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Historic win for tenant protections as Petaluma becomes first city

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After a years-long fight led by local tenants and grassroots organizations, the Petaluma City Council voted to implement a local Just Cause Ordinance which protects tenants from arbitrary evictions and provides a safety net for preventing displacement. This policy shift joins a wave of momentum toward greater tenant protections spanning suburban cities and counties across the Bay Area and state – including but not limited to Marin County, Antioch, Alameda, Concord, Fairfax and Bell Gardens near Los Angeles.

“The beginning of every month is the hardest after I pay rent and bills. I must make that choice: either formula or lunch for the week. I’m sure you know my answer,” tenant dad Joseph Alvarez shared at a rally in support of Just Cause ahead of the city council meeting. He faced an illegal 17 percent rent increase or threat of eviction earlier this year and gave testimony in support of stronger tenant protections. “Being homeless is not an option ... I'm asking you as a man who just wants the best for his kids and their future.”

The Just Cause Eviction Ordinance passed with a 4-2 vote on September 12 and is the first of its kind in Sonoma County. Councilmembers Brian Barnacle, Dennis Pocekay, D’Lynda Fischer, and Mayor Teresa Barrett voted in favor of the ordinance, while Councilmembers Mike Healy and Dave King voted against the Ordinance. Councilmember Kevin McDonnell recused.

The Petaluma City Council first identified Just Cause protections as one of their top five priorities in June of 2021. In May 2022, the Petaluma City Council voted unanimously to prioritize and pass a citywide Just Cause ordinance, and in August of 2022, the Council voted 4-2 in favor of the written ordinance.

“I’m very happy to have played a role in our city council being able to improve tenant protections in Petaluma,” says Petaluma City Councilmember Dennis Pocekay. “Even with the recent passage of state-level bills such as AB 1482, the power balance in housing contracts has heavily favored landlords. The sum of all the comments made to the council made this even clearer. We have tried

to improve the balance of power, such that tenants have a better chance of maintaining their housing, so long as they pay their rent and honor their rental agreements. I'm hopeful that we'll be able to improve the ordinance over the next 5 months, and then make it permanent!"

The Ordinance outlines stronger tenant protections than the statewide Tenant Protection Act of 2019 (AB148) by addressing a frequently abused Ellis Act loophole that allows an owner's alleged withdrawal of a unit from the rental market without any accountability or constraint. Specifically, it requires a 120-day notice for Ellis Act evictions and one year notice if the tenant is elderly or disabled and places re-rental constraints on the property after the eviction. It also dictates that the alleged future sale of a tenant-occupied property does not equal withdrawal from the rental market, which is a common way landlords evict and re-rent at market rate in Sonoma County. Most notably, consistent with over 50 percent of other CA just cause ordinances, the ordinance protects tenants who live in single-family homes – a tenant's protection not provided under state law. Sonoma County is home to many single-family home rentals.

The protections in the newly adopted Ordinance are consistent with 29 California jurisdictions that have passed local Just Cause protections. Additionally, the Ordinance establishes a first-of-its-kind safety net for the most vulnerable tenants, including seniors and disabled tenants, by requiring landlords to pay additional relocation fees to cover tenants' moving costs if renters face a just cause eviction. Additionally, the new law prohibits owner move-in evictions during the school year when a school-aged child or educator is in the household.

"Passage of local tenant protections is truly historic in Sonoma County. We have been operating under the antiquated belief that the market will self-correct, while housing costs far exceed inflation, housing discrimination has reached endemic levels and we have endured a multi-year housing and homelessness crisis," says Margaret DeMatteo, Housing Policy Attorney with Legal Aid of Sonoma County. "The power imbalance between landlords and tenants has become so extreme, that this regulatory intervention has the power to save lives, keep communities intact, and to make Petaluma a city that all people can thrive, not just the wealthy. Tenant protections are the result of forward-thinking and we will continue to fight to keep, strengthen and create them where they do not fully exist. I feel extremely honored and proud to have taken part in this campaign alongside truly incredible partners, community organizations and tenants."

Petaluma tenants, community stakeholders, and housing justice organizers launched their campaign for a Just Cause eviction protection ordinance in Petaluma in 2020. The Sonoma County Tenants Union and North Bay Organizing Project work directly with tenants facing a variety of

issues with their landlords across Sonoma County, including habitability, harassment, retaliation, and discrimination. Legal Aid of Sonoma County provides the right to counsel for low-income renters and seniors for eviction defense and provides counsel for many other landlord/tenant issues.

“When tenants work together as a united front, we can force the powers that be to prioritize our needs,” says Noa Hughes, Board Member of the Sonoma County Tenants Union. “With the patchwork of short-term protections, loopholes, and final hour changes, tenants have been pushed to the brink of trying to make ends meet through this ongoing pandemic. But we reminded Petaluma City Council that tenants are making history right here, right now, by passing the first Just Cause ordinance in a Sonoma County city. And this decision is not an end, it’s a catalyst.”