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Mayor Gloria, City Council President Elo-Rivera Propose New Protections for Renters PROPOSED FRAMEWORK AMONG LATEST REFORMS TO PREVENT HOMELESSNESS AND DISPLACEMENT

FOR IMMEDIATE RELEASE

Tuesday, December 6, 2022

CONTACTS:

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SAN DIEGO – Aiming to secure further protections for San Diego renters and help prevent homelessness, Mayor Todd Gloria and City Council President Sean Elo-Rivera unveiled a new framework today that seeks to add greater local protections for renters and provide clarity for rental-housing providers.

The product of meaningful collaboration, the tenant protections framework incorporates input from residents, tenant advocates, and rental housing providers, including recommendations provided at the Oct. 31 City Council workshop on

proposed reforms to prevent homelessness, displacement and harm to the housing market.

“The data is clear: More people are falling into homelessness than in years past, requiring policy reforms at the local level that will help keep roofs over San Diegans’ heads as well as connect people to more affordable housing,” Mayor Todd Gloria said. **“I’m confident that this framework will help us take the necessary steps to protect renters from wrongful terminations, provide clarity and consistency to our rental housing stakeholders and prevent people from falling into homelessness.”**

Following the City Council’s Oct. 31 tenant protection workshop, the Mayor and City Council President have been working closely with interested parties – both renters and rental housing providers – to identify important policy areas that would offer renters more protection from wrongful terminations. Additionally, the tenant protections framework would create enhanced support and resources for renters and rental housing providers consistent with state law and, in some areas, go beyond state law to address issues facing the local rental housing market.

“San Diegans who are paying their rent and following the rules need and deserve protections that will provide them with the housing security necessary for a stable life,” said Council President Elo-Rivera. **“The provisions agreed upon will provide renters more security while offering rental housing providers with clear and equitable parameters as we reduce unnecessary tenant removals and help prevent people from falling into homelessness. I look forward to bringing these strengthened protections to City Council as soon as possible. I want to thank the community advocates, who have courageously fought for these improvements, and the industry stakeholders, who have authentically engaged in addressing this issue.”**

The proposed tenant protections framework would enhance transparency, consistency and equity in San Diego’s rental housing market by providing:

1. Consistency with the Tenant Protection Act of 2019 (AB 1482), a state law that provides greater tenant protections than the City’s current regulations, known as Tenants Right to Know. Changes would include additional noticing to renters; confirmation of definitions for “No Fault” and “At Fault Termination of Tenancies” so that the terms and definitions are clear to both renters and

rental housing providers; Opportunity to Cure to assist renters and rental housing providers with additional opportunities to address issues that could result in wrongful terminations; relocation assistance or rent waivers; property exemptions; and defined requirements on issues on which the current City ordinance is silent.

2. Exploration of a long-term revenue stream in conjunction with rental housing providers to expand support, resources and opportunities for the City's rental housing stakeholders, both renters and providers;
3. New services and resources for seniors and disabled individuals, as defined by The Fair Housing Act, that make it easier to find rental housing; and
4. Development of new renter resources related to noticing, online resources and partnerships with not-for-profits.

In addition to bringing San Diego up to the baseline protections of AB 1482, Mayor Gloria and Council President Elo-Rivera intend to bring forward additional protections, including at minimum:

1. Just Cause Protections beginning on Day 1 of tenancy;
2. Additional relocation assistance beyond the requirements in AB 1482;
3. Additional time for seniors and disabled residents to find new housing when receiving a no-fault termination notice; and
4. Additional time for renters to remedy violations that may be causes for eviction.

“I applaud the Mayor and Council President for their collaboration and engagement with us to evaluate a framework that will provide fairness between renters and rental housing providers,” Lucinda Lilley, President of the Southern California Rental Housing Association. **“With a balanced approach, we will continue to support more San Diegans being housed while also preventing unintended negative impacts to the local housing market.”**

“We are thankful to the Mayor, Council President, and staff for prioritizing the strengthening of tenant protections and taking the first crucial step to stabilize housing and prevent homelessness,” said the Partnership for the Advancement of New Americans (PANA) and Alliance of Californians for Community Empowerment (ACCE). **“We hope to continue engaging with our elected**

officials, including the Mayor and City Council, to fully close the no-fault eviction loopholes, expand protections, and provide greater relocation assistance for displaced tenants.”

The tenant protections framework serves as a foundation for City Council consideration. Council President Elo-Rivera will continue working with stakeholders to close existing loopholes, build in accountability measures to ensure compliance with the law and expand resources and education for the most vulnerable population. In addition, the Mayor has directed City staff to work with the City Attorney’s office to draft an amended ordinance reflecting this framework for consideration by the City Council. The ordinance is anticipated to come before the Council in early 2023.

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The City of San Diego

Staff Report

DATE ISSUED: October 26, 2022

TO: City Council

FROM: City Council District 9

SUBJECT: Workshop on a Framework for Amending the Tenants' Right to Know Ordinance

Primary Contact: Maya Rosas Phone: (619) 236-6699

Secondary Contact: Lydia Van Note Phone: (619) 236-6699

Council District(s): Citywide

OVERVIEW:

In the last 12 months, 10 people found housing for every 13 people who experienced homelessness for the first time in San Diego County. According to the Regional Task Force on Homelessness, in that timeframe 15,327 people became homeless for the first time while 11,861 people experiencing homeless were connected with housing.¹ The takeaway is clear — even monumental efforts to house people will not amount to meaningful progress unless more is done to keep people from becoming homeless. Tenant protections that keep San Diegans housed can prevent potentially catastrophic lifelong impacts resulting from an eviction, especially when the tenant is evicted through no fault of their own. This item provides an opportunity for the public and the City Council to discuss and provide feedback on a framework to strengthen tenant protections and prevent homelessness in the City of San Diego.

Following the discussion of this item, Council President Sean Elo-Rivera will develop a draft Tenant Protection Ordinance that incorporates feedback and direction received.

PROPOSED ACTIONS:

This item is for information only.

¹ Regional Task Force on Homelessness. (2022). *HMIS 12-Month Overview*.

DISCUSSION OF ITEM:

Addressing the City of San Diego's housing and homelessness crisis requires a multi-pronged strategy involving homelessness programs, affordable housing, streamlining the development process, and protecting tenants from displacement. Tenant protections that keep San Diegans housed can prevent potentially catastrophic lifelong impacts resulting from an eviction, especially when evicted through no fault of the tenant.

The City Council has adopted policies, pursued funding, and directed programming on many of the fronts required to meet San Diegans' housing needs. Policies and programs that are a part of the solutions to the housing and homelessness crisis include:

- Affordable Housing
- Permanent Supportive Housing
- Single-Room Occupancy (SROs) units
- Accessory Dwelling Units and microunits
- Homeownership programs
- Rent relief programs such as the Housing Instability Protection Program
- Homeless services such as the Multidisciplinary Outreach Program
- Homeless Housing, Assistance, And Prevention (HHAP) projects
- Congregate and non-congregate shelters
- Permit streamlining
- Tenant protections

Tenant protections can prevent San Diego families from losing their homes and falling into homelessness. Policies such as required relocation assistance for "No Fault" evictions, advance noticing requirements, and no delay for renters to be eligible to receive protections can ensure housing stability. "No Fault" evictions allow a landlord to unilaterally terminate a lease contract for tenants, despite the tenant paying the rent on time, not violating their lease, creating a nuisance, or refusing to provide access to the rental. This sudden and immediate displacement can have a profound impact on the financial, emotional, and professional stability of a tenant's life. Updating the City's current Tenants' Right to Know Ordinance (discussed below) is essential to creating a stable housing market and stemming the increasing population of people experiencing homelessness.

This item provides an opportunity for the public and the City Council to discuss and provide feedback on the framework to strengthen tenant protections and prevent homelessness in the City of San Diego. **Attachment 1** presents the framework for discussion and compares it to the status quo protections currently in place in San Diego through its Tenants' Right to Know Ordinance.

