

From: [H PEACE](#)
To: [-- City Clerk](#)
Subject: April 17, 2023 City Council Agenda Item #10: "Strengthen Just Cause"
Date: Sunday, April 16, 2023 3:52:05 PM
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April 16, 2023

Dear Petaluma City Council and Staff:

My name is Dr. Jenny Fish, and I am the co-founder of Health Professionals for Equality and Community Empowerment (HPEACE), a health professional activism group here in Sonoma County comprised of health professionals from all major health systems in Sonoma County. HPEACE strongly supports the Just Cause ordinance.

There are few things that affect the health and stability of our patients as much as having stable housing. I cannot tell you the number of patients I have had get evicted, lose stable housing, and go into a downward spiral of physician and mental health destabilization. I have seen it happen to families with elders and small children. I have seen it happen because landlords want to “renovate” the unit and then increase the price, or just to increase the rent. As I care for patients that are marginalized and underserved, my patients cannot find new housing, and if they do, they cannot afford a security deposit that includes 2-3 months rent or do not make enough above the rental cost to get a rental application accepted. We have seen this reality greatly impact the management of chronic illnesses (hypertension, diabetes, substance abuse, depression, anxiety, PTSD, etc), sobriety, academic achievement of children, food insecurity, and safety of our community members.

We want to thank you for your work toward passing Just Cause. As health professionals, we strongly encourage you to do even more and work to strengthen the Just Cause ordinance. There are so many great provisions in the Residential Tenancy Protections Ordinance, but a few could use further attention. We honor and elevate the work of the Sonoma County Tenants Union for their guidance in helping put together the following recommendations.

1) Please consider the impact of stabilizing the housing of educators and school-aged children during the school year, and do not allow owner/relative move-ins during that time. The lasting impact of evictions on children is well documented. Though some schools may extend through

the summer, the majority of Petaluma schools recognize a unified schedule with the final day being June 9th this year. Berkeley and San Francisco (among others) have had no problem implementing this protection for many years, and the language of the ordinance can be worded in a way that still allows a landlord to recover possession as long as the tenancy is NOT terminated during the regular school year.

2) Please consider making the relocation fee for no-fault evictions the greater of 250% of the rent or \$11,000, not the lesser.

3) Please make it clear that eviction for substantial renovation will not displace the occupant, and that they will be returned to their home when renovations are complete. Please close the “reno-viction” loophole.

4) Please add provisions under the owner/relative move-in no-fault just cause, to prevent a landlord from abusing this reason to displace a family. For instance, no more than one unit can be utilized for an owner/relative move-in at a property. Additionally, if the landlord has a vacant unit, they cannot displace a tenant over moving into that vacant unit. Several jurisdictions have model language for this, including but not limited to Berkeley, San Francisco, and Fairfax.

5) Please consider adding back the Ellis Act regulations. Petaluma would be the only jurisdiction with a six-month right to re-rent in the state. The Ellis Act is the most abused just cause for eviction, and taking the teeth out of this in Petaluma will lead to more abuse. At a minimum, please add the longer notice period prescribed by state law, a 120-day notice of termination of tenancy, which becomes a one-year notice if the tenant is a senior or disabled.

6) Finally, please add protective language found in several other ordinances, that prevent eviction for subletting where “1) the tenant continues to live in the unit as his or her primary residence; 2) the number of tenants and subtenants occupying the unit does not exceed the number of occupants originally allowed by the rental agreement OR under CA Health and Safety Code, whichever is greater, and 3) the Landlord has unreasonably withheld the right to sublease following written request by the tenant. A landlord’s reasonable refusal of the tenant’s request may not be based on the proposed additional occupant’s lack of creditworthiness if that person will not be obligated to pay rent to the landlord. A landlord’s reasonable refusal may be based on, but is not limited to, the ground that the total number of occupants in a rental unit exceeds the maximum number of occupants as determined under the CA Health & Safety Code. Before trying to recover possession based on subletting or limits on the number of occupants in the unit, the landlord must serve the tenant a written notice of violation that provides the tenant with a minimum of 14 days opportunity to address the violation...”.

I appreciate your support of strong tenant protections. Your work on this vital health issue will help improve the health of community members across Sonoma County. Thank you in advance.

Sincerely,

Jenny Fish, MD
Co-Founder of HPEACE