Legislation Details (With Text)

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Type:	Community & Economic Development	**Status:**	Agenda Ready
File created:	5/6/2020	**In control:**	City Council
On agenda:	5/19/2020	**Final action:**	
Title:	Amendments to the Eviction Moratorium Ordinance and Extension of Moratorium.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Memorandum, 2. Presentation, 3. Supplemental Memorandum, 5/15/2020, 4. (a) Ordinance, 5. (b) Ordinance, 6. Resolution, 7. Memorandum from the Mayor, 5/19/2020, 8. Letters from the Public		

Date	Ver.	Action By	Action	Result
5/19/2020	1	City Council		

Amendments to the Eviction Moratorium Ordinance and Extension of Moratorium.

(a) Adopt an Urgency Ordinance amending the provisions of the COVID-19 Eviction Moratorium Ordinance, Ordinance No. 30382, to include the following:

(1) Invoke the urgency provisions in the City Charter, as an emergency measure for immediate preservation of the public peace, health or safety, to include additional provisions protecting against eviction of a tenant for nonpayment of rent, if that tenant meets the criteria listed in the ordinance regarding COVID-19;

(2) Extending the time for the tenant to notify their landlord of their status as an Affected Tenant to seven days after the notice of termination is served;

(3) Prohibiting retaliation against Affected Tenants;

(4) Prohibiting a Landlord from serving a notice in bad faith, or influencing or attempting to influence an Affected Tenant to vacate a Rental Unit through fraud, intimidation or coercion;

(5) Including in the definition of Affected Tenant those who lost income due to being infected with COVID-19 or caring for someone in the household who was infected;

(6) Prohibiting late fees, interest, or penalties charged against an Affected Tenant during the moratorium; and

(7) Establishing a repayment period until December 31, 2020 for Affected Tenants to repay their past due rent accruing during the moratorium and extend the Ordinance effective date to correspond with this deadline.

PLEASE NOTE: APPROVAL OF THIS URGENCY ORDINANCE REQUIRES 8 OR MORE AFFIRMATIVE VOTES (2/3)

(b) Approve a Companion Ordinance amending the provisions of the COVID-19 Eviction Moratorium Ordinance, Ordinance No. 30382, to include the following:

(1) Extending the time for the tenant to notify their landlord of their status as an Affected Tenant to seven days after the notice of termination is served;

(2) Prohibiting retaliation against Affected Tenants;

(3) Prohibiting a Landlord from serving a notice in bad faith, or influencing or attempting to influence an Affected Tenant to vacate a Rental Unit through fraud, intimidation or coercion;

(4) Including in the definition of Affected Tenant those who lost income due to being infected with COVID-19 or caring for someone in the household who was infected;

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(5) Prohibiting late fees, interest, or penalties charged against an Affected Tenant during the moratorium; and
(6) Establishing a repayment period until December 31, 2020 for Affected Tenants to repay their past due rent accruing during the moratorium and extend the Ordinance effective date to correspond with this deadline.
(c) Adopt a resolution extending the moratorium on evictions to June 30, 2020.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Housing)
[Rules Committee referral 5/6/20 - Item A.1.a]