



April 13, 2020

Contra Costa County Board of Supervisors
651 Pine Street
Martinez, CA 94553

RE: April 14 Agenda Item D.3, "Report on emergency moratoriums on evictions and rent increases"

Dear Chair Andersen, Vice Chair Burgis and Members of the Board of Supervisors:

The City of Orinda thanks the Contra Costa County Board of Supervisors and County Staff for considering adoption of a moratorium to protect commercial tenants through temporary moratoria on commercial evictions, and including an overview of Bay Area jurisdictions that have passed such ordinances, on the April 14 Agenda (Item D.3, "Report on emergency moratoriums on evictions and rent increases"). The report notes that Governor Newsom authorizes local governments to prohibit commercial evictions through May 31 and that the counties of Santa Clara, San Francisco and Marin, as well as the cities of Concord and Pittsburg, have adopted this type of moratorium to protect commercial tenants.

Like many of Contra Costa County's commercial areas, Orinda's downtown is largely characterized by independently-owned merchants and other small businesses. These types of businesses have limited resources to continue to pay rent when their revenues have plummeted, in some cases to nothing, as a result of the COVID-19 crisis. In order to protect these small businesses and maintain local retail, we urge Contra Costa County to pass an urgency ordinance establishing a moratorium on commercial evictions as soon as possible.

Sincerely,

Darlene Gee, Mayor
City of Orinda



April 13, 2020

Contra Costa County Board of Supervisors
651 Pine Street
Martinez, CA 94553

RE: April 14 agenda, item D3, Moratorium on Evictions and Rent Increases

Dear Supervisors:

I am writing on behalf of East Bay Housing Organizations to urge you to enact an urgency ordinance establishing a moratorium on terminations of tenancy and evictions throughout the entire county, as well as a temporary prohibition on rent increases.

EBHO is a non-profit organization with over 500 organizational and individual members. For 35 years, we have worked to preserve, protect, and create affordable housing opportunities for low-income communities in Contra Costa and Alameda Counties by educating, advocating, organizing, and building coalitions.

The coronavirus has taken a situation that was already dangerous and made it much worse. The staggering rise in unemployment claims over the past two weeks makes it clear that many county residents - and not only the most low-income - are on the verge of missing rent. To evict them during this crisis would create grave consequences for individual and public health. After all, **you can't shelter-in-place or self-isolate without a place to shelter.**

That is why EBHO is calling upon you to pass the strongest possible eviction protections, not only for this state of emergency, but also for a period of time after it ends. Specifically, we urge you to take the following actions:

1. **Enact a moratorium on all evictions except in cases of a threat to the health and safety of other tenants.**
2. **Include restrictions on rent increases during the state of emergency.**
3. **Establish an extended period for repayment of back rent, without late fees or penalties.**

A more complete explanation of our reasons for these actions follows below.

The State measures described in your report are not sufficient protection

Your staff report describes actions taken by the Governor and the Judicial Council to halt evictions. While these measures are important first steps, they are inadequate and likely will still result in significant displacement and hardship for large numbers of renters and pose an additional threat to public health and safety.

The State limitations on evictions only pertain to the judicial process, which are at the last stages of the eviction process. They do NOT prohibit landlords from issuing notices of termination of tenancy (3-day notice to pay rent or quit) and they do not prohibit landlords from filing Unlawful Detainer actions with the court. While the Judicial Council order provides for certain procedural delays, it does not create any new defense to an eviction. Nor do these actions prohibit (a) no-fault evictions for owner move-in, remodeling, or conversion of the unit to other uses, (b) evictions without a stated cause for the many rental units not covered by AB 1482's statewide just cause protections. The biggest danger is that tenants who receive a notice of termination from their landlord will be unaware of the temporary hold on judicial evictions and will move out when they receive such a notice, which happens far more frequently than cases actually proceed to a summons and trial.

