



# Agenda Report



<b>TO:</b>	Honorable Mayor, City Council & Members of the Public	<b>FROM:</b>	Nikki Fortunato Bas Council President Councilmember, District 2
			Dan Kalb President Pro Tempore Councilmember, District 1
<b>SUBJECT:</b>	COVID-19 Eviction Moratorium Phase-Out And Amendments To The Just Cause Ordinance	<b>DATE:</b>	March 29, 2023

## **RECOMMENDATION**

Council President Bas and President Pro Tempore Kalb Respectfully Request That The City Council: **Approve An Ordinance Establishing A Timeline For Termination Of The Moratorium On Residential Evictions, Rent Increases, And Late Fees Enacted In Response To The Covid-19 Pandemic** (Ordinance Nos. 13589 C.M.S, 13594 C.M.S. And 13606 C.M.S.); And **Amending The Just Cause For Eviction Ordinance** To: (1) Permanently Codify Certain Protections Established By The Moratorium; (2) Prohibit Evictions Based On Non-Payment Of Rent Where The Amount Demanded Is Less Than One Month Of HUD Fair Market Rent; (3) Require Landlords To Demonstrate Substantial Damage Before Evicting Tenants For Breach Of Lease; (4) Conform Occupancy Limitations To State Law; (5) Limit Evictions Of Resident Managers With Pre-Existing Tenancies; And (6) Make Other Non-Substantive Clarifying Amendments

## **EXECUTIVE SUMMARY**

In 2020, the City of Oakland enacted the residential eviction moratorium and rent increase moratorium in response to the COVID-19 pandemic to, among other things, promote housing stability, encourage compliance with shelter-in-place orders, prevent transmission of COVID-19, account for significant financial losses incurred as a result of closures and lost wages—particularly among low-income tenants at high risk of displacement, avoid unnecessary displacement and increased homelessness, and otherwise promote public health and safety during a time of unprecedented economic hardship and uncertainty. Oakland’s eviction moratorium is one of the strongest in the state and helped to achieve these goals of housing stability, while other measures provided emergency rental assistance, legal services, and other support.

This proposed ordinance would establish a timeline for gradually ending the moratorium, rather than leaving the expiration date tied to the end of the Local COVID-19 Emergency. This proposal will revoke the eviction moratorium in phases in order to help avoid a surge of evictions leading to an increase in homelessness, and allowing property owners to proceed with urgent evictions.

### **Proposed Phase Out of Moratorium**

#### **May 2, 2023 (upon final approval by City Council)**

- **All prior provisions remain in effect, except:**
  - Evictions for **nonpayment of rent** where tenant cannot show COVID-19 nexus with inability to pay
    - Applies only to rent covering the month of May 2023 and later.
    - Landlords are allowed to serve 3-day notices to pay rent.
  - **Owner-move in evictions** are allowed (landlord or their qualified relative will move in) if they only own one residential rental unit in Oakland

#### **September 1, 2023: Eviction moratorium ends, late fee moratorium ends**

#### **July 1, 2024: Rent increase moratorium ends**

- Existing rent increase moratorium is a cap on all rent increases above CPI (currently 3%), unless required for a fair return, with no pass-throughs or banking

### **Proposed Extension of Rent Increase Moratorium**

Before the onset of the COVID-19 Pandemic, more than half of Oakland tenants were rent burdened and 21% percent were severely rent burdened. Per the Bay Area Equity Atlas, in November 2022, 20% of low income households report an inability to pay rent in full. Additionally troubling, 14% of renters of color report that they are unable to pay rent in full. In short, rents continue to be unaffordable to most tenants in Oakland. The rent increase moratorium will continue to allow the city to evaluate if the passthroughs and banking increases continue to be successful policies.

When the pandemic hit, in March 2020 there was already an active discussion in Oakland about the abuse of both passthroughs and banking by new corporate owners. Many cities around the world, from San Francisco to Copenhagen, have recognized that pass-throughs are being used by large corporations such as Blackstone to increase rents for the sole purpose of increasing stock price rather than increasing the quality of housing provided to tenants. The moratorium will allow for policy analysis and review of Oakland's formula. In addition, inflation is very high and the rent cap is an important way for the City of Oakland to help stabilize the housing market. Property owners will continue to have the ability to file fair return petitions if they have unique situations that require increases above the CPI cap, currently 3%.

