



COUNCILMEMBER NIKKI FORTUNATO BAS, DISTRICT 2
(510) 238-7002 • Fax: (510) 238-6129 • nfbas@oaklandca.gov
City Hall • 1 Frank H. Ogawa Plaza • Oakland, California 94612
www.oaklandca.gov/officials/nikki-fortunato-bas * @nikki4oakland

DATE: May 18, 2020

TO: City Council and Members of the Public

FROM: Councilmember Nikki Fortunato Bas

SUBJECT: Eviction Moratorium Extension Emergency Ordinance
Emergency Ordinance Amending Ordinance No. 13589 C.M.S. To (1) Extend The Moratorium On Residential Evictions During The Local Emergency Proclaimed In Response To The Novel Coronavirus (COVID-19) Pandemic; And (2) Extend The Moratorium On Commercial Evictions Based On Nonpayment Of Rent That Became Due During The Local Emergency When Tenant Suffered A Substantial Loss Of Income Due To COVID-19

Dear Councilmembers,

I respectfully submit the information below and request your support in extending the emergency eviction moratorium for tenants, small businesses and nonprofits beyond May 31. This will ensure the public's health and safety as we continue to shelter in place.

Recognizing that renters and property owners need comprehensive legislation at the state and federal levels to weather this health and economic emergency, we must also continue to call on the state and federal government, and financial institutions, to take action and provide relief. Below is a brief summary of relevant proposals.

Federal Policy

The Federal HEROES Act includes \$100 billion in rental assistance and \$50 billion in mortgage assistance. It passed the House and will be debated by the Senate.

<https://www.nytimes.com/2020/05/15/us/politics/house-simulus-vote.html>

Last week, the Federal Housing Finance Agency announced that homeowners who have federally backed mortgages (Fannie Mae and Freddie Mac) and have missed mortgage payments because of the crisis will be allowed to make up the missed payments when the home is sold or the loan term is over.

<https://www.latimes.com/homeless-housing/story/2020-05-14/la-fi-fannie-mae-freddie-mac-mortgage-deferral>

State Budget

The Governor's budget proposal includes:

- \$300 million in National Mortgage Settlement Funds for housing counseling and mortgage assistance
- \$31 million in National Mortgage Settlement Funds to provide grants to legal aid services organizations
- An additional \$50 million (for \$100M total) to the IBank's Small Business Loan Guarantee Program

<http://www.ebudget.ca.gov/2020-21/pdf/Revised/BudgetSummary/EncouragingRecovery.pdf>

State Policy

A Senate proposal would delay rent payment for ten years. Mortgage holders would receive payments via tax credits from the state. Tenants would make payments to the state in return. In some cases, due to extreme hardship, tenants would be forgiven the debt.

<https://www.eastbaytimes.com/2020/05/15/editorial-creative-california-plan-for-pandemic-rent-protection/>

SB 1410 (Gonzalez) would have the state pay 80% of rents for those impacted by COVID-19 and landlords would not pursue the remaining 20%.

AB 828 (Ting) would allow renters facing the prospect of eviction for non-payment of rent to petition the court for a 25% reduction in rent payments for the next year, with the renter making up missed rent in monthly 10% installments.

As a reminder, these resources also exist for renters and property owners:

- Keep Oakland Housed provides emergency financial assistance and services to residents at risk of losing their housing. <https://www.keeпоaklandhoused.org/>
- On March 25, 2020, Gov. Newsom announced that more than 200 banks and financial institutions, including Wells Fargo, Citibank, JPMorgan Chase and U.S. Bank, agreed to a 90-day grace period for mortgage payments in the state for property owners impacted by COVID-19. <https://covid19.ca.gov/get-financial-help/>
- For tenant and landlord assistance, City of Oakland Rent Program staff members are available by phone at (510) 238 - 3721 during normal business hours M - F 9:30 am - 4:30 pm or email rap@oaklandca.gov. Please leave a message and a housing counselor will return your call within 24 hours.
<https://www.oaklandca.gov/topics/rent-adjustment-program>

Respectfully Submitted,



Nikki Fortunato Bas
Councilmember, District 2