Please see the attached analysis by Western Center on Law and Poverty, California Rural Legal Assistance Foundation, and Disability Rights California for further details.

Tenants must be protected from any type of eviction other than to protect an immediate threat to the health and safety of other tenants.

Limiting protections only to those who can formally document loss of income will leave thousands of vulnerable tenants at risk and increase the threat to public health. **It is not possible for residents to shelter in place when they have no place to shelter.** The consequences of evictions at this time extend far beyond the hardship to the many families who have lost income due to the coronavirus emergency. Evicted tenants either will be forced to double up with other households or will find themselves homeless and on the streets. In either case, this completely violates the need for social distancing and increases the risk of further spread of this deadly virus. For tenants who lose their housing, this could be a life or death issue.

Rent increases must be suspended

The argument that tenants who have lost most or all their income are protected by state law that “limits” rent increases to 9% is not sustainable, particularly for the many families who are either rent burdened (paying more than 30% of income for rent) or severely rent burdened (more than 50% of income). Allowing landlords to increase the rent amid an unprecedented economic crisis runs the risk of creating a situation where tenants emerge from the immediate health emergency with an insurmountable debt, thus kicking a wave of evictions down the road.

Sufficient time must be provided for repayment of back rent, particularly for tenants who are already rent burdened.

Even a 6-month repayment period for missed rent maybe an insurmountable obstacle for low income tenants who are already rent burdened. We must avoid having a wave of evictions after the worst of the pandemic has passed. What if the crisis lasts for 3 months, or more? That would mean that tenants--many now out of work--could be expected to pay at least 1.5 times their usual rent for each of the 6 months following the state of emergency. For many low-income renters, that will be impossible, thus setting off a cascade of evictions later this year. Instead, we encourage you to create a repayment plan that extends along with the state of emergency. Specifically, we recommend that you give renters 120 days to repay rent for each month for which rent was missed. That way, we prepare for the worst and give tenants a chance to get back on their feet after the emergency has passed.

The County needs to act swiftly and broadly

Many counties have already enacted moratoria on evictions that apply not just to the unincorporated portions of the county but to all jurisdictions in the county, including both charter and general law incorporated cities. Contra Costa should do the same, eliminating a patchwork of rules across the county that are confusing to landlords and tenants alike. We would be happy to share with you a legal analysis that sets out the legal basis for such an action.

The time for action is now. We have already seen what delayed action has meant in dealing with the public health issues – the relatively lower rate of spread of infection in California and Contra Costa County is due to the swift and bold response of our public health departments in quickly establish a shelter-in-place order. A similarly swift and bold response is needed to deal with the looming eviction crisis.

Contra Costa County Board of Supervisors

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In conclusion, we urge you to swiftly enact an urgency ordinance to establish a moratorium on terminations of tenancy as well as judicial evictions, a suspension of rent increases, and an extended period for repayment of back rent without late fees and penalties.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Levin".

Jeffrey Levin
Policy Director

Attachments: Analysis of Governor's Moratorium on Evictions
 EBHO Matrix of Local Eviction Moratorium Measures



Analysis of Executive Order N-37-20 (Issued March 27, 2020) Regarding Evictions

Executive Order N-37-20 provides no practical help for renters during the COVID-19 pandemic. The order does not provide additional protections for renters who are unable to pay their rent during this crisis or for renters who may be evicted for other reasons or no reason at all. It simply gives some tenants more time to file a response in court, but only if they've met required conditions and are aware they have more time. It will be impossible to effectively implement and will create needless confusion in overburdened courts. The order allows many tenants to be evicted now, and simply kicks the can down the road for others, creating a looming wave of evictions that will overwhelm the courts, local jurisdictions, and legal aid programs struggling to respond, threatening to unravel any progress we've made on California's housing and homelessness crisis over the last few years.

