

March 18, 2020

**RE: Public Agency Actions Necessary to Protect Housing Stability, Public Health, and Local Democracy**

Dear Central Valley City, Mayors, Councilmembers, County Supervisors, Housing Authority officials, and County Sheriffs:

While COVID-19 cases spread throughout the United States and across the world, and as governments at all levels consider protective measures for their residents, housing stability -- especially for the most vulnerable among us -- must rank as a critical priority in our actions. Bold, decisive and swift action to ensure that residents are able to remain in their homes during this time is necessary to minimize the spread of the virus, protect public health, and avoid potentially long-lasting and devastating consequences of the pandemic. We, the undersigned organizations, which collectively work alongside thousands of residents across the Central Valley and in your jurisdictions, urge you to take immediate action to adopt the recommendations outlined below.

On Monday, March 16th, Governor Gavin Newsom issued Executive Order N-28-20 acknowledging the authority of local governments to enact various measures to protect the housing stability of renters and homeowners across the state and encouraged local governments to act. We call upon you now to not just meet but to exceed the Governor's call to action by adopting unprecedented measures to protect residents, reduce physical and social dislocation, and promote public health during these extraordinary times.

Residents across the Central Valley have struggled to pay their rent or their mortgage and remain in their homes long before this current crisis, with upwards of 50% of all residents in many of our counties paying unaffordable rents and mortgage rates. Low-income residents and renters are the most burdened, with majorities of low-income Central Valley households paying over half of their income on housing each month. For these residents who already struggle to meet their housing costs in a normal month, the myriad of financial impacts of the coronavirus pandemic will simply make it impossible for many of these individuals and families to stay in their homes *without robust protective measures in place*.

And, unfortunately, we expect that an eviction crisis would be immediate and extensive: our study of Fresno evictions last year already found that the vast majority of those evicted were less than one or at most two months behind in rent. Without your swift and decisive action, this pandemic risks entrenching and compounding the housing crisis in the Central Valley and deepening existing inequities in housing opportunity, possibly for decades to come, while also further exacerbating the pandemic itself.

We urge all cities, counties, local housing authorities, utility providers, sheriff departments and other local and state agencies as applicable to protect the housing stability of residents and especially the most vulnerable populations by enacting ordinances with the following measures:

**Cities and counties:**

- **A prohibition on all residential evictions and foreclosures during the state of emergency.** This is necessary to ensure that all residents can remain in their homes during the pandemic, without the confusion and difficulty that would result from requiring residents to individually substantiate the personal impacts of the coronavirus on their lives as well as the necessity of tenants appearing in court as defendants during a time when public health officials urge social distancing. Note that a current prohibition on evictions does not mean erasing missed rent payments but rather that tenants will not face the harsh and dangerous consequence of losing their homes in the midst of a global pandemic.
- A prohibition on assessing late fees for the duration of the moratorium.
- A requirement that all residential landlords extend expiring leases until at least three months after the last day the emergency declaration is in effect.
- A requirement that all landlords and residential mortgage holders develop and implement payment plans to allow financially impacted tenants and homeowners a reasonable amount of time to become current on rent or mortgage payments.

**Utility providers (including cities and counties as applicable):**

- The prohibition on all utility shut-offs and late fees for the duration of the state of emergency; the immediate initiation of utilities at residences where previously shut off in order to allow good hygiene during the pandemic; and a requirement that utility providers allow ratepayers flexibility in arranging payment once the emergency ends.

**Public Housing Authorities:**

- Suspension of all hearings, meetings for recertifications, and other administrative procedures unrelated to new applications for residents to enter housing authority programs for the duration of the state of emergency.

**Sheriffs' departments:**

- The postponement by the sheriff of the execution of writs of possession or other lockouts that are not directly related to a protective order (e.g. TRO issued by a court related to domestic violence or elder or dependent abuse).

**All public agencies:**

- Adoption of proactive measures to notify tenants of their rights and resources available to them during the state of emergency, such as through inclusion of multilingual notices in utility bills, social media, televised news, and other outlets.
- To the extent feasible, set aside emergency relief funds to help residents who are financially impacted by the crisis pay basic expenses, secure basic resources including drinking water, and comply with social distancing directives.

We encourage you to seek the cooperation of other local and state government agencies in adopting and implementing these and other robust protections for tenants and homeowners. In addition to the measures listed above, we urge you to solicit the following actions and commitments by local courts and the state government:

- The continuance by local courts of all non-emergency proceedings, including unlawful detainers, to limit potential exposures.
- The dedication of state emergency relief funds to ensure that residents' basic needs may be met, prioritizing relief to low-income and vulnerable residents.

In addition to these policy measures, it is critical that local governments adopt and implement practices that ensure that residents may continue to engage in the democratic process through the duration of the crisis while also protecting public health. As long as the California Department of Public Health and/or local health departments recommend that people should practice social distancing and refrain from gathering in groups, agencies should suspend business and decision-making that is not related to addressing the public and community health risk posed by COVID-19 to the extent feasible. Public agencies must ensure that the community can participate in public meetings through telephone and video conferencing that is accessible to all constituents. Additionally, interpretation and translation must be available for relevant languages.

Many community leaders and community-based organizations have transitioned their services and attention to emergency response. All public agencies should extend existing and anticipated deadlines, such as comment deadlines in response to agency programs, land use and transportation plans, environmental documents, and other related matters.

Thank you in advance for your consideration of these recommendations and for your prompt action to protect all households in our community during this time. While this is an unprecedented and worrisome time, it is also an historic opportunity for Central Valley cities and counties to lead, work together and look out for one another, particularly our most vulnerable neighbors. Please contact us should you wish to find a time to discuss our requests.

In Community,