## **Proposed Amendments to Just Cause Ordinance (JCO)**

### *History*

On November 5, 2002, Oakland voters passed the Just Cause Eviction Ordinance (Measure EE), which was codified in Chapter 8.22, Article II of the Oakland Municipal Code. Measure EE established various tenant protections and procedures pertaining to residential evictions in Oakland. Revisions to the Just Cause Eviction Ordinance have been made since then, including Measure JJ in 2016, which extended just cause protection to tenants in residential rental units first offered for rent between October 14, 1980, and December 31, 1995. And on November 6, 2018, Oakland voters passed Measure Y to amend the Just Cause for Eviction Ordinance. Measure Y removed the exemption for owner-occupied duplexes and triplexes and gave the City Council authority to add eviction protections. On November 8, 2022, voters passed Measure V, which expanded the Just Cause for Eviction Ordinance to apply to all residential rental units built after December 31, 1995 and residential vehicular facilities, with the exception of ground-up new construction units that have received a Certificate of Occupancy within the past 10 years. It also prohibited “no-fault” evictions from going into effect during the school year, if the household includes school-age children or educators employed by the Oakland Unified School District, and finally it removed failure to sign a new lease as a ground for eviction. The City of Oakland continues to face a severe housing affordability and displacement crisis that requires action by our City government.

The increased housing pressures for residents across a range of lower and middle income levels warrants expanded rent stabilization and tenant protection policies. Displacement through evictions has a direct impact on the health, safety and/or welfare of Oakland’s residents by uprooting children from their schools and friends, disrupting long standing community networks that are integral to residents’ welfare, forcing lower income residents to pay unaffordable relocation costs, segregating low-income residents into less healthy, less safe, and more overcrowded housing that is often further removed from vital public services and leaving residents with unhealthy levels of stress and anxiety as they attempt to cope with the threat of homelessness. **Over 60 percent of occupied housing units in Oakland are occupied by renters**, many of whom would not be able to locate affordable housing within Oakland if displaced (U.S. Census Bureau, ACS 2016).

In March 2023, the median rental price for a one-bedroom unit in Oakland was \$2,050 per month (Zumper National Rent Report: March 2023). Oakland’s minimum wage is \$15.97 per hour and a full-time hourly worker must earn an hourly wage of \$39.03 to afford a two bedroom apartment in Oakland (Out of Reach 2021, National Low income Housing Coalition).

### *JCO Amendments*

To further protect tenants and promote housing stability, these Permanent Tenant Protections will be added:

- For evictions based on non-payment of rent that accrued prior to September 1, 2023, tenant will have a defense if the rent was unpaid due to financial hardship caused by the COVID-19 pandemic. This provision codifies a protection enacted in March 2020.

- In order to evict a tenant for breach of lease, the landlord must prove that the breach of lease caused the landlord substantial damage, the tenant acted unreasonably, and the term of tenancy allegedly violated is reasonable.
- Tenant cannot be evicted for owing less than one (1) month of HUD fair market rent<sup>1</sup> (see table below)
- Resident managers cannot be evicted for termination of employment if they were a tenant at the property prior to becoming the manager.
- Conform occupancy limitations to state law.

**Table 1: HUD Fair Market Rent, FY 2023**



The FY 2023 Oakland-Fremont, CA HUD Metro FMR Area FMRs for All Bedroom Sizes

Final FY 2023 & Final FY 2022 FMRs By Unit Bedrooms					
Year	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY 2023 FMR	\$1,658	\$1,969	\$2,405	\$3,144	\$3,706
<a href="#">FY 2022 FMR</a>	\$1,538	\$1,854	\$2,274	\$3,006	\$3,578

Alameda County, CA is part of the Oakland-Fremont, CA HUD Metro FMR Area, which consists of the following counties: Alameda County, CA; and Contra Costa County, CA. All information here applies to the entirety of the Oakland-Fremont, CA HUD Metro FMR Area.

Source: [FY 2023 Oakland-Fremont, CA HUD Metro FMR Area FMRs for All Bedroom Sizes](#)

## **BACKGROUND / LEGISLATIVE HISTORY**

- March 27, 2020, the City Council approved Ordinance No. 13589 C.M.S., which imposed a moratorium on most residential evictions and on rent increases above CPI in response to the COVID-19 pandemic.
- March 25, 2020, Gov. Gavin Newsom announced a package of [mortgage relief](#)<sup>2</sup>, and around this time several utilities announced that they would halt disconnections for non-payment.
- May 19, 2020, the City Council approved Ordinance No. 13594 C.M.S., which extended the residential eviction moratorium until August 31, 2020.
- July 21, 2020, the City Council approved Ordinance No. 13606 C.M.S., which extended the residential eviction moratorium until the end of the Local Emergency declared by City Council on March 9, 2020.

