

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 22, 2020

The Honorable Gavin Newsom
Governor of the State of California
1303-10th Street, Suite 1173
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 130-20

Dear Governor Newsom:

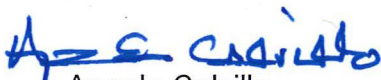
On March 24, 2020, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 130-20 (Urging Statewide Action to Establish Eviction Moratorium and Suspend Eviction Proceedings During the Coronavirus State of Emergency), which was enacted on April 3, 2020.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One certified copy of Resolution No. 130-20 (File No. 200307)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

- c. Members of the Board of Supervisors, Supervisors Dean Preston, Hillary Ronen, Matt Haney, Gordon Mar, Sandra Lee Fewer, Shamann Walton, Aaron Peskin
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Rebecca Peacock, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.



City and County of San Francisco

Certified Copy

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

200307

[Urging Statewide Action to Establish Eviction Moratorium and Suspend Eviction Proceedings During the Coronavirus State of Emergency]

Sponsors: Preston; Ronen, Haney, Mar, Fewer, Walton and Peskin

Resolution urging California Governor Gavin Newsom to issue a moratorium on evictions, including Ellis Act evictions during the state of emergency related to the COVID-19 coronavirus.

3/24/2020 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

3/24/2020 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

4/3/2020 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

May 22, 2020

Date

A handwritten signature in blue ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo
Clerk of the Board

1 [Urging Statewide Action to Establish Eviction Moratorium and Suspend Eviction Proceedings
2 During the Coronavirus State of Emergency]

3 **Resolution urging California Governor Gavin Newsom to issue a moratorium on**
4 **evictions, including Ellis Act evictions during the state of emergency related to the**
5 **COVID-19 coronavirus.**
6

7 WHEREAS, On February 25, 2020, Mayor London Breed declared a state of
8 emergency in San Francisco based on coronavirus (COVID-19); and

9 WHEREAS, On March 4, 2020, California Governor Gavin Newsom issued a
10 proclamation of a State of Emergency based on COVID-19; and

11 WHEREAS, On March 6, 2020, the San Francisco Department of Public Health issued
12 Recommendations to Reduce the Spread of the Coronavirus, which advise that vulnerable
13 populations should limit outings, and non-essential large gatherings should be cancelled or
14 postponed, among other recommendations; and

15 WHEREAS, On March 10, 2020 an ordinance was introduced, on file with the Clerk of
16 the Board of Supervisors in File No. 200267, which prohibits evictions during the Coronavirus
17 state of emergency for nonpayment of rent if the tenant demonstrates that inability to pay rent
18 is due to coronavirus, the state of emergency regarding coronavirus, or following government-
19 recommended coronavirus precautions; or for a no-fault reason unless the eviction is
20 necessary for the health and safety of the tenant or landlord; and

21 WHEREAS, On March 11, 2020, the San Francisco Health Officer issued a Declaration
22 of Local Health Emergency, Order No. C19-05; and

23 WHEREAS, On March 12, 2020, the Governor issued Executive Order N-25-20
24 ordering that residents heed the orders of state and local public health officials, including but
25 not limited to the imposition of social distancing measures; and

1 WHEREAS, On March 13, 2020, the Health Officer issued Order No. C19-05b
2 (revised), Declaration of Local Health Emergency in the City and County of San Francisco;
3 and

4 WHEREAS, On March 13, 2020, Mayor Breed issued a directive banning certain
5 nonpayment evictions arising from COVID-19 and the state of emergency; and

6 WHEREAS, On March 23, 2020, Mayor Breed issued a directive prohibiting certain no-
7 fault evictions arising from COVID-19 and the state of emergency, with the exception of Ellis
8 Act evictions; and

9 WHEREAS, On March 16, 2020, the Health Officer issued Order No. C19-07, directing
10 all individuals living in the county to shelter at their place of residence except that they may
11 leave to provide certain essential services or engage in certain essential activities and work
12 for essential business and government services (shelter in place); and

13 WHEREAS, On March 16, 2020, the Governor issued Executive Order N-28-20
14 suspending state laws that would pre-empt or otherwise restrict a local government's power to
15 impose substantive limitations on residential or commercial evictions where the basis for the
16 eviction is nonpayment of rent arising from substantial decrease in household or business
17 income or substantial out of pocket medical expenses, caused by the COVID-19 pandemic of
18 any local, state, or federal response; and

19 WHEREAS, Unlawful Detainers are summary legal proceedings that can require
20 response in as little as five days, and trial within one month; and

21 WHEREAS, Unlawful detainer court proceedings require the physical presence of
22 tenants at San Francisco Superior Court at mandatory settlement conferences and trial, as
23 well as the potential presence of tenants at depositions, mediations or other out of court
24 proceedings; and
25

1 WHEREAS, California's Ellis Act authorizes eviction in certain situations, but such state
2 laws are waivable by Governor Newsom during a state of emergency; now, therefore, be it

3 RESOLVED, That the San Francisco Board of Supervisors Urges Governor Newsom to
4 expand his Executive Order to impose a moratorium on all evictions, with limited exception for
5 tenants posing a serious danger to the safety of others, during this state of emergency; and
6 be it

7 FURTHER RESOLVED, That the Board of Supervisors urges Governor Newsom to
8 specifically waive and suspend the provisions of the California Ellis Act, including any
9 proceedings to enforce eviction under the Ellis Act, for the period of the state of emergency;
10 and be it

11 FURTHER RESOLVED, That the Clerk of the Board of Supervisors, upon passage of
12 this Resolution, shall transmit copies of this resolution to Governor Newsom.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 200307

Date Passed: March 24, 2020

Resolution urging California Governor Gavin Newsom to issue a moratorium on evictions, including Ellis Act evictions during the state of emergency related to the COVID-19 coronavirus.

March 24, 2020 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE
BEARING NEW TITLE

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai,
Stefani, Walton and Yee

March 24, 2020 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai,
Stefani, Walton and Yee

File No. 200307

I hereby certify that the foregoing
Resolution was ADOPTED AS AMENDED
on 3/24/2020 by the Board of Supervisors
of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

04/03/2020

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

04/03/2020

Date