

## LEGISLATIVE DIGEST

[Emergency Ordinance - Administrative Code - No-Fault Evictions During COVID-19 Pandemic]

**Emergency ordinance to temporarily prohibit certain types of no-fault evictions that would otherwise be permitted under the Administrative Code, due to the COVID-19 pandemic.**

### Existing Law

The Residential Rent Stabilization and Arbitration Ordinance allows a landlord to evict a tenant from a rental unit in certain “no-fault” situations. Among these are owner move-ins, condominium conversions, removal of individual rental units from housing use, capital improvements, and substantial rehabilitations.

### Amendments to Current Law

The ordinance would suspend a landlord’s right to perform any of the above-referenced no-fault evictions, if the tenancy would terminate either (1) while the County Health Officer’s Shelter-In-Place Order remains in effect (it is currently set to expire on April 7, 2020); or (2) at any time while the ordinance remains in effect, if the eviction would displace an occupant who is directly affected by COVID-19. The ordinance is an emergency ordinance, so it would go into effect immediately upon enactment and would expire on the 61st day, unless reenacted.

An occupant is is “directly affected” by COVID-19 if the occupant has tested positive for the virus, is at increased risk due to age or medical history, or has experienced a financial impact such as substantial loss of income or increased out-of-pocket medical expenses. Landlords and tenants would have to follow certain procedure for determining whether an occupant falls under any of these categories. In particular, the tenant would need to provide documentation, within a 30-day time period, to show that these categories apply.

### Background Information

The ordinance is necessary to address the COVID-19 emergency. The original version of this ordinance addressed evictions for non-payment, as well as no-fault evictions. Evictions for non-payment are now addressed in the Second Supplement to the Mayor’s February 25, 2020 Proclamation, which was issued on March 13, 2020. This digest corresponds to the substitute ordinance introduced on March 17, 2020, which addresses no-fault evictions only.

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