From: <u>John Gioia</u>

To: <u>Clerk of the Board; Mary Ann Mason</u>

Subject: <no subject>

Date: Tuesday, April 21, 2020 2:36:21 PM

This just came in and should be read

John Gioia

Contra Costa County Board of Supervisors 11780 San Pablo Ave., Suite D El Cerrito, CA 94530

Website: www.cocobos.org/gioia

Facebook: www.facebook.com/johngioia1958

Twitter: @supejohngioia

This message is being sent on a public e-mail system and may be subject to disclosure under the California Public Records Act.

From: Leah Simon-Weisberg <lsw@calorganize.org>

Date: Tuesday, April 21, 2020 at 2:31 PM **To:** John Gioia < John. Gioia@bos.cccounty.us>

Subject: Re: <no subject>

There is nothing in either Executive Order issued by the Governor requiring that a tenant had paid rent before Covid-19 emergency order goes into effect or in order for the EO to protect those tenancies. Instead, it defined the people receiving protection as a tenant versus someone who is squatting for example. In California 1946 defines what is a tenancy as well as AB 1942 defines tenancies as those that have leases and are created when a person pays rent.

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml? lawCode=CIV§ionNum=1946.1.

From: Jan Warren <jtxwarren@gmail.com> Sent: Monday, April 20, 2020 10:55 AM

To: Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us> **Subject:** comments for April 21, 2020 CCC Board of Supervisors

Dear CCC Clerk of the Board and Board Members

Comments for Agenda item Eviction Moratorium at April 21, 2020 Meeting

Good Afternoon,

My name is Jan Warren. While CA went into self-isolation on March 16, 2020, the CARES Act, H.R. 748 wasn't passed by the U.S. Congress and signed by the President until March 27, 2020.

Please increase the grace repayment period to allow for 6 months or 180 days to repay their regular monthly rent or mortgage. Even if people are able to work in June, it may not be full time and they might not get paid until July.

The Paycheck Protection Program quickly ran out of money.

Our Food Bank is going through its disaster food supply and it is taking 8 weeks to fill their order.

Eligibility for CalFresh and unemployment is backed up by lack of staff and new computer programming necessity. So many people's forms haven't even been processed.

Few have received their one-time checks from H.R. 748. Every system is overloaded and taking much longer than usual.

Jan Warren 3202 Primrose Lane Walnut Creek, CA 94598

Virus-free. www.avast.com	

From: John Gioia < John. Gioia @bos.cccounty.us>

Sent: Monday, April 20, 2020 4:17 PM

To: Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>

Subject: FW: Faith Support for Emergency Ordinance

John Gioia

Contra Costa County Board of Supervisors 11780 San Pablo Ave., Suite D

El Cerrito, CA 94530

Website: www.cocobos.org/gioia

Facebook: www.facebook.com/johngioia1958

Twitter: @supejohngioia

This message is being sent on a public e-mail system and may be subject to disclosure under the California Public Records Act.

From: Multi-Faith Action Coalition < contactmfac@gmail.com>

Date: Monday, April 20, 2020 at 4:09 PM

To: SupervisorMitchoff < SupervisorMitchoff@bos.cccounty.us >, Supervisor_Burgis

<<u>Supervisor_Burgis@bos.cccounty.us</u>>, Federal Glover <<u>Federal.Glover@bos.cccounty.us</u>>,

Supervisor Candace Andersen < Supervisor Andersen @bos.cccounty.us >, John Gioia

<<u>John.Gioia@bos.cccounty.us</u>>

Subject: Faith Support for Emergency Ordinance

Dear Chair Andersen and Members of the Board of Supervisors:

The Multi-faith ACTION Coalition, made up of faith leaders and advocates in Contra Costa County, supported the community letter to the Contra Costa Board of Supervisors regarding a rent moratorium and no evictions ordinance. Many of us have submitted personal comments during public comment times at the Board meetings.

Thank you for the strong provisions you have expressed support for to date, including a moratorium on rent increases and late fees. A strong moratorium policy will protect seniors, families with young children, childcare workers, and others who together are a vital part of our economy and an important part of our community.