The Order:

- Extends the deadline to respond to an eviction summons from five court days to sixty, *if* the complaint is based on nonpayment of rent *and* the tenant can establish that they:
 - Previously paid rent to the landlord.
 - Notified the landlord in writing, no more than seven days after the rent was due, that they need to delay all or some of the rent because of a COVID-19 related reason.
 - Retain documentation of the COVID-19 related loss of income.
- **However**, the order does not create any obligation for the landlord to accept the rent at a later date, enter into a payment plan, or otherwise work with the tenant to avoid the eviction.

This means that, until May 31, 2020:

- A landlord **can still serve** a three-day notice, even if the tenant has told them they can't pay the rent because of a COVID related income loss.
- A landlord **can still file** an eviction for nonpayment of rent or any other reason.
- A tenant **will still have to file a document**—likely an answer—within the regular five days specified within CCP 1167 in order to avoid default judgment.
- A tenant **will still have to appear** in court to defend the eviction.
- **Many tenants will be misled** into thinking they have 60 days to respond, but the court will likely enter a default judgment against them if they don't respond during the first five days.
- **Because a landlord is likely to seek default judgment** before the tenant can get an extension, this Order does not provide meaningful protection for tenants. Courts have no way of knowing whether tenants have complied with the requirements to obtain more time.
- The order **does not require landlords to work with tenants to allow them to pay back-rent**, or even suggest a timeline for this. Most local orders provide at least 180 days after the end of the emergency, long after the period the Governor has decided tenants should go to court on these evictions.
- The Order prohibits a Sheriff's lockout from being enforced through May 31st, but only for tenants who are being evicted for nonpayment who have complied with documentation requirements. **This would seem to deputize sheriffs into becoming arbiters of the law, which is unacceptable and**



impractical. Moreover, it simply does not make sense because it's unlikely that such a lockout would occur before May 31, and tenants will need protections after that date to deal with the ongoing crisis.

- ***The reasons for nonpayment deemed acceptable also ignore the realities of the shutdown.*** For example, families with small children who are not in school are still suffering because they cannot take their children to daycare, or to family members who otherwise would have taken care of those children during work hours.
- ***Also starkly missing is*** anything to pause no-fault evictions, such as for renovation of the property, owner move-in, or converting the property to another use, and no-cause evictions. These types of evictions need to be put on hold in order to allow people to shelter in place.

Notes on Contra Costa County's Table of Moratoria on Evictions

The table attached to the staff report for item D.3 is a useful tool for comparing State, County and local jurisdiction orders and ordinances placing moratoria on evictions. However, the table does contain some inaccuracies. EBHO has prepared its own table, which is attached.

1. The County's table refers to an outdated version of Alameda County's ordinance, which has since been extended to cover all cities and unincorporated areas for 90 days. The use of emergency powers to cover all areas within the county, not just unincorporated lands, now stands as the norm in most Bay Area counties.
2. The County's table includes a number of important cities, especially in Contra Costa. However, there are now 17 city-level moratoria in the East Bay, the majority of them in Alameda County. While several cities in Contra Costa County have taken action, the majority are not covered by any eviction protections stronger than those passed by the California Judicial Council.
3. There are a few inaccuracies, some of which are more concerning than others. For instance, the County's table states that there's a ban on no-fault evictions in Concord. That's not the case. Likewise, it states that no-fault evictions are allowed in Oakland. That's not the case for all units covered by the eviction moratorium (Oakland's eviction moratorium extends additional protections to all units that are covered by Oakland's Just Cause for Eviction Ordinance).
4. The County's table states that for Oakland, the City Administrator will determine the length of the "grace period" for back payment of rent. However, Oakland, and now Berkeley as well, have written their ordinances and/or regulations so that, while tenants are required to pay back rent, even after the emergency they cannot be evicted for non-payment of rent during the emergency if it was due to economic hardship caused by COVID-19.

