



County of Fresno

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Legislation Text

File #: 20-0314, **Version:** 1

DATE: March 24, 2020

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer/Emergency Services Director

SUBJECT: Restrictions on Evictions Arising from Income Loss or Substantial Medical Expenses Related to the Novel Coronavirus (COVID-19) Pandemic

RECOMMENDED ACTION(S):

Adopt an emergency ordinance prohibiting evictions arising from income loss or substantial medical expenses related to the novel coronavirus (COVID-19) pandemic through May 31, 2020 (4/5 vote). Approval of the recommended action will prohibit evictions through May 31, 2020 for any tenant residing on residential or commercial real property in the unincorporated area of Fresno County who can demonstrate that they have received a notice of eviction for failure to pay rent, and that such failure is directly related to a substantial loss of income or substantial out-of-pocket medical expenses resulting from the 2020 novel coronavirus (COVID-19) pandemic or any local, state, or federal government response to the pandemic.

ALTERNATIVE ACTION(S):

If the Board does not approve the recommended action, current eviction laws and procedures will remain in place.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Adoption of the ordinance will provide safeguards for tenants of residential or commercial real property located in the unincorporated area of Fresno County.

DISCUSSION:

On March 15, 2020, pursuant to California Government Code (GC) Section 8630 and Fresno County Ordinance Code Chapter 2.44, due to the imminent and proximate threat of exposure of the Novel Coronavirus (COVID-19), a Local Emergency was proclaimed by the County Administrative Officer as the Emergency Services Director.

On March 17, 2020, pursuant to California GC Section 8630 and Fresno County Ordinance Code Chapter 2.44, the Board of Supervisors ratified the Emergency Services Director's Proclamation of a Local Emergency due to the imminent and proximate threat of exposure of COVID-19 on the residents of the County of Fresno.

These two actions have created fiscal uncertainty for many residents and business owners of Fresno County. The proposed ordinance is being recommended to minimize the spread of COVID-19, protect public health, promote housing stability, and avoid potentially devastating effects of the COVID-19 pandemic.

The proposed emergency ordinance will prohibit evictions for any tenant of residential or commercial real

property located in the unincorporated area of the County of Fresno until May 31, 2020 if the tenant can demonstrate, through documentation or other objectively verifiable means, that they have received a notice of eviction for failure to pay rent, and that such failure is related to a substantial loss of income or substantial out-of-pocket medical expenses resulting from the 2020 novel coronavirus pandemic. The proposed emergency ordinance is to be liberally construed to provide the broadest possible protection for affected tenants, and it shall not relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

With your Board's approval, the emergency ordinance would take effect immediately pursuant to California GC Section 25123(d).

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance Prohibiting Evictions Arising from the Coronavirus

CAO ANALYST:

Debbie Paolinelli