

Legislation Text

File #: 20-358, **Version:** 1

Actions Related to a Moratorium on Evictions and Income Loss Due to COVID-19.

(a) Approve an ordinance that establishes a moratorium on non-payment of rent evictions for tenants with incomes affected by the novel coronavirus (COVID-19). Specifically, the ordinance would:

1. temporarily prohibit the eviction of a residential tenant for non-payment of rent, if that tenant meets the criteria listed in the ordinance regarding COVID-19; and
2. Provide that the moratorium will commence upon the Council's adoption of a resolution declaring the commencement and making findings regarding COVID-19 and that such moratorium would expire in thirty days unless extended.

(b) Adopt an urgency ordinance that establishes a moratorium on non-payment of rent evictions for tenants with incomes affected by the COVID-19 virus. Specifically, the ordinance would:

1. Invoke the urgency provisions in the City Charter, as an emergency measure for immediate preservation of the public peace, health or safety, to temporarily prohibit eviction of a tenant for nonpayment of rent, if that tenant meets the criteria listed in the ordinance regarding COVID 19; and
2. Provide that the moratorium will commence upon the Council's adoption of a resolution declaring the commencement and making findings regarding COVID-19 and that such moratorium would expire in thirty days unless extended.

Please note: Approval of this urgency ordinance requires 8 or more affirmative votes (2/3)

(c) Adopt a resolution declaring the commencement of a thirty-day temporary moratorium on evictions due to nonpayment of rent for residential tenants where the failure to pay rent results from income loss resulting from COVID-19, and setting forth the facts constituting such urgency.

(d). Discuss and direct the City Attorney to return with an ordinance and urgency ordinance that establishes a moratorium for non-payment of rent for small business tenants with incomes affected by the COVID-19 virus.

(e). Discuss creating a funding pool and/or budget changes for San José residential tenants and small businesses for those impacted by the COVID-19 virus.

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)