East Bay Eviction and Rent Moratoria

City/County	Start Date	End Date	Prohibited					Comm. Evictions	Repayment Period
			Non-Payment Evictions	No-Cause Evictions	Rent Increases	Late Fees	Comm. Evictions		
Alameda	March 17th	May 17th	Y	N	N	N	N	None	
Albany	March 26th	May 31st	Y	N	Y	Y	Y	180 days	
Antioch	March 16th	May 31st	Y	N	N	Y	Y	180 days	
Berkeley	March 17th	End of SOE	Y	Y	N	Y	Y	Unlimited	
Concord	March 25th	May 31st	Y	N	Y	Y	Y	90 days per month	
El Cerrito	March 16th	May 31st	Y	N	N	Y	Y	180 days	
Emeryville	March 19th	May 31st	Y	N	N	N	Y	None	
Fremont	March 17th	SOE + 30 days	Y	Y	N	Y	Y	180 days	
Hayward	March 24th	July 7th	Y	Y	N	Y	Y	90 days	
Livermore	March 25th	May 31st	Y	N	N	N	Y	None	
Newark	March 26th	May 31st	Y	N	N	Y	Y	180 days	
Oakland	March 9th	May 31st	Y	Y	Y	Y	Y	Unlimited	
Pinole	March 16th	May 31st	Y	N	N	Y	Y	90 days	
Pittsburg	March 16th	May 31st	Y	Y	Y	Y	Y	180 days	
Richmond	March 17th	End of SOE	Y	Y	N	Y	N	180 days	
San Leandro	March 25th	May 31st	Y	N	N	Y	Y	90 days	
Union City	March 24th	May 31st	Y	N	N	Y	Y	90 days	
Alameda County	March 31st	June 30th	Y	N	N	N	N	None	

Tenant's Notification Requirements		
City/County	Written Notice	Documentation
Alameda	Not specified	Not specified
Albany	Within 30 days of missed rent	Same
Antioch	Within 14 days of missed rent	Same
Berkeley	Within 7 days of missed rent	Same
Concord	At least 7 days before rent due	Within 3 days of missed rent
El Cerrito	Within 30 days of missed rent	Same
Emeryville	Not specified	Not specified
Fremont	Within 5 days of notice of termination	Same
Hayward	Not specified	Not specified
Livermore	Within 30 days of missed rent	Same
Newark	Within 7 days of missed rent	Within 15 days of missed rent
Oakland	Not specified	Not specified
Pinole	Within 30 days of missed rent	Same
Pittsburg	Within 30 days of missed rent	Same
Richmond	Within 30 days of missed rent	Same
San Leandro	Within 30 days of missed rent	Same
Union City	Within 10 days of missed rent	Same
Alameda County	After receiving notice of termination	Within 15 days of request

City/County	Notes
Alameda	-
Albany	Rents can still be increased, but increased portion of rent isn't due until 6 months after SOE
Antioch	-
Berkeley	Tenant encouraged to repay missed rent within 6 months, but can't be evicted for failure to pay due to COVID
Concord	Tenant must indicate in written notice to landlord that they've seen 20%+ reduction in household income
El Cerrito	-
Emeryville	Applies to homeowners who fail to pay HOA fees due to COVID
Fremont	Tenant must repay 50% of missed rent within first 90 days; applies to mobile homes, as well
Hayward	Applies to homeowners who fall behind on mortgages due to COVID
Livermore	-
Newark	Tenant must repay 25% of missed rent within each 45-day period
Oakland	Moratoria on eviction protections and rent increases only apply to Just Cause and RAP units, respectively
Pinole	-
Pittsburg	Tenant must pay pro-rated rent, depending on percentage loss of household income
Richmond	Prohibits Ellis Act evictions
San Leandro	Applies to mobile homes and RVs, as well
Union City	-
Alameda County	Applies to all cities and unincorporated areas; if cities have their own ordinances, the stronger of the two prevails

From: [Daryn Nabeta](#)
To: [Clerk of the Board](#)
Subject: FW: Eviction Order
Date: Monday, April 13, 2020 6:51:46 PM

