

RESOLUTION NO. 38-23

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
IN SUPPORT OF CALIFORNIA STATE SENATE BILL 567, WHICH WOULD AMEND
THE TENANT PROTECTION ACT OF 2019 TO REMOVE EVICTION LOOPHOLES
AND LOWER RENT CAPS**

WHEREAS, the prolonged affordable housing crisis in Contra Costa County disproportionately impacts low income and working class households, senior citizens, people of color, immigrants, and people with disabilities, and thereby increases homelessness, crime and harms neighborhood stability and cohesion; and

WHEREAS, the 2020 U.S. Census reports that Richmond residential tenants make up 47% of the city's occupied housing units; and

WHEREAS, in California, 79% of extremely low-income renter households are paying more than half of their income on housing costs compared to 6% of moderate-income renter households; and

WHEREAS, residential tenants suffer great and serious hardship when forced to move from their homes due to rent increases; and

WHEREAS, housing anxiety can lead to negative health outcomes, tenants should be protected against the fear of an arbitrary eviction; and

WHEREAS, common sense protections against unfair evictions are needed to protect long-time and low income residents from evictions that are filed for the sole purpose of circumventing rent caps to obtain unearned high rents; and

WHEREAS, given the increased housing cost burden and poverty faced by many Richmond residents, excessive rent increases threaten the public health, safety, and welfare of Richmond residents, including seniors, people with disabilities, those on fixed incomes, those with very low, and moderate income levels, and those with other special needs, to the extent that such persons may be forced to choose between paying rent and providing food, clothing, and medical care for themselves and their families; and

WHEREAS, the Richmond City Council has adopted policy to protect tenants from extreme rent increases; and

WHEREAS, the Richmond City Council adopted Urgency Ordinance 02-21 N.S. on March 23, 2021, enacting a temporary moratorium on certain evictions of residential tenants in Richmond impacted by the COVID-19 pandemic through the state of the local emergency and 60 days thereafter; and

WHEREAS, according to the U.S. Census Bureau, 2020 American Community Survey, 17.5% of families in Richmond have an annual income between \$50,000 and \$74,999 and 10.7% have an annual income between \$35,000 and \$49,999; and without the adoption of the Urgency Ordinance, an overwhelming number of Richmond residents would have been evicted during the pandemic; and

WHEREAS, the Richmond Rent Program promotes, healthy housing, and affordability for Richmond tenants through the regulating of those Landlord/Tenant matters that reasonably relate to rents and evictions, yet more protection is needed; and

WHEREAS, according to the U.S. Census Bureau, 2020 American Community Survey, during the 5-year period, 28% of Richmond renters held rents between 1,000 to \$1,499 and 25.3% of Richmond renters had rents between \$1,500 to 1,999; and,

WHEREAS, without sufficient and long-term eviction protections, many tenants who receive eviction notices move out before an action is filed in court even without adequate replacement housing, rather than face future legal eviction that could impact their ability to find new housing; and

WHEREAS, existing state legal protections in the Tenant Protection Act of 2019 have been insufficiently protective of tenants. Due to exemptions, some tenants are not covered by existing state tenant protections. Other tenants are covered but left vulnerable to “no-fault evictions” or rent increases that outpace inflation under the law. Residents have been unfairly evicted so that landlords can take advantage of the current local housing shortage and raise rents. Tenants are provided little information regarding their rights in the case of eviction and how to get help if they believe their rights have been violated; and

WHEREAS, the “removal from the rental market” loophole in the Tenant Protection Act of 2019 allows a landlord to evict a long-term tenant in order to “remove” the unit from the rental market but contains no safeguards to prevent the landlord from returning the unit to the rental market at a higher price once the tenant is displaced; and

WHEREAS, the “substantial remodel” loophole in the Tenant Protection Act of 2019 allows a landlord to remodel a building for the purpose of permanently evicting all tenants from a building to raise the rents, a process known as “renoviction”; and

WHEREAS, in light of the numerous concerns noted herein, including, but not limited to, the current and immediate threat to the health, safety, and welfare of California residents; specifically, Richmond residents, and the City of Richmond support the amendment of the Tenant Protection Act of 2019 to remove eviction loopholes and lower rent caps; and

WHEREAS, according to recent research conducted by the Chan Zuckerberg Initiative’s Public Opinion and Survey Science research team, 83 percent of California voters support rent control.

NOW, THEREFORE BE IT RESOLVED, that the Richmond City Council hereby endorses Senate Bill 567 and directs staff to send a letter of support to Congressman Garamendi and Governor Gavin Newsom to express the city’s strong support of enacting the bill into law.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held May 16, 2023, by the following vote:

AYES: Councilmembers Bana, Jimenez, Robinson, Willis, Zepeda, Vice Mayor McLaughlin, and Mayor Martinez.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
City Attorney



State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 38-23**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on May 16, 2023.

Pamela Christian
Pamela Christian, Clerk of the City of Richmond