

ACTION CALENDAR
May 21, 2020

To: Honorable Members of the Berkeley Rent Board

From: Commissioners Igor Tregub, Chair Laverde, and Vice Chair Simon-Weisberg

Subject: Letter to Alameda County Board of Supervisors Requesting that the Item to Amend a Countywide Temporary Moratorium on Residential Evictions (Originally Scheduled for May 12, 2020) be Re-Agendized and Approved No Later Than June 2, 2020

RECOMMENDATION

The Berkeley Rent Board shall transmit a letter to the Alameda County Board of Supervisors requesting that the Item to amend a countywide temporary moratorium on residential evictions (originally scheduled for May 12, 2020) be re-agendized and approved no later than June 2, 2020

FISCAL IMPACTS OF RECOMMENDATION

Minimal staff time to transmit letter.

BACKGROUND

In late March, as pandemic-related job losses mounted and rent payments loomed, the Alameda County Board of Supervisors began to enact increasingly stronger eviction protection ordinances, culminating in an emergency ordinance that was unanimously on April 21, 2020.¹ The approved urgency ordinance is effective until 30 days after the end of the declared emergency in the County. However, it is only currently only authorized by an urgency ordinance that lasts for 90 days, and is set to expire sometime in June 2020. For the protections to be further codified during this time, the moratorium needs to be codified in a regular ordinance.

A regular ordinance that codified the protections that are currently set forth in the emergency ordinance, and which requires two votes of approval (with a 3/5 threshold) plus 30 days to take effect) was scheduled to be read for the first time on May 12, 2020. At the last minute, it was inexplicably pulled off the agenda.² The next opportunity that the Board will have to discuss this item is at its regularly scheduled June 2, 2020

¹http://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_04_21_20/GENERAL%20ADMINISTRATION/Regular%20Calendar/CDA_294953.pdf

² According to Alameda County Board of Supervisors rules of procedure, a single member of the Board can request to pull this ordinance.

meeting, unless a sufficient number of Supervisors request a special meeting prior to that date.

The emergency ordinance that is set to expire in June as well as the proposed regular ordinance incorporate some of the strongest tenant protections in the state and, possibly, the nation. Its provisions are a key element of an effort for the Berkeley City Council to approve a strengthened form of the City of Berkeley's own emergency eviction moratorium.³ The Berkeley Rent Board, at its April 30, 2020 meeting, unanimously expressed support for the Berkeley City Council's passing an ordinance that is at least as strong as the County's.⁴ Passing the County's urgency ordinance as a regular ordinance is integral to eliminating confusion about the period of applicability of Alameda County's ordinance and whether the County's or City's ordinance controls.⁵

It is recommended that Berkeley Rent Board shall transmit a letter to the Alameda County Board of Supervisors requesting that the Item to amend a countywide temporary moratorium on residential evictions (originally scheduled for May 12, 2020) be re-agendized and approved no later than June 2, 2020.

CONTACT

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³ <https://www.cityofberkeley.info/uploadedFiles/Clerk/2020-05-11%20Agenda%20Packet%20-%20Agenda%20Committee.pdf> (starting on p. 39)

⁴ https://www.cityofberkeley.info/uploadedFiles/Rent_Stabilization_Board/Level_3_-_General/ACTION_Item%206.a.6._Support%20for%20Strong%20Anti-Displacement%20Policies%20During%20COVID-19.pdf

⁵ *Ibid.* The sense of the unanimous elected Rent Stabilization Board, as documented in the item approved on April 30, 2020, is that the stronger County Ordinance controls.