



Housing

Actions Related to a Moratorium on Evictions and Income Loss Due to COVID-19

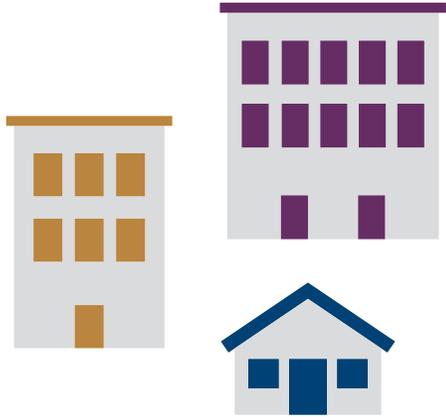
March 17, 2020
Item 8.2

Jacky Morales-Ferrand
Director, Housing Department

Chris Alexander
Deputy City Attorney

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Assistant Director, Office of Economic
Development

Health and Safety



**Housing stability and
eviction protections**



**Minimize
homelessness**



**Public Health and
Safety**



Background

- 🏠 **January 30, 2020:** World Health Organization declared COVID-19 a Public Health Emergency of International Concern
- 🏠 **February 10, 2020:** Santa Clara County announced a local health emergency
- 🏠 **March 11, 2020:** World Health Organization declared outbreak a pandemic
- 🏠 **March 16, 2020:** Santa Clara County declares “shelter in place” order



Council Direction

On March 10, 2020, City Council approved:

🏠 **Resolution, ordinance, and companion urgency ordinance**
providing temporary eviction protection for renters

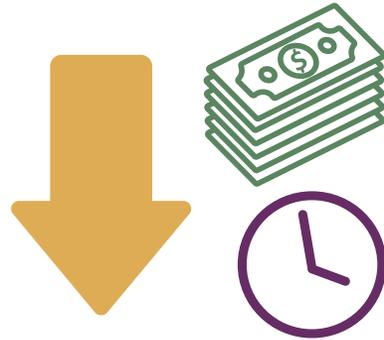
🏠 **Failure to pay rent results from wage loss from COVID-19, under the following conditions:**

- Ordinance effective upon adoption of resolution declaring moratorium is effective
- Temporary moratorium will remain effective for 30 days from Council resolution but may be extended by Council
- Affected renters must demonstrate loss of income through documentation



Impact on Residents due to COVID-19

Loss of Income & Work Hours



County wide closure of schools & strain for childcare



Concern for the Elderly



Paycheck to Paycheck



Concerns from Landlords and Tenants

Decline in Uber Trips

**Upcoming Mortgage
payments**

Property Tax due April 10

Four children at home

**Reduced hours to three
days a week**

**Accumulated overdue
rent**



Proposed Legislative Actions

	Urgency Ordinance	Resolution Enacting Moratorium	Ordinance
Effective Date	March 17	March 17	30 days after the 2 nd reading
Votes Required for Adoption	2/3	Simple Majority	Simple Majority
Term	60 days	30 days unless extended	6 months



Major Provisions of the Ordinance

Landlord Responsibility

- **Written Notice of Moratorium to tenant when serving a notice of termination**

Tenant Responsibility

- **Notice to landlord prior to expiration of the notice of termination claiming COVID-19 status**
- **Provide documentation for impact on income due to COVID-19**



Submit Copies of Notices to Housing Department

Require landlords to:

- 🏠 Provide information on homeless prevention on a
- 🏠 Require that they provide a copy of the eviction notice to the Housing Department



CITY OF SAN JOSE

Resources for San José Residential Tenants

Effective January 18, 2019 • A copy of this referral must be attached to every notice to terminate tenancy.

NOTICE TO TENANT: Your landlord has served you with a notice to terminate your tenancy. This notice must be served in good faith. Your failure to act on this notice in a timely manner may result in an eviction action filed against you by your landlord. Information regarding this notice as required by the Tenant Protection Ordinance is available at the City of San José's Rent Stabilization Program.

