



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: BOS 1st & 2nd District
Department No.: 011
For Agenda Of: 04/06/2023
Placement: Departmental
Estimated Tme: 1 hr 30 Minutes
Continued Item: No
If Yes, date from:
Vote Required: 4/5th or Majority

TO: Board of Supervisors
FROM: Supervisor Das Williams, 1st District
Supervisor Laura Capps, 2nd District
Chris Henson, (805) 568-2191
Spencer Brandt, (805) 568-2186

SUBJECT:

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

Consider recommendations regarding an Urgency Ordinance to amend County Code Chapter 44 to add Article IV, Just Cause for Residential Evictions (4/5 Vote Required):

- a) Pursuant to Government Code sections 25123 and 25131, adopt an Urgency Ordinance (Attachment A) to amend County Code Chapter 44 to add Article IV, Just Cause for Residential Evictions;
- b) Read the title and waive further reading of the Urgency Ordinance; and
- c) Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5) (Attachment E).

Or, alternatively:

That the Board of Supervisors (3/5 Vote Required):

- d) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara to amend County Code Chapter 44 to add Article IV, Just Cause for Residential Evictions (Attachment C).
- e) Read the title and waive further reading of the Ordinance in full;

- f) Set a hearing on the Administrative Agenda of April 18, 2023 to consider recommendations, as follows:

On April 18, 2023:

- g) Consider adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara to amend County Code Chapter 44 to add Article IV, Just Cause for Residential Evictions (Attachment C); and
- h) Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5) (Attachment E).

Summary Text:

An increasing number of longtime residents are being priced out of their apartments when current property owners terminate residential tenancies, in order to remodel and then rent the units at higher rates. This is evidenced by the recent notification of mass termination of tenancies at an apartment complex in Isla Vista comprising hundreds of units and close to 1,000 individuals. Occupants include multi-generational families, students, seniors and pet owners. The County Community Services Department believes between 15 and 20 units in this particular apartment complex house tenants are receiving emergency housing vouchers, as part of the County’s strategy to address homelessness. These tenants, along with many other low-income renters, are now at risk of becoming homeless or being forced to relocate outside of the County. This is occurring at a time where there is a scarcity of rental inventory and the vacancy rate is below 2% on the south coast. The recent public testimony to the Board on March 21, 2023 and April 4, 2023 detailed the trauma tenants are experiencing. These terminations of tenancies are having a devastating impact on individuals and the broader community.

Given this dire situation, the offices of Supervisor Capps and Supervisor Williams are bringing this Urgency Ordinance to amend County Code Chapter 44 to add Article IV, Just Cause for Residential Evictions. If adopted, an urgency ordinance would be effective immediately and would apply to any termination notices issued after the Board takes action to adopt the urgency ordinance. The purpose is to assist tenants in Isla Vista as well as any other future tenants throughout the County that are facing termination of their residential tenancies.

Alternatively, should there not be the 4-vote threshold to implement the Urgency Ordinance, we ask that the Board consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara to amend County Code Chapter 44 to add Article IV, Just Cause for Residential Evictions. This second option would require a first reading on April 6th and second reading of the Board on April 18th and would be effective 30 days after the second reading.

Background:

The County has had tenant protections in place for some time. In 2010, in an effort to prevent landlords from evicting large numbers of families and students with little notice and leaving them with no recourse, the Santa Barbara County Board of Supervisors approved ordinance changes to Chapter 44 that required 3 months of relocation benefits in specific circumstances.

Estimates from the California Housing Partnership indicate Santa Barbara County has lost 754 units, or over 10% of “naturally occurring affordable housing” stock within the past 3 years, and is at risk of losing an additional 2,050 units of naturally occurring affordable housing to conversion to luxury housing within the next two years. Their research finds that the growth in private equity has accelerated for-profit acquisitions

and conversions of naturally occurring affordable housing units into upscale apartments, pushing low-income tenants out.

Today's action would add Article IV, to Chapter 44. Regarding terminations of tenancies based on a stated need to renovate, these changes would require that owners and landlords must obtain all permits necessary to carry out the substantial remodel, serve tenants with a copy of the permits for remodeling, along with a written notice stating the reason for the lease termination, the type and scope of work to be performed, and why the work requires the tenant to vacate the residential property for at least 30 days.

Fiscal and Facilities Impacts:

Special Instructions: Before the expiration of 15 days after passage of this ordinance, the entire ordinance shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

Attachments:

- A. Urgency Ordinance to Amend Chapter 44 of the Santa Barbara County Code
- B. Strikeout Version of Urgency Ordinance to Amend Chapter 44 of the Santa Barbara County Code
- C. Ordinance to Amend Chapter 44 of the Santa Barbara County Code
- D. Strikeout Version of Ordinance to Amend Chapter 44 of the Santa Barbara County Code
- E. Notice of Exemption

Authored by:

Spencer Brandt and Chris Henson, Board of Supervisors Staff

cc: