

To: [Matt Rodriguez](#)
Cc: [Lynn Tracy Nerland](#)
Subject: Fwd: Urgency ordinance
Date: Wednesday, January 12, 2022 8:54:30 PM
Attachments: [2022-01-12 - San Pablo Proposed Ordiancen.docx](#)

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From: Leah Simon-Weisberg <lsw@calorganize.org>
Sent: Wednesday, January 12, 2022 8:43:06 PM
To: abelp@sanpabloca.gov <abelp@sanpabloca.gov>; RitaX@sanpabloca.gov <RitaX@sanpabloca.gov>; ElizabethP@sanpabloca.gov <ElizabethP@sanpabloca.gov>; patriciap@sanpabloca.gov <patriciap@sanpabloca.gov>; Arturo Cruz <ArturoC@sanpabloca.gov>
Cc: David Sharples <dsharples@calorganize.org>
Subject: Urgency ordinance

Dear Councilmembers Xavier, Ponce, Pabon-Alvarado and Cruz,

I am the Legal Director for ACCE Institute. I am writing on behalf of the tenants at the Porto Apartments that are facing eviction. The tenants are calling on you to pass a local just cause for eviction ordinance. Local legislation can easily close the loopholes in the state just cause ordinance that allows landlords to evict tenants **permanently** when a landlord alleges that they will be undertaking substantial rehabilitation. The landlord is not required to allow the tenants back into the unit at the same rent.

The twentyone jurisdictions that have local ordinances-- over 15 are located in the bay area- all limit these evictions and require a right of return at the same rental amount. San Pablo must join these jurisdictions that protect tenants against speculators using eviction as a pretext in order to circumvent the state rent cap.

Presently, there are 6 families facing eviction located at Porto Apartments 2235 Church Lane, San Pablo because the landlord claims that he wants to do major upgrades that will require the tenants to be out for 4 months. He has pulled permits to replace kitchens and bathrooms and windows. A simple review of the permits makes it clear that 4 months would not be necessary. It is further concerning because the language of the notice alleges that it is in response to a notice by the city --which is untrue.

The landlord purchased the property just before the beginning of the pandemic. Upon purchase, he immediately served an unlawful 30-day notice to vacate all 14 units. Many tenants moved out based on that illegitimate notice. There are presently only 8 families remaining and 6 empty units. Shortly after the Contra Costa Covid-19 Pandemic Moratorium ended, the landlord served the tenants 60-day notice based on “Substantial Rehabilitation.” Tenants have asked the landlord to temporarily move them to empty units while the repairs would be made. The landlord has said no but has offered that they may return and pay \$2500 for a two bedroom. These are more than triple what tenants are paying and beyond their ability to pay.

The tenants appreciate that on January 18th, you will consider passing a local just cause for eviction ordinance which will close the substantial rehabilitation loophole. However, in order to prevent the tenants from being evicted they need you to pass an urgency ordinance on the 18th. Such an ordinance can stop these kinds of evictions while a permanent ordinance can be passed. The landlord can lawfully file in court as early as January 17th.

We understand that this will take work but **we urge you to place the attached urgency ordinance on the agenda for the January 18th meeting.** I am available to answer any questions.

Leah

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Leah Simon-Weisberg

Legal Director

Alliance of Californians for Community Empowerment - ACCE, Institute

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