



"Great Apartments Start Here!"

Daniel M. Yukelson
Executive Director
dan@aagla.org
213.384.4131; Ext. 322

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Via Electronic Mail

Mayor LaVere and Members of the City of Ventura City Council
City of Ventura
City Hall
501 Poli Street
Ventura, California 93002-0099

Re: Eviction Moratorium Due to COVID-19

Dear Mayor, LaVere and Members of the City Council:

We are in the midst of a global pandemic that has necessitated government action at all levels to curtail further advancement of the Coronavirus (COVID-19) and minimize the potential loss of life, and the financial loss impacting all types of businesses and individuals whose livelihoods are dependent upon those businesses. The Apartment Association of Greater Los Angeles urges the City of Ventura to take a holistic approach in recognition of the detrimental impacts of COVID-19 on the City's residents and businesses, all of whom need support to help them through this crisis.

I understand the City of Ventura is considering the issuance an Order or passage of an ordinance that would impose a moratorium on evictions for any renter who can demonstrate an inability to pay rent due to circumstances related to the COVID-19 pandemic. I furtherance of the proposed eviction moratorium, it is important that the City consider the following within the parameters of such Order or ordinance:

- As addressed in Governor Newsom's Executive Order No. N-28-20 dated March 16, 2020, such eviction moratorium should only apply in instances where a renter experiences a "substantial" loss of income due to COVID-19 resulting from workplace closure, substantial loss of hours or medical expenses due to COVID-19 illness. In order to qualify as "substantial," medical expenses should be equal some percentage of monthly rent (e.g., 50%).
- The Order or any ordinance should be explicit that renters are not relieved of their obligation to pay the rent and should be limited to no more than six months following the expiration of the local emergency or lifting of the eviction moratorium to make-up rent payments.
- Renters must be required to demonstrate substantial financial impact due to COVID-19 by providing owners with supporting documentation under penalty of perjury. Documents may include employer letter or doctor's note, paystubs, bank statements, etc., similar to what local government may require when assessing whether any individual should qualify for

government assistance. 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 the City may pursue if renters produce false documentation or 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 adversely impacted by non-paying renters.
- Absent extenuating circumstances, renters should be obligated to notify owners of their inability to pay rent in advance of rent being due so owners can make adjustments to their expenses or planned obligations.
- The Order or ordinance should allow for partial payments, and in fact, require partial payments if the renter is so able to make them.
- 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.
- Finally, as the pandemic and related government interventions are continuously evolving, we urge the City to set an emergency moratorium period of just 30 days with the option to extend the eviction moratorium as necessary.

The City should encourage rental housing providers and renters 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 Fillmore 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.

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 that are supported by the rental housing industry. 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.



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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.