The Framework for amending the Tenants' Right to Know Ordinance includes policies addressing:

- Addressing the Current Delay in Tenant Protections
- Homelessness and Displacement Prevention
- Causes for Evictions (At Fault or No Fault)
- Exemptions from Protections
- Notice Requirements
- Buyout Agreements

Need for Tenant Protections

In the last 12 months, 10 people found housing for every 13 people who experienced homelessness for the first time in San Diego County. According to the Regional Task Force on Homelessness, in that timeframe 15,327 people became homeless for the first time while 11,861 people experiencing homeless were connected with housing.² The takeaway is clear — even monumental efforts to house people will not amount to meaningful progress unless more is done to keep people from becoming homeless. While new housing and programs for people experiencing homelessness are part of the solution for lifting people out of homelessness, the City must address the immediate humanitarian crisis of San Diegans falling into homelessness at a faster rate than they can be housed.

San Diego's Housing Element requires the City to adequately plan to meet its existing and projected housing needs, including its share of the Regional Housing Needs Allocation, which equals 108,036 additional housing units in the City of San Diego. 44,880 of those units are for extremely-low, very low, and low-income households and need to be built between 2021 and 2029.³ However, in 2021 the City approved 5,033 new homes for construction, including only 451 homes for very low and low-income households, a fraction of what is needed to meet the City's needs.⁴

Housing costs in the City of San Diego have risen with average rent prices increasing 46 percent from 2012 to 2019.⁵ Fifty percent of households are housing cost-burdened, meaning these households spend more than 30 percent of their income on housing costs.⁶ Cost-burdened households who receive an unexpected "No Fault" eviction notice must then quickly enter the housing market at a time of rapidly rising rents and find a home they can afford, in addition to the cost of moving, deposits, and other expenses. Many families are at risk of falling into homelessness after a "No Fault" eviction.

For people with disabilities, additional barriers to housing play a role in housing instability. Eighty percent of the City's housing stock was built before 1990 and most homes built before 1990 are not wheelchair accessible⁷, which creates barriers to finding suitable housing for individuals with

² Regional Task Force on Homelessness. (2022). *HMIS 12-Month Overview*.

³ San Diego Association of Governments. (2020, July 10). *FINAL 6th Cycle Regional Housing Needs Assessment Plan*. Retrieved October 12, 2022, from https://www.sandag.org/uploads/projectid/projectid_189_27782.pdf (pg. 4)

⁴ City of San Diego. (2022). 2022 Annual Report on Homes. Retrieved October 21, 2022, from https://www.sandiego.gov/sites/default/files/2022_annual_report_on_homes_oct_update.pdf.

⁵ City of San Diego. (2021, June 14). *City of San Diego General Plan Housing Element 2021-2029*. Review of the City of San Diego's 6th Cycle General Plan Housing Element 2021-2029 and Additions Thereto. Retrieved October 12, 2022, from <https://www.hcd.ca.gov/housing-elements/docs/san-diego-6th-adopted061421.pdf> (pg. HE-22)

⁶ City of San Diego. (2021, June 14). *City of San Diego General Plan Housing Element 2021-2029*. Review of the City of San Diego's 6th Cycle General Plan Housing Element 2021-2029 and Additions Thereto. Retrieved October 12, 2022, from <https://www.hcd.ca.gov/housing-elements/docs/san-diego-6th-adopted061421.pdf> (pg. HE-22)

⁷ City of San Diego. (2021, June 14). *City of San Diego General Plan Housing Element 2021-2029*. Review of the City of San Diego's 6th Cycle General Plan Housing Element 2021-2029 and Additions Thereto. Retrieved October 12, 2022, from <https://www.hcd.ca.gov/housing-elements/docs/san-diego-6th-adopted061421.pdf> (pg. HE-24)

accessibility needs. Individuals living with disabilities represent a disproportionate share of the homeless population⁸, often live on fixed incomes, and cannot absorb rent increases, and therefore experience added difficulties maintaining, searching for, and finding accessible housing that meets their unique housing needs. People with disabilities, many of whom are also seniors, should receive additional assistance and time when served with an eviction notice for a “No Fault” eviction.

The 2022 Point in Time Count (Count) found no fewer than 4,801 individuals experiencing homelessness across the City, which included a nine percent increase in the number of unsheltered individuals from 2020 when the Count was last completed, and found that Black San Diegans comprise 29 percent of unsheltered individuals in the 2022 Count.⁹

In August 2022, the Downtown San Diego Partnership counted 1,609 people experiencing homelessness in Downtown San Diego, a record high in the 10-year history of their count.¹⁰ In addition, low-income residents are most at-risk of displacement from rental housing as a result of rapidly rising rents, are more likely to have challenges staying in their homes if they are living paycheck-to-paycheck, and are often subject to predatory evictions or unable to obtain affordable legal representation.

Opposition to new housing, and in particular to permanent supportive housing, has contributed to a severe undersupply of housing to meet the need of residents of all incomes.¹¹ This is compounded by the overall undersupply of housing at all income levels, creating a nearly impossible housing market for people experiencing homelessness or those at risk of experiencing homelessness following a “No Fault” eviction.

The Legal Aid Society of San Diego (LASSD), which provides free civil legal assistance to low-income clients, including protection against eviction and housing instability, reported a significant number of clients experiencing a “No-Fault” eviction. From July 2021 through January 2022, LASSD received nearly 1,400 requests for assistance for housing related issue from households in the City of San Diego.¹² About 23 percent of these households requested assistance with a “No Fault” eviction,

⁸ Warth, G. (2020, September 15). *County's homeless: Disabled, 55 and older and black*. San Diego Union-Tribune. Retrieved October 12, 2022, from <https://www.sandiegouniontribune.com/news/homelessness/story/2020-09-15/countys-homeless-disabled-55-and-older-and-black>

⁹ Regional Task Force on Homelessness. (2022). *2022 Point-in-Time Count*. Retrieved October 17, 2022, from <https://www.rtfhsd.org/wp-content/uploads/2022-City-of-San-Diego-Revised-Breakdown-2.5.pdf>

¹⁰ Warth, G. (2022, September 7). *Downtown san diego homeless population hits record high*. San Diego Union-Tribune. Retrieved October 12, 2022, from <https://www.sandiegouniontribune.com/news/homelessness/story/2022-09-06/downtown-san-diego-homeless-population-at-record-high>

¹¹ San Diego Housing Commission. (2022, April 1). *Community Action Plan Performance Data - Progress Toward Housing Goals*. PSH Pipeline Tracker. Retrieved October 12, 2022, from <https://www.sdhc.org/homelessness-solutions/community-action-plan/performance-data/housing-goals/#pipeline-tracker>

¹² E-mail communication from Gilberto Vera, Esq., Senior Attorney with Legal Aid Society of San Diego, Inc. to Brett Weise, Senior Policy Advisor with Council President Sean Elo-Rivera, on January 27, 2022.

comprising the largest percentage of housing related issues for which San Diego households requested assistance.

Background – Tenants’ Right to Know Ordinance

The Tenants’ Right to Know Ordinance, which provides the current tenant protections in place in the City, was adopted in 2004 and the Council has not made significant updates to it since then. Assembly Bill 1482, which went into effect in 2020, provides eviction protections for renters. AB 1482’s strengthened eviction protections do not apply in the City of San Diego because of a provision that limits its applicability to jurisdictions without an already existing just cause ordinance like the Tenants’ Right to Know Ordinance. The current ordinance provides fewer protections than AB 1482, therefore, San Diegans have fewer protections than what has been in place statewide since 2020.

AB 1482 also created a statewide rent cap, which does apply in San Diego and is in effect. The discussion framework does not cover rent stabilization or rent control policies.

On April 4, 2022, Council adopted a Residential “No-Fault” Eviction Moratorium to preserve tenancies during the declared State of Emergency from COVID-19. The Moratorium went into effect on May 22, 2022 and expired on September 30, 2022.

Next Steps

Following the discussion of this item, Council President Sean Elo-Rivera will develop a draft Tenant Protection Ordinance that incorporates feedback and direction received.

Fiscal Considerations: N/A

Charter Section 225 Disclosure of Business Interests: N/A

Environmental Impact: N/A

Climate Action Plan Implementation: N/A – Does not have a connection to the CAP

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

Previous Council and/or Committee Actions: On April 4, 2022, the Council adopted a temporary No-Fault Eviction Moratorium, which expired on September 30, 2022.

Planning Commission Action: N/A

Key Stakeholders and Community Outreach Efforts: All San Diegans including people experiencing homelessness, renters, homeowners, and future residents.

Maya Rosas

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Chief of Staff

Lydia Van Note

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Discussion Framework for Amending the Tenants’ Right to Know Ordinance

Addressing the Current Delay in Tenant Protections

All people need and deserve housing stability and tenants should be afforded tenant protections upon their lease going into effect. Those who have recently moved are likely to have fewer financial resources available to them after paying for moving expenses, security deposit, and other costs. Delaying tenant protections allows for conditions where a San Diego family can spend thousands of dollars to move into a home only to shortly after find themselves searching for housing and being forced to pay for moving expenses all over again.

Status Quo (Tenants’ Right to Know):	Recommended Protections (Future Tenant Protection Ordinance):
2-year delay in receiving any tenant protections	No delay in receiving tenant protections

Homelessness and Displacement Prevention

A tenant who pays their rent and complies with their lease should not live in fear that an eviction will leave them unable to continue living in San Diego or forced to the streets. For tenants who pay their rent and follow all the rules but are evicted, financial assistance should be paid to the tenant to assure continued housing stability. Such financial assistance would accompany a “No Fault” eviction, such as when a property owner withdraws their home from the rental market or a property owner or their relatives move into their home.

Additional relocation assistance for seniors would help secure stability while finding a new affordable home that meets their needs. Seniors are more likely to live on fixed incomes and be less mobile, making finding a new home and moving on short notice even more difficult.

Tenants who are temporarily forced to relocate while improvements are made (Correction of Violations) should not have to pay additional expenses out of pocket and should be entitled to a per-diem to cover their expenses.

Status Quo (Tenants’ Right to Know):	Recommended Improvements (Future Tenant Protection Ordinance):
None	<ul style="list-style-type: none"> • 3-month’s rent based on current fair market rent (established by HUD) for “No Fault” evictions. • Additional assistance for seniors • Short-term relocation plan offers per-diem payments to tenants temporarily displaced due to property improvements.

Causes for Eviction (At Fault or No Fault)

No San Diegan should live in constant fear of being forced from their home. Unfortunately, current San Diego laws make it too easy for bad actors to kick renters out for minor issues without providing an opportunity to remedy, whether to evict tenants for discriminatory purposes or for pure financial gain. (See Appendix at the end of this document for more information on causes)

In order to keep San Diegans housed, tenants should have the opportunity to remedy any issues before facing the ultimate consequence of eviction; however, there is currently no local requirement to allow a renter to fix an issue before being served an eviction notice.

One current cause for eviction that is being exploited is “Illegal Use.” Landlords are effectively given the power of police, prosecutor, judge, and jury to determine if there has been an “illegal use.” This provides landlords — who already enjoy a tremendous power imbalance with tenants — far too much power to unfairly remove people from their home. Actual illegal activity can be addressed through code or law enforcement; it should not be the landlord’s role to enforce laws or act as the judicial system.

Removing “Refusal to Renew Lease” as a cause for eviction eliminates the ability for a landlord to require unreasonable conditions in a lease renewal and threaten eviction if the tenant does not agree to renew the lease. Lease renewals can be mutually agreed upon or otherwise defer to a month-to-month structure.