Daryn Nabeta
Early Intervention Program Assistant II
dnabeta@first5coco.org<mailto:dnabeta@first5coco.org>

First 5 Contra Costa
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Our Website<<http://www.first5coco.org/>> Take 5 Blog<<http://www.first5coco.org/first-5-blog/>>
Facebook<<http://www.fb.com/First5CoCo>> Twitter<<http://www.twitter.com/First5CoCo>>
YouTube<<http://www.youtube.com/First5CoCo>>

From: Daryn Nabeta
Sent: Monday, April 13, 2020 6:51 PM
To: Karen.Mitchoff@bos.cccounty.us; Diane Burgis; Federal Glover; Candace Andersen; John.Gioia@bos.cccounty.us
Subject: Eviction Order

Dear Contra Costa Board of Supervisors,

My name is Daryn Nabeta, I live in Walnut Creek and have 2 children as well as care for my elderly Father. I am also the Early Intervention Program Assistant at First 5 Contra Costa.

I want to thank the Board for taking leadership to protect the health of the Contra Costa Residents by activating the shelter-in-place order and also allocating staff and resources to protect the of all residents and to come together to fight the COVID-19 virus.

I am hoping you consider taking similar leadership in protecting the economic health of our residents as well. Seniors and families are facing evictions due to loss of work or having underlying conditions or age 65+ who are more susceptible to severe symptoms of COVID-19). So many people no longer have an income. Please develop and adopt, as soon as possible a countywide moratorium on all evictions and rent increases during this public health state of emergency. The best solution is a countywide eviction moratorium, which the Board of Supervisors has the authority to have apply to residents in all jurisdictions as well as unincorporated areas.

The eviction moratoriums enacted by several local cities policies are appreciated and helpful, but each policy is different, and the result is a patchwork of policies that create inequities among different communities and are confusing to tenants, landlords, city and county staff, and law enforcement.

Vulnerable populations are more likely to be renters, including seniors, families with young children, retail and restaurant workers who can't work from home. Low-income residents and people of color are also more likely to be renters. We must take collective action to protect these populations in a fair and equitable way.

Keeping people in their homes during this public health crisis is the right thing to do and the smart thing to do:

- Prevent homelessness

- Support shelter-in-place compliance
- Ensure family health and community health

The Federal relief package provides mortgage relief support for homeowners, but tenant relief is being left to local government. The time is to act now.

I am so grateful to the Board for your swift leadership to keep Contra Costa's residents safe and healthy during this unprecedented time.

With Sincere gratitude,

Daryn Nabeta

dnabeta@first5coco.org

Daryn Nabeta
Early Intervention Program Assistant II
dnabeta@first5coco.org<mailto:dnabeta@first5coco.org>

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Facebook<<http://www.fb.com/First5CoCo>> Twitter<<http://www.twitter.com/First5CoCo>>
YouTube<<http://www.youtube.com/First5CoCo>>

My name is Rhea Elina Laughlin. I'm with First 5 Contra Costa, the proud sponsor of 3 Regional Groups, made up of tireless parent advocates for the health and safety of children and families.

Similar to thousands of hard-working residents across the county, Regional Group families are facing devastating financial hardship during the Shelter in Place Order.

Among the most impacted families in our program, 96% are unemployed or have suffered significant work shortages. 70% are ineligible for public benefits. They report cases of increased rents and threats of eviction.

Under this extreme duress, families wonder how to pay rent, fear becoming homeless, and choose between paying for rent, medicine or food for their children. Children are experiencing extraordinary trauma as they absorb this palpable stress and fear.

I urge you to join other counties and pass a moratorium on all evictions and rent increases. The Orders by the Governor and Judicial Council are NOT comprehensive or stop evictions. We need a countywide policy that is strong, streamlined and provides leadership.

Such an ordinance needs **flexible documentation requirements, debt forgiveness** or a **sufficient grace period** to allow families to pay overdue rent.

Lives are at stake during this financial crisis. Contra Costa families look to you for leadership and concrete relief. Please pass a moratorium to keep our children safe, prevent the spread of COVID-19, avoid homelessness, and protect our County.

From: [esperanza rojas](#)
To: [Karen Mitchoff](#); [Diane Burgis](#); [Federal Glover](#); [John Gioia](#); [Candace Andersen](#)
Cc: [Clerk of the Board](#); [REDACTED]
Subject: Public Comment
Date: Monday, April 13, 2020 9:07:39 PM

March 30, 2020

Contra Costa Board of Supervisors County Administrator David Twa

RE: Urgent Action to Preserve Housing Stability and Protect Tenants and Small Businesses Affected by COVID-19

Dear Chair Andersen and Supervisors Burgis, Gioia, Glover, and Mitchoff,

The COVID-19 crisis continues to accelerate, and residents have been ordered to stay at home. In Contra Costa, the resulting economic impacts are devastating to local small businesses and workers who abruptly lost some or all of their income. Many businesses have closed, and thousands of residents -- especially those working low-wage jobs in the retail and service sectors -- have been laid off or had their hours greatly reduced. With rent payments for many residents due on April 1, this coming week is a critical time for local leadership and action.

Responding to the COVID-19 crisis is about more than addressing residents' medical needs. Helping residents maintain stable housing is a vital strategy to reducing the immediate and long-term health and economic impacts of COVID-19.

Therefore, a broad alliance of labor and community groups call on the Board of Supervisors to take the following actions to support all of Contra Costa's workers and families:

- ● Enact a county-wide emergency moratorium on all evictions for renters and small businesses for at least the next 60 days or for the duration of this crisis (to apply to all renters regardless of the type of home or business, type of work, or immigration status).
- ● Enact an immediate moratorium on all rent increases across the county for renters and small businesses for at least the next 60 days or for the duration of this crisis.
- ● Establish an emergency fund to provide up to three months of rental assistance for individuals who are experiencing economic distress.

The Governor's recent Executive Order (N-37-20) created the false and dangerous impression that he has already enacted a statewide eviction moratorium, and that therefore no action at the local level is needed. This is not correct. His Executive Order did not create a moratorium on evictions. The Order still permits landlords to file and serve evictions -- even today -- and does little to nothing to protect tenants. It simply kicks the can down the road by eight weeks. The stay at home order is expected to remain in place for all or most of that period, which means that many tenants' economic situation will become much

worse, not better, by the end of May. Thus all the Governor's Order does is delay the inevitable, which is that thousands of people in Contra Costa remain at serious risk of losing their homes during the worse public health crisis our nation has ever seen.

This is why we also find the Contra Costa Sheriff's pledge to "stay all evictions countywide through May 31" to be a wholly inadequate response in this crisis. While we appreciate the intent, this stay does nothing to put protections into place for renters who are unable to pay their rent during this

crisis and who can then be served with an eviction notice as soon as the courts reopen or the Sheriff changes his mind. It is worth noting that the Sheriff's pledge has not been codified into an ordinance or other official policy, which goes against good practice and common sense in creating transparent public policy.

It is for this reason that the organizations and individuals listed below call on your leadership, during this time of unprecedented public crisis, to enact an emergency eviction and rent moratorium ordinance for Contra Costa County residents and small businesses. A well-designed ordinance will help residents, families and business struggling to pay rent by offering:

- • Clear instructions to landlords not to ISSUE or carry out any evictions
- • A prohibition on late fees
- • A grace period of at least 120 days to repay rent after the crisis ends
- • A freeze on rent increases during the crisis

Four Bay Area counties have already taken this important action to protect local tenants: San Mateo, Santa Clara, Marin and San Francisco. Governor Newsom's Executive Order N-28-20, issued on March 16, actually encouraged local jurisdictions to take swift action for eviction prevention and removed several barriers to doing so. We praise the leadership of two cities in Contra Costa -- Richmond and Concord -- that have also stepped up to enact eviction moratoria in this time.