<sup>1</sup> [FY 2023 Oakland-Fremont, CA HUD Metro FMR Area FMRs for All Bedroom Sizes - https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023\\_code/2023summary.odn?&year=2023&fmrtype=Final&selection\\_type=county&fips=0600199999](https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023_code/2023summary.odn?&year=2023&fmrtype=Final&selection_type=county&fips=0600199999)

2

<https://www.gov.ca.gov/2020/03/25/governor-gavin-newsom-announces-major-financial-relief-package-90-day-mortgage-payment-relief-during-covid-19-crisis/>

- February 16, 2021, the City Council adopted a resolution which accepted Emergency Rental Assistance Program (ERAP) funds in the amount of \$12,874,764. The legislation also ensured the timely spenddown of these funds which included a plan for deploying the funds in a manner that will meet the housing needs of Oakland's most vulnerable renters efficiently and equitably.
- Oakland City Council up until April 16, 2022 had authorized Ordinance No. 88520 C.M.S., Ordinance No. 88792 C.M.S., and Ordinance No.88800 C.M.S which allowed the City to apply for, accept and appropriate the following U.S. Treasury and California Housing & Community Development State Rental Assistance awards for a total of \$44, 597,327.82.
  - Round I U. S. Treasury Emergency Rental Assistance Program (ERAP I) \$12,874,764.00
  - Round II U. S. Treasury ERAP (ERAP II) \$19,644,850.30
  - California Round 2 State Rental Assistance (SRA2) \$12,077,713.52
- California Round 1 State Rental Assistance (SRA1) \$13,800,000 was administered by the State for Oakland Rental Assistance

## **ANALYSIS AND POLICY ALTERNATIVES**

### **Current Oakland Eviction Moratorium (in effect):**

Applies to all properties covered by the Oakland Just Cause for Eviction Ordinance, Measure EE.

- **Major exemptions:**
  - The landlord lives in the unit with the tenant and shares a bathroom or kitchen; or
  - Property was built in the last 10 years
- **Current causes for eviction:**
  - The tenant created an imminent health/safety threat at the property; or
  - The landlord is removing the unit(s) from the rental market for at least 10 years (Ellis Act)
- **Late fees:**
  - No late fees for unpaid rent may be imposed
- **Current rent restrictions (rent increase moratorium):**
  - For rent-controlled properties, the landlord can raise the rent, but not above the cap of CPI, currently 3%
  - No pass-through increases or banking are allowed
- **Current end date**
  - When City Council ends the Oakland COVID-19 State of Emergency.

### **Rental Assistance & Homelessness Prevention**

The City has run and expanded its emergency rental assistance programs in the wake of the COVID-19 pandemic. These programs have been successfully administered and supported by the City via Oakland Housing Secured (OHS) & [Keep Oakland Housed \(KOH\)](#), each a collaboration of non-profit partners.

These agencies have performed extremely well, under tremendous time and public pressure to quickly implement a large program subject to new and evolving Federal requirements. The City, along with the State and the entire country, has never seen the scale of this type of program, no less during a global health pandemic. Oakland's programs have been pointed to as an example around the country for their focus on serving extremely low-income residents and centering its work in racial equity. The following is a summary of program highlights and challenges.

Program Highlights:

- Development of a prioritization tool that elevated those most at risk of homelessness and housing instability was very effective. The tool prioritized various attributes associated with being at risk, with the following top priorities:
  - Previous experience of homelessness
  - Thirty percent (30%) of AMI (Area Median Income)
  - Live in a zip code with the highest rates of COVID-19 infection
- Creation of an online application and database that can generate data in real time, disaggregating by multiple data fields, including race, ethnicity, income, and zip code.
- Expedited disbursement of funds through a well-established and community-rooted network of nonprofit partners.

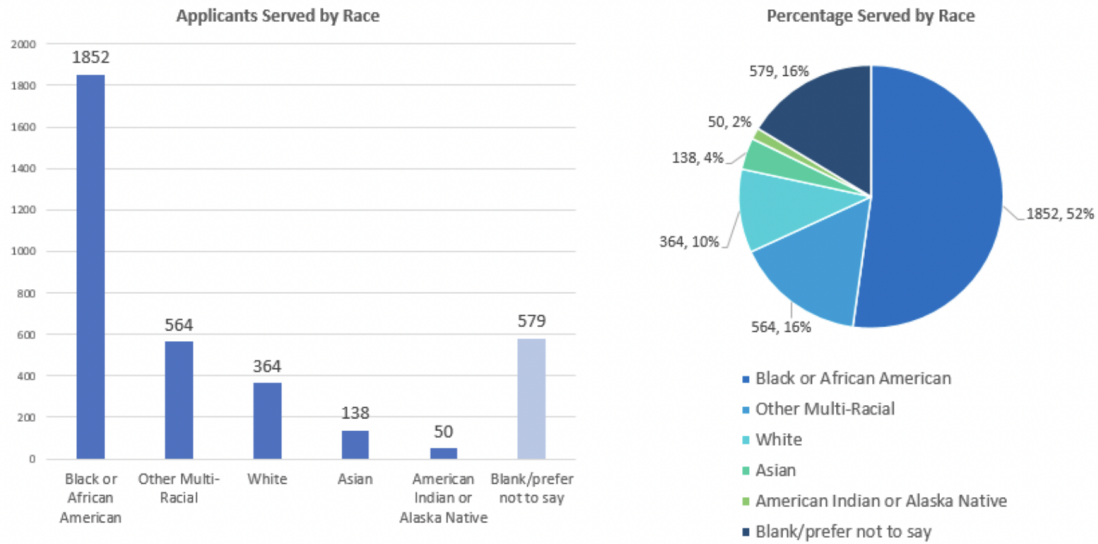
**Emergency Rental Assistance Program (ERAP)**

- To date, Oakland has received \$58.4 million from the state and federal government in ERAP funds.
- As of January 12, 2023, there is \$13,641,870 to be expended for ERAP waitlist clients. We expect the processing of these applications to take approximately seven months to complete.

