



COUNTY OF HUMBOLDT

For the meeting of: 4/6/2020

File #: 20-430

To: Board of Supervisors

From: Supervisor Steve Madrone

Agenda Section: Initiated by Board Member

SUBJECT:

Consider Adopting a Local Residential Eviction Ordinance (Supervisor Steve Madrone)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Consider adopting a local residential eviction ordinance.

SOURCE OF FUNDING:

N/A

DISCUSSION:

Governor Newsom has recently issued a statewide Executive Order related to evictions of residential tenants who are unable to pay rent due to COVID-19. Executive Order N-37-20 extends the time period during which a tenant who is served with a complaint seeking their eviction from a residence for non-payment of rent must respond to the complaint by sixty days. Under current law, a tenant would have five days to respond.

To qualify for this protection, a tenant must have paid any rent due to the landlord prior to March 27, and must notify the landlord in writing within a specified time period that the tenant is unable to pay the full rent amount due to a loss of income related to COVID-19. The tenant must also retain and provide to the landlord verifiable documentation to support the assertion of an inability to pay. The Executive Order further bars the enforcement of a writ to evict for nonpayment of rent for any tenant who meets all of the aforementioned criteria, including notification and documentation requirements.

The protections in the Executive Order are in effect through May 31, 2020. The Executive Order supersedes the prior eviction-related Executive Order N-28-20 "to the extent that there is any conflict with that order." The Governor has indicated in press statements that the intent of N-37-20 is to continue to allow local governments to adopt more restrictive COVID-related eviction measures, as many counties have done this week.

FINANCIAL IMPACT:

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N/A

STRATEGIC FRAMEWORK:

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

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

N/A

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A