We are concerned, however, with the grace period the ordinance will recommend for repayment of rent. Please take action to extend the grace period for repayment to at least **90 days per month** of back rent owed, to ensure that we don't create a second crisis when tenants are unable to catch up on their rent due to an artificially tight deadline. Because the wages these residents will be paid is so low, every month matters.

We all benefit -- landlords, tenants, local businesses -- when residents are able to stay in their homes, provide stable housing for their families, and keep contributing to their local community. **Keeping our faith in the forefront of our actions, we feel it is important remember we are all in this together. Helping the most vulnerable and marginalized is the moral thing to do.**

We are grateful to you for considering this ordinance and all of the other steps you have taken to help our County's residents at this difficult time.

In gratitude,

Members of the Steering Committee and Faith Leaders Advisory Board:

Rev. Fred Weidmann Rev. Will McGarvey Rev. Barbara Barkley

Gwen Watson J. Norman Bardsley Douglas Holmes

Jan Warren Mark MacMahon Melody Howe

Weintraub

Multi-faith ACTION Coalition

www.multifaithactioncoalition.org

From: Rhovy Lyn Antonio

To: Supervisor Candace Andersen; John Gioia; Supervisor Burgis; Karen Mitchoff; District5

Cc: <u>Heather Schiffman; Mary Ann Mason; Clerk of the Board</u>

Subject: Item D3: Letter from CAA and CCAR

Date: Tuesday, April 21, 2020 11:43:43 AM

Attachments: Letter from CAA and CCAR re Eviction Moratorium due to COVID-19- CoCo County.pdf

Good morning Chair Andersen and Supervisors,

Please see the attached joint letter from California Apartment Association and the Contra Costa County Association of REALTORS on item D3: **Residential Eviction and Rent Increase Moratorium**.

Our organizations do not stand in opposition. However, we request that you carefully consider reasonable amendments to strike a balance between renters and rental housing providers. We thank you in advance for your consideration.

If you have any questions, please contact me (925) 596-1711 or Heather Schiffman (925) 979-8298.

Best,

Rhovy Lyn Antonio • Vice President of Public Affairs

California Apartment Association

3478 Buskirk Avenue, Suite 1000, Pleasant Hill, CA 94523

rantonio@caanet.org (925) 398-7551

CAA is your partner in the rental housing industry. <u>Find out how we're working for you.</u>

Questions about COVID-19: Visit our Resource Page

CAA Services: Events and Education Insurance Tenant Screening



CALIFORNIA APARTMENT ASSOCIATION 5478 Buskirk Avenue Pleasant Hill CA 94523

Pleasant Hill, CA 94523 925.746-7131



April 21, 2020

Chair Candace Andersen and Supervisors Contra Costa County Board of Supervisors 651 Pine Street Martinez. CA 94553

Re: Agenda #D3: Residential Eviction and Rent Increase Moratorium

Dear Chair Andersen and Supervisors,

The COVID-19 outbreak presents a health and financial crisis to all Californians. Renters facing financial turmoil because of the COVID-19 outbreak should not have to worry about keeping a roof over their heads and the government has a role to play in helping to protect all citizens. The California Apartment Association (CAA) and the Contra Costa Association of REALTORS® (CCAR) are **supportive** of the Board of Supervisors' intent to assist the residents of Contra Costa County and request that you consider key, important points to achieve consistency, practicality, and sustainability.

Any proposal should be carefully crafted to mitigate a chain reaction that will make the situation worse. Any local action must consider that when rent is not paid, there's a domino effect. Without sustained and reliable rent payments, owners and operators, especially family-owned properties may be unable to pay their mortgages and other bills related to operations. When those bills go unpaid, more workers, are out of jobs and face stress.

CAA and CCAR appreciate the County for following Governor Newsom's Executive Orders on residential evictions that makes it clear that:

- The moratorium should not be viewed as a rent waiver or rent forgiveness. It is a rent deferral, and a repayment plan must be clear upon completion of the moratorium.
- The basis of the eviction moratorium is for non-payment of rent due to COVID-19 financial impact and that documentation is required.
- The moratorium is a temporary, emergency measure that sunsets on May 31, 2020.

