 2021 10:08 AM

To: Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

Subject: Fw: Oppose San Jose City Eviction-Delay Program

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor
San Jose, CA 95113
Main: 408-535-1260
Fax: 408-292-6207

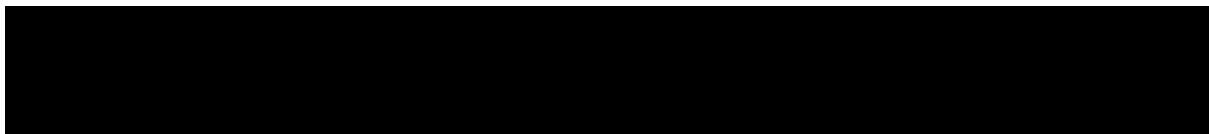
How is our service? [Please take our short survey.](#)

From: Vista del Lago Apartments [REDACTED]

Sent: Tuesday, September 28, 2021 8:57 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Oppose San Jose City Eviction-Delay Program



[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who

have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

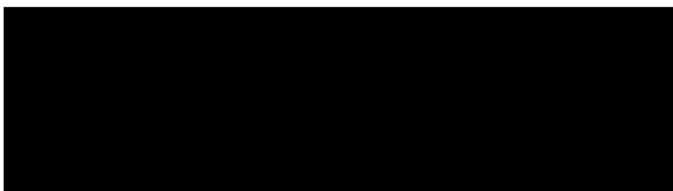
I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Ruthy Santistevan, CCRM
Multi-Site Community Manager



Please consider the environment before printing this email.

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Fw: I Oppose Taxpayer-Funded Lawsuits to Delay Evictions

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:59 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Andrea Vernerova <[REDACTED]>

Sent: Tuesday, September 28, 2021 10:58 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Andrea Vernerova <[REDACTED]>

Subject: I Oppose Taxpayer-Funded Lawsuits to Delay Evictions

Yo [REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

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I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.
Thank you for your consideration.

Sincerely,

Andrea

Andrea Vernerova
Broker Associate, Property Manager,



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 11:00 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

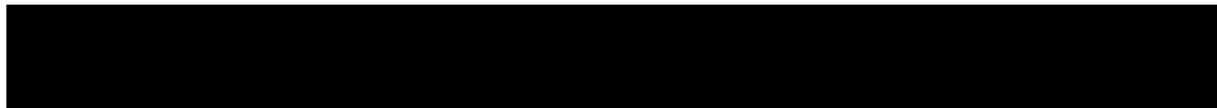
How is our service? [Please take our short survey.](#)

From: Elizabeth Perez [REDACTED]

Sent: Tuesday, September 28, 2021 10:56 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters



[External Email]

Dear Mayor Liccardo and City Council,

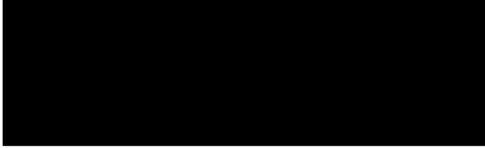
As an employee of a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.
Thank you for your consideration.

Sincerely,
Elizabeth Perez



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Fw: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 11:00 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

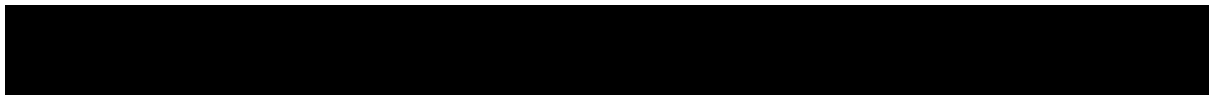
How is our service? [Please take our short survey.](#)

From: Irving Moreno [REDACTED]

Sent: Tuesday, September 28, 2021 10:56 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: I Oppose Councilmember Peralez’s last-minute proposal and support focusing on real solutions that would help struggling renters



[External Email]

Dear Mayor Liccardo and City Council,

As an employee of a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

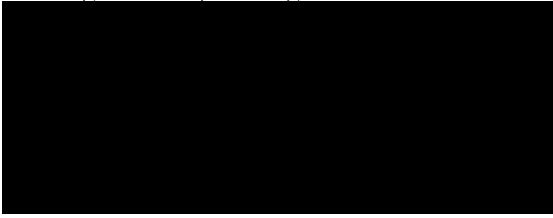
I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants’ defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Irving Moreno | Leasing Consultant



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Fw: Oppose San Jose city Eviction- Delay Program

