



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Jimenez

SUBJECT: Actions Related to the
Tenant Protection Ordinance

DATE: December 10, 2018

Approved

Date

12-10-2018

RECOMMENDATION

Direct the Housing Department to investigate, monitor and track eviction notices brought against tenants using the Criminal Activity cause for eviction in the Tenant Protection Ordinance (TPO).

BACKGROUND

The purpose of our City's Tenant Protection Ordinance (TPO) is to protect tenants from arbitrary and retaliatory displacement. I commend the Housing Department for taking on the challenge to create a substantive and robust ordinance that will keep our residents housed and off the streets, especially in such a high-priced rental market. Back in April of this year, several of my colleagues and I voted against allowing Criminal Activity as a just cause for eviction because of the potential to disproportionately impact communities of color. Though I still do not agree with the Council direction to include criminal activity in the TPO, I think it is important that we pay extra care and attention to the real risk of evicting people who by no fault of their own are falsely accused of criminal activity. This provision within the TPO leaves a tenant in the dire situation of being guilty until proven innocent. I hope that the inclusion of criminal activity as a just cause will not have unintended consequences, but the only way to guarantee this is to investigate, monitor and track these cases as they are brought forth. Monitoring would not pose an undue burden on the Housing Department given the low number of cases brought forward.