



## The City of San Diego

### Staff Report

DATE ISSUED: 5/14/2020

TO: City Council

FROM: Council President's Office

SUBJECT: Extension of Residential and Commercial Eviction Moratorium Due to the Declared State of Emergency from COVID-19

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Council District(s): Citywide

#### OVERVIEW:

On March 25, 2020, the City Council adopted the Emergency Residential and Commercial Eviction Moratorium by Ordinance O-21177 in response to the near complete closure of the local economy, precipitated by the issuance of stay-at-home orders instituted due to the novel coronavirus, also known as the COVID-19 pandemic.

As stipulated on the Western Center on Law and Poverty's website, "On April 6, 2020, the Judicial Council of California adopted an emergency court rule that effectively delays all evictions, other than those necessary to protect public health and safety, for the duration of the COVID-19 emergency. The rule is applicable to all courts and to all eviction cases, whether they are based on a tenant's missed rent payment or another reason. Among other things, the rule temporarily prohibits a court from issuing a summons after a landlord files an eviction case, unless necessary to protect public health and safety. As a result, even if a landlord files an eviction case, he or she will not have a summons to serve on the tenant until 90 days after the emergency passes."

This request to extend the March 25, 2020, eviction moratorium comes in response to Judicial Council's actions as well as the uncertainties in public health projections that require

people to remain at home. The number of workers who have suddenly lost their jobs and are seeking unemployment benefits continues to grow, along with the instabilities in housing and general economic forecasts due to the impacts of the COVID-19 pandemic.

#### PROPOSED ACTIONS:

1. Extend the emergency ordinance to June 30, 2020, to continue implementing a temporary moratorium on residential and commercial evictions due to nonpayment of rent arising out of a substantial decrease in income or substantial out-of-pocket medical expenses caused by either the novel coronavirus, COVID-19, or any governmental response to COVID-19. The proposed action would keep in place the adopted emergency ordinance which applies to all residential and commercial tenants renting within the City of San Diego.

#### DISCUSSION OF ITEM:

On March 17, 2020, the City Council approved Resolution R-312895 directing the Mayor and City Attorney to prepare actions for a temporary moratorium on evictions in the City of San Diego for renters on the basis of nonpayment of rent (“affected renters”) where that failure to pay rent results from wage loss resulting from the novel coronavirus (COVID-19) pandemic.

On March 25, 2020, the City Council approved O-21177 adopting a temporary residential and commercial eviction moratorium. The current eviction moratorium is set to expire on May 31, 2020. Due to the significant job losses and unemployment rates seen throughout the region, it is necessary to extend the eviction moratorium to assist residents who may be struggling to pay their rent.

As of May 10, 2020, Coronavirus cases in San Diego County are still occurring, with 150 new cases documented on May 9, 2020 alone. This brings the total number of cases in San Diego County to 4,926. Due to the need to continue to shelter in place, it is imperative that the eviction moratorium be extended through June 30, 2020.

In support of the residential and commercial eviction moratorium, the City of San Diego has experienced significant adverse impacts due to COVID-19 to residents and businesses alike in all sectors of the economy. In addition, with the County-wide school closures, the impact this has had on parents with young children who rely on our school districts during the day when they are at work has also caused a significant effect on reduced work hours and wages as evidenced in the following sections.

Fiscal Considerations: To be determined.

Charter Section 225 Disclosure of Business Interests: N/A; there is no contract associated with this action.

City Strategic Plan Goal(s)/Objective(s):

Goal 1: Provide high quality public service;

Goal 2: Work in partnership with all of our communities to achieve safe and livable neighborhoods;

Goal 3: Create and sustain a resilient and economically prosperous City with opportunity in every community

Environmental Impact: This series of actions are not a project pursuant to CEQA Guidelines Section 15378(b)(5) (organizational or administrative activities).

Equal Opportunity Contracting Information (if applicable): N/A

Previous Council and/or Committee Actions: None.

Key Stakeholders and Community Outreach Efforts: Renters, commercial tenants, landlords, and lenders

Lara Gates

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Council President's Office