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 11:04 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Oakbrook Apartments [REDACTED]**Sent:** Tuesday, September 28, 2021 10:53 AM**To:** City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>**Subject:** Oppose San Jose city Eviction- Delay Program

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

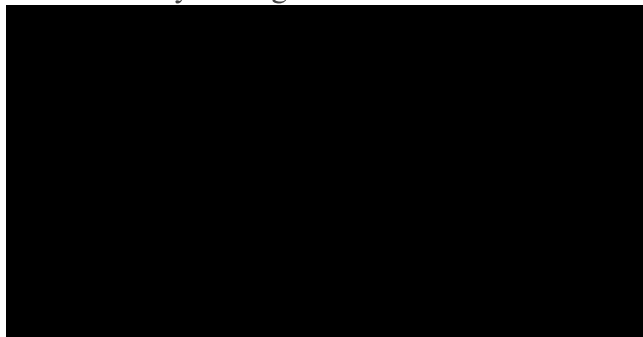
I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

Edin Ismic
Community Manager



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Fw: NO on Councilmember Peralez's proposal

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 11:05 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

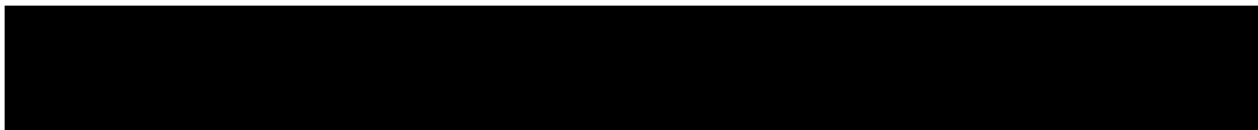
How is our service? [Please take our short survey.](#)

From: jill <[REDACTED]>

Sent: Tuesday, September 28, 2021 10:38 AM

To: City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>

Subject: NO on Councilmember Peralez's proposal



[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.

Thank you for your consideration.

Sincerely,

San Jose homeowner Jill

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Fw: Free Legal representation

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 11:07 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Elizabeth Oliveira <[REDACTED]>

Sent: Tuesday, September 28, 2021 10:19 AM

To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Free Legal representation

[REDACTED]

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez’s proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez’s proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for

tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.
Thank you for your consideration.

Sincerely,

Elizabeth Oliveira

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Fw: Oppose San Jose City Eviction-Delay Program

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 11:12 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Lisa Chavarria [REDACTED]
Sent: Tuesday, September 28, 2021 11:08 AM
To: CouncilMeeting <CouncilMeeting@sanjoseca.gov>
Cc: City Clerk <city.clerk@sanjoseca.gov>
Subject: Oppose San Jose City Eviction-Delay Program

[External Email]

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.
Thank you for your consideration.

Sincerely,

Thank you,

Lisa Chavarria, CAM, CCRM



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Fw: testimony for Sept 28 hearing

City Clerk <city.clerk@sanjoseca.gov>

Tue 9/28/2021 10:11 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: John Pollock



Sent: Monday, September 27, 2021 8:32 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: testimony for Sept 28 hearing

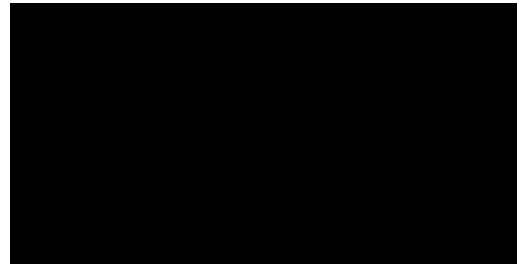


[External Email]

Attached please find my coalition’s testimony related to Agenda Item 8.2. Please let me know if you have any questions, and thank you for this opportunity to weigh in on this important issue.

Sincerely,

John Pollock
Coordinator, National Coalition for a Civil Right to Counsel
Pronouns: he/him
c/o Public Justice Center



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**Written Testimony of the National Coalition for a Civil Right to Counsel to the
San Jose City Council**

**Supporting the Memorandum
Submitted by Councilmembers Raul Perez and Sylvia Arenas**

Hearing: September 28, 2021

Members of the San Jose City Council:

On behalf of the National Coalition for a Civil Right to Counsel (NCCRC), I submit written testimony in support of the Right to Counsel Memorandum submitted by Councilmembers Raul Perez and Sylvia Arenas in relation to Agenda Item 8.2 (eviction moratorium). The NCCRC has over 600 participants and partners in 41 states, including many in California. We have supported advocates and policymakers in the eleven cities and three states that have enacted a right to counsel for tenants facing eviction. The proposal by Councilmembers Perez and Arenas is essential for increasing housing stability and responding to tenant needs during the COVID-19 pandemic and beyond.

