

## Legislation Details (With Text)

|                       |  |                      |                    |
|-----------------------|--|----------------------|--------------------|
| <b>File #:</b>        | 18-549   | <b>Version:</b>      | 1                  |
| <b>Type:</b>          | Community & Economic Development   | <b>Status:</b>       | Agenda Ready       |
| <b>File created:</b>  | 4/9/2018   | <b>In control:</b>   | Housing Department |
| <b>On agenda:</b>     | 4/24/2018  | <b>Final action:</b> |                    |
| <b>Title:</b>         | Amendments to the Tenant Protection Ordinance - Title 17 for Immigration and Criminal Activity.  |                      |                    |
| <b>Sponsors:</b>      | City Council   |                      |                    |
| <b>Indexes:</b>       |  |                      |                    |
| <b>Code sections:</b> |  |                      |                    |
| <b>Attachments:</b>   | 1. Memorandum, 2. Supplemental Memoradum, 3. Replacement Memorandum from Mayor Liccardo, 4. Memorandum from CM Jimenez, 5. Memorandum from CM Diep, 6. Memorandum from CM Jones, 7. Attachment, 8. Ordinance, 9. Letter(s) from the Public, 10. Presentation |                      |                    |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

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

Accept the staff report and approve an ordinance amending the provisions in Part 12 of Chapter 17.23 of Title 17 of the San José Municipal Code to:

- (a) Include a provision that prohibits landlords from disclosing or threatening to disclose tenants' and/or associates of tenants' immigration or citizenship status to authorities for the purposes or intent of retaliation, harassment, intimidation, or recovering possession of a rental unit consistent with Civil Code 1940.35(a), as amended; and
- (b) Include "Felony Conviction" as a separate just cause basis for eviction to allow a landlord to serve a Notice of Termination of Tenancy when a tenant has been convicted, for a serious felony as defined by Penal Code Section 1192.7(c), as amended, or a violent felony as defined by Penal Code Section 667.5(c), that was committed during his or her tenancy and on the premises. Require that landlords, prior to serving a Notice of Termination of Tenancy, provide tenant households a written notice to remove the tenant who was convicted from the unit or the tenant's name from the lease agreement within a reasonable time, using one of the following methods:
  - (1) Filing a restraining order or providing evidence of similar steps being taken to remove them from the household; or
  - (2) Removing the member of the household who was convicted and providing written notice to the landlord that said tenant has been removed.

CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Housing)

**TO BE HEARD LAST**