

MOTION

The *Housing Crisis Act of 2019* (Senate Bill 330) became law on January 1, 2020. It includes many provisions to protect renters and promote affordable and low-income housing. The City must act swiftly and aggressively to implement these measures to the fullest, and to prevent loopholes or lax enforcement that will allow renters to be displaced and precious affordable housing units to be lost.

Among its many provisions, the act requires the replacement of demolished residential units, and gives tenants a "right of return" to the newly constructed housing. Additionally, the act empowers cities to take bolder steps to protect tenants. The law gives the City the ability to deny projects that will demolish residential units unless the project creates at least an equal number of residential units, the developer agrees to provide relocation benefits to the occupants of those affordable residential rental units, and the existing occupants are given a right of first refusal for units available in the new housing development at an affordable rent. Additionally, the act indicates cities can deny projects unless existing residents are allowed to occupy their units until six months before the start of construction activities.

Unless the City has clear protocols and strict enforcement, it is easy to imagine that developers may secure their project permits and fail to follow through with the requirements that protect and benefit tenants. It is also conceivable that some could seek to carve out a massive class of exemptions from the tenant protections by contending that only projects requiring discretionary approvals be subject to such requirements. It is further possible that an unscrupulous property owner could seek to skirt the law if the city has a loose definition of what constitutes construction or demolition.

The State and the City are in the midst of a housing crisis. Rents are skyrocketing and our neighbors are falling into homelessness. The City has a vital and necessary role to play in enforcing this new law and making sure people are not illegally thrown out onto the street. The City should develop standards that make sure that no demolition permit, building permit or certificate of occupancy be issued unless all of the renter protections in *The Housing Crisis Act of 2019* have been met.

I THEREFORE MOVE that the Department of Planning, HCID, Department of Building and Safety (DBS), and City Attorney report back on how the City will comply with the new state law, the *Housing Crisis Act of 2019*, including new procedures and any new policies or ordinances needed;

I FURTHER MOVE that HCID, Planning, and DBS report back with a clear definition for the City as to the meaning of "construction start date" and "housing development project," providing as strict a definition as legally possible to protect tenants and extend tenancies to the maximum extent possible under the law.

I FURTHER MOVE that Planning, DBS, and HCID report back outlining a process for ensuring compliance with the *Housing Crisis Act of 2019* for both discretionary and by-right housing development projects before issuing demolition permits, building permits, or certificates of occupancy.

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I FURTHER MOVE that Planning, DBS, and HCID report back on whether and how the *Housing Crisis Act of 2019* impacts Ellis Act requirements;

I FURTHER MOVE that HCID, DBS, and City Attorney report back on enforcement mechanisms that the City will use when a property owner is not in compliance with the *Housing Crisis Act of 2019*; enforcement mechanisms should include substantive penalties, fines, and revocation of permits for a meaningful period of time.

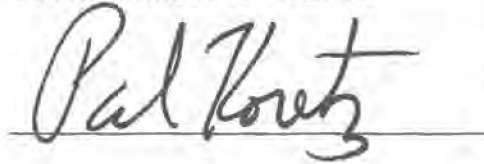
PRESENTED BY:



MIKE BONIN

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SECONDED BY:



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