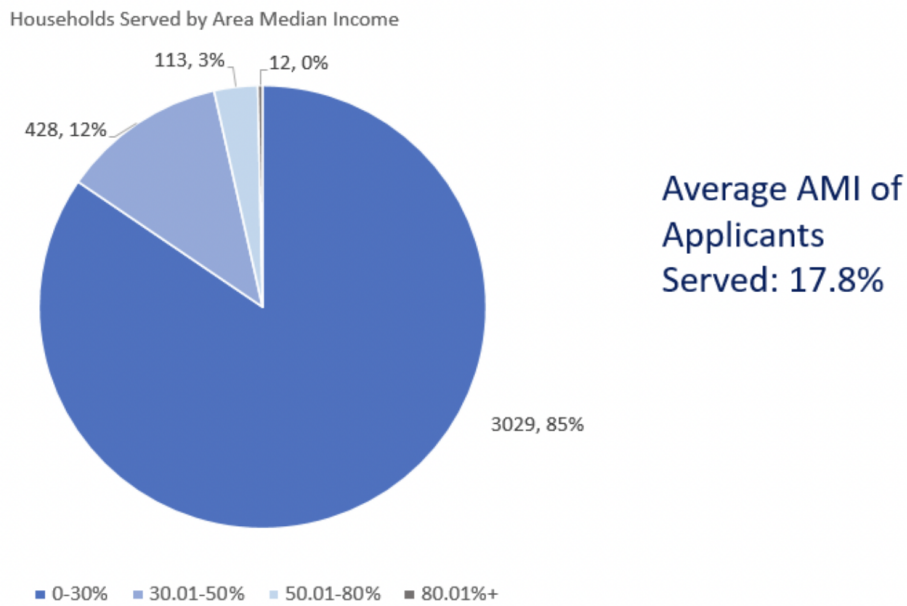
**Demographic Data — Key Highlights:**

Source: Housing & Community Development Department, ERAP Update, March 27, 2023

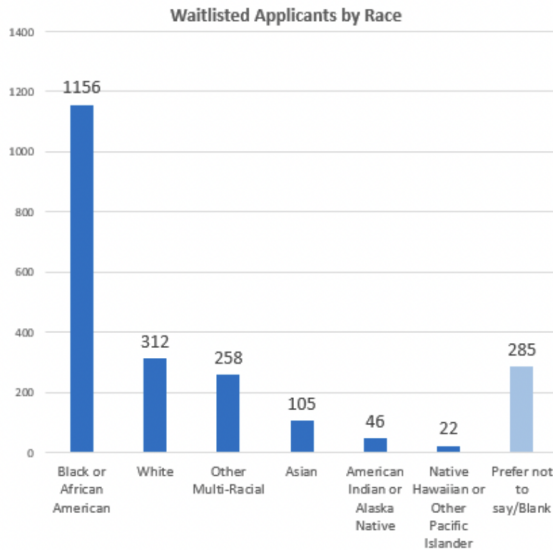
**Table 2. Applicants Served by Race**



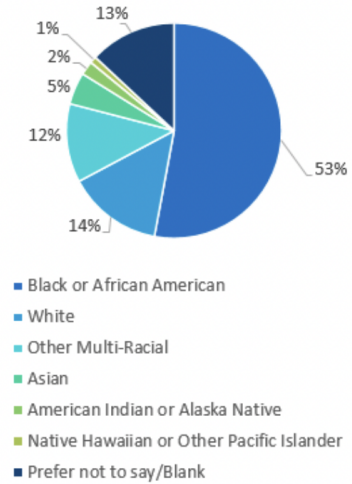
**Table 3. Average Household AMI of Applicants Served**



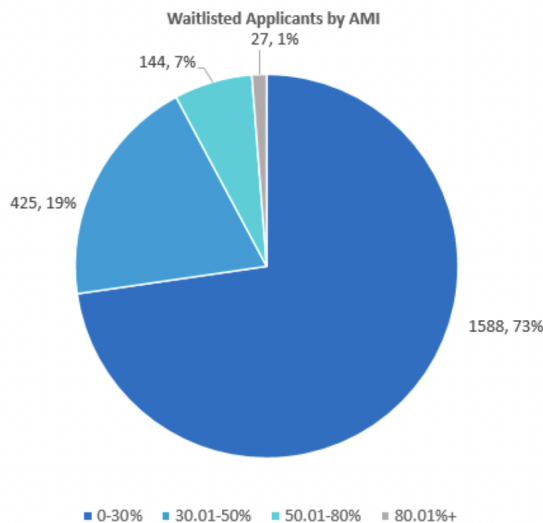
**Table 4. Waitlisted Applicants by Race**



