



*Housing*

# Extension of Moratorium

## Consideration of a Rent Freeze

## Convening of Stakeholders

April 14, 2020  
Item 8.1

**Jacky Morales-Ferrand**  
Director  
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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 30<sup>th</sup>



## City of Oakland

Rent increases limited  
to 3.5% for rent  
stabilized units until  
June 30<sup>th</sup>



## 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

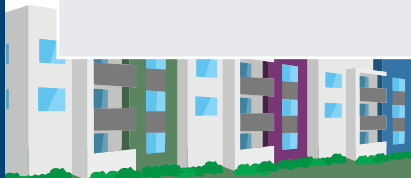
Policy Issue	Staff Recommendation	CM Carassco, Peralez	CM Khamis, Davis, Foley	CM Jones
Effective Date of the Rent Increase Freeze	April 21, 2020	April 1, 2020	April 14, 2020 Exclude renewals already signed	
Duration of the Rent Increase Freeze	120 days after the expiration of the eviction moratorium	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
<b>Tenants Covered by the Rent Increase Freeze</b>	Tenants living in apartments covered by the Apartment Rent Ordinance and the Mobilehome Rent Ordinance	Apply freeze only to tenants who experienced an income loss or disruption resulting from the COVID-19 crisis
<b>Grounds for Petition</b>	Allow tenants to petition regarding rent increases	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



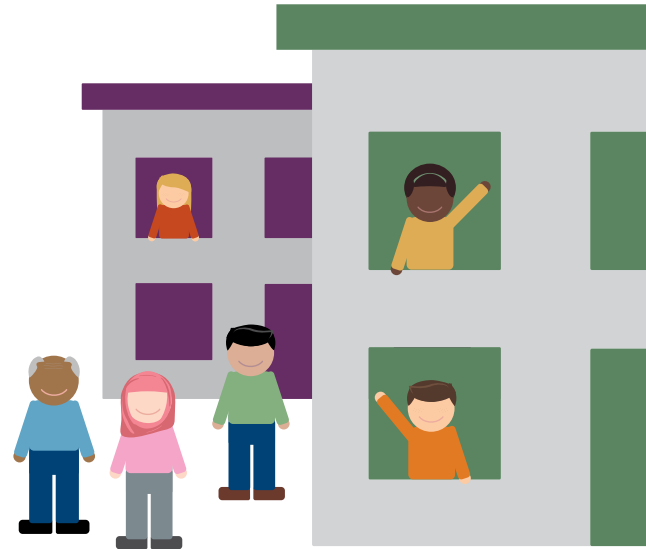
# Rent Increase Freeze Provisions

## 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
Convene stakeholders representing landlords and tenants to explore alternative solutions to address the needs of our rental community impacted by COVID-19	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	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.



# 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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