The right to counsel has been demonstrated to keep tenants housed and provide other benefits. The cities that have already implemented a right to counsel have seen its transformative impact. As noted in the Perez/Arenas memo, in New York City, 86% of represented tenants have remained in their homes, while the figure is 67% in San Francisco. And in just six months of Cleveland's right to counsel implementation, not only did 93% of represented tenants avoid eviction or an involuntary move, but 83% of those seeking additional time to move were able to obtain it.¹ Moreover, studies have consistently projected that more than 90% of represented tenants will avoid disruptive displacement, while in numerous pilot projects, represented tenants have remained in their units twice as often as those without counsel, saved hundreds of dollars in arrears, and avoided shelter use.²

Even in nonpayment cases, tenant attorneys play an essential role. In the cities with a right to counsel, as with nearly all cities nationwide, nonpayment of rent cases make up the bulk of eviction cases, yet tenant representation has still vastly increased unit retention and housing stability. These statistics belie the notion that there is nothing for attorneys to do in nonpayment cases. Indeed, such cases can involve complex issues such as improper service of notice, disputes over whether rent paid has been credited, unauthorized or illegal fees, failure to make repairs, discrimination, harassment, and retaliation. Studies have shown pro se tenants with available legal defenses nearly always fail to effectively use them.³ Even where there is no legal defense, a court must still decide in each case how much time the tenant will have to vacate, whether the eviction ends up on the tenant's record, and how much the tenant will owe in arrears.

The right to counsel will make federal and state relief more impactful. Congress recently appropriated a combined total of almost \$48 billion for rental assistance. However, many tenants need legal assistance to help complete the complex documentation requirements to obtain assistance, prevent the courts from

¹ <https://unitedwaycleveland.org/wp-content/uploads/documents/2020-Right-to-counsel-annual-report.pdf>.

² <https://www.stout.com/en/services/transformative-change-consulting/eviction-right-to-counsel-resources>.

³ See e.g. <https://abell.org/publications/justice-diverted-how-renters-are-processed-baltimore-city-rent-court>.

carrying out evictions while applications are in process, and negotiate with landlords reluctant to accept the assistance. Moreover, some landlords have resorted to illegal lockouts and utility shutoffs as a way of driving tenants out of their units. Without systemic representation, these types of abuses undercut the effectiveness of the rental relief.

The right to counsel can save money. Tenants benefit from the right to counsel, but so do the cities. Studies have repeatedly found that every dollar spent on eviction representation returns many dollars in savings by reducing spending on emergency services, prisons, foster care, and other negative consequences of evictions. The most recent study, conducted in Baltimore, found that a \$5.7 million investment in the right to counsel by the city would yield \$35.6 million in benefits to the city and state.⁴

The right to counsel will not overwhelm the courts. In fact, the cities that have implemented the right to counsel have seen a reduction in case filings overall: for instance, New York City had a 30% drop in filings after the right to counsel was enacted but before the pandemic.⁵ But also, New York City housing court judges have testified that, from their perspective, the right to counsel has made the proceedings more efficient and fairer.⁶ This testimony is unsurprising: even with a right to counsel, the majority of cases will settle as they do now, but more fairly. And those settlements will not require the intervention or management of the court but will occur as out-of-court negotiations.

There is funding available to support this right. The Peralez/Arenas identifies the funding potentially available from AB 1487. We would also like to identify two federal funding sources that would serve the purpose. First, San Jose received over \$66 million in Emergency Rental Assistance Program funds (Santa Clara County received an additional \$56 million), and the City is permitted to use up to 10% for “housing stability services”, which has been explicitly defined by Treasury to include legal representation for tenants.⁷ Second, the City received \$212 million of Fiscal Recovery Funds, and as with ERAP, Treasury has explicitly authored tenant representation as an allowable expenditure.⁸ Numerous cities, counties, and states around the country have already assigned ERAP or FRF funds for tenant representation,⁹ and in fact the City risks losing ERAP 1 funds that are not obligated by September 30 (a contract with legal services constitutes an obligation).¹⁰

We would be happy to answer any questions as well as provide technical support to the City (as we have done with many other cities) if it adopts the Peralez/Arenas recommendations.

Sincerely,



John Pollock, Coordinator
National Coalition for a Civil Right to Counsel

⁴ <https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/baltimore-rtc-report-final-5-8-2020.pdf>.

⁵ https://www1.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ_Annual_Report_2019.pdf.

