



COUNTY OF HUMBOLDT

For the meeting of: 4/28/2020

File #: 20-489

To: Board of Supervisors

From: County Counsel

Agenda Section: Departmental

SUBJECT:

Adoption of an Urgency Ordinance Establishing an Affirmative Defense to Eviction Arising from Income Loss or Medical Expenses Related to COVID-19 (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt an Urgency Ordinance Establishing an Affirmative Defense to Eviction Arising from Income Loss or Medical Expenses Related to COVID-19; and
2. If adopted, direct the Clerk of the Board to publish the post-adoption summary of the ordinance within 15 days.

SOURCE OF FUNDING:

N/A

DISCUSSION:

On April 6, 2020, your Board discussed potential action regarding eviction protections during the COVID-19 emergency. At the conclusion of the discussion your Board directed the Office of County Counsel to reach out to local property owner/landlord groups for input and bring a proposed ordinance back for discussion and potential adoption. With the aid of the County Administrative Office, a draft ordinance was shared with local real estate groups and Legal Services of Northern California. Comments from both were received and may be found as Attachments B and C. To summarize, the Humboldt County Association of Realtors is supportive of a 90-day period to work out a late rent repayment plan, but not of a 90-day moratorium on evictions beyond the local emergencies. Legal Services of Northern California had input on the drafting language, and on policy issues and would seek a 180-day as opposed to a 90-day moratorium on evictions and would also want no-fault evictions included in the ordinance.

The proposed urgency ordinance (Attachment A) prohibits residential evictions by providing an affirmative defense based on loss of income or medical expenses related to COVID-19 resulting in a financial hardship to a tenant for a period of 90 days after the local emergency ends.

STRATEGIC FRAMEWORK: This action supports your Board's Strategic Framework by protecting vulnerable populations.

OTHER AGENCY INVOLVEMENT:

n/a

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to not adopt the proposed emergency ordinance or provide alternative direction to staff.

ATTACHMENTS:

1. Urgency Ordinance Establishing an Affirmative Defense to Eviction Arising from Income Loss or Medical Expenses Related to COVID-19
2. Comments received from LSNC
3. Comments received from HAR

PREVIOUS ACTION/REFERRAL:

Meeting of: April 6, 2020, Item D. 1.