



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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Cover Memo

File #: LB 20-014, **Version:** 1

DATE: March 24, 2020

TO: Mayor and City Council

FROM: City Manager

SUBJECT

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

RECOMMENDATION

That the City Council:

1. Adopts an emergency ordinance that 1) establishes a temporary moratorium on evictions in the City of Hayward for non-payment of rent caused by the COVID-19 pandemic, or for 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 2) provides tenants and landlords mediation services to negotiate payment agreements (Attachment II).
2. Adopts a resolution authorizing the City Manager to negotiate and execute an amendment to the agreement with Project Sentinel to expand mediation services up to a not-to-exceed amount of \$150,000. (Attachment III)

SUMMARY

As a result of the State of Emergency declarations and Alameda County Shelter-in-Place Order during the COVID-19 pandemic outbreak, many tenants have experienced or will experience sudden income loss, leaving them vulnerable to eviction. During the State of Emergency, the public interest in preserving peace, health, and safety and preventing further transmission of COVID-19 will be served by avoiding unnecessary displacement and homelessness. However, in addition to the impacts on tenants, non-payment of rent will make it difficult for landlords to meet their obligations as housing service providers. To mitigate these impacts, staff proposes measures to balance the needs of both stakeholder groups. Staff recommends the adoption of an emergency ordinance that:

1. Prohibits evictions due to non-payment of rent related to loss of income or increased expenses

- related to COVID-19 and no-fault evictions, and
2. Provides mediation services for tenants and landlords to negotiate rent reduction agreements or repayment plans.

Additionally, staff is working on a third measure to provide financial assistance to help stabilize the rental housing market and requests Council direction to pursue development of this program. Staff is evaluating options to provide financial assistance either through a bridge loan to landlords or rental subsidy program for tenants.

Enactment of an emergency ordinance would require at least five affirmative votes from the City Council. If only four Council members vote for the proposed ordinance, then adoption would occur at the next City Council meeting and the ordinance would go into effect 30 days after adoption. If not approved as an emergency ordinance, tenants will be responsible for payment of rent for the months of April and May. Tenants impacted by the Shelter-in-Place Order without remote work options or paid leave would lose a minimum of three weeks of wages by the time the ordinance is enacted.

ATTACHMENTS

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| Attachment I | Staff Report |
| Attachment II | Emergency Ordinance Establishing Temporary Moratorium on Certain Evictions and Mediation Services |
| Attachment III | Resolution Authorizing Amending Agreement with Project Sentinel to Increase Mediation Services |