**Percentage of Waitlisted Applicants by Race**



**Table 4. Average Household AMI of Waitlisted Applicants**



Average AMI of Waitlisted Applicants:  
 24.5%



The following table illustrates the effectiveness of the moratorium, combined with the services provided by OHS and KOH in housing stabilization, and the ERAP:

**Table 5. Total Eviction Notices Received by Oakland Rent Adjustment Board Annually**

Fiscal Year	Total Eviction Notices Received
2018-19	6714
2019-20	4,696
2020-21	881
2021-22	807

Source: Annual Report Of The Rent Adjustment Program for Fiscal Years 2020-21 And 2021-22

### Eviction Moratorium Phase Outs in Other Jurisdictions

**Los Angeles** - Moratorium lapsed on March 31, 2023, added tenant protections

- Protected against eviction for No-Fault evictions reasons, except for qualified Owner Move-in
- Anti-harassment and retaliation protections during the Resolution's protection periods
- Starting April 1, 2023, landlords are required to serve tenants with a written 30-Day Notice prior to filing an eviction based on nonpayment of rent for rent accrued between July 1, 2022 and March 31, 2023.
- For residential tenants and mobile home space renters with unauthorized occupants or pets due to COVID-19 who began residing in the unit between March 1, 2020 and January 20, 2023
- Anti-harassment and retaliation protections during the Resolution's protection periods
- Starting April 1, 2023, landlords are required to serve tenants with a written 30-Day Notice prior to filing an eviction based for the presence of unauthorized occupants or pet

**Berkeley** - Added tenant protections to be considered ([report and legislation here](#))

- The existing moratorium will last through April 30, 2023, with a transition period from May 1 - August 31, 2023
  - Evictions will be allowed for owner move-ins and for non-payment of rent where the tenant has not provided documentation that the lack of payment was related to COVID-19
- September 1, 2023 the moratorium will end completely, and all just cause evictions are allowed as they were pre-pandemic.

**San Jose** - Moratorium ended when the state's did. Has added \$2.3 million in funds from Measure E (affordable housing proposition) towards tenant protection and assistance programs

**San Diego** - Moratorium will lapse 60 days after the end of the local state of emergency. Tenant protection ordinance to be released in April ([fact sheet here](#))

- Relocation assistance
- Protections against using substantial remodels for no fault terminations
- More notice on substantial renovations
- The city is required to provide education and resources for tenants on move in, more options for tenants for temporary relocation
- Additional legal resources for tenants

**Sunnyvale** - Will consider a Tenant Protection and Right to Lease Ordinance coming April 10, 2023

- Offer at least one-year lease to tenants
- Provide relocation help to tenants who are evicted for a no fault Just Cause

**San Leandro**

- Extended their eviction moratorium until February 28, 2024

**Studies Show Moratoriums Are Effective. Additional Protections For Tenants Are Necessary.**

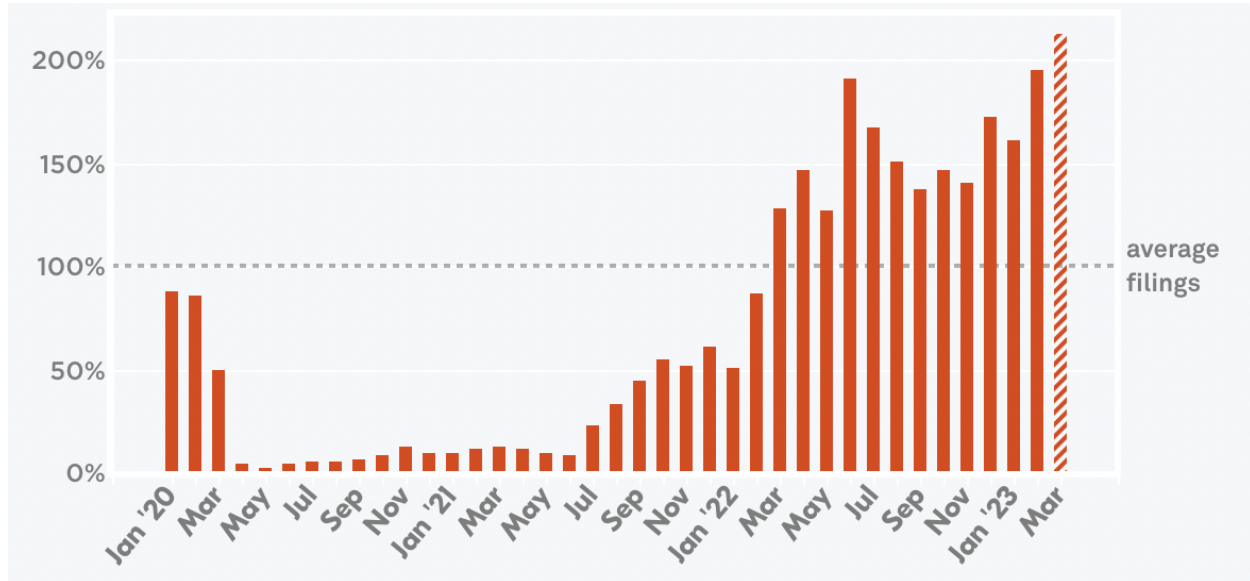
The COVID-19 pandemic left many Oakland residents in financial uncertainty. With many residents out of a job because of the pandemic, action was needed to ensure that an unprecedented amount of people did not face homelessness. The eviction moratoriums enacted on the federal, state and local levels helped residents stay housed during this time and avoid a wave of mass evictions due to the COVID-19 pandemic.