Status Quo (Tenants’ Right to Know):	Discussion Framework (Future Tenant Protection Ordinance):
<ul style="list-style-type: none"> • Nonpayment of Rent • Violation of Obligation of Tenancy • Nuisance • Illegal Use • Refusal to Renew Lease • Refusal to Provide Access • Correction of Violations • Withdrawal of Residential Rental Structure from the Rental Market • Owner or Relative Occupancy 	<p>No Fault:</p> <ul style="list-style-type: none"> • Withdrawal of Residential Rental Structure from the Rental Market (Ellis Act) • Owner or Relative Occupancy^ • Correction of Violations* <p>At Fault:</p> <ul style="list-style-type: none"> • Nonpayment of Rent • Violation of Obligation of Tenancy* • Nuisance* • Refusal to Provide Access* <p>^ Additional protections:</p> <ul style="list-style-type: none"> • School year protections for students • Seniors, disabled, or terminally ill <p>* Framework narrows the applicability of this cause or adds certain requirements compared to Tenants’ Right to Know</p> <p>No longer a Cause for Eviction:</p> <ul style="list-style-type: none"> • “Illegal Use” without conviction • Refusal to Renew Lease

Exemptions from Protections

Standard exemptions from protections remain under the discussion framework. However, renters who live in agency-owned or subsidized units are inherently lower income individuals or families and should receive equal protections like anyone living in a market rate rental.

Status Quo (Tenants’ Right to Know):	Recommended Protections (Future Tenant Protection Ordinance):
<ul style="list-style-type: none"> • Institutional Facilities • Agency Owned or Subsidized Units • Rooms Rented to Boarders • Rental-Units in Hotels, Motels, or Rooming Houses Rented to Transient Guests • Mobile Homes • Transient occupancies defined by California Civil Code section 1940(b) 	<ul style="list-style-type: none"> • Institutional Facilities • Rooms Rented to Boarders • Rental-Units in Hotels, Motels, or Rooming Houses Rented to Transient Guests (not including guests with tenancies over 30 days) • Mobile Homes • Transient occupancies defined by California Civil Code section 1940(b) • Short-Term residential occupancies <p>No longer exempting:</p> <ul style="list-style-type: none"> • Agency Owned or Subsidized Units

Notice Requirements

Any eviction notice should make clear what exemption or cause is used to justify the eviction to ensure that a legal basis is being used, and to provide an opportunity for the tenant to prepare a defense against the eviction. Move-in Notices should be provided to all tenants informing them of their rights and if their rental is exempt from San Diego’s tenant protections.

For “At Fault” evictions where the tenant may have some fault to warrant an eviction, tenants should have an opportunity to remedy the issue used to justify an eviction before facing the ultimate consequence of eviction. Currently there is no requirement to allow a renter to fix an issue before being served an eviction notice beyond minimal state noticing laws.

Status Quo (Tenants’ Right to Know):	Recommended Protections (Future Tenant Protection Ordinance):
<ul style="list-style-type: none"> • Eviction notice: Written notice reciting grounds under which the landlord is proceeding • Notice of termination as set forth in Civil Code Section 1946.1, or a 3-day notice described in Code of Civil Procedures Sections 1161 and 1161a 	<ul style="list-style-type: none"> • Move in Notice: Written notice of tenants’ rights must be given at move-in. Owners must also notify tenants if the property is exempt from eviction protections, or if any encumbrances exist that may lead to a “No Fault” eviction • Warning Notice: For “At Fault” evictions, written warning notice required with at least 7-day notice to cure and information on resources and support available • Eviction Notice: Written notice with exemption or cause required. Proof of compliance with any licensing, registering, and noticing requirements of the City (for example, registration with any rental registries and any notification of the eviction proceeding required by a registry) and information on resources and support available

Buyout Agreements

Buyout agreements provide an opportunity for tenants and landlords to come to an agreement without using the court system. While diverting from formal eviction proceedings is better for everyone, it is important for tenants to be informed of their rights and make an informed choice of any relocation entitlements without feeling pressured or threatened. This framework provides a process for how buyout agreements can benefit all parties in a situation where the landlord wants to evict the tenant and ensures accountability by requiring the agreement be filed with the City.