Adopting this ordinance requires a new responsibility of the County of Contra Costa. The County has an obligation to assist housing providers so they are not extending indefinite lines of credit to affected tenants as this causes a chain reaction which may limit the housing provider's ability to pay their financial obligations (mortgage, property taxes, insurance, utility bills).

To help mitigate the negative domino effect of this ordinance, CAA and CCAR ask the County to consider the following:

• Require advanced notification to housing providers:

The Contra Costa County ordinance should include a requirement the tenant provide advance notice of their inability to pay rent due to a COVID-19 related loss of income or employment. This ordinance should add language that requires the tenant to provide proof of the inability to pay related to COVID-19 before or on the date the rent is due. This will allow the property



CALIFORNIA APARTMENT ASSOCIATION 5478 Buskirk Avenue Pleasant Hill, CA 94523 925.746-7131



owner to prepare should they have a tenant facing financial hardships. Many mom & pop property owners own a duplex or a 4-plex, these owners could lose 25-50% of their income from just one tenant not being able to pay their rent. An advance notice allows the owner time to work with their financial institution to seek relief from late fee or a default against them.

• Ensure objective and verifiable documentation:

Section 3(a) allows a tenant to document their hardship by signing a declaration (a statement under penalty of perjury) and that is sufficient. This is ripe for abuse. Objective and verifiable proof that renters' loss of income is directly related to the COVID-19 outbreak is critical to ensure accountability. Without this documentation, rental housing providers will have difficulty seeking mortgage forbearance from lenders or qualifying for foreclosure prevention programs. Documentation should be submitted within 14 days days of past due rent.

• Compatibility with Costa-Hawkins Rental Housing Act:

Section 7 freezes rents in all properties covered by AB 1482 but does not follow Costa-Hawkins exemptions. Since the ordinance will bring forth a local rent control law in Contra Costa County limiting rents at 0%, the ordinance must exempt properties that are protected by Costa-Hawkins Rental Housing Act. forbearance

• Partial Payment:

Include language in Section 6 to allow partial payment to help housing providers with limited cash flow and those who rely on their rental property as their income.

• Reconsider retroactive provision:

CAA and CCAR are concerned with how the retroactive application in Section 9 of the proposed ordinance is simply unfair to law abiding rental housing providers who work hard to understand and act in accordance with existing laws which are often already complex. That unfairness is compounded by lack of clarity on how rental housing providers would go about modifying their past actions to comply with the new rules.

From a legal perspective, CAA is of the opinion that retroactive laws contravene the Constitution when they deprive a person of due process or impair the obligations of a contract. Here, rental housing providers acted in reliance on existing laws governing termination of tenancies and rent increases -- **including a sweeping new statewide rent control and eviction law that took effect January 1** -- and that reliance was entirely legitimate.

Retroactive application of the proposed measure would disrupt actions taken in accordance with existing law. Such retroactivity also significantly impairs existing contracts contrary to the reasonable expectations of the parties.



CALIFORNIA APARTMENT ASSOCIATION 5478 Buskirk Avenue Pleasant Hill, CA 94523 925.746-7131



Assistance to renters and housing providers:

The County should set aside funding to provide short term rental assistance to tenants AND relief to landlords who suffer a loss of income if their tenants cannot pay the rent they're obligated to pay each month.

The COVID-19 pandemic is everyone's problem. Let's find a consistent, equitable approach that will help the entire community, including small businesses and housing providers get through this difficult time while maintaining the health, safety, and housing stability of renters and owners. Thank you for your consideration during these uncertain times.

Sincerely,

Rhovy Lyn Antonio Vice President of Public Affairs

California Apartment Association

Heather Schiffman

Heather Schiffman Government Affairs Director Contra Costa Association of REALTORS® 70 O April 21, 2020





Clerk of the Board of Supervisors Contra Costa County 651 Pine Street, 1st Floor, Room 106 Martinez, CA 94553

E-TRANSMITTAL: clerkoftheboard@cob.cccounty.us

Re: SPECIAL BOARD OF SUPERVISORS MEETING SCHEDULED FOR APRIL 21, 2020:
LETTER OF SUPPORT FOR AGENDA ITEM No. D.3. - CONSIDER ADOPTING
ORDINACE No. 2020-14, AN URGENCY ORDINANCE TEMPORARILY PROHIBITING
EVICTIONS OF TENANTS IN CONTRA COSTA COUNTY IMPACTED BY THE COVID-19
PANDEMIC AND ESTABLISHING A RENT INCREASE MORATORIUM