A study by Princeton's Eviction Lab found that the two years after the eviction moratoriums were enacted saw the largest drop, nationally, in eviction filings on record. In particular, minority communities saw significant increases in evictions avoided. In 2021, majority African-American neighborhoods made up 27.9% of all evictions avoided while only making up 11.6% of the neighborhoods in the data pool. Latino neighborhoods also saw a disproportionately high percentage of evictions avoided during this time.<sup>3</sup> A combination of eviction moratoriums and emergency rental assistance programs were critical in avoiding eviction for renters who were left vulnerable due to the COVID-19 pandemic.

---

<sup>3</sup> <https://evictionlab.org/us-eviction-filing-patterns-2021/>

**Table 6. Minneapolis Evictions Throughout the Pandemic**



Source: Eviction Lab: <https://evictionlab.org/us-eviction-filing-patterns-2021/>

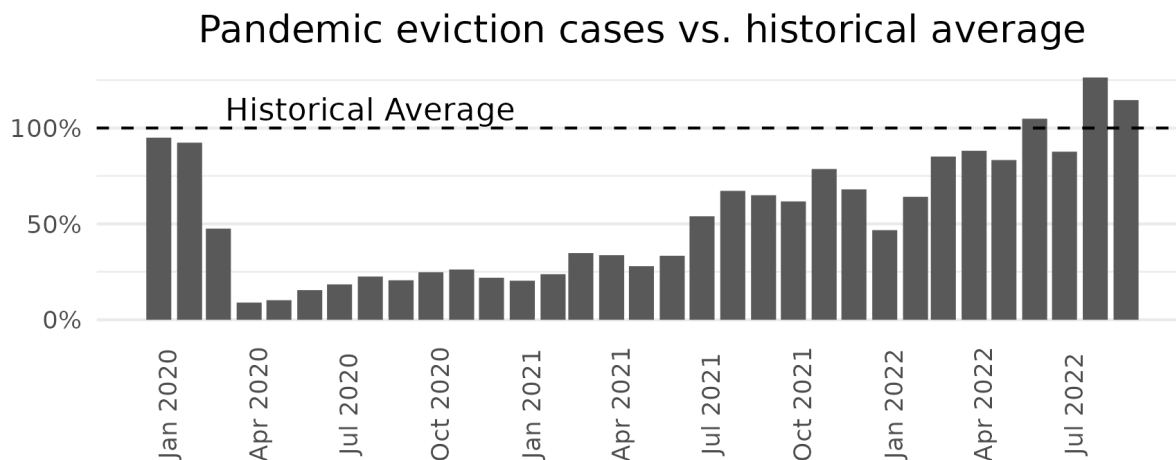
The above graph from the Eviction Lab shows the evictions in Minneapolis throughout the pandemic.<sup>4</sup> Minneapolis has a very similar population size of 425,336 compared to 433,823 in Oakland. Additionally, Minneapolis had similar (strong) eviction protections pre-pandemic, similar pre-2020 eviction filing rates, and both had long-running, strong eviction protections in response to COVID. While there is no guarantee that Oakland City will follow the same trends, Minneapolis serves as a close comparison for predicting what a post eviction moratorium Oakland can look like.

In Minneapolis, October 2021 was the drawdown of most tenant protections, except non-payment of rent with a pending COVID-19 ERA application.<sup>5</sup> June 1, 2022 saw that last protection go away. This coincided with a month almost 200% above pre-pandemic norms, with every following month significantly above pre-pandemic levels of evictions as well.

<sup>4</sup> <https://evictionlab.org/eviction-tracking/minneapolis-saint-paul-mn/>

<sup>5</sup> <https://nlihc.org/resource/minnesotas-eviction-moratorium-ramp>

**Table 7. Portland Evictions Throughout the Pandemic**



Source: Portland State University. Analysis by The Eviction Research Network, 2022<sup>6</sup>

The above graph shows the State of Oregon’s eviction cases from January 2020 to September 2022. Oregon’s statewide moratorium expired June 30, 2021. However, SB 278 allowed protections for those who applied for rental assistance. According to the bill, applications for rental assistance after the date of July 2022 would not be accepted. The following two months saw evictions exceed the historical average for the first time as protections lapsed. Oregon’s phase out of the eviction moratorium over a year period allowed it to avoid the “eviction tsunami” that has been predicted in the wake of the CDC’s national eviction moratorium being struck down.

