

RESOLUTION NO. 2021-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA DIRECTING FURTHER STUDY OF THE ADDITIONAL REGULATORY FRAMEWORK AND INFRASTRUCTURE NECESSARY TO IMPLEMENT RESIDENTIAL RENT STABILIZATION, JUST CAUSE EVICTION, AND OTHER PROTECTIONS FOR RESIDENTS FACING HOUSING INSTABILITY

WHEREAS, a shortage of decent, safe, affordable, and sanitary housing exists in the City of Santa Ana, causing the displacement of long-term residents, 54% of whom are renters according to the 2019 American Community Survey; and

WHEREAS, eviction creates extreme hardships for individuals and households of limited means in Santa Ana, given the shortage of affordable housing within the City and Orange County in general; and

WHEREAS, the COVID-19 pandemic has taken an enormous physical, economic, and psychological toll on the residents of Santa Ana, many of whom are lower-income renters experiencing either reduction of work hours and job loss, or heightened risk of contracting COVID-19 where they have continued to work in service-sector and other positions that cannot be performed from home; and

WHEREAS, the City of Santa Ana, with a majority Latino population, has experienced nearly 50,000 confirmed COVID-19 cases, the highest in Orange County, and over 800 deaths from COVID-19, leading to even greater housing instability; and

WHEREAS, housing instability threatens the public peace, health, and safety, because eviction from one's home can lead to prolonged homelessness, increased residential mobility, loss of community, strain on household finances due to the necessity of paying rental application fees and security deposits, stress and anxiety experienced by those displaced, increased commute times and traffic impacts if displaced workers cannot find affordable housing within the city in which they work, and interruption of the education of children in the home; and

WHEREAS, since 2016, the Santa Ana City Council has considered and received public testimony at multiple meetings from residents threatened by eviction without good cause and rapidly escalating rental rates who have advocated for the adoption of rent stabilization and just cause eviction regulations, among others; and

WHEREAS, displacement from eviction has been an acute risk for many tenants in Santa Ana, who are largely Latino and work in occupations most impacted by the COVID-19 pandemic; and

WHEREAS, the financial impacts of displacement include, but are not limited to, packing, moving, temporary housing, application for new housing, and storage costs, as well as lost wages and time due to taking time off work; and

WHEREAS, landlords often require that prospective tenants pay the equivalent of three months' rent up front to secure a lease—generally representing the first and last month's rent, and a security deposit, the total of which can exceed \$10,000 and can frequently reach \$20,000 or greater; and

WHEREAS, renter households are more likely to be low-income than the households of families who own their homes; and

WHEREAS, a household is generally rent-burdened if it spends more than 30% of its gross income on housing costs, and according to the 2019 American Community Survey, 58.5% of all renter households in the City of Santa Ana are either moderately or severely rent burdened; and

WHEREAS, renters in Santa Ana were protected from eviction for nonpayment of rent due to COVID-19 through September 30, 2020, by City Executive Order No. 10-2020 and remain similarly protected by state law but only through September 30, 2021; and

WHEREAS, within the confines of existing state law, including the Costa-Hawkins Rental Housing Act and the Tenant Protection Act of 2019, the City of Santa Ana is presently taking steps to restrict rental increases and grounds for eviction in response to the above concerns; and

WHEREAS, these protections are designed to exceed those offered by state law wherever permissible and also to apply to mobilehome owners, as the City is home to 29 mobilehome home parks containing 3,913 spaces, most of which are owned or inhabited by low-income or fixed-income seniors and families; and

WHEREAS, the concerns identified above related to housing instability warrant the further study of additional framework and infrastructure to optimize the implementation of related measures, including without limitation the creation of a Rent Board or similar body.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Ana as follows:

Section 1. City staff is hereby directed to conduct further study of the additional regulatory framework and infrastructure necessary to implement residential rent stabilization, just cause eviction, and other protections for Santa Ana residents facing housing instability.

Section 2. These measures are to include the creation and operation of a Rent Board or similar body, a rent registry, and the related costs thereof.

Section 3. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this 21st day of September, 2021.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Sr. Assistant City Attorney

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| AYES: | Councilmembers | <u>Hernandez, Lopez, Phan, Sarmiento (4)</u> |
| NOES: | Councilmembers | <u>Bacerra, Mendoza, Penaloza (3)</u> |
| ABSTAIN: | Councilmembers | <u>None (0)</u> |
| NOT PRESENT: | Councilmembers | <u>None (0)</u> |

CERTIFICATION OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2021-054 to be the original resolution adopted by the City Council of the City of Santa Ana on September 21, 2021.

Date: 9-24-2021

Daisy Gomez
Daisy Gomez
Clerk of the Council
City of Santa Ana