1    [Supporting California State Assembly Bill No. 1481 - Tenancy Termination: Just Cause]

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3    **Resolution supporting California State Assembly Bill No. 1481, authored by Assembly**

4    **Member Rob Bonta, Tenancy Termination: Just Cause, which would protect California**

5    **renters against unjust evictions.**

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7         WHEREAS, According to 2017 Census data, 45% of California households, or

8    approximately 17 million people are renters; and

9         WHEREAS, Of those renters, 54% are considered rent-burdened, meaning that rent

10   costs are more than 30% of total monthly income; many of these renters are "severely" rent-

11   burdened with at least 50% of monthly income allocated to rent; and

12        WHEREAS, U.S. household incomes have not kept pace with rising costs of housing,

13   particularly in California's coastal communities; and

14        WHEREAS, Current state law requires an owner of a residential rental dwelling to give

15   notice at least 60 days prior to the proposed date of termination, or at least 30 days prior to

16   the proposed date of termination if any tenant or resident has resided in the dwelling for less

17   than one year; and

18        WHEREAS, Current state law does not require a landlord to state a reason for evicting

19   a tenant; and

20        WHEREAS, On average, 166,000 unlawful detainers are filed per year in California;

21   with an average of 2.9 people per renter household, an estimated 500,000 California tenants

22   face court eviction each year; and

23        WHEREAS, In 2016, there were 41,178 evictions across California; every day, over

24   110 families were evicted from their homes; and

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1    WHEREAS, A growing number of Californians are living one emergency away from

2    eviction; and

3    WHEREAS, With the increasing influx to urban communities as people more often

4    choose places like San Francisco, Oakland, and other cities over suburban communities, the

5    pressure on existing tenants in rental housing is growing; and

6    WHEREAS, San Francisco and 16 other cities have local "just cause eviction"

7    ordinances that establish substantive grounds for a tenant to be evicted from their home; and

8    WHEREAS, Just Cause protections have been important to protect residents from

9    arbitrary evictions or harassment, particularly in "hot market" communities where building

10   owners may be enticed by financial gain to remove existing tenants to get higher rents from

11   new occupants; and

12   WHEREAS, Just Cause eviction policies protect marginalized communities, such as

13   the elderly, low-income residents, people of color, and people with disabilities, by providing

14   them with greater housing stability; and

15   WHEREAS, AB 1481, introduced on February 22, 2019, by Assembly Member Rob

16   Bonta, adds Section 1946.2 to California Civil Code to prevent a landlord from terminating a

17   tenancy without a demonstration of "just cause," as enumerated by the specific eviction

18   requirements the bill; and

19   WHEREAS, AB 1481 defines "just cause" as either at-fault or no-fault just cause. "At-

20   fault just cause" is defined as any of the following: a) failure to pay rent; b) substantial breach

21   of a material term of the rental agreement; c) nuisance; d) waste; e) refusal by the tenant to

22   sign a new lease that is identical to the previous lease after the previous lease expired; and f)

23   illegal conduct, with the caveat that a charge or conviction for a crime that is unrelated to the

24   tenancy does not constitute at-fault just cause; "no-fault just cause" is defined as including

25   any of the following: a) owner intent to occupy the property, if (i) the tenant agrees in writing to

1    the termination or (ii) if a lease provision provides for termination based on the owner's

2    unilateral decision to so occupy; b) withdrawal of the property from the rental market; c)

3    unsafe habitation, as determined by a government agency that has issued an order to vacate,

4    order to comply, or other order that necessitates vacating the residential property; and d)

5    intent to demolish or to substantially remodel; and

6        WHEREAS, AB 1481 requires landlords to provide notice to tenants of their rights

7    under this bill in the form of a lease addendum, to be signed by the tenant at the same time as

8    the lease agreement; and

9        WHEREAS, AB 1481 requires that, before issuing a tenant a notice to terminate

10   tenancy for a curable violation of the lease agreement, the landlord must first provide the

11   tenant with a notice of the violation and an opportunity to cure it; and

12       WHEREAS, AB 1481 requires landlords that terminate tenancy for no-fault just cause

13   to notify the tenant of the tenant's right to, and to directly provide the tenant with, a relocation

14   assistance payment, regardless of the tenant's income; and

15       WHEREAS, AB 1481 clarifies that the provisions of this bill do not prevent adoption or

16   enforcement of a local rule or ordinance that requires just cause if that rule or ordinance is

17   determined to provide a higher level of tenant protections than the provisions of this bill; and

18       WHEREAS, If enacted, AB 1481 would help ensure a greater level of due process

19   protection for tenants, and thereby reduce both the personal and societal harms caused by

20   easily-available no-fault evictions; and

21       WHEREAS, AB 1481 would protect California tenants living with housing uncertainty;

22   and

23       WHEREAS, AB 1481 is part of a legislative package related to the CASA Compact, a

24   set of policy recommendations led by MTC and the Association of Bay Area Governments

25   (ABAG) to tackle the region's housing crisis head on, including Assembly Bill Nos. 1482

1  (Chiu) and 36 (Bloom) which implement a rent cap and allow for an expansion of rent control;

2  and

3      WHEREAS, AB 1481 is supported by a broad coalition of organizations, including

4  Asian Americans Advancing Justice - California, Bay Area Legal Aid, California Labor

5  Federation, AFL-CIO, California YIMBY, Chan Zuckerberg Initiative, Courage Campaign, Eric

6  Garcetti - Mayor of Los Angeles, PolicyLink, SEIU Local 1021, State Building and

7  Construction Trades Council of California, Tenderloin Neighborhood Development

8  Corporation, Working Partnerships USA, and more; now, therefore, be it

9      RESOLVED, That the Board of Supervisors of the City and County of San Francisco

10  supports AB 1481 (Bonta) that would protect California renters against unjust eviction; and, be

11  it

12      FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs

13  the Clerk of the Board to send a copy of the Resolution to State Senator Scott Wiener, State

14  Assembly Members David Chiu and Phil Ting, and Governor Gavin Newsom.

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