File #: 20-232, **Version:** 1

Adopt a temporary COVID-19 pandemic related urgency ordinance enacting a temporary prohibition on evictions related to the COVID-19 pandemic, effective from March 17, 2020, through May 31, 2020 (4/5ths vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a temporary COVID-19 pandemic related urgency ordinance enacting a temporary prohibition on evictions related to the COVID-19 pandemic, effective from March 17, 2020, through May 31, 2020 (4/5ths vote required).

SUMMARY/DISCUSSION:

On March 4, 2020, Governor Newsome issued a Proclamation of a State of Emergency in the State of California related to the COVID-19 pandemic. In light of the COVID-19 pandemic and his state of emergency proclamation, on March 16, 2020, the Governor issued an executive order suspending any provision of state law prohibiting a local government from exercising its police power to impose substantive limitations on residential or commercial evictions.

Such evictions present an immediate threat to the public peace, health and safety in Monterey County, as described in Government Code section 25123 (d) in that they will cause the displacement of residents and contribute to an increase in the homeless population in Monterey County. On March 17, 2020, the Board of Supervisors adopted Resolution No. 20-072, that initially adopted a prohibition on such evictions consistent with the Governor's order. In order to strengthen the prohibition in the County it is appropriate to adopt an urgency ordinance to address the immediate threat to the public peace, health and safety that COVID-19 pandemic related evictions will create

The proposed ordinance would temporarily prohibit evictions related to the economic consequences on tenants as a result of the COVID-19 pandemic, and is identical to the prohibition adopted by Resolution No. 20-072. Those prohibitions are:

> The authority of any landlord to commence evictions on any residential or commercial property within the unincorporated area for the following reasons is hereby suspended through May 31, 2020, unless otherwise terminated or extended:

a. The basis of the eviction is non-payment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and

b. The decrease in household or business income or the out-of-pocket medical expenses describe in

subparagraph (a) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

Nothing in the ordinance relieves a tenant from the obligation to pay rent.

OTHER AGENCY INVOLVEMENT:
N/A

FINANCING:
Adoption of this ordinance would not require funding or impact the County's general fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:
This proposed program correlates to the Health & Human Services Strategic Initiatives adopted by the Board of Supervisors by working towards the goals of improving health and quality of life outcomes to individuals and families to address the immediate threat to the public peace, health and safety and prevent displacement of tenants resulting from the economic impact of the COVID-19 pandemic.

Mark a check to the related Board of Supervisors Strategic Initiatives

__Economic Development
__Administration
_X_Health & Human Services
__Infrastructure
_X_Public Safety

Prepared by:

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Approved by:

Leslie J. Girard, County Counsel

Attachments:
Board Report
An Urgency Ordinance of the County of Monterey, State of California

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