Status Quo (Tenants’ Right to Know):	Recommended Protections (Future Tenant Protection Ordinance):
None	<ul style="list-style-type: none"> • Prior to buyout offer, the landlord must provide each tenant with a written disclosure of their rights • Buyout agreements provided in writing and include the right to not enter the agreement • Tenants have the right to withdraw from the agreement within 45 days • The landlord must file a copy with the City

APPENDIX

This appendix provides detailed information on recommended protections for allowed eviction causes.

Withdrawal from the Rental Market (Ellis Act): This type of eviction is required by state law (Ellis Act) and allows for the owner of a residential rental property to withdraw the entire property from the rental market to no longer operate as a rental business. While withdrawal from the rental market is allowed by state law, tenants being evicted through no fault of their own should receive ample notice and relocation assistance to ensure they have the time and financial resources to relocate.

The owner of the property would be required to provide a notice to the City of their withdrawal from the rental market and provide annual updates to the City to ensure compliance and accountability with applicable requirements. If the owner uses this cause to evict but later brings residential rentals back on the market, evicted tenants should be given the opportunity to move back (Right of First Refusal).

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Withdrawal from Rental Market (Ellis Act)	No Fault	120-day notice for tenants. Extended tenancy to one year for seniors and disabled.	3-months' rent with additional assistance for seniors	Applies	Notice of Withdrawal & annual updates to City. Liability for re-renting within certain timeframes.

Owner or Relative Occupancy: Owners may move themselves or certain family members into rental properties by evicting tenants. Tenants who are evicted for this cause should receive meaningful relocation assistance to ensure they have the financial resources to relocate. The owner of the property would be required to provide a notice of the eviction to the City.

If the owner uses this cause to evict but they or their relative do not move in within 90 days, evicted tenants should be given the opportunity to move back (Right of First Refusal) and receive payment for all reasonable moving expenses. This form of eviction would not be permitted for those who are most vulnerable to the impacts of a “No Fault” eviction: seniors, people with disabilities, and terminally ill tenants. It would also not be permitted during the school year for families with students. These additional protections will provide stability for renters who are living on a fixed income, with fewer financial resources, less mobile, or in need of a stable home while pursuing their education.

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Owner or Relative Occupancy	No Fault		3-months’ rent with additional assistance for seniors	Applies	<p>Notice of Owner Occupancy filed with City.</p> <p>Financial assistance and right of first refusal when owner move-in does not occur in a timely manner.</p> <p>Additional protections for students during the school year and for seniors, disabled, and terminally ill tenants.</p>

Correction of Violations: This cause provides a means for temporarily removing tenants for improvements that cannot be completed with the tenant remaining in their home. It provides short-term relocation assistance while displaced for the improvements.

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Correction of Violations	No Fault		Short-term daily stipend for temporary recovery of possession	Applies	Only temporary recovery of possession

Attachment 1

Nonpayment: Tenants can still be evicted for nonpayment of rent with these proposed tenant protections. The only proposed change is requiring seven days to pay the rent instead of the three business days provided by state law and the requirement to accept rent from third parties.

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Nonpayment	At Fault	Warning notice to cure with information on resources available (7 days)			Landlord must accept rent paid by 3 rd party

Violation of Obligation of Tenancy: Violations of obligations of tenancy is still a cause for eviction, however, reasonable subleasing agreements should be allowed, which can help tenants pay their rent. In addition, a notice should allow seven days to cure any violation of obligation of tenancy before proceeding with an eviction.

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Violation of Obligation of Tenancy	At Fault	Warning notice to cure (7 days)			Allowance of reasonable subleasing

Nuisance: Substantial interference with the comfort, safety, or enjoyment of any residents or substantial damage to the property are causes for eviction. A notice should allow seven days to cure a nuisance before proceeding with an eviction.

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Nuisance	At Fault	Warning notice to cure (7 days)			

Refusal to Provide Access: Refusal to provide lawful access to the rental is a cause for eviction. A notice should allow seven days to cure before proceeding with an eviction.

Cause	Fault	Notice Requirements	Relocation Assistance	Right of First Refusal	Other Provisions
Refusal to Provide Access	At Fault	Warning notice to cure (7 days)			