Dear Clerk of the Board of Supervisors:

The City of San Pablo appreciates the County's efforts to address the multitude of impacts from the COVID-19 pandemic. On April 20, 2020, the San Pablo City Council, unanimously voted by minute order, to transmit a letter of support to the Contra Costa County Board of Supervisors (County BOS) <u>in favor</u> of the proposed Urgency Ordinance No. 2020-14. As you may realize, there are many County residents with San Pablo addresses, so a consistent approach for tenants would be helpful.

In addition, the San Pablo City Council urges the County BOS to consider the following revisions to the proposed Urgency Ordinance No. 2020-14:

- 1. In Section 3(a)(2), "Prohibitions on Residential and Commercial Evictions" indicate that "Adequate documentation" includes "but is not limited" to the examples provided and that "Documentation may be in the form of texts, emails or paper."
- 2. In Section 6, "Grace Period," consider a longer grace period to pay back rent such as one year from the expiration of the ordinance, as it will take time for tenants who were already living "paycheck-to-paycheck" to earn the money for the rent due during the stay-in-place orders imposed to curb the spread of COVID-19. The City Council has also heard advocates suggest more of a staggered repayment approach such as 120 days from when each rental payment was due after expiration of the ordinance.

Thank you for your time and consideration.

Sincerely.

Arturo Cruz, Mayor City of San Pablo

cc: San Pablo City Council

City Manager City Attorney From: <u>Nicole Zapata</u>
To: <u>Clerk of the Board</u>

Subject: Public Comment for 4.21.20 BOS Meeting
Date: Tuesday, April 21, 2020 11:52:46 AM

Hello,

I would like to submit this public comment for today's Board meeting. The form link was not working for me, so I hope that it is alright to send to this email directly. Thank you.

Dear Contra Costa Board of Supervisors,

My name is Nicole Zapata and I am a community organizer with the East Bay Alliance for a Sustainable Economy. My parents are also renters in Supervisor Mitchoff's district. I am writing to urge that you please approve the strongest moratorium possible today to protect people from experiencing more crises in the future.

I work with Jennifer Morales, Community Organizer with Monument Impact and Betty Gabaldon, President of Todos Santos Tenants Union to host monthly tenant clinics where we help support tenants in Contra Costa. We also receive calls weekly from tenants in crisis. The following example is one of the latest stories:

Jorge is a tenant in Antioch and has been living in his current unit for four years. In April, he sent a landlord a letter stating he would not be able to pay rent due to job loss from COVID-19. The landlord wrote back and offered a deal of "only" having to pay \$1250 instead of the usual \$1450, but he still couldn't pay that amount due to total loss of income. He communicated this to the landlord. The landlord responded and told Jorge that he will make sure to evict him after the moratorium is lifted. After that, Jorge received an actual eviction notice: a 3 day notice to pay or quit. Jorge lives alone and doesn't have family or friends to lean on and is worried for what's to come in the future.

Jorge's story is **just one example** of how we need 1) real enforcement of the ordinance to prevent landlords from issuing eviction notices, and 2) extension of the grace period to pay back rent. Jorge does not know when he will find work again and cannot ensure that he will be able to pay back the full amount in the short time period being proposed. This crisis was not Jorge's fault, so why should he be punished for it?

In the future, we will make sure to forward stories of tenants in crisis to the Board to ensure that you are aware of the realities people are facing. The Board has a responsibility to stand up for the County and we are looking to you in this moment of uncertainty and suffering to do just that.

- Nicole Zapata; Co-signed: Jennifer Morales and Betty Gabaldon

From: Kristi Laughlin
To: Clerk of the Board
Cc: John Gioia

Subject: Public Comment for 4.21.20 re: eviction moratorium

Date: Tuesday, April 21, 2020 1:06:54 PM

Dear Supervisors,

I am Kristi Laughlin with the East Bay Alliance for a Sustainable Economy.

Thank you for bringing forward a draft ordinance today with key protections for renters and small businesses, such as the prohibition on late fees and a freeze on rent increases.

I am grateful for this strong start, but we truly need a stronger finish if we want to keep low-wage and working families and residents from losing their homes.

I am asking for three key provisions to be improved:

- Please extend the time tenants have to share documentation with their landlords from 14 to 30 days.
- 2. Improve the enforcement measures with penalties for landlords who violate this ordinance, and stronger attorneys fees provisions.
- 3. But Most importantly, I urge the board to extend the grace-period

A total of just 120 days (just 4 months) to pay back 2 months of rent (maybe more) is unrealistic and out of sync with the economic desperation of many low-income families.

Notably, five other cities in Contra Costa have all passed ordinances which have longer grace periods. Why would the County set a lower standard overall? Don't all County residents deserve the same protections?

It is my earnest prayer that you offer a more compassionate and realistic grace period. If you leave this provision unchanged, this ordinance will not serve its purpose of preventing evictions: It will simply offer a delay on an avalanche of evictions.

We know you have voiced concern about "fairness" and concern for landlords in considering a grace period. But **A longer grace period helps everybody:** tenants have more time to pay back their landlords, so they ultimately get their money; Less

families get evicted and displaced, and we prevent a dramatic rise in homelessness.

If you are concerned about small or struggling landlords, why not offer an exemption for small, low-income landlords in this ordinance? But please do not ignore the needs of the 35% of the population who rents, for the much smaller percentage who are landlords. That is also unfair.

Thank you.

--

Kristi Laughlin Senior Campaign Director East Bay Alliance for a Sustainable Economy

Concord office: 2140 Minert Rd, 94518

510-847-2399

Preferred pronouns: She/her or They/them

From: Jess Jollett

To: Clerk of the Board

Subject: public comment on item D.3

Date: Tuesday, April 21, 2020 10:42:46 AM

My name is Jess Jollett and I am the executive director of Lift Up Contra Costa, a countywide coalition of labor, advocacy, and community organizations. I am grateful to the Board for bringing forward a draft ordinance with key protections for tenants. And, I am so very proud of the impacted tenants and advocates that have gotten us here today.

There are three areas of this ordinance that still need your leadership.

- 1) Extend the grace-period given to tenants and small businesses to pay the back rent. A total of 120 days (just 4 months) to pay back 2 or possibly even 3 months of rent is unrealistic. How are so many low-wage service workers, child-care providers, hotel housekeepers, waiters and waitresses, going to do that---and pay the current month due?
- 2) Build in more enforcement mechanisms. Laws are only as good as their enforcement. We need stronger provisions for attorneys fees so that low-income clients can find legal representation if they are wrongfully evicted.
- 3) Simplify the documentation requirements and to extend the time tenants have to provide that documentation from 14 days to 30 days. The time to get adequate documentation, especially from gig workers and those in the informal economy takes more time.

Hundreds of people from all sectors have spoken out over the last 4 weeks for a strong ordinance. Please respond appropriately to your constituents and pass an ordinance that will protect us all. Thank you for your time and leadership.

Jess Jollett
Lift Up Contra Costa
Executive Director
619,203,0959

Lift Up Contra Costa members include Alliance of Californians for Community Empowerment (ACCE), Asian Pacific Environmental Network (APEN), Communities for a Better Environment, The Contra Costa AFL-CIO Labor Council, East Bay Alliance for a Sustainable Economy, SEIU Local 1021, SEIU Local 2015, Safe Return Project, and the Richmond Progressive Alliance

From: <u>Teresa Pasquini</u>

To: Candace Andersen; John Gioia; Federal Glover; Diane Burgis; Karen Mitchoff

Cc: <u>Clerk of the Board</u>
Subject: Support Item D.3

Date: Tuesday, April 21, 2020 12:32:18 PM

Dear Chair Anderson and Supervisors,

As landlords, we are writing in support of Item D.3, ADOPT Ordinance No. 2020-14, an urgency ordinance temporarily prohibiting evictions of tenants in Contra Costa County impacted by the COVID-19 pandemic and establishing a rent increase moratorium. However, we are also writing to urge the Board to recognize that some of your constituents, who are landlords, are supporting those in need of housing in our community while also being dependent on that income.

