



**Extension of Urgency Ordinance  
Temporarily Suspending Evictions for  
Nonpayment of Rent by Residential Tenants  
Impacted by COVID-19 and Related Actions**

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# Background

- March 12, 2020: City proclaimed a local emergency due to COVID-19; ratified by Council on March 17, 2020
- March 16, 2020, and extended on June 30, 2020: Governor's Executive Order N-28-20 allows local jurisdictions to adopt eviction ordinances through September 30, 2020
- March 27, 2020: Council adopted urgency ordinance prohibiting eviction of tenants adversely affected by COVID-19
- May 29, 2020: Council extended ordinance through August 31, 2020
- August 13, 2020: Judicial Council of CA repealed emergency rules which stayed eviction and foreclosure proceedings, expires midnight on September 1, 2020



# Uncertainty with State & County Actions

- Since the beginning of the pandemic, state and county actions have continuously evolved
- Local jurisdictions, including the City, have taken independent action under police powers and emergency authority to protect residents
- As of today, the Governor has not extended E.O. N-28-20 past September 30, 2020
- County is considering extension on 8/25 to earlier of Governor's E.O. or November 30, 2020



# Pending State Legislation

- State legislation pending, which could supersede local ordinances
- AB 1436: provides temporary eviction relief to residential tenants who are experiencing COVID-19-related financial distress, and allows certain mortgage borrowers who are experiencing financial hardship due to the COVID19 emergency to request forbearance
- SB 1410: (unlikely to pass) creates tenant-owner COVID-19 eviction relief agreement, restricts rental property owners from evicting tenants for unpaid rent accrued during the state of emergency and allows tax credit for owners that defer rent for tenants in connections with the COVID-19 pandemic
- Both bills apply to residential tenants and property owners and includes mobile homes.
- Legislative session ends on August 31



# Alignment with County Ordinance

- City has police power and emergency authority to adopt its own ordinance
- Utility in aligning with County to provide certainty to tenants and landlords
- Opportunity to align with County expiration and repayment provisions
- City ordinance also allows for future extension tied to duration of local emergency if County does not extend



# Related Actions

- In addition to extending the City Moratorium, additional related actions regarding funding mechanisms and relief efforts are required.
- Statewide crisis; overwhelming demand for rent relief; increased unemployment



# Rent Relief Program

- April 2020: \$100,000 Small Landlord Assistance Program developed per Council direction (administered by Main Street Launch).
  - No loans made to-date.
  - Recommend redirecting to COVID-19 Rent Relief Program (administered by CSA) because rental assistance to tenants simultaneously benefits landlords.
  - High demand/need for rent relief remains.



# Rent Relief Program

- Reappropriate \$1 million in BMR funds originally approved May 2020 for COVID-19 Rent Relief Program.
- Council approval required for amendments to agreements with Main Street Launch and CSA to effectuate redirection and reappropriation of funds





# Recommendations

1. Adopt an Amendment to Ordinance No. 2.20, an Urgency Ordinance of the City of Mountain View Temporarily Suspending Evictions for Nonpayment of Rent by Residential Tenants Impacted by the COVID-19 Emergency, Extending the Duration of the Ordinance and Repayment Period, to be read in title only, further reading waived, effective immediately upon adoption (Attachment 1 to the Council report). (Five votes required)
2. Redirect the \$100,000 for the Small Landlord Relief Program currently under agreement with Main Street Launch to the COVID-19 Rent Relief Program under agreement with Community Services Agency



# Recommendations

3. Amend the Agreement with Main Street Launch reducing the total agreement amount to \$400,000 (\$347,826 for the Small Business Resiliency Program plus \$52,174 in administrative costs).
4. Reappropriate in Fiscal Year 2020-21 the \$1.0 million from the Below-Market-Rate Housing Fund approved by City Council on May 5, 2020. (Five votes required)
5. Amend the Agreement with Community Services Agency for the COVID-19 Rent Relief Program by \$1.1 million for a total amount not to exceed \$2,734,702.



Jurisdiction	Date Eviction Moratorium Adopted	Rent Payback Period	Eviction Moratorium Extension	Residential, Commercial or Both
Santa Clara County	3/24/2020	Full repayment within 12 months with at least 50% due at 6 months	Board to consider extension on 8/25	Both
Mountain View	3/27/2020	180 days after expiration of moratorium	Council to consider on 8/25	Residential
Cupertino	No City ordinance; relies on County ordinance	Will follow County ordinance	No	Both (County)
Los Altos	No City ordinance; relies on County ordinance	Will follow County ordinance	No	Both (County)
Los Gatos	3/24/2020	After end of local emergency declaration	Expired on June 22, 2020; follows County Moratorium	Both (County)
Palo Alto	3/23/3030	120 days after termination of Local emergency	Effective until 121st day after County's termination of emergency	Residential
San Jose	3/17/2020	Full repayment within 12 months with at least 50% due at 6 months	Council to consider extension to 9/30 on 8/25.	Residential
Santa Clara (City)	3/24/2020	120 days after expiration of moratorium.	Extended to 9/30/2020	Residential
Sunnyvale	3/31/2020	180 days after termination of local emergency	Effective until 180 days after City's termination of emergency	Residential