



Housing

Extension of Moratorium

Consideration of a Rent Freeze

Convening of Stakeholders

April 14, 2020
Item 8.1

Jacky Morales-Ferrand
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Housing Department

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Eviction Moratoriums for City of San José, County of Santa Clara, & State Executive Order



City of San Jose

**March 18, 2020 -
April 17, 2020**



Santa Clara County

**March 24, 2020 -
May 31, 2020**



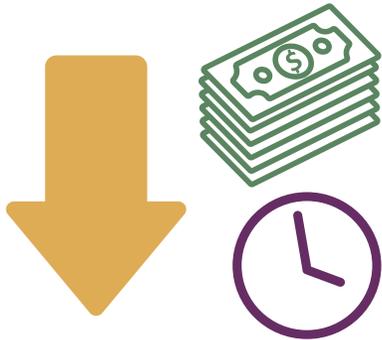
State Executive Order

**March 27, 2020 -
May 31, 2020**



Impact on Tenants due to COVID-19

Impact on Low-Wage Households



Increase in filings for Unemployment Insurance



Notices of Terminations Still Being Submitted



Resources for Landlords

Coronavirus Aid, Relief, and Economic Security Act (CARES)



State Mortgage Relief



Extension to Align with County & State, and Provide Residents Relief

Align with County & State



Relief for residents waiting for financial assistance



Other Cities with Rent Increase Freezes



City of Glendale

Rent increases/
rent freeze until
April 30th



City of Oakland

Rent increases limited
to 3.5% for rent
stabilized units until
June 30th



City of Los Angeles

Rent increases
prohibited for rent
stabilized units until 60
days from Moratorium
expiration



Rent Increase Freeze Provisions for Rent Stabilized Apartments & Mobilehomes



Length of Protection

From adoption to 120 days after Moratorium expires



Late Fees or Interest Prohibited

From adoption to 120 days after Moratorium expires



Petitions

Rent stabilized tenants may petition for improper rent increases



Variations in Terms for the Rent Increase Freeze Provisions

Policy Issue	Staff Recommendation	CM Carassco, Peralez	CM Khamis, Davis, Foley	CM Jones
Effective Date of the Rent Increase Freeze	April 21, 2020	April 1, 2020	April 14, 2020 Exclude renewals already signed	
Duration of the Rent Increase Freeze	120 days after the expiration of the eviction moratorium	During the declaration of the National emergency	Duration of the Eviction Moratorium	Duration of the Eviction Moratorium and the repayment period



Variations in Terms for the Rent Increase Freeze Provisions

Policy Issue	Staff Recommendation	CM Khamis, Davis, Foley
<p>Tenants Covered by the Rent Increase Freeze</p>	<p>Tenants living in apartments covered by the Apartment Rent Ordinance and the Mobilehome Rent Ordinance</p>	<p>Apply freeze only to tenants who experienced an income loss or disruption resulting from the COVID-19 crisis</p>
<p>Grounds for Petition</p>	<p>Allow tenants to petition regarding rent increases</p>	<p>Deny tenant petitions for rent decreases for service reductions related to the elimination of common area amenities such as pools, gyms, etc., if these amenities we closed in order to comply with County or State public health orders related to COVID-19</p>



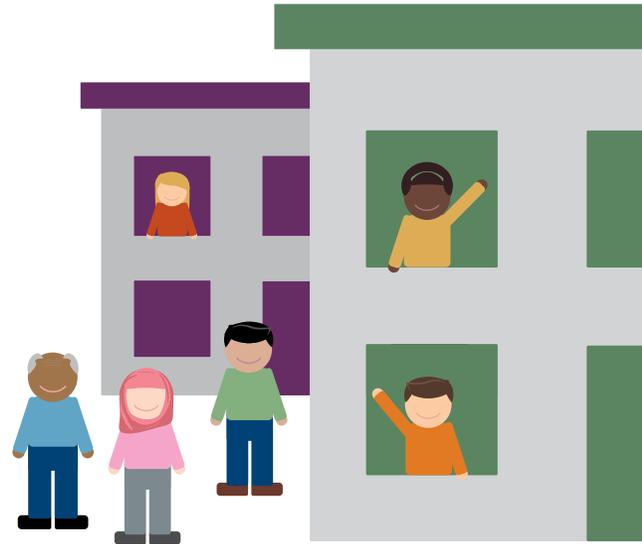
Rent Increase Freeze Provisions

Temporary Rent Reduction

- Allow landlords under the Apartment Rent Ordinance to temporarily reduce rent
- Rent may be returned to “base level”
- Staff will evaluate how future rent increases are applied
- Banking of annual increases needs to be carefully considered



Convening of Stakeholders to Explore Alternative Solutions



**Representatives of
landlords & tenants**

Possible Options:

- Mediation Program
- Payment Plan
- Repayment Period
- Prioritization



Variations in Direction Regarding Stakeholder Convening

Staff Recommendation	Mayor	CM Jones
<p>Convene stakeholders representing landlords and tenants to explore alternative solutions to address the needs of our rental community impacted by COVID-19</p>	<p>As part of the Stakeholder Convening, direct City Staff to outreach to the Turner Center for Housing Innovation at UC Berkeley for their recommendations on alternative solutions for the rental community impacted by COVID-19</p>	<p>Consider a Council led task force to initiate a convening of stakeholders representing landlords and tenants to explore alternative solutions to address the needs of our rental community impacted by COVID-19. The task force could be modeled after the District 1 facilitated Small Business Advisory Task Force.</p>



Potential Changes to Moratorium & Process

Potential Changes

- Anti-retaliation harassment
- Extending the tenant notification period

Process to Return:

- Direct City Attorney to return with amendments to Urgency & Companion Ordinances





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