You know me as a mental health advocate, activist, and former Contra Costa County Mental Health commissioner. While I have been volunteering to help our county, state and nation understand the issues facing families living with loved ones with a serious mental illness, my husband, a self-employed General Building Contractor has been building or remodeling homes, apartments, churches, and schools in our county. As a self-employed Contractor, we did not have a benefits package and were forced to pay commercial medical insurance for our family up to \$1800/month at one time and also began planning and saving for our own retirement.

As part of our retirement plan, we are fortunate to have been able to build or purchase properties in West Contra Costa including Richmond, San Pablo, Rodeo, and Crockett. We pay large property taxes and multiple assorted fees on these properties. We have provided quality, low-income housing in these communities for over 30 years. Eight of our units are currently Section 8 Housing. We have one tenant, the single mom of a Vet who is living with her, who has rented a unit for over 24 years.

Until rent control discussions began in California, we rarely raised the rents on any of our properties, including the Section 8s. We began modest increases over the last couple of years but all of our rents are still way below private rental rates and HUD Section 8 rates. We have agreed to return to the lower rates at this time as necessary.

We have supported all of our tenants during times of hardship. One who has been with us for over 10 years was featured in this article, https://www.visaliatimesdelta.com/story/news/2019/03/21/lauras-law-mental-illness-treatment-cost-tulare-county/1695063002/, with her daughter who we helped successfully navigate our county's Laura's Law program. Another tenant in Richmond has a young homeless grandson who uses our property as his home and drug den. Out of respect for both he and his grandma, we outreached to our H3 Core Team instead of police to connect him with services and avoid incarceration. Sadly, that hasn't been the outcome though valiant efforts were made by CORE to intervene. This young man's garbage, blanket, and drug paraphernalia are removed by my husband weekly. This is a health and safety risk for my husband, this young man and our tenants. However, because he also suffers from a serious mental illness, like our son, we will continue to seek support for him.

There are many fair and decent landlords in our community. Not all are out to take advantage of their tenants. Some of us actually believe we are providing a community service and take pride in our property ownership. Some of us go above and beyond and help our tenants and their family's access needed services in order to keep their housing and their dignity. Not all of us are driven by greed but we do have our own families to take care of as well.

Thank you for considering a balanced approach to the COVID-19 crisis in Contra Costa. We are all in this together.

Thank you.

Sincerely,

Dan and Teresa Pasquini 2536 Heide Court El Sobrante, CA 94803 From: <u>LaTanya Fisher</u>
To: <u>Clerk of the Board</u>

Cc: <u>Matt Rodriguez</u>; <u>Reina Schwartz</u>; <u>Lynn Tracy Nerland</u>

Subject: URGENT - County BOS April 21, 2020 Meeting - Agenda Item No. D.3

Date: Tuesday, April 21, 2020 11:28:30 AM

Attachments: image004.png image005.png

LTR - County BOS Eviction Moratorium Support 042120.pdf

Importance: High

Good morning,

On behalf of the Mayor and City Council of the City of San Pablo, please see the attached letter of support for the Special Meeting of the County Board of Supervisors this afternoon. The City of San Pablo is in favor of the proposed Urgency Ordinance No. 2020-14 and would like to submit this letter and ask for consideration of revisions listed in the attached.

Thank you in advance.

Regards,

La Tanya Fisher

Executive Assistant to the City Manager



City of New Directions

City Manager's
Department - Bldg, 1
510.215.3006 | Direct
510.215.3001 | City Manager
(Main)

510.215.3011 | Fax

CITYOFSAN PABLO 13831 San Pablo Avenue, San Pablo, CA 94806

Email: LaTanyaF@sanpabloca.gov
Website: www.sanpabloca.gov











IMPORTANT ANNOUNCEMENT

Coronavirus (COVID-19)
SAN PABLO CITY HALL
OFFICES UPDATE

IMPORTANT ANNOUNCEMENT

Due to Contra Costa County Health Services Shelter-in-Place Order,
ALL City Offices ARE CLOSED and will have
NO PUBLIC COUNTER SERVICE until further notice.

All city business will be handled by phone, email or on-line.

Please call 510-215-3000 or visit our website for more information. www.sanpabloca.gov

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