

COMMUNITY DEVELOPMENT AGENCY

HOUSING AND FEDERAL GRANTS DIVISION

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March 24, 2020

Board of Supervisors  
County of Marin  
3501 Civic Center Drive  
San Rafael, California 94903

**SUBJECT:** Resolution barring evictions in Marin County due to the Public Health Emergency arising from COVID-19.

Dear Board Members:

**RECOMMENDATION:** Adopt a Resolution barring evictions in Marin County due to the Public Health Emergency arising from COVID-19.

**SUMMARY:** The Resolution (Attachment 1) would prevent evictions for residential or commercial tenants that are related to loss of income from COVID-19 until May 31, 2020. The proposed Resolution would apply to all cities, towns and unincorporated areas of the County.

**BACKGROUND:** On March 16, 2020 Governor Newsom issued Executive Order N-28-20, which, among other things, provided local jurisdictions the authority to determine measures to promote housing safety and stability to protect public health or to mitigate the economic impacts of COVID-19 (Attachment 2).

On December 18, 2018, your Board adopted a Just Cause for Eviction Ordinance, limiting the reasons that a landlord can end a residential tenancy. The proposed Resolution would temporarily augment the County's existing Just Cause ordinance by providing temporary protections to all residential or commercial tenants whose residency and businesses may be jeopardized by the loss of income related to COVID-19.

On March 4, 2020 a statewide declaration of emergency was issued by Governor Newsom. A declaration of global pandemic was issued from the World Health Organization on March 11, 2020, and a presidential emergency declaration was issued on March 13, 2020. As of March 16, 2020, there are 10 confirmed cases of COVID-19 reported in Marin County. On March 16, the public health officers of seven Bay Area jurisdictions, including Marin, issued a legal order directing residents to shelter at home for three weeks beginning March 17. The order limits activity, travel and business functions to only the most essential needs. The order will be in effect until April 7, 2020.

COVID-19 is causing and is expected to continue to cause serious negative impacts on the local economy and financial impacts to residents, including the substantial loss of income due to loss of work hours or wages, layoffs, and business closures. Workers who experience a loss of income as a result of illness, layoffs, reduced hours, or the need to care for a sick or otherwise dependent family member are more likely to be unable to stay current on rent payments. During this local emergency, commercial tenants may be unable to pay rent due to circumstances related to the COVID-19

pandemic. These circumstances include loss of business income due to a COVID-19 related workplace closure, child care expenditures due to school closures, health care expenses related to being ill with COVID-19 or caring for a family member or reasonable expenditures that stem from government-ordered emergency measures.

There is a severe shortage of affordable rental housing in the County, people who are evicted are at risk of homelessness, and homeless individuals are less equipped to mitigate risks related to COVID-19. Displacing renters who are unable to pay rent due to these types of financial impacts will worsen the present crisis by making it difficult for them to follow the health guidance of social distancing and isolation, which will put tenants and many others at great risk.

**DISCUSSION:** This Resolution provides that if a residential or commercial tenants has not made a timely rent payment that was due on or after the date of adoption of the proposed Resolution, the landlord may not recover possession of the unit if the tenant provides notice to the landlord within 30 days after the date that rent was due that the tenant is unable to pay rent due to financial impacts related to COVID-19.

For purposes of this Resolution, "financial impacts" means a substantial loss of household or business income due to business closure, loss of compensable hours of work or wages, layoffs, or extraordinary out-of-pocket medical expenses. A financial impact is "related to COVID-19" if it was caused by the COVID-19 pandemic, public health orders or recommended guidance related to COVID-19 from local, state, or federal authorities.

**CONCLUSION:** The proposed Resolution is recommended in a regional context as other local governments in the Bay Area have adopted or are considering adopting similar temporary protections for renters and business owners impacted by the COVID-19 pandemic.

**REVIEWED BY:**

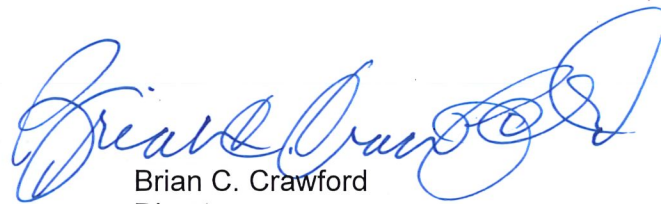
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| <input checked="" type="checkbox"/> County Administrator's Office | <input type="checkbox"/> N/A            |
| <input checked="" type="checkbox"/> County Counsel                | <input type="checkbox"/> N/A            |
| <input type="checkbox"/> Human Resources                          | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,

 Recoverable Signature

X 

Signed by: lthomas  
Leelee Thomas  
Planning Manager

  
Brian C. Crawford  
Director

**Attachments:**

1. Resolution barring evictions in Marin County due to the Public Health Emergency arising from COVID-19.
2. Governor's Executive Order N-28-20.

