



STAFF REPORT

AGENDA NO: 9a

MEETING DATE: November 18, 2019

To: Honorable Mayor and City Council

Date: November 18, 2019

From: Lisa K. Goldman, City Manager – (650) 558-7243
Kathleen Kane, City Attorney – (650) 558-7204
Kevin Gardiner, Community Development Director – (650) 558-7253

Subject: Consideration of an Urgency Ordinance Providing Interim Just Cause Eviction Protections to Tenants

RECOMMENDATION

Staff recommends that the City Council consider the adoption of an urgency ordinance providing interim just cause eviction protections to tenants. In order to do so, the City Council should:

- A. Receive the staff report and ask any questions of staff.
- B. Request that the City Clerk read the title of the proposed ordinance.
- C. By motion, waive further reading and introduce the ordinance.
- D. Conduct a public hearing.
- E. Discussion the ordinance and determine whether to adopt it.
- F. By motion, approve the urgency ordinance. This motion would require four affirmative votes.

BACKGROUND

On October 8, Governor Newsom signed AB 1482, which goes into effect on January 1, 2020. The legislation, which is attached, contains two main elements: a prohibition on evictions without just cause and imposition of a rent cap.

During public comment at the November 4 City Council meeting, several members of the Burlingame community requested that the City adopt an urgency ordinance to prohibit evictions without “just cause” as some Burlingame renters have received eviction notices that are effective prior to January 1, 2020, and they are concerned that others may receive eviction notices prior to AB 1482 becoming effective on January 1, 2020.

On November 12, the City Council held a special study session to discuss the matter and determine whether or not to ask staff to bring an urgency ordinance to the City Council for consideration. The staff report from the November 12 meeting is attached. At the end of the study session, three Councilmembers asked that an urgency ordinance be drafted and agendized for the November 18 City Council meeting.

DISCUSSION

As described at the November 12 study session, AB 1482 prohibits a rental property owner from terminating a tenancy without just cause when the tenant has continuously and lawfully occupied the rental property for 12 months or more. However, evictions are permitted if there is just cause, such as non-payment of rent, violation of a lease term, nuisance, criminal activity at the property or against the owner, or refusal to allow the owner to enter the property. AB 1482 does not apply to tenants who have been residing in a unit for fewer than 12 months.

The urgency ordinance that is before the City Council for consideration would prohibit rental property owners from issuing no-cause eviction notices from October 8 (the date AB 1482 was signed into law) to December 31 that do not otherwise comply with AB 1482's requirements for such evictions. If adopted by the City Council, the ordinance would be in effect immediately and lapse on January 1, 2020.

FISCAL IMPACT

There is no fiscal impact associated with this discussion

Exhibits:

- Proposed Ordinance
- Text of AB 1482