

**Monterey County Board of Supervisors  
Referral Submittal Form**

**Referral No. 2024.07  
Assignment Date: 5/14/24**

**SUBMITTAL - Completed by referring Board office and returned to CAO no later than noon on Thursday prior to Board meeting:**

|                |                          |               |
|----------------|--------------------------|---------------|
| Date: 5/6/2024 | Submitted By: Luis Alejo | District #: 1 |
|----------------|--------------------------|---------------|

**Referral Title: County Tenant Relocation Assistance Ordinance Update**

Referral Purpose: This referral request to update the current County Relocation Assistance Ordinance 18.15.050 – “Tenant relocation provisions for rental housing” to allow an option by the County of Monterey to require landlords/property owners, who violate the county housing ordinance, to pay owed tenant relocation assistance upfront into a county account so that tenants can claim the owed rent later, without having to interact with the landlord/property owner and to better track payments made to housing victims and ensure timeliness.

Brief Referral Description: In the aftermath of the appalling conditions at a nursery in Royal Oaks in 2023, there was an obvious need to modernize our County Relocation Assistance Ordinance to better ensure that tenants who have victimized and living in substandard conditions can collect owed relocation assistance. That case had about 68 units with approximately 270 people living in poor, dilapidated conditions, including dozens of children.

Our current ordinance provides for 2 months market rate rent as relocation assistance, plus potential utility security deposit and a mechanism for late payment in the amount of 1.5 times the amount. A landlord/property owner is required to pay the relocation assistance within 10 days after a notice to vacate is first mailed to the owner and posted on the premises, or at least 20 days proper to the date to vacate. If there are fewer than 10 days before the date to vacate, the owner must pay the tenants within 24 hours.

However, the ordinance must be modernized to give the County of Monterey an option to require landlords/property owners to pay that owed relocation assistance upfront into a county account so that tenants can later claim that assistance without having to depend or interact with the landlord/property owner, who had victimized them by having them live in the substandard conditions. These tenants are many times also witnesses to a county investigation or a criminal and/or civil case, and can feel intimidated by interacting with the landlord or its agents for the relocation benefits. This amendment would provide a better way for tenants to obtain their owed relocation assistance.

**18.15.050 – “Tenant relocation provisions for rental housing”** states:  
**“E. Amount of Relocation Benefits.** The relocation payment shall be made available by the owner or designated agent to the tenant in each residential unit and shall be a sum equal to two (2) months of the established fair market rent for the area as determined by the Department of Housing and Urban Development pursuant to Section 1437(f) of Title 42 of the United States Code. In addition, the relocation payment shall include an amount, as determined by the Enforcement Official, sufficient for utility service deposits. The relocation benefits shall be paid by owner or designated agent in addition to the return, as required by law, of any security deposits held by the owner. The relocation benefits shall be payable on a per residential unit basis.”

**“F. Penalty for Late Payment.** Any owner or designated agent who does not make timely payment as specified in this Section shall be liable to the tenant for an amount equal to one and one-half (1½) times the relocation benefits payable in this Section unless the relocation benefits are payable fewer than ten (10) days after the date the order to vacate is first mailed and posted”

| Classification - Implication  | Mode of Response  |
|---|---|
| <input type="checkbox"/> Ministerial / Minor<br><input type="checkbox"/> Land Use Policy<br><input type="checkbox"/> Social Policy<br><input type="checkbox"/> Budget Policy<br><input checked="" type="checkbox"/> Other: <u>Housing</u> | <input type="checkbox"/> Memo <input checked="" type="checkbox"/> Board Report <input type="checkbox"/> Presentation  |
|   | Requested Response Timeline   |
|   | <input checked="" type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 8 weeks<br><input type="checkbox"/> Status reports until completed<br><input type="checkbox"/> Other: _____ <input type="checkbox"/> Specific Date: _____ |

**ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s)**

**Completed by CAO's Office:**

|  |  |                               |
|--|--|-------------------------------|
| Department(s):<br><u>Housing and Community Development</u> | Referral Lead:<br><u>Craig Spencer</u> | Board Date:<br><u>5/14/24</u> |
|--|--|-------------------------------|

**REASSIGNMENT** – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO's Office:

|                |                |                |
|----------------|----------------|----------------|
| Department(s): | Referral Lead: | Original Date: |
|----------------|----------------|----------------|

**ANALYSIS - Completed by Department and copied to Board Offices and CAO:**

|  |   |
|--|---|
| Department analysis of resources required/impact on existing department priorities to complete referral: |   |
| Analysis Completed By:<br>_____  | <b>Department's Recommended Response Timeline</b>   |
| Date: _____  | <input type="checkbox"/> By requested date<br><input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> 6 months<br><input type="checkbox"/> 1 year <input type="checkbox"/> Other/Specific Date: _____ |

**REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:**

|                         |                 |                          |
|-------------------------|-----------------|--------------------------|
| Referral Response Date: | Board Item No.: | Referrals List Deletion: |
|-------------------------|-----------------|--------------------------|