



Memorandum

TO: Honorable Mayor and City Council

FROM: Councilmember Jimenez

SUBJECT: Amendments to the Tenant Protection Ordinance- Title 17 for Immigration and Criminal Activity.

DATE: April 20, 2018

APPROVED

DATE 04/20/2018

Recommendations

Accept the staff report and take the following actions:

1. Approve staff recommendation (a) of the memorandum dated April 6, 2018.
2. Reject staff recommendation (b) of the memorandum dated April 6, 2018.

Background

The purpose of our City's Tenant Protection Ordinance (TPO) is to protect tenants from arbitrary and retaliatory displacement that was once permissible under no cause evictions. Additional protections for our immigrant community are crucial and necessary given the anti-immigrant stance of the current federal administration. I applaud the Mayor and the Housing Department for establishing prohibitions against landlords who might threaten and discriminate against tenants based on their immigration status.

Staff's recommendation (b), which suggests classifying felony convictions as a separate just cause basis for eviction, is unnecessary and excessive, and it creates the potential for discrimination against tenants of color. The TPO as it stands already provides landlords numerous reasons to evict tenants who violate lease agreements. Creating an additional justification for eviction based on criminal convictions is redundant, and it puts the landlord in a position where they are forced to analyze a tenant's criminal record. Landlords likely are not experts in such analysis, and this may lead to unlawful evictions. Additionally, landlords explicitly expressed to the Housing Department and Housing Commission that such a provision would be ineffective in providing a tool for landlords to address crime at their properties. For these reasons I urge my Council colleagues to approve my memo.