



COUNTY OF HUMBOLDT

For the meeting of: 6/2/2020

File #: 20-655

To: Board of Supervisors

From: County Counsel

Agenda Section: Departmental

SUBJECT:

Status Update Regarding Ordinance 2642

RECOMMENDATION(S):

That the Board of Supervisors:

1. Receive an update on the County's eviction ordinance.

SOURCE OF FUNDING:

N/A

DISCUSSION:

On May 5, 2020 your Board adopted Ordinance 2642, which placed limits on and established a defense to certain residential evictions. The term of the Ordinance ended on May 31, 2020, however tenants following the provisions of Ordinance 2642 will still have a 90-day payback period to avoid eviction. Your Board requested a status update on the Ordinance in one month's time.

Enforcement of the Ordinance is an issue between landlords and tenants and does not involve the county. A copy of this report has been sent to the Humboldt County Association of Realtors and Legal Services of Northern California, who have previously provided written input and comment on this issue.

Recently the county has received a letter from Humboldt Coalition for Property Rights challenging provisions of Ordinance 2642 that continue in effect after May 31, 2020 (Attachment 1). In response to the request for authority stated in the letter, the Board of Supervisors has broad police powers pursuant to Article XI, §7 of the California Constitution. (*See also* §2 of Executive Order N-28-20.) The Board may also take action to protect public health during times of declared local emergencies. (*See* Government Code §8634 and Health and Safety Code §101025.)

There are currently several pieces of legislation related to landlord/tenants and the COVID emergency being considered at the state level. These include SB 939 prohibiting eviction for commercial tenants; AB 828 creating a moratorium on residential foreclosures and unlawful detainers; SB 1410 the COVID-19 Emergency Rental Assistance Program; AB 2501 related to homeowner, tenant and consumer relief; and the senate is considering a renter/landlord stabilization program that would use agreements

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between renters, landlords, and the state to resolve unpaid rents.

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

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

N/A

ATTACHMENTS:

1. May 18, 2020 letter from Ms. Jackson on behalf of HumCPR.

PREVIOUS ACTION/REFERRAL:

Meeting of April 6, 2020, Item D. 1., April 28, 2002, Item H. 3., May 5, 2020, Item H.3.