

1 [Supporting California State Assembly Bill No. 1481 - Tenancy Termination: Just Cause]

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3 **Resolution supporting California State Assembly Bill No. 1481, authored by Assembly**
4 **Member Rob Bonta, Tenancy Termination: Just Cause, which would protect California**
5 **renters against unjust evictions.**

6
7 WHEREAS, According to 2017 Census data, 45% of California households, or
8 approximately 17 million people are renters; and

9 WHEREAS, Of those renters, 54% are considered rent-burdened, meaning that rent
10 costs are more than 30% of total monthly income; many of these renters are “severely” rent-
11 burdened with at least 50% of monthly income allocated to rent; and

12 WHEREAS, U.S. household incomes have not kept pace with rising costs of housing,
13 particularly in California’s coastal communities; and

14 WHEREAS, Current state law requires an owner of a residential rental dwelling to give
15 notice at least 60 days prior to the proposed date of termination, or at least 30 days prior to
16 the proposed date of termination if any tenant or resident has resided in the dwelling for less
17 than one year; and

18 WHEREAS, Current state law does not require a landlord to state a reason for evicting
19 a tenant; and

20 WHEREAS, On average, 166,000 unlawful detainers are filed per year in California;
21 with an average of 2.9 people per renter household, an estimated 500,000 California tenants
22 face court eviction each year; and

23 WHEREAS, In 2016, there were 41,178 evictions across California; every day, over
24 110 families were evicted from their homes; and

1 WHEREAS, A growing number of Californians are living one emergency away from
2 eviction; and

3 WHEREAS, With the increasing influx to urban communities as people more often
4 choose places like San Francisco, Oakland, and other cities over suburban communities, the
5 pressure on existing tenants in rental housing is growing; and

6 WHEREAS, San Francisco and 16 other cities have local "just cause eviction"
7 ordinances that establish substantive grounds for a tenant to be evicted from their home; and

8 WHEREAS, Just Cause protections have been important to protect residents from
9 arbitrary evictions or harassment, particularly in "hot market" communities where building
10 owners may be enticed by financial gain to remove existing tenants to get higher rents from
11 new occupants; and

12 WHEREAS, Just Cause eviction policies protect marginalized communities, such as
13 the elderly, low-income residents, people of color, and people with disabilities, by providing
14 them with greater housing stability; and

15 WHEREAS, AB 1481, introduced on February 22, 2019, by Assembly Member Rob
16 Bonta, adds Section 1946.2 to California Civil Code to prevent a landlord from terminating a
17 tenancy without a demonstration of "just cause," as enumerated by the specific eviction
18 requirements the bill; and

19 WHEREAS, AB 1481 defines "just cause" as either at-fault or no-fault just cause. "At-
20 fault just cause" is defined as any of the following: a) failure to pay rent; b) substantial breach
21 of a material term of the rental agreement; c) nuisance; d) waste; e) refusal by the tenant to
22 sign a new lease that is identical to the previous lease after the previous lease expired; and f)
23 illegal conduct, with the caveat that a charge or conviction for a crime that is unrelated to the
24 tenancy does not constitute at-fault just cause; "no-fault just cause" is defined as including
25 any of the following: a) owner intent to occupy the property, if (i) the tenant agrees in writing to

1 the termination or (ii) if a lease provision provides for termination based on the owner's
2 unilateral decision to so occupy; b) withdrawal of the property from the rental market; c)
3 unsafe habitation, as determined by a government agency that has issued an order to vacate,
4 order to comply, or other order that necessitates vacating the residential property; and d)
5 intent to demolish or to substantially remodel; and

6 WHEREAS, AB 1481 requires landlords to provide notice to tenants of their rights
7 under this bill in the form of a lease addendum, to be signed by the tenant at the same time as
8 the lease agreement; and

9 WHEREAS, AB 1481 requires that, before issuing a tenant a notice to terminate
10 tenancy for a curable violation of the lease agreement, the landlord must first provide the
11 tenant with a notice of the violation and an opportunity to cure it; and

12 WHEREAS, AB 1481 requires landlords that terminate tenancy for no-fault just cause
13 to notify the tenant of the tenant's right to, and to directly provide the tenant with, a relocation
14 assistance payment, regardless of the tenant's income; and

15 WHEREAS, AB 1481 clarifies that the provisions of this bill do not prevent adoption or
16 enforcement of a local rule or ordinance that requires just cause if that rule or ordinance is
17 determined to provide a higher level of tenant protections than the provisions of this bill; and

18 WHEREAS, If enacted, AB 1481 would help ensure a greater level of due process
19 protection for tenants, and thereby reduce both the personal and societal harms caused by
20 easily-available no-fault evictions; and

21 WHEREAS, AB 1481 would protect California tenants living with housing uncertainty;
22 and

23 WHEREAS, AB 1481 is part of a legislative package related to the CASA Compact, a
24 set of policy recommendations led by MTC and the Association of Bay Area Governments
25 (ABAG) to tackle the region's housing crisis head on, including Assembly Bill Nos. 1482

1 (Chiu) and 36 (Bloom) which implement a rent cap and allow for an expansion of rent control;
2 and

3 WHEREAS, AB 1481 is supported by a broad coalition of organizations, including
4 Asian Americans Advancing Justice - California, Bay Area Legal Aid, California Labor
5 Federation, AFL-CIO, California YIMBY, Chan Zuckerberg Initiative, Courage Campaign, Eric
6 Garcetti - Mayor of Los Angeles, PolicyLink, SEIU Local 1021, State Building and
7 Construction Trades Council of California, Tenderloin Neighborhood Development
8 Corporation, Working Partnerships USA, and more; now, therefore, be it

9 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
10 supports AB 1481 (Bonta) that would protect California renters against unjust eviction; and, be
11 it

12 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs
13 the Clerk of the Board to send a copy of the Resolution to State Senator Scott Wiener, State
14 Assembly Members David Chiu and Phil Ting, and Governor Gavin Newsom.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190504

Date Passed: May 14, 2019

Resolution supporting California State Assembly Bill No. 1481, authored by Assembly Member Rob Bonta, Tenancy Termination: Just Cause, which would protect California renters against unjust evictions.


May 14, 2019 Board of Supervisors - ADOPTED

Ayes: 9 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Safai, Stefani and Yee

Excused: 2 - Ronen and Walton

File No. 190504

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2019 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

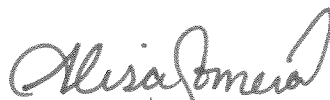
Unsigned

London N. Breed
Mayor

5/24/19

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.


for Angela Calvillo
Clerk of the Board

5/24/2019

Date