

From: [REDACTED]
To: [-- City Clerk](#)
Subject: April 17, 2023 City Council Agenda Item #10: "Strengthen Just Cause"
Date: Monday, April 17, 2023 12:48:50 PM

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Dear City Council and Staff:

My name is Rachel Marcus, and I am a tenant in Sonoma County and a member of the Sonoma County Tenants Union.

I want to thank you for your work toward passing Just Cause. I strongly encourage you to strengthen and permanently pass the Just Cause ordinance presented this evening.

This ordinance will go a long way towards providing meaningful protections for BIPOC, low-income, and long term Petaluma residents in our community. It is a common-sense level of protections afforded by many other cities in California that experience similar housing crises. 47% of Petaluma renters are cost burdened, and 23% are severely cost burdened. While Just Cause will not lower the rent, it does provide a pathway to help people stay in their homes, and it requires a "just cause" for eviction, which will be a legal means to help reduce discrimination.

"Ethical" housing providers should have nothing to fear with this legislation, as it completely allows landlords to evict people who have harmful behavior.

The stories you are hearing from renters are powerful and vulnerable evidence as to how evictions disrupt lives, place a tremendous financial burden on people who are living paycheck to paycheck, and cause an extreme amount of stress. The stress of having to move against one's will impacts all other areas of a person's health and well being. For both children and adults, this trauma has a major ripple effect. (See Matthew Desmond' *Evicted*. See Adverse Childhood Experiences study).

As officials in Petaluma, you have an opportunity with this Just Cause ordinance to:

- Help preserve the character of Petaluma
- Retain housing stock from the speculative market
- Promote a climate forward policy
- Be a leader in health promotion and health equity policies

I ask you to choose the right side of history and to be in alignment with all that you stand for as city council members.

Additionally, I am in support of the recommendations of the Sonoma County Tenants Union for the following ways to strengthen the ordinance. We need to close as many loopholes as possible to have meaningful protections.

-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.

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

-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.

-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.

-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.

-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. Thank you in advance.

Sincerely,
Rachel Marcus