INTRODUCE ORDINANCE TO ELIMINATE "NO CAUSE" AS A GROUNDS FOR EVICTION

May 21, 2019

Amendments to Ordinance 3148

- On April 2, 2019, City Council directed staff to prepare an ordinance amending Ordinance 3148 to eliminate "no cause" as a basis for terminating a tenancy
- Council had previously approved such an amendment in Spring 2017
- A referendum petition was successfully circulated and Council repealed the ordinance
- An initiative on the November 2018 ballot was defeated and Council is now able to act to amend the Ordinance

Eliminating "No Cause" Terminations

- Amendment would eliminate "no cause" terminations
- Ordinance will continue to allow "no fault" terminations (relocation assistance required) including:
 - Owner Move-Ins
 - Permanent Removal of Unit from Rental Market
- Ordinance will continue to allow "for cause" terminations (no relocation assistance required):
 - Failure to Pay Rent
 - Breach of Lease
 - Nuisance
 - Failure to Give Access

Amendments to Ordinance 3148

- Council has previously approved, and staff will be recommending, that temporary tenancies (12 months or less) in a primary residency (single-family home/condo) can be terminated with no obligation to pay relocation benefits
- Temporary tenancies for military personnel will be defined as five years or less

Community Outreach

- Open House held on May 2 to solicit input
- Focus Group meetings with landlord and tenant organizations
- On-line survey
- Comments summarized and provided as part of staff report
- Ongoing outreach efforts

Alternatives to Eliminating "No Cause" Terminations

- Provide a "carve-out" for landlords who live on the same property as their tenants in duplex/triplex/fourplex buildings
- Hold off on adopting amendment and await State action, if any
- Adopt the amendment now and commit to revisiting in a year

Recommendation

Introduce an ordinance eliminating "no cause" as a grounds for eviction from Ordinance 3148