But countywide action is needed immediately as well. All residents of this county deserve these protections. They deserve the sense of relief and well-being that will arise from no longer fearing that they may lose their homes if they fall behind on rent due to job loss, reduced hours, or becoming infected with the virus. And we are all better off if small business owners do not lose their commercial space, and cost their employees their livelihoods, during the growing economic crisis created by this public health emergency.

Moreover, unless County leadership steps up to do your part to stabilize people's housing and keep residents from being displaced or becoming homeless, the potential for this virus further spreading and this health crisis being protracted is all but guaranteed. Thus, we urge you to agendize a county-wide eviction and rent hike moratorium at the earliest possible date.

We all know that our communities and neighborhoods become stronger, safer and

healthier when we join together to enact proven solutions to ensure our communities' well-being.

We need your bold and compassionate leadership in these difficult times.

Sincerely,

Esperanza Rojas

From: [Clerk of the Board](#)
Subject: FW: Eviction and Rent Increase Moratorium
Date: Monday, April 13, 2020 4:43:41 PM

From: Margaret Tysor <mtysor@bacr.org>
Sent: Monday, April 13, 2020 1:41 PM
To: Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>
Cc: John Gioia <John.Gioia@bos.cccounty.us>; Karen Mitchoff <Karen.Mitchoff@bos.cccounty.us>; Diane Burgis <Diane.Burgis@bos.cccounty.us>; Federal Glover <Federal.Glover@bos.cccounty.us>; Candace Andersen <Candace.Andersen@bos.cccounty.us>
Subject: Eviction and Rent Increase Moratorium

Hello,

My name is Maggie Tysor. I live in Oakland and work in Richmond for Bay Area Community Resources. I thank you for taking leadership and protecting the communities health by activating the shelter in place order to protect the health of the residents of contra costa county, this was a necessary safeguard, and I am so thankful you all enacted it. I ask that we develop ASAP a countywide moratorium on all evictions and rent increases in Contra Costa County during the public health state of emergency. The time to act is now. I think now is also the time to continue this leadership in protecting the economic well-being of residents including families with young children and the elderly, who are facing eviction or rent increase due to widespread job loss and income due to the shelter in place. I believe the best solution is a countywide eviction moratorium, which you the board of supervisors, have the authority to apply to residents in all jurisdictions as well as unincorporated areas. I think this moratorium will help the folks who are not able to work from home right now, it will help prevent homelessness, it will help support shelter in place compliance which will help stop the spread of covid19, and it will ultimately ensure family and greater community health. The families I work with were previously confronted with difficult circumstances regarding housing, employment, health insurance, job and food security. Now is not the time to further isolate and damage these families with rent increases or eviction.

I thank you for your time and consideration during all of this.

Take great care.

--

Maggie Tysor, AMFT #117091
Associate Marriage Family Therapist
Supervised by Lili Suzuki, LMFT #34236
BACR / Coronado Elementary
931-413-9788 (texting available)
pronouns: she/her
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From: [Sandra V](#)
To: [John Gioia](#); [Federal Glover](#); [Karen Mitchoff](#); [Candace Andersen](#)
Cc: [Clerk of the Board](#)
Subject: RE: Urgent Action to Preserve Housing Stability and Protect Tenants and Small Businesses Affected by COVID-19
Date: Tuesday, April 14, 2020 12:05:35 AM

April 13, 2020

Contra Costa Board of Supervisors County Administrator David Twa

RE: Urgent Action to Preserve Housing Stability and Protect Tenants and Small Businesses Affected by COVID-19

Dear Chair Andersen and Supervisors Burgis, Gioia, Glover, and Mitchoff,

The COVID-19 crisis continues to accelerate, and residents have been ordered to stay at home. In Contra Costa, the resulting economic impacts are devastating to local small businesses and workers who abruptly lost some or all of their income. Many businesses have closed, and thousands of residents -- especially those working low-wage jobs in the retail and service sectors -- have been laid off or had their hours greatly reduced. With rent payments for many residents due on April 1, this coming week is a critical time for local leadership and action.

