

Legislation Text

File #: 20-307, Version: 1

Actions Related to Income Loss and Evictions Due to Novel Coronavirus

(a) Direct the City Attorney to prepare a resolution, an ordinance, and a companion urgency ordinance providing for a temporary moratorium on evictions in the City of San Jose for renters on the basis of nonpayment of rent (“affected renters”) where that failure to pay rent results from wage loss resulting from the novel coronavirus (COVID-19) pandemic, under the following conditions:

(1) Ordinance will become effective upon Council adoption of a resolution declaring that the moratorium is effective due to the declaration of the County Public Health Officer, or other State or Federal Authority, of an emergency related to COVID-19;

(2) The temporary moratorium shall remain in effect for a period of thirty (30) days from the Council resolution, but the City Manager shall return to enable Council to consider an extension to a longer period as the circumstances dictate;

(3) The temporary moratorium must not extend beyond the duration of the City’s Resolution, but may be extended for a longer period by agreement of the Council;

(4) Affected renters must demonstrate substantial loss of income, through documentation or other objectively verifiable means, resulting from the COVID-19 pandemic or the declaration of the County Public Health Officer, or other State or Federal Authority e.g., from (a) job loss, (b) a reduction of compensated hours of work, (c) store, restaurant, or office closure, (d) the need to miss work to care for a home-bound school-age child, or (e) other similarly-caused loss of income that resulted since the City’s Resolution;

(5) Affected renters must notify their landlords on or before the day that rent is due that they have substantial loss of income as a result of the declared emergency related to COVID-19, resulting in business closure, substantial loss of compensable hours of work and wages, or layoffs.

(6) The legislation shall include findings of potential job loss, wage loss, or other impacts for specific industries-such as hotels, conventions,-or theaters:-resulted from the COVID-19 pandemic.

(b) Direct the City Attorney to evaluate the potential for including in such legislation a 120-day period for affected tenants to become current on past due rent.

(c) Direct the City Manager to work with the Apartment Association in advocating with the relevant organizations for temporary relief for burdened, unpaid landlords from the burden of such costs as property taxes, utility charges, and foreclosure.

CEQA: Not a Project, PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment, and PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. (Mayor)