



"Great Apartments Start Here!"

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Via Electronic Mail

Hon. Mayor Matt LeVere and Members of
the City of San Buenaventura City Council
City of San Buenaventura - City Hall
501 Poli Street
Ventura, California 93002-0099

Re: Consideration of Temporary Eviction Moratorium

Dear Mayor LeVere and Members of the San Buenaventura City Council:

We are in the midst of a challenging global pandemic that requires government action at all levels in order to curtail further advancement of the Coronavirus (COVID-19) and minimize the potential loss of life and detrimental financial loss impacting virtually all individuals within our community and all types of businesses. The Apartment Association of Greater Los Angeles urges the City of San Buenaventura to take a holistic approach in creating its proposed Eviction Moratorium Ordinance in recognition of the impacts of COVID-19 on the City's residents and businesses, all of whom need support to help them through this crisis.

The City of San Buenaventura will be considering the passage of an Ordinance that will impose a moratorium on evictions for any renter who demonstrates an inability to pay rent due to circumstances related to the COVID-19 pandemic. As you contemplate the various aspect of the proposed eviction moratorium, it is of utmost importance that the City strive to create a balanced ordinance so that any adverse financial implications caused by the COVID-19 pandemic is not merely a burden that is being shifted from the City's renters who may have suffered job losses or work reductions to private citizen housing providers that, in effect, would now be forced into situations of not receiving all or a portion of vital rental income while at the same time still being required to pay for ongoing obligations such as mortgages, property taxes, insurance, city fees and services, and property maintenance and repairs.

I want to thank the City Attorney, Gregory Diaz, who in his report, has recognized the importance of requiring renters to notify housing providers of their inability to pay rent before their rent due date due so that housing providers can possibly attempt to adjust their expenditure levels before it is too late. Additionally, the proposed mandate requiring renters to make partial payments when the renter can do so will help both renters and housing providers stay "afloat" during the pendency of this local emergency. **Please keep in mind; however, that under the recently passed Federal "CARES Act," many workers, including "gig" economy workers, that have lost jobs or have**

experienced reductions in work hours will be entitled to significantly greater unemployment benefits, and in some cases up to four (4) months of their full compensation in addition to other payments for workers earning less than \$99,000 per year – these Federal subsidies must be taken into consideration as part of the proposed ordinance.

Additionally, it is important that the City consider the following within the parameters within its proposed ordinance:

- The City needs to educate renters that the Eviction Moratorium Ordinance does not relieve renters of their obligation to pay rent, and that once the local emergency has passed, they will be obligated to repay any unpaid or deferred rent. While we appreciate that the Ordinance requires repayment of any past due or deferred rent within six (6) months following the expiration of the local emergency, it is important that renters be encouraged to repay any deferred rent sooner if so able.
- Renters should be required to demonstrate COVID-19 financial impacts by providing owners with supporting documentation under penalty of perjury. Please also consider circumstances where one might lose their job, but still have savings or other assets with which to make rental payment obligations.
- There should be recourse owners or that the City or housing provider may pursue if renters produce false documentation or make false statements about purported substantial adverse financial impacts due to COVID-19.
- The City should defer or reduce certain City imposed fees and expenses such as trash hauling, utility fees, etc. for owners with renters who cannot pay all or portions of their rent due to COVID-19 impacts.
- Owners of smaller properties, e.g., four or fewer units, should be exempt from the eviction moratorium. These smaller owners will feel the greatest adverse financial impact when there are unable to pay.

Rental housing providers and renters must be encouraged to make best efforts to find workable solutions regarding non-payment or partial deferment of rental payments. Rental property owners are not in the eviction business. Eviction is a very time consuming and costly and only used as a last resort. In 99.99% of matters, rental property owners would much rather work out an arrangement with their renters that keep renters housed under a workable payment plan.

The Apartment Association of Greater Los Angeles represents thousands of rental housing providers, many of whom own properties in the City of San Buenaventura and provide necessary and affordable housing to the City's residents. Most of our members are small "mom and pop" owners with 4 or fewer units, and many are retirees who are highly dependent upon the modest rental income they receive to support themselves and maintain the building for their renters.

During these extremely difficult times, rental housing providers are instituting more frequent and stringent building cleaning protocols in promotion of the health and safety of both residents and others entering their building which adds to their maintenance costs and makes it more challenging to pay for other financial obligations associated with rental property ownership including mortgage payments, property taxes, liability insurance, and contracts with service providers and vendors.



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The deferment of rent has sweeping financial implications not only for rental property owners, but also for the small businesses that apartment owners support, including the many vendors, suppliers and tradespeople who paint, garden, repair plumbing and maintain rental properties. Moreover, it is important to emphasize that **eviction moratoriums will not replace any renter's lost wages or cover the cost of food, medical prescriptions and other necessary essentials.** Accordingly, it is critical that the City establish an emergency assistance fund to provide essential financial support to all impacted residents and businesses struggling during these uncertain and turbulent times. Community outreach and education also plays a vital role in keeping residents informed of local resources and services available to individuals experiencing hardships resulting from COVID-19.

During this pandemic, it is essential that we all work together to develop effective and balanced solutions that serve to assist all those impacted and prevent further economic instability. Thank you for your time and consideration of these matters. If you have any questions, please call me at (213) 384-4131; Ext. 322 or contact me via electronic mail at dan@aagla.org.

Very truly yours,

Daniel M. Yukelson

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Copies to:

Marta Golding Brown, Ventura County Coastal Association of Realtors
Dawn Dyer, Dyer Sheehan Group, Inc.
City Clerk's Office, City of San Buenaventura
Alex McIntyre, City Manager, City of San Buenaventura
Danielle Leidner-Peretz, Director, Government Affairs & External Relations