According to research, the moratoriums and assistance programs did their job in protecting renters affected by the COVID-19 pandemic. As Oakland looks to transition out of our moratorium, Stanford’s Changing Cities Research lab recommends six (6) policies that Oakland, and our government partners, can enact to move forward in order to promote housing security and reduce racial disparity.<sup>7</sup>

1. Increase financial assistance for renters’ economic needs in addition to rent
2. Design a targeted outreach and information-sharing campaign to improve knowledge of local programs, tenant rights, and landlord responsibilities
3. Connect households with other forms of government or nonprofit administered aid that improve housing stability, such as food assistance and employment training
4. Create a streamlined, one-stop housing resource where renters can access accurate information and find affordable housing
5. Tackle renter-borne costs, like credit check fees and security deposits, to help residents move into stable housing faster

<sup>6</sup> <https://evictionresearch.net/oregon/>

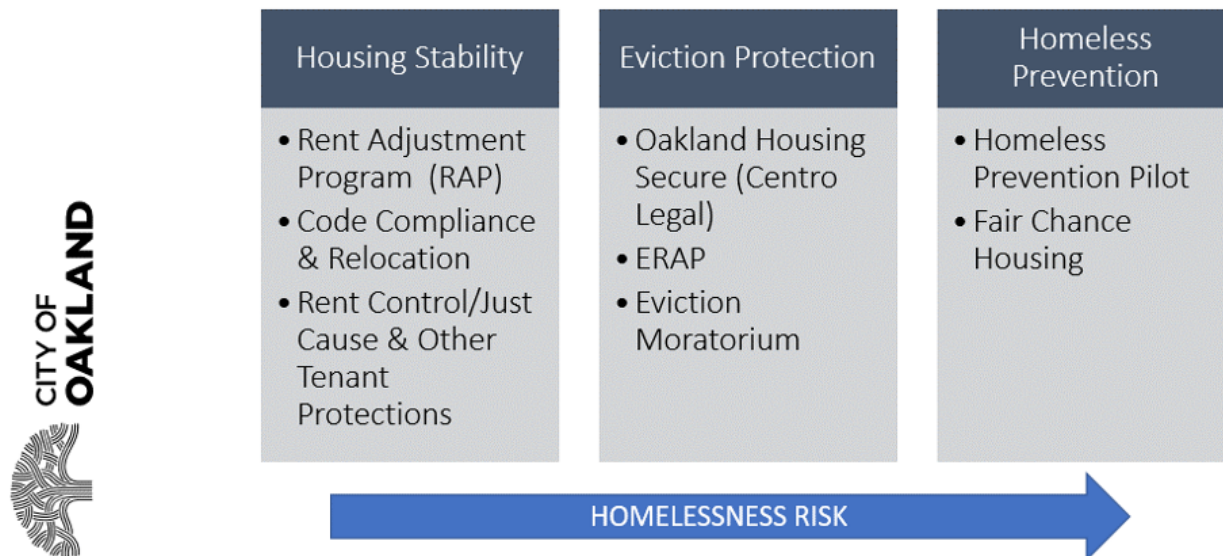
<sup>7</sup> <https://ccrl.stanford.edu/publications/the-state-of-housing-insecurity-in-oakland>

6. Support renter-centered financial literacy education for credit building among low-income and undocumented residents.

### **FISCAL IMPACT**

The City needs to prepare for the end of the eviction moratorium. Though we don't know the true impact on low-income households, we can assume and have seen data, such as the [California Divide](#)<sup>8</sup>, that predicts a wave of evictions and the need for financial support and services to prevent homelessness. Our Housing and Community Development Department's "Prevention" work exists along a homelessness risk continuum to prevent homelessness.

**Table 8. Housing and Community Development Department's Homelessness Risk Continuum To Prevent Homelessness**



### **Funding for Eviction Protection & Homeless Prevention Programs**

Oakland has invested approximately \$58.4 million in emergency rental assistance to date. At this time, we have very little funding budgeted for eviction protection (\$1 million to Oakland Housing Secure) and homelessness prevention pilot programs (\$2.3 million). The remaining \$13 million in ERAP dollars have already been committed. Additional funds to support this work would allow us to increase the impact of Oakland Housing Secure and scale up the Homelessness Prevention Pilot. These needs should be considered in our advocacy with other government and private partners and in our City budget process.

<sup>8</sup> <https://calmatters.org/projects/late-on-rent-how-california-renters-are-bracing-for-an-eviction-tsunami/>

### **Staffing Capacity**

The end of the eviction moratorium will likely lead to an increased need for City Rent Adjustment Program (RAP) services, as tenants and landlords will need greater education and support, and there may be more rental petition hearings.

