



Legislation Text

File #: 17-336, **Version:** 1

ORDINANCE of the City of San Leandro Adding Chapter 4.37 “Tenant Relocation Assistance” to the San Leandro Municipal Code to Require the Payment of Tenant Relocation Assistance for Landlord-Caused Terminations of Tenancy and to Require Additional Notice Prior to Termination of Tenancy

WHEREAS, there is an increasing demand for rental housing in the City of San Leandro leading to rising rents; and

WHEREAS, the demand for rental housing in the City creates an incentive for some landlords to pressure existing tenants to move so that rents can be quickly increased; and

WHEREAS, the City does not currently regulate terminations of tenancy; and

WHEREAS, secure and stable shelter is a basic necessity of life; and

WHEREAS, the City Council Rules Committee considered potential tenant relocation assistance at five public meetings between April 13, 2016 and May 22, 2017; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that a city may make and enforce within its limits all local police, sanitary and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council wishes to regulate the relations between residential landlords and tenants as it relates to termination of tenancy in order to increase certainty and fairness within the residential rental market; and

WHEREAS, secure and stable rental housing is important for maintaining and protecting the public health, safety and the general welfare; and

WHEREAS, the City Council desires to prohibit residential landlords from terminating the tenancy of a residential tenant without providing sufficient notice and relocation assistance; and

WHEREAS, such protections are consistent with City policies; and

WHEREAS, the amendments to the Municipal Code propose to add Chapter 4.37 as shown in Exhibit A, which exhibit is attached and incorporated herein by reference.

Now, therefore, the City Council of the City of San Leandro does ordain as follows:

SECTION 1. Recitals. The above recitals are true and correct and made a part of this ordinance.

SECTION 2. CEQA. Approval of the amendments is exempt from further environmental review

under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b) (3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 3: Approval. The City Council hereby approves the amendments to the Municipal Code, more particularly, adding Chapter 4.37, as shown in attached Exhibit A, which is incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

SECTION 4: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

SECTION 5: Publication and Effective Date. This Ordinance shall take effect thirty (30) days after adoption. The City Clerk of the City of San Leandro shall cause the Ordinance to be published in accordance with section 36933 of the Government Code of the State of California.