

1 [Supporting California State Assembly Bill Nos. 15 and 16 (Chiu) - Eviction Protections]

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3 **Resolution supporting California State Assembly Bill Nos. 15 and 16, introduced on**
4 **December 7, 2020, by Assembly Member David Chiu (AD-17), which would extend**
5 **certain eviction protections through December 31, 2021, and establish a fund and**
6 **framework for distribution of financial support to ensure long-term stability for renters,**
7 **small landlords, and affordable housing providers, protect tenants during the ongoing**
8 **public health crisis, and ensure an equitable, broadly shared recovery.**

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10 WHEREAS, As California grapples with a dangerous new surge of COVID-19 cases,
11 many Californians remain unemployed and unable to pay rent; and

12 WHEREAS, A survey conducted by the U.S. Census Bureau between November 11
13 through 23, 2020, found over 2 million renter households in California reported “little to no
14 confidence” in their ability to pay next month’s rent, and renewed stay-at-home orders are
15 likely to increase this financial burden; and

16 WHEREAS, Among households earning between 50 and 80 percent of AMI (around
17 \$60,000 in most parts of California), COVID-related job losses have put an additional 58,000
18 households (28%) in the situation where their housing costs exceed what is affordable; and

19 WHEREAS, While California renters are protected from eviction to varying degrees
20 under layers of federal, state, and local policies, both state and federal protections are set to
21 expire in the coming months, which, if left unaddressed, will result in an overwhelming wave of
22 evictions and newly unhoused people and resulting devastating public health impacts; and

23 WHEREAS, Through Assembly Bill No. 3088, signed into law August 31, 2020,
24 California largely paused evictions for non-payment of rent until February 1, 2021, and, for
25 renters who experienced COVID-19 related financial hardships and were able to pay 25

1 percent of the rent they owed between September 1, 2020, and January 31, 2021, the law
2 converted the remaining rent owed into civil debt, offering permanent protections from eviction
3 for missed rental payments during the protected time period; and

4 WHEREAS, According to a study by researchers from UCLA’s Fielding School of
5 Public Health and the John Hopkins University, Bloomberg School of Public Health, lifting of
6 residential eviction moratoriums has resulted in an extra 365,200 to 502,200 coronavirus
7 cases and between 8,900 and 12,500 more deaths; and

8 WHEREAS, Without a change in law, the provisions of AB 3088 will expire on February
9 1, 2021; and

10 WHEREAS, Anticipating the expiration of critical eviction protections, Assembly Bill No.
11 15, introduced by Assembly Member David Chiu (AD-17) on December 7, 2020, would
12 expand the definition of “COVID-19 rental debt” to include unpaid rent or other unpaid
13 financial obligation of a tenant through December 31, 2021; eliminate the default burden that
14 requiring high-income tenants to submit additional documentation supporting a claim of
15 COVID-19-related financial distress; extend enhanced damages through January 1, 2022, for
16 landlords who interrupt or terminate utility service furnished to a tenant with the intent to
17 terminate the occupancy of the tenant; prohibit a landlord from attempting to collect late fees,
18 providing different terms or conditions of tenancy, or withholding a service or amenity with
19 respect to a tenant’s COVID-19 rental debt; extend the prohibition on unlawful detainer based
20 on a cause of action other than nonpayment of COVID-19 rental debt for the purpose of
21 retaliating against the lessee because the lessee has COVID-19 rental debt; and extends
22 through January 1, 2022, or the end of a local jurisdiction’s repayment period, whichever is
23 later, the prohibition on legal actions to recover COVID-19 rental debt; and

24 WHEREAS, Assembly Bill No. 16, introduced by Assembly Member David Chiu (AD-
25 17) on December 7, 2020, sets forth the Legislature’s intent to enact the Tenant, Small

1 Landlord, and Affordable Housing Provider Stabilization Act of 2021, which would establish
2 through statute a fund and framework for distributing financial support to ensure long-term
3 stability for renters, small landlords, and affordable housing providers, to protect tenants from
4 displacement during the ongoing public health crisis, and ensure an equitable, broadly shared
5 recovery; now, therefore, be it

6 RESOLVED, That the City and County of San Francisco supports both Assembly Bill
7 No. 15 and Assembly Bill No. 16, which would extend critical statewide eviction protections
8 and establish financial assistance to ensure the long-term stability of renters, small landlords,
9 and affordable housing providers; to protect tenants from displacement during the ongoing
10 public health crisis; and ensure an equitable, broadly shared recovery from the COVID-19
11 pandemic; and, be it

12 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges that
13 Assembly Bill No. 15 be amended to remove any preemption of local tenant protections during
14 the pandemic; and, be it

15 FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and
16 County of San Francisco distribute this Resolution to San Francisco's State Legislative
17 Delegation and to California Governor Gavin Newsom.

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