

Katherine Douglas

Public Comment

#7



From: Stanley Tzankov <stanley.tzankov@gmail.com>
Sent: Tuesday, June 27, 2023 10:09 AM
To: Williams, Das; Hartmann, Joan; Laura Capps; Lavagnino, Steve; Nelson, Bob
Cc: sbcob; Jordan Killebrew; Spencer Brandt; Frank Rodriguez; Ryan Bell; Nadia Abushanab
Subject: Item 7: Proposed Amendments from SBTU, CAUSE, SBCAN, and Tenants Together
Attachments: Proposed Tenant Protection Amendments to Item 7 for June 27 2023 Meeting.pdf

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Chair and Supervisors:

Attached and below is a letter with proposed amendments to Item #7 on today's meeting agenda signed by the Santa Barbara Tenants Union, CAUSE, SBCAN, and Tenants Together.

We support the ordinance but offer some important amendments which we hope you will give serious consideration.

Thank you for your work on this important matter. This is an important opportunity I hope we will make the most of, not just for tenants, but for the vibrancy and health of our region as a whole.

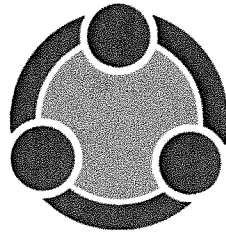
Stanley Tzankov
 Santa Barbara Tenants Union
Stanley.tzankov@gmail.com
 530-219-1348

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TENANTS



TOGETHER

June 26, 2023

TO:

First District Supervisor & Chair Das Williams
Second District Supervisor Laura Capps
Third District Supervisor Joan Hartmann
Fourth District Supervisor Bob Nelson
Fifth District Supervisor Steve Lavagnino

RE: c

Chair Williams and Members of the Santa Barbara County Board of Supervisors:

The undersigned organizations offer the following feedback and recommendations on the County of Santa Barbara Board of Supervisors June 27, 2023 Meeting Agenda Item Number 7 (File #23-00654) – Ordinance to amend County Code Chapter 44 to revise Article IV, Just Cause for Residential Evictions, and add Article V, Mandatory Right of First Refusal and Mandatory Offer of Residential Lease.

We commend the initiative and diligent work from the Board of Supervisors, most notably Supervisor Capps, Chair Williams, and their staff on this matter. The proposed amendments to the County’s just cause eviction rules would greatly increase the protections our community has desperately been needing to help protect against the continued rapid increase in housing costs. This measure is a step toward a a more vibrant, just, and sustainable economy and housing landscape, particularly with the effects of increased commodification of housing and the havoc it is wrecking on the social fabric in communities across the country but especially in a community like ours, who already face an exceptionally difficult housing market for most.

While we strongly support the passage of the recommended ordinance, there are also important missing pieces in the draft currently, which we strongly urge you to include.

The changes to the ordinance, as currently proposed, would importantly provide much-needed updates to current law, namely in that it would:

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- Require that a tenant can only be displaced for substantial renovations (requiring more

- than a month of vacancy) only for the primary purposes of safety and habitability.
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- *We assume that this would require some standard accepted definition*
- *of the terms of what qualifies as safety and habitability and/or an added cost basis for this as other municipalities have.*
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- That in those cases where a tenant is displaced for allowed renovations, they are given the right of first refusal to return to the unit after the renovation takes place.
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- *Whether this is really a termination of tenancy followed by*
- *a re-lease or a temporary relocation – a pause in tenancy with the same lease – what matters to tenants – both those immediately affected by a termination of tenancy and to the community’s interest in keeping housing stock significantly more affordable –*
- *is that they are able to continue tenancy in the unit post renovations at the same or similar rental rate.*
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- A mandatory offer of a one-year lease from landlords
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We understand that this is modeled after well-vetted laws in Palo Alto, the City of Santa Barbara, and Marin County and urge that the effective date be at least as soon as the date listed in the staff report. As written, the ordinance would not go into effect until 120 days after adoption. It is well-known that bad actors may act in the time-period between the introduction and effective date of a remedial ordinance like this. We urge the Board to review and balance the need for notice and the potential outcome of long-delayed implementation.

These above amendments would be tremendously helpful in addressing the concerns this ordinance intends to address, however are missing important components; namely, we urge the Board to amend the proposed ordinance to:

- 1.
- 2.
3. **Provide a cap on allowed rent increases upon the rerent of a unit after a renovation**
- 4.