Responding to the COVID-19 crisis is about more than addressing residents's medical needs. Helping residents maintain stable housing is a vital strategy to reducing the immediate and long-term health and economic impacts of COVID-19.

Therefore, a broad alliance of labor and community groups call on the Board of Supervisors to take the following actions to support all of Contra Costa's workers and families:

- • Enact a county-wide emergency moratorium on all evictions for renters and small businesses for at least the next 60 days or for the duration of this crisis (to apply to all renters regardless of the type of home or business, type of work, or immigration status).
- • Enact an immediate moratorium on all rent increases across the county for renters and small businesses for at least the next 60 days or for the duration of this crisis.
- • Establish an emergency fund to provide up to three months of rental assistance for individuals who are experiencing economic distress.

The Governor's recent Executive Order (N-37-20) created the false and dangerous impression that he has already enacted a statewide eviction moratorium, and that therefore no action at the local level is needed. This is not correct. His Executive Order did not create a moratorium on evictions. The Order still permits landlords to file and serve evictions -- even today -- and does little to nothing to protect tenants. It simply kicks the can down the road by eight weeks. The stay at home order is expected to remain in place for all or most of that period, which means that many tenants' economic situation will become much worse, not better, by the end of May. Thus all the Governor's Order does is delay the inevitable, which is that thousands of people in Contra Costa remain at serious risk of losing their homes during the worse public health crisis our nation has ever seen.

This is why we also find the Contra Costa Sheriff's pledge to "stay all evictions countywide through May 31" to be a wholly inadequate response in this crisis. While we appreciate the intent, this stay does nothing to put protections into place for renters who are unable to pay their rent during this

crisis and who can then be served with an eviction notice as soon as the courts reopen or the Sheriff changes his mind. It is worth noting that the Sheriff's pledge has not been codified into an ordinance or other official policy, which goes against good practice and common sense in creating transparent public policy.

It is for this reason that the organizations and individuals listed below call on your leadership, during this time of unprecedented public crisis, to enact an emergency eviction and rent moratorium ordinance for Contra Costa County residents and small businesses. A well-designed ordinance will help residents, families and business struggling to pay rent by offering:

- • Clear instructions to landlords not to ISSUE or carry out any evictions
- • A prohibition on late fees
- • A grace period of at least 120 days to repay rent after the crisis ends
- • A freeze on rent increases during the crisis

Four Bay Area counties have already taken this important action to protect local tenants: San Mateo, Santa Clara, Marin and San Francisco. Governor Newsom's Executive Order N-28-20, issued on March 16, actually encouraged local jurisdictions to take swift action for eviction prevention and removed several barriers to doing so. We praise the leadership of two cities in Contra Costa -- Richmond and Concord -- that have also stepped up to enact eviction moratoria in this time.

But countywide action is needed immediately as well. All residents of this county deserve these protections. They deserve the sense of relief and well-being that will arise from no longer fearing that they may lose their homes if they fall behind on rent due to job loss, reduced hours, or becoming infected with the virus. And we are all better off if small business owners do not lose their commercial space, and cost their employees their livelihoods, during the growing economic crisis created by this public health emergency.

Moreover, unless County leadership steps up to do your part to stabilize people's housing and keep residents from being displaced or becoming homeless, the potential for this virus further spreading and this health crisis being protracted is all but guaranteed. Thus, we urge you to agendize a county-wide eviction and rent hike moratorium at the earliest possible date.

We all know that our communities and neighborhoods become stronger, safer and healthier when we join together to enact proven solutions to ensure our communities' well-being.

We need your bold and compassionate leadership in these difficult times.

Sincerely,

Sandra Velasquez