<p style="text-align: center;">SUPPORT SERVICES SERVICIOS DE APOYO DE RECURSOS DỊCH VỤ HỖ TRỢ 支援服務</p> <p style="text-align: center;"></p> <p>Homelessness Prevention System 408-926-9885 Provides temporary financial assistance (e.g., rent, deposit, utilities payment) and supportive services (e.g., employment, legal) to low-income families or individuals who are at risk of losing their housing.</p> <p>Emergency Assistance Network 866-896-3587 The center provides referrals to rent programs, shelters and other information to qualified residents. While resources vary and funding is limited when it comes to the amount of money available, there may be one-time emergency security deposit and rental assistance to families and individuals in housing crises in Santa Clara and San Mateo Counties.</p>	<p style="text-align: center;">RENTAL RESOURCES RECURSOS DE ALQUILER TÀI NGUYÊN CHO NGƯỜI THUÊ NHÀ 租賃資源</p> <p style="text-align: center;"></p> <p>Rent Stabilization Program Department of Housing 408-975-4480 Mon - Fri 8:00 am to 5:00 pm 200 E. Santa Clara St, 12th Floor, San José General information, referrals, and a mediation program for tenants in rent-stabilized apartments.</p> <p>Legal Advice Line For Tenants: 800-551-5554 Mon - Thurs 9:30 am to 1:00 pm Legal advice, representation in court proceedings and City hearings, and workshop sessions.</p> <p>For Landlords: 408-414-5359 Mon, Wed, Fri 9:30 am to 12:00 pm Legal information and workshop sessions.</p>
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AVISO AL INQUILINO (SPANISH): El propietario le ha servido con un aviso de terminación de arrendamiento. Este aviso debe ser servido de buena fe. Falta de responder en tiempo a la notificación se puede resultar en una evicción de desalojo archivado por el propietario encontra usted.

THÔNG BÁO CHO NGƯỜI THUÊ (VIETNAMESE): Chủ nhà của quý vị đã gửi cho quý vị một thông báo để chấm dứt hợp đồng thuê nhà. Nếu quý vị không hành động kịp thời để trả lời thông báo chấm dứt hợp đồng thuê nhà có thể dẫn đến việc chủ nhà nộp đơn thưa kiện quý vị. Thông tin liên quan đến việc thông báo chấm dứt hợp đồng thuê nhà có sẵn tại Chương Trình Ổn Định Giá Thuê.

給租客的通知 (CHINESE-TRADITIONAL): 您的房東已通知您將會終止租約。此通告是出於誠意的。如果您不及時回應這終止租約通告，房東可能會採取迫遷行動。您可向市政府房屋租金穩定部詢問有關終止租約通告的資料。

Please contact these resources for assistance.


Rent Stabilization Program
 City of San José Housing Department
 200 East Santa Clara St, 12th Floor, San José, CA 95113 • 408-975-4480
www.sanjoseca.gov/rent • RSP@sanjoseca.gov

Payment of Rent

- 🏠 Prevents evictions for affected COVID-19 tenants
- 🏠 Does not address payment of rent
- 🏠 Does not address 120 repayment period. Legislation is a moratorium on eviction – not on the obligation to pay rent



Timeline

- 🏠 **Urgency Ordinance** effective **March 17, 2020**
- 🏠 **Resolution** activates the urgency ordinance immediately
- 🏠 Companion **Ordinance** second reading on **April 7, 2020** and effective 30 days later on May 7, 2020



Section 6 (Urgency/Companion Ordinances)

C. A notice terminating tenancy for nonpayment of rent must include that the notice is being served in good faith and that information regarding the notice terminating tenancy, including information on homeless prevention, is available from the Rent Stabilization Program, phone (408) 975-4480 or www.sanjoseca.gov.

D. A Landlord must mail or deliver to the City a true and accurate copy of any Notice of Termination delivered to a Tenant within 3 days of delivering such notice to a Tenant or Tenant Household.





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