



## Agenda Report

20-635

Agenda Date: 6/23/2020

### REPORT TO COUNCIL

#### SUBJECT

Adoption of a Resolution extending the Moratorium on Evictions for the Non-payment of Rent and No-Fault Evictions for Tenants with Incomes Affected by the Novel Coronavirus (COVID-19) [Council Pillar: Promote and Enhance Economic and Housing Development]

#### BACKGROUND

Since March 16, 2020, City of Santa Clara residents have been sheltering in place in accordance with the public health declarations issued by the State of California and County of Santa Clara. As a result of the COVID-19 emergency, many residents throughout the community have experienced financial challenges and housing instability. While the shelter in place restrictions have been slowly lifted through the Governor's phased reopening of the local economy and the County of Santa Clara's new health order, the economic recovery will take time and the financial uncertainty for Santa Clara residents remains.

On March 24, 2020, the City Council adopted an Urgency Ordinance, setting in place a moratorium on evictions in the City of Santa Clara for the non-payment of rent and no-fault evictions for tenants affected by COVID-19. The Moratorium went into effect March 24, 2020 for a period of 45 days until May 8, 2020. The ordinance applies to all residential tenants renting in a building or portion of a building that is used as a home, residence or sleeping place in Santa Clara for periods in excess of seven days. On April 28, 2020 the City Council authorized the extension of the Urgency Ordinance regarding the Moratorium by resolution through May 31, 2020. Also, on April 28, 2020, the City Council adopted the Emergency Evictions Protection Ordinance allowing the moratorium to be extended by resolution. On May 26, 2020, the City Council extended the ordinance through June 30, 2020.

If the City Council would like to continue to provide eviction protection for tenants affected by the COVID-19 emergency beyond June 30, 2020, the City Council will need to adopt a resolution to extend the ordinance.

#### DISCUSSION

The California Employment Development Department provided in its May 22, 2020 report that California's unemployment rate reached a record 15.5 percent, losing an unprecedented 2,344,700 jobs in April 2020. This amount equates to ten times the amount of jobs lost compared to March 2020. The extension of the moratorium on evictions will provide needed relief for residents who have applied for, but have not yet received financial assistance, by stabilizing their housing. The extension eliminates some of the uncertainty caused by the delay in processing unemployment benefits and other local, state and federal assistance programs residents are waiting to receive. By providing tenants with this measure of security, residents across the City can focus on obtaining financial, food and health services. The extension also aligns with the City's ongoing commitment to mitigate

homelessness and preserve housing.

On May 26, 2020, the Board of Supervisors extended their eviction moratorium ordinance through the earlier of (1) the Governor's Executive Order on residential or commercial evictions, and any extension thereof, or (2) August 31, 2020. On May 29, 2020, Governor Newsom issued Executive Order N-66-20, which extended the applicable provisions of Executive Order N-28-20. This extension expires on July 28, 2020, thereby extending the County's ordinance through July 28, 2020.

The City Council may determine to extend the moratorium on evictions beyond June 30, 2020 by adopting the proposed resolution extending the moratorium through the earlier of (1) the Governor's Executive Order on residential or commercial evictions, and any extension thereof, or (2) August 31, 2020. The approval of an extension of the eviction moratorium will result in eviction protections for residents until July 28, 2020 unless it is further extended by a Governor's executive order. However, this extension shall not go beyond August 31, 2020, unless further extended by action of the City Council.

### **ENVIRONMENTAL REVIEW**

The ordinance regulates eviction of tenants from existing rental units and its adoption is an administrative activity that does not result in a direct or indirect physical change to the environment. Therefore, this action is exempt from environmental review under CEQA per the CEQA Guidelines section 15378(b)(5).

### **FISCAL IMPACT**

There is no fiscal impact with the moratorium.

### **COORDINATION**

This report has been coordinated with the City Attorney's office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

Adopt a resolution extending the moratorium on residential evictions for the nonpayment of rent, as set forth in Chapter 8.65 of Title 8 of the Code of the City of Santa Clara to be in effect through the earlier of (1) the date of any Governor's Executive Order that suspends state law to impose substantive limits on residential or commercial evictions, or (2) August 31, 2020.

Reviewed by: Ruth Mizobe Shikada, Assistant City Manager

Approved by: Deanna J. Santana, City Manager]

### **ATTACHMENT**

1. Temporary Moratorium on Evictions Resolution 06-18-20