⁶ <https://www.law.com/newyorklawjournal/2018/09/24/increasing-tenants-access-to-counsel-has-raised-court-efficiency-fairness-judges-say/?slreturn=20210827231354>.

⁷ <https://home.treasury.gov/system/files/136/ERA-FAQ-8-25-2021.pdf>.

⁸ <https://www.federalregister.gov/documents/2021/05/17/2021-10283/coronavirus-state-and-local-fiscal-recovery-funds>.

⁹ http://civilrighttocounsel.org/major_developments/1463.

¹⁰ https://home.treasury.gov/system/files/136/Deputy-Secretary-ERA-Letter_20210924.pdf.

September 28, 2021

Dear Mayor Liccardo and City Council,

As a San Jose rental housing provider, I strongly oppose Councilmember Peralez's proposal to provide government funds to give free legal representation to tenants who claim they cannot pay rent. Many rental housing providers have gone without rental income over the course of the pandemic, and distribution of rental assistance funds has been painfully slow.

Councilmember Peralez's proposal is not needed. California law already protects tenants who have applied for rent relief dollars. As of Oct. 1, 2021, before a landlord can begin the eviction process, they must first apply for rental assistance and have their application denied.

I ask that you focus on getting the emergency rental assistance dollars distributed instead of giving out taxpayer money to hire more lawyers who will drive up costs, clog our court system, and create hostility between landlords and their residents. The City should not pay for attorneys who will unreasonably delay evictions for months. And millions of dollars are already allocated for tenants' defense under the existing Shriver Act.

I urge you to vote NO on this proposal and focus on ensuring that rent relief payments are expedited and more broadly available.
Thank you for your consideration.

Sincerely,



Richard Gregersen



San José City Council
San José City Hall
200 East Santa Clara Street
San José, CA 95113

Re: Agenda Item 8.2, Eviction Moratorium

Dear Mayor and City Councilmembers:

We, the undersigned community-based organizations and nonprofit service providers, write in strong support of Councilmember Peralez’s memorandum, which would direct the Housing Department to create a workplan for a right to counsel in eviction cases for low-income tenants. Investing in a right to counsel program now will allow the City to leverage unprecedented state and federal funding for tenant legal assistance that would promote an equitable recovery from the COVID-19 pandemic, close a longstanding justice gap in our county, and create long-term savings by reducing the number of evictions that lead to homelessness or displacement.

Right to counsel programs work. Studies in jurisdictions that have a form of this program have shown that it reduces the number of eviction filings,¹ enables more tenants to stay in their homes,² and prevents the displacement of low-income tenants of color.³

We further urge City Council and the Housing Department to work expeditiously to set up this program so that it can help prevent pandemic-related mass evictions, which could begin once the statewide eviction moratorium expires on September 30. This will promote an equitable COVID-19 recovery, because Black and Latinx renters are most at risk of eviction in our area, particularly single mothers, immigrants, and renters with disabilities.⁴ These households now face an even greater risk of displacement, given the disparate impact of pandemic-related work closures and the fact that only 6% of the federal rental assistance available to Santa Clara County tenants has been distributed.⁵ Therefore, setting up a right to counsel program in the immediate future will also help ensure that every low-income tenant who qualifies for COVID-19 rent debt repayment assistance is able to secure it. Additionally, preventing mass evictions will serve as an important public health tool in the ongoing fight against the COVID-19 pandemic.

Beyond the pandemic, a right to counsel program will be essential to close a longstanding justice gap in our county, where fewer than 5% of tenants are represented each year. In contrast, virtually all landlords are represented. This incredible disparity has been the norm in Santa Clara County and across California. As a result, tenants are frequently evicted simply because they cannot afford a lawyer and cannot seek out free legal services in time to prevent a judgment against them. This inevitably leads to displacement and a cascade of other negative impacts

¹ UNIVERSAL ACCESS TO LEGAL SERVICES: A REPORT ON YEAR THREE OF IMPLEMENTATION IN NEW YORK CITY, N.Y.C. HUMAN RESOURCES ADMIN., 12 (2020), *available at* https://www1.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ_UA_Annual_Report_2020.pdf (eviction filings fell 6% prior to the pandemic and 49% during the pandemic after a tenants' right to counsel was implemented).

² Steve Volk and Julie Christie, *Philadelphia Renters Forced to Deal With Major Issues — Or Risk Eviction*, PHILADELPHIA WEEKLY (Dec. 17, 2019), https://philadelphiaweekly.com/house-rules/?_thumbnail_id=14124 (78% of unrepresented tenants were disruptively evicted while 95% of represented tenants were able to stay in their homes).