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- The Board legally can – and morally should – include this stipulation.
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- Costa Hawkins, a state law which notoriously governs rent regulation, explicitly makes
 - an exception for situations like this where a tenant is moved out under a no-fault sixty-day notice for a renovation. (Civil Code Section 1954.53(a)(1)) We have heard this mentioned as a reason for not including this pivotal provision, but after consulting
 - with specialists in this field and reviewing dozens of local ordinances, we do not find the legal argument compelling.
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- A right of first refusal policy would mean that when a landlord renovicts tenants they
 - have to offer the unit back to the tenant, however the way it's currently written, the landlord may be allowed to increase the rent to however much they would like – this would be a significant loophole in the effectiveness of this law. Large rent increases
 - are de facto evictions for any purposes of protecting housing stock affordability and for the health and livelihoods of the current and future tenants facing this sort of displacement.
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- This Ordinance, as best practices allow in other municipalities, could allow for a permitting
 - repairs appeal process - that is, that the County could make a narrow determination on the cost of repairs if they want to go above the Tenant Protection amounts. A three-member staff arbitration board could have the role of providing a binding decision on

- very plain standards on the rare exceptions above.
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- This could be included in a separate motion to direct staff to include this at a later date or amend it into the current proposal.
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4. **That the protections apply at all steps of the eviction process**

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- The eviction process includes various stages (ie a notice to vacate, an unlawful detainer, Sheriff's enforcement)
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- This ordinance would clearly protect current and future tenants under threat of eviction
 - – such as those current Isla Vista tenants in CBC & The Sweeps under attack by the multi-billion dollar flipper developer Core Spaces – if and only if this tenant protection applies at
 - *all*
 - stages of the eviction process.
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- The Board must make their intentions clear in the Ordinance and require that changes
 - which would be reasonably expected – like the prior requirement to obtain permits – are no longer valid reasons to invoke police power and forcibly displace families in Santa Barbara County.
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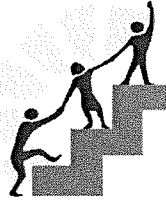
We support the Board amending the proposed Ordinance to include these changes or, if needed, to direct staff to explore these changes in earnest.

We commend your interest in addressing the enormous challenges in the quickly evolving housing landscape and in helping our County bring up to date our legal framework to the current realities our region is facing– realities affecting not only housing, but transportation, our local economy, our diversity, and the environment. Our momentum in advancing a reasonable and more just landscape for our region, is possible in huge part thanks only to the enormous public pressure of tenants, tenant allies, and allied organizations as well as a receptive majority on the Board of Supervisors.

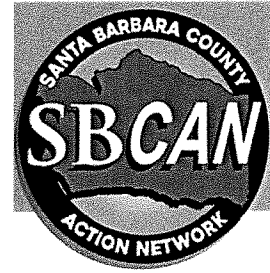
Signed,

Santa Barbara Tenants Union
SBCAN (Santa Barbara County Action Network)
CAUSE (Central Coast Alliance United for a Sustainable Economy)
Tenants Together

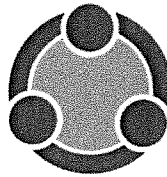
CAUSE



Central Coast Alliance United
for a Sustainable Economy



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We assume that this would require some standard accepted definition of the terms of what qualifies as safety and habitability and/or an added cost basis for this as other municipalities have.

- That in those cases where a tenant is displaced for allowed renovations, they are given the right of first refusal to return to the unit after the renovation takes place.

Whether this is really a termination of tenancy followed by a re-lease or a temporary relocation – a pause in tenancy with the same lease – what matters to tenants – both those immediately affected by a termination of tenancy and to the community's interest in keeping housing stock significantly more affordable – is that they are able to continue tenancy in the unit post renovations at the same or similar rental rate.

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2. That the protections apply at all steps of the eviction process

- The eviction process includes various stages (ie a notice to vacate, an unlawful detainer, Sheriff's enforcement)
- This ordinance would clearly protect current and future tenants under threat of eviction – such as those current Isla Vista tenants in CBC & The Sweeps under attack by the multi-billion dollar flipper developer Core Spaces – if and only if this tenant protection applies at *all* stages of the eviction process.
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