

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: SUE GALLAGHER, CITY ATTORNEY
MEGAN BASINGER, INTERIM DIRECTOR, HOUSING &
COMMUNITY SERVICES
SUBJECT: TENANT PROTECTIONS: RENTAL ASSISTANCE AND
SONOMA COUNTY'S EVICTION DEFENSE ORDINANCE

AGENDA ACTION: NO ACTION REQUIRED

RECOMMENDATION

Staff will provide an update on existing Rental Assistance Programs and a review of existing eviction protections, including Sonoma County's COVID-19 Eviction Defense Ordinance as recently amended. No action is required but Council may provide direction to staff.

EXECUTIVE SUMMARY

Staff will provide an update on existing Rental Assistance Programs and a review of existing eviction protections, including Sonoma County's COVID-19 Eviction Defense Ordinance as recently amended.

BACKGROUND

The COVID-19 pandemic has caused tremendous financial hardship in our community. Many have faced substantial loss of income or significant out-of-pocket medical expenses. Among those hardest hit are residential tenants unable to meet their rent obligations due to COVID-related financial loss.

A number of programs are in place to help such tenants. This study session will provide an update on existing Rental Assistance Programs at the federal, state and local level, as well as a review of existing federal, state and local protections against eviction for those unable to pay rent due to the impacts of the COVID pandemic.

The review will include a detailed outline of the County of Sonoma Eviction Defense Ordinance, as recently amended. The Council may wish to provide direction as to possible actions with respect to that Ordinance. The County Ordinance was originally adopted on March 24, 2020. It is expressly intended to operate throughout Sonoma

TENANT PROTECTIONS: RENTAL ASSISTANCE AND SONOMA COUNTY'S
EVICION DEFENSE ORDINANCE
PAGE 2 OF 3

County, including in both incorporated and unincorporated areas, although it does not preclude additional or alternative action by the incorporated cities.

In its original form, the County Ordinance prohibited residential eviction for failure to pay rent if that failure to pay rent was the result of substantial loss of income or out-of-pocket medical expenses associated with COVID-19. On February 9, 2021, the Ordinance was significantly expanded with the adoption of amendments by the Board of Supervisors. As amended, the Ordinance now prohibits all evictions except (1) when necessary due to violence, threats of violence, or threats to health or safety; (2) when sought for the purposes of immediately removing the unit from the rental market; or (3) when based upon nonpayment of rent unrelated to financial hardships resulting from COVID-19. The County Ordinance is to remain in effect for the duration of the local public health emergency and for sixty days thereafter.

PRIOR CITY COUNCIL REVIEW

On April 7, 2020, a Report item was brought forward on the Sonoma County Eviction Defense Ordinance (Ordinance No. 6301) which had been unanimously passed on March 24, 2020 by the Sonoma County Board of Supervisors, acting in its capacity as both the Board of Supervisors and the Board of Commissioners of the Sonoma County Community Development Commission.

On September 1, 2020, staff provided a brief update on the status of state and local eviction protections.

On February 23, 2021, the City Attorney reported out on the Sonoma County COVID-19 Eviction Defense Urgency Ordinance Amendments (Just Cause Limitations).

ANALYSIS

Staff will provide an update on existing Rental Assistance Programs and a review of Sonoma County's COVID-19 Eviction Defense Ordinance as recently amended, and is seeking Council feedback and direction.

FISCAL IMPACT

The study session is for information only and no action is being taken, therefore, there is no fiscal impact.

ENVIRONMENTAL IMPACT

This study session is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and that no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

None.

CONTACT

Sue Gallagher, sgallagher@srcity.org
Megan Basinger, mbasinger@srcity.org