³ TENANT RIGHT TO COUNSEL: SIX-MONTH IMPLEMENTATION UPDATE, S.F. MAYOR'S OFFICE OF HOUS. AND COMM. DEV., 31 (Feb. 24, 2020), *available at* http://civilrighttocounsel.org/uploaded_files/282/San_Francisco_RTC_6_month_data.pdf (67% of all tenants in right to counsel program stayed in their homes, and 80% of Black tenants in program stayed in their homes).

⁴ COMMUNITY STRATEGY TO END DISPLACEMENT, SAN JOSÉ ANTI-DISPLACEMENT POLICY NETWORK COHORT, 17-19 (Jan. 2021), *available at* <https://www.sanjoseca.gov/home/showpublisheddocument/54715/637190197402670000>.

⁵ *Rent Debt in America: Relief Map*, NAT'L EQUITY ATLAS, <https://nationalequityatlas.org/rent-debt> (last visited Sept. 22, 2021).

including disruptions in work and education, longer commutes, higher rental burden, less opportunity, and worse mental health outcomes.⁶

San José can buck this trend by investing the historically unparalleled level of state and federal support for tenant legal assistance that will be available over the next few years in a right to counsel program. This funding includes over \$212 million in federal funding through the American Rescue Plan and a state Homeless Prevention Fund that will be created through AB 1487, which is currently awaiting Governor Newsom's signature. Many other cities have recognized the opportunity of this moment and passed some form of a right to counsel in eviction cases since the pandemic began.⁷

Establishing a right to counsel program now will not only create immediate value for the people of San José by preventing displacement, it is also likely to produce a strong return on this investment by saving money that would otherwise be spent on social services following a disruptive eviction. Studies have shown this return can be as high as \$12 for every \$1 invested in the right to counsel program.⁸

San José has shown great leadership in protecting its low-income tenants during the COVID-19 pandemic and has the resources now to be a leader in policies that support an equitable and sustainable recovery. A tenants' right to counsel program should be a keystone of this recovery effort, given the immediate needs and longstanding justice gap that it would address while producing cost savings for the City's other programs.

Thank you for your consideration of our comments and for your ongoing efforts to keep San José families housed.

Sincerely,

Jeffrey Buchanan, Policy Director
Working Partnerships USA

⁶ COMMUNITY STRATEGY TO END DISPLACEMENT, *supra* note 4, at 20.

⁷ These cities include Boulder, CO, Denver, CO, Houston, TX, Louisville, KY, Rochester, NY, Santa Monica, CA, and Toledo, OH. These cities join Baltimore, MD, Cleveland, OH, Philadelphia, PA, Newark, NJ, New York, NY, and San Francisco, CA, which all passed right to counsel programs prior to the COVID-19 pandemic. *See Status Map*, NAT'L COALITION FOR A CIVIL RIGHT TO COUNSEL, <http://civilrighttocounsel.org/map> (last visited Sept. 22, 2021).

⁸ ECONOMIC RETURN ON INVESTMENT OF PROVIDING COUNSEL IN PHILADELPHIA EVICTION CASES FOR LOW-INCOME TENANTS, STOUT RISIUS ROSS LLC, 8 (2018), *available at* https://cdn2.hubspot.net/hubfs/4408380/PDF/Cost-Benefit-Impact-Studies/Philadelphia%20Evictions%20Report_11-13-18.pdf; *see also* COST-BENEFIT ANALYSIS OF PROVIDING A RIGHT TO COUNSEL TO TENANTS IN EVICTION PROCEEDINGS, STOUT RISIUS ROSS LLC, 8 (2019), *available at* https://info.stout.com/hubfs/PDF/Eviction-Reports-Articles-Cities-States/Los%20Angeles%20Eviction%20RTC%20Report_12-10-19.pdf (finding a \$4.53 return on investment for every \$1 invested in a right to counsel program for the City and County of Los Angeles).

Nadia Aziz, Directing Attorney
Housing Program
Law Foundation of Silicon Valley

Mathew Reed, Director of Policy
Silicon Valley at Home

Sandy Perry, President
Affordable Housing Network of Santa Clara County

Mayra Pelagio, Executive Director
Latinos Unidos for a New America

Andrea Portillo, Organizing and Policy Manager
SOMOS Mayfair

Steph Hanson-Quintana, Director of Organizing and Policy
Sacred Heart Community Services

CC:
San José City Council
City of San José City Attorney
City of San José City Manager