



COUNTY OF HUMBOLDT

Legislation Text

File #: 20-556, Version: 1

To: Board of Supervisors

From: County Counsel

Agenda Section: Departmental

SUBJECT:

Adoption of an Uncodified Urgency Ordinance to Prohibit Residential Evictions During the COVID-19 State of Emergency for Nonpayment of Rent or for No-fault Evictions and to Repeal and Replace Ordinance No. 2641 Regarding COVID-19 and Evictions (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt an Uncodified Urgency Ordinance to Prohibit Residential Evictions During the COVID-19 State of Emergency for Nonpayment of Rent or for No-fault Evictions and to Repeal and Replace Ordinance No. 2641 Regarding COVID-19 and Evictions; 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 direction of your Board the Office of County Counsel brought a proposed ordinance back for discussion and potential adoption on April 28th. While that ordinance was adopted, the Board also requested that an amended ordinance be brought back with a focus on four key policy issues: 1) Inclusion of “no-fault” evictions, 2) a provision prohibiting late fees, 3) a 180 day effective date, and 4) detailed requirements on submission of documentation by the tenant to the landlord to qualify for protection.

The proposed urgency ordinance (Attachment A) addresses and implements these four policy directives that were discussed on April 28. Additional key terms include a requirement that landlords provide notice to tenants of the provisions of this ordinance and alerts tenants that failure to make a delayed payment within the 180 day payback period is a default. Adoption of the ordinance will also repeal Ordinance No. 2641, adopted on April 28.

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, provide alternative direction to staff, or leave Ordinance No. 2641 in place.

ATTACHMENTS:

1. Urgency Ordinance to Prohibit Residential Evictions During the COVID-19 State of Emergency for Nonpayment of Rent or for No-fault Evictions and to Repeal and Replace Ordinance No. 2641 Regarding COVID-19 and Evictions.

PREVIOUS ACTION/REFERRAL:

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