



# City of Palo Alto

## City Council Staff Report

(ID # 10844)

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**Report Type: Action Items**

**Meeting Date: 11/18/2019**

**Summary Title: Colleagues' Memo Regarding Urgency Ordinance Regarding Renter Protections**

**Title: Colleagues' Memo From Council Members Kou and DuBois and Potential Adoption of an Urgency Ordinance to Provide Just Cause Eviction Protections to Tenants Until California State Assembly Bill 1482 Takes Effect on January 1, 2020**

**From: City Manager**

**Lead Department: City Clerk**

### **Goals**

To temporarily prohibit no-fault evictions through December 31, 2019, for all residential real property that will be covered by Assembly Bill 1482 beginning on January 1, 2020.

### **Background and Discussion:**

Assembly Bill 1482, the Tenant Protections Act of 2019, was signed by Governor Newsom on October 8, 2019. Escalating real estate values with the assistance of the deregulation of zoning provides an incentive to landlords to evict long-term, lower-income tenants, in order to raise rents and attract wealthier tenants, reducing the local diversity socio-economic of Palo Alto's population. It has been reported, since the anticipation of the Tenant Protection Act of 2019 legislation, there has been an escalation of harassment by landlords in order to encourage tenants to move out voluntarily. However, since the Governor's signing of the legislation, there is a surge of calls and inquiries from community advocates and tenants facing steep rent increases, some as much as 30% rent increase and facing evictions, also facing increases in costs of parking, lock services and other bundled amenities. While landlords may properly evict tenants for cause under the provision of state law, landlords should not be able to evict tenants in good standing without cause simply to avoid the limitation on rent-gouging afforded to renters under the new law. Hence, it is imperative for the City of Palo Alto to issue an emergency ordinance to keep people housed and provide a sense of stability.

### **Proposal**

**Request the City Attorney to report on:**

1. An emergency ordinance implementing a temporary moratorium on no-fault evictions for rental units built prior to January 1, 2012, effective through December 31, 2019.
2. The use State of California price gouging laws to prevent prohibitive rent increases before Assembly Bill 1482 takes effect on January 1, 2020.
3. This emergency ordinance shall apply to tenancies where the tenant remains in possession and the eviction lawsuit has not been adjudicated.

**Direct City Manager staff to:**

1. Inform Palo Alto rental residents of legal resources to help them address any disputes with their landlords.
2. Inform property owners and landlords of rental property of their obligations under Assembly Bill 1482 and any locally-established ordinances.

**Resource Impact**

Due to the short timeframe to adopt tenant protections (through January 1, 2020), existing resources in the City Manager’s Office, City Attorney’s Office and Planning and Development Services are being redirected to draft an ordinance for the Council’s consideration on November 18th. Also due to the short timeframe, any outreach on a potential urgency ordinance will be limited to electronic (email and social media) distribution methods.

If the Council adopts an ordinance, some staff resources will be needed for public outreach and education regarding the rights and responsibilities of landlords and tenants, responding to public inquiries, and making referrals. Tenant protections are enforced by tenants in private litigation with their landlords. The City does not investigate alleged violations or adjudicate tenant-landlord disputes. This is true for protections provided by a temporary City ordinance (before January 1<sup>st</sup>) as well as by AB 1482 (after January 1<sup>st</sup>). The City provides voluntary mediation services through Project Sentinel and can refer tenants to other resources, such as non-profit legal services agencies.

**Appendices:**

Report by City of Los Angeles City Attorney [http://clkrep.lacity.org/onlinedocs/2019/19-1232\\_misc\\_10-22-2019.pdf](http://clkrep.lacity.org/onlinedocs/2019/19-1232_misc_10-22-2019.pdf)

City of Los Angeles Draft Ordinance [http://clkrep.lacity.org/onlinedocs/2019/19-1232\\_ord\\_draft\\_10-22-2019.pdf](http://clkrep.lacity.org/onlinedocs/2019/19-1232_ord_draft_10-22-2019.pdf)

City of Los Angeles Final Ordinance [http://clkrep.lacity.org/onlinedocs/2019/19-1232\\_ORD\\_186340\\_10-24-2019.pdf](http://clkrep.lacity.org/onlinedocs/2019/19-1232_ORD_186340_10-24-2019.pdf)

City of Redwood City Draft Ordinance  
<https://meetings.redwoodcity.org/AgendaOnline/Documents/ViewDocument/ATTACHMENT%20B%20-%20URGENCY%20ORDINANCE.pdf?meetingId=2048&documentType=Agenda&itemId=2741&publishId=4267&isSection=false>

**Attachments:**

- Attachment A: Urgency Ordinance

The Urgency Ordinance is still being reviewed and will be produced on Thursday, November 14, 2019 as a late packet memo.