HCD staff provides “prevention” services primarily through RAP staff. These services include:

- Collecting and processing eviction notices
- Housing Counseling
- Education Workshops
- Rent Petition Hearings
- Implementation of the Rental Registry

Staffing is a primary concern as our Rent Adjustment Program is operating at a 25% vacancy rate. This is a challenge to implementing **both the public launch of HCD’s Rent Registry, planned for May 1, 2023** and the need for more housing counselors and staff to conduct the necessary outreach and education about the end of the eviction moratorium and the Just Cause amendments.

With our proposed May 2, 2023 start of the phasing to end the eviction moratorium and implement additional Just Cause amendments, RAP staff will be conducting rent registry outreach and education at the same time that they will need to be conducting outreach and education on the Just Cause amendments and eviction moratorium changes.

These efforts would include:

- Proactive outreach and education via mailings and more;
- Updating tenant/landlord workshop materials to include these amendments; and
- Responding to public inquiries via phone and email about the amendments.

We anticipate a need for additional staff to assist with administrative and petition processing duties for the Rent Registry.

**We request that the Administration prioritize the filling of HCD budgeted vacancies including the RAP Assistant Manager, 2 Program Analysts IIs, 1 Admin. Analyst I, and an Admin. Assistant.** We also request prioritization or the hiring of a Monitoring Supervisory and Program Analyst II for the Community Development and Engagement unit (CDE). All of these positions are supported by restricted funds, not the General Purpose Fund.

### **Advocacy at the County & The State**

The state’s rental assistance funds have been critical to our work and we plan to continue our efforts to advocate to the State for additional funds to support our Homelessness Prevention & Rental Assistance work.

Alameda County has previously funded Alameda County Housing Secure. This funding is necessary to meet the legal service needs for low-income households across the County. We must advocate for the continuation of those funds to serve Oakland residents.

### **PUBLIC OUTREACH / INTEREST**

Council President Bas and President Pro Tempore Kalb have held meetings with constituents, small property owners, property owner associations, and tenant rights organizations. These organizations include: Alliance of Californians for Community Empowerment, Bridge Realtors, Causa Justa :: Just Cause, Centro Legal, East Bay Community Law Center, East Bay Rental Housing Association, Jobs and Housing Coalition, and Oakland Tenants Union. Their Council offices will be holding a community meeting in April to discuss the legislation.

### **COORDINATION**

Council President Bas and President Pro Tempore Kalb have worked with the Office of the City Attorney and Department of Housing and Community Development and its Rent Adjustment Program on this report and legislation.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** This legislation will protect Oakland's low-income renters to improve their housing stability and avoid displacement therefore creating economic stability. The legislation will also allow for additional time to support Oakland's Rent Adjustment Program in fulfillment of the outstanding rental assistance applications.

***Environmental:*** There are no direct environmental impacts associated with the City Council action requested in this agenda report, however this legislation can result in increased environmental sustainability for Oaklanders impacted by climate change as often the communities most impacted by racial and economic inequities are those that benefit the most from remaining housed and in community.

***Race & Equity:*** This legislation can result in increasing racial equity for Oaklanders as demographic data indicates that the COVID-19 health pandemic disproportionately impacts Oakland's lower-income residents and in particular the African American and Latinx communities. The associated dual crises of homelessness and housing instability also disproportionately impact these same communities.\

### **ACTION REQUESTED OF THE CITY COUNCIL**

Council President Bas Respectfully Requests That The City Council: **Approve An Ordinance Establishing A Timeline For Termination Of The Moratorium On Residential Evictions, Rent Increases, And Late Fees Enacted In Response To The Covid-19 Pandemic (Ordinance Nos. 13589 C.M.S, 13594 C.M.S.s And 13606 C.M.S.); And Amending The Just Cause For Eviction Ordinance To: (1) Permanently Codify Certain Protections Established By The Moratorium; (2) Prohibit Evictions Based On Non-Payment Of Rent Where The Amount Demanded Is Less Than One Month Of Hud Fair Market Rent; (3) Require Landlords To Demonstrate Substantial Damage**

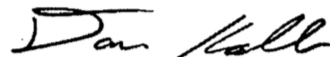
**Before Evicting Tenants For Breach Of Lease; (4) Conform Occupancy Limitations To State Law; (5) Limit Evictions Of Resident Managers With Pre-Existing Tenancies; And (6) Make Other Non-Substantive Clarifying Amendments**

For questions regarding this report, please contact Cinthya Munoz-Ramos, Chief of Staff to Council President Nikki Fortunato Bas, District 2 at [cmunozramos@oaklandca.gov](mailto:cmunozramos@oaklandca.gov).

Respectfully submitted,



Nikki Fortunato Bas  
Council President, District 2



Dan Kalb  
President Pro Tempore, District 1

Prepared by:  
Cinthya Munoz-Ramos, Chief of Staff  
Council District 2

Matt Malsin, Policy Aid & Constituent Services  
Council District 1

Attachment:

- Legislation