

**SPECIAL CITY COUNCIL MEETING
TUESDAY, MARCH 24, 2020**

PRESENTATIONS

ITEM #2 LB 20-014

**TEMPORARY MORATORIUM ON EVICTIONS:
ADOPTION OF EMERGENCY ORDINANCE
ESTABLISHING A TEMPORARY MORATORIUM ON
EVICTIONS IN THE CITY OF HAYWARD FOR NON-
PAYMENT OF RENT CAUSED BY THE CORONAVIRUS
(COVID-19) PANDEMIC, OR FOR NO-FAULT
EVICTIONS AND PROVIDING TENANTS AND
LANDLORDS MEDIATION SERVICES TO
NEGOTIATE PAYMENT AGREEMENTS AND TO
PROVIDE DIRECTION TO STAFF TO DEVELOP A
FINANCIAL ASSISTANCE PROGRAM TO HELP
STABILIZE THE RENTAL HOUSING MARKET IN
HAYWARD**

Presentation

A night-time photograph of Hayward City Hall, a large, multi-story building with a prominent central tower and a dark, conical roof. The building's facade is illuminated, and the name "HAYWARD CITY HALL" is visible on the upper right side. In the foreground, a circular fountain with water spraying upwards is surrounded by a paved plaza. Several flagpoles with flags are positioned around the plaza. The scene is lit by streetlights and building lights, creating a warm glow against the dark night sky. The text "Temporary Moratorium on Evictions Related to COVID-19" is overlaid in white, serif font across the upper portion of the image.

Temporary Moratorium on Evictions Related to COVID-19

Jennifer Ott, Deputy City Manager and Christina Morales, Housing Division Manager
Tuesday, March 24, 2020

Purpose

- Propose moratorium on evictions related to non-payment of rent due to COVID-19 and no-fault evictions.
- Recommend expanding mediation services and contract amendment with Project Sentinel.
- Provide preliminary information on financial assistance programs.

Background

- **State of Emergency:** Corona Virus (COVID-19) pandemic
 - March 4, 2020 State of California
 - March 11, 2020 City of Hayward
- **Executive Order:** that enable local government to limit evictions
 - March 16, 2020 Governor of California
- **Shelter-In-Place Order:**
 - March 17, 2020 Alameda County
 - March 20, 2020 State of California
- **Results in unexpected loss of wages**
- **Increases risk of homelessness and displacement**

Moratorium on Evictions

Applicability: All residential units

Term: 90 days (option to extend)

Prohibitions:

- Evictions for non-payment of rent related to COVID-19
- No Fault evictions (except related to health and safety 'red tag' of units)
- Late fees
- Initiation of eviction proceedings for non-payment of rent 90 after the moratorium expires

Moratorium on Evictions

Requirements:

- Good faith effort to notify landlord
- Able to provide documentation to support claim

Payment of Past Due Rent:

- Tenant liable for unpaid rent
- City expanding mediation services to negotiate repayment

Terms upon expiration:

- No eviction for non-payment of rent during moratorium period within 90 days after expiration.
- Requires meet and confer prior to initiating any action.

Expanded Mediation

- Expands existing services to provide mediation to negotiate past due rent.
- Requires an amendment to the contract with Project Sentinel not-to-exceed \$150,000 within existing budget.

Financial Assistance

Bridge Loans

- Provide low-cost deferred loans to property owners.
- Offsets some lost revenue.
- Loan forgiveness could be considered if revenue not recovered.

Rental Subsidies

- Help a tenant pay their rent or a portion of the rent.
- Paid directly to landlord.

Staff will continue to evaluate and discuss with landlords and tenants the best way to use the limited funds as effectively as possible and will proceed to administratively develop a financial assistance package based on policy direction and guidance from Council at this meeting.

Moratorium on Rent Increases

- Residential Rent Stabilization Ordinance and Tenant Protection Act prevent rent gouging.
- If necessary, an allowable rent increase to non-affected tenants may prolong the landlord's ability to provide housing.
- Staff not recommending a moratorium on rent increases at this time.

Recommendation

That the City Council:

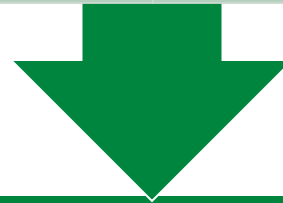
1. Adopts an emergency ordinance that:
 - A. Establishes a temporary moratorium on evictions in the City of Hayward for:
 - a) Non-payment of rent caused by the COVID-19 pandemic, or
 - b) No-fault evictions unless the eviction is necessary for the health and safety of the tenant or landlord (e.g. unit is deemed uninhabitable), and
 - B. Provides tenants and landlords mediation services to negotiate payment agreements
2. Adopts a resolution to amendment to the agreement with Project Sentinel not to exceed \$150,000 to expand mediation services to negotiate payment agreements.

Emergency Ordinance Adoptions

Emergency Ordinance

5 affirmative votes

Adopted and effective immediately



Non-Emergency Ordinance

4 affirmative votes

Adopted at next Council Meeting and effective 30 days later

Next Steps

If approved:

1. Send notification regarding moratorium to rental property owners.
2. Work with consultant to expand mediation services.
3. Continue to develop financial assistance program.

Questions

