

PROPOSED RESIDENTIAL EVICTION MORATORIUM EXTENSION



COMMUNITY DEVELOPMENT DEPARTMENT
HOUSING SERVICES DIVISION
FEBRUARY 14, 2023

TIMELINE OF EVENTS IMPACTING CITY EVICTION MORATORIUM

- March 1, 2020 – Alameda County Health Office declares public health emergency due to COVID-19
- March 4, 2020 – Governor Newsom proclaimed state of emergency
- March 16, 2020 – City Council declared local emergency
- March 23, 2020 – City Council adopts urgency ordinance establishing residential & commercial eviction moratorium due to nonpayment of rent for tenants related to income loss from COVID-19
- February 14, 2023 – City Council to consider Ordinance extending eviction moratorium to Feb 2024 (1st reading)
- February 21, 2023 - City Council to consider termination of local state of emergency on February 28, to coincide with end of State of California state of emergency.

Emergency Rental Assistance Programs During the Pandemic

- City ERAP (\$1.1 million)
 - *Approx. 250 renter applicants*
 - *148 renters awarded*

- Alameda County Housing Secure (\$74 million)
 - *Over 13,000 applicants and over 5,000 renters awarded County-wide*
 - *For San Leandro, over 1,700 renters applied (for \$36 million)*
 - *656 SL renters approved (for \$9.5 million)*
 - *San Leandro received 4th highest grants after Hayward, Berkeley & unincorporated County*
 - *San Leandro had 2nd highest funding amount per capita after Hayward*

City Eviction Moratorium

- Covered residential and commercial renters, and mobilehome/RV owners
- Prohibited evictions due to nonpayment of rent related to COVID-19
- Upon expiration of the moratorium, tenants and mobilehome owners have a maximum of 180 days to repay unpaid rent that accumulated due to income loss related to the COVID-19 emergency.

Note: City Council ended eviction moratorium for commercial renters in Fall 2021

Alameda County Eviction Moratorium

- Adopted in 2020 and covered unincorporated and incorporated cities, including San Leandro
- Broader application than City's eviction moratorium
 - *Prohibited evictions of any kind except due to government enforcement (e.g., red tag), owner move in (Ellis Act) & 3) imminent health or safety concern*
 - *Required repayment of late rent within 12 months of when rent was due, not from end of the moratorium*
 - *Back due rent is consumer debt and may not be used as basis for eviction*

County-wide Eviction Moratorium Status Survey Results

- City of Berkeley – still in effect
- City of Dublin – none
- City of Emeryville – ended September 30, 2020
- City of Fremont – still in effect but ends Feb 28, 2023. Set-aside \$260,000 in emergency rental assistance funding for post-eviction moratorium period.
- City of Hayward –ended on Sept 30, 2020. Provides mediation services to assist landlords and tenants.
- City of Livermore – none
- City of Newark – ends on Feb 28, 2023
- City of Oakland – still in effect & under litigation.
- City of Piedmont – none
- City of Pleasanton – none
- Alameda County – still in effect & under litigation

Note: Union City did not respond to the survey along with the County & Oakland

Current Demographics

- Total City Population: 90,025 (2019)
- Total Occupied Housing Units: 31,434
- Total Renter-Occupied Housing Units: 13,872 (44%)
- Total Owner-Occupied Housing Units: 17,562 (56%)

Sources: Census Bureau, 2015-2019 American Community Survey, Census Bureau & Chapter 2, Housing Element Update 2023-2031

Impacts on Renters

Since April 1, 2020, there were 111 San Leandro residents who had an unlawful detainer (UD) or notice of termination of tenancy during the pandemic:

- 70 residents sought services with Centro Legal for written notice of termination of tenancy, some multiple times
- 21 residents sought services with CL for verbal threats of eviction, some of them multiple times
- 20 residents sought services with CL for a UD

Source: Central Legal de la Raza

	2019		2020		2021		2022	
	# cases with threat	% cases with threat	# cases with threat	% cases with threat	# cases with threat	% cases with threat	# cases with threat	% cases with threat
Threat of displacement								
Impacted by covid-19	0	0%	12	31%	50	52%	19	19%
Landlord harassment	7	16%	9	23%	37	38%	36	35%
Notice of termination of tenancy	20	44%	11	28%	50	52%	29	28%
Rent increase	5	11%	5	13%	10	10%	41	40%
Repairs necessary for health or safety	6	13%	13	33%	19	20%	17	17%
Unable to pay rent	0	0%	7	18%	10	10%	23	23%
Unfair or illegal behavior by landlord	11	24%	9	23%	29	30%	29	28%
Unlawful Detainer	19	42%	9	23%	8	8%	9	9%
Total cases	45		39		97		102	

Source: Centro Legal de La Raza

Threat of Displacement Analysis for San Leandro Renters (2019-2022)

Eviction Filing Data

- For unincorporated and incorporated San Leandro,
- 312 evictions filed per year from 2016-2019 (pre-pandemic)
 - During the pandemic, some evictions continued:
 - 2020 - 75 *unlawful detainers (UDs) filed (24% of pre-pandemic averages)*
 - 2021 - 31 *UDs filed (10% of pre-pandemic averages)*
 - 2020 and 2021 data may reflect the positive effect of the eviction moratorium on lowering UD's

Source: Alameda County Superior Court

Impact on Landlords

- Data on negative impacts not easily or publicly accessible
- General impacts to landlords facing unpaid rents during moratorium include:
 - *financial hardship due to inability to pay their mortgages and utility bills*
 - *inability to make necessary capital improvements*

Existing City Renter Assistance Programs

- Tenant-landlord counseling and legal aid services
 - *Annual City funding to nonprofits Centro Legal de la Raza & ECHO Housing to administer these programs*
 - *City added \$40K from federal American Rescuse Plan Act funding to meet increased renter needs/services*
- Fair Housing Services
- Tenant Relocation Assistance Ordinance
- Mobilehome Rental Stabilization Ordinance
- Rent Review Board Program

For City Council Consideration

An Ordinance to Extend the City
Residential Eviction Moratorium
to February 28, 2024