



# CITY COUNCIL AGENDA REPORT



**DEPARTMENT:** City Manager's Office

**MEETING DATE:** November 1, 2022

**PREPARED BY:** Alice D. Atkins, MMC, City Clerk

**AGENDA LOCATION:** CC-3

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**TITLE:** Repealing the Emergency Moratorium on the Eviction of Residential Tenants for Non-Payment of Rent Due to Covid-19 Financial Hardships and "No-Fault" Residential Evictions; Adoption of Ordinance No. 2022-08

**OBJECTIVE:** To adopt Ordinance No. 2022-08

**BACKGROUND:** On October 18, 2022, the City Council introduced and waived further reading, and the City Attorney read by title only Ordinance No. 2022-08, by a unanimous roll call vote.

This is the final adoption of the ordinance to repeal the Emergency Moratorium on the eviction of residential tenants for non-payment of rent due to Covid-19 financial hardships and "no-fault" residential evictions.

**RECOMMENDATION:** Staff continues to recommend approval of this ordinance.

**COUNCIL ACTION REQUIRED:** If the City Council concurs, the appropriate action would be a motion to adopt Ordinance No. 2022-08.

**CC-3**

## ORDINANCE NO. 2022-08

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, REPEALING THE EMERGENCY MORATORIUM ON THE EVICTION OF RESIDENTIAL TENANTS FOR NON-PAYMENT OF RENT DUE TO COVID-19 FINANCIAL HARDSHIPS AND “NO-FAULT” RESIDENTIAL EVICTIONS

**WHEREAS**, on March 4, 2020, the Governor of the State of California (“Governor”) declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of “coronavirus disease 2019” (“COVID-19”); and

**WHEREAS**, on March 16, 2020, the Governor issued Executive Order N-28-20, which suspended “[a]ny provision of state law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on residential or commercial evictions” of certain tenants affected by the COVID-19 pandemic; and

**WHEREAS**, on March 17, 2020, the City Council ratified the City Manager’s proclamation of the existence of a local emergency in response to the COVID-19 pandemic; and

**WHEREAS**, on March 19, 2020, the Los Angeles County Public Health Officer issued a countywide health order for residents to remain “safer at home,” and the Chair of the Los Angeles County Board of Supervisors (“County Board”) issued an Executive Order that imposed a temporary moratorium on evictions for non-payment of rent by residential or commercial tenants impacted by COVID-19 (“County Eviction Moratorium”); and

**WHEREAS**, as a result of the public health emergency and the precautions recommended by health authorities, many residential tenants in Monrovia experienced sudden and unexpected income loss; and

**WHEREAS**, on March 31, 2020, the City Council adopted emergency regulations (“Urgency Ordinance No. 2020-04U”) prohibiting residential evictions for non-payment of rent due to COVID-19 financial hardships and “no-fault” residential evictions, and requiring rent to be paid in full within six months following the expiration or termination of the local emergency; and

**WHEREAS**, on August 31, 2020, the Governor signed Assembly Bill 3088 (“AB 3088”) into law, which established statewide eviction protections for residential tenants who were negatively impacted by COVID-19; and

**WHEREAS**, on September 1, 2020, the County Board amended the County Eviction Moratorium to, in part, establish the County’s eviction protections as the baseline for all incorporated cities within Los Angeles County, including cities with their own local eviction moratoria if those moratoria did not include the same or greater tenant protections as the County Eviction Moratorium; and

**WHEREAS**, on March 15, 2021, the CA COVID-19 Rent Relief program began to accept applications for rent and utility support for up to 18-months in assistance covering the time between April 1, 2020 and March 31, 2022; and

**WHEREAS**, on October 1, 2021, the State eviction moratorium established by AB 3088, and extended and amended by subsequent legislation, for residential tenants who were negatively impacted by COVID-19 expired; and

**WHEREAS**, on January 25, 2022, the County Board voted to extend the County's COVID-19 Tenant Protections Resolution (formerly the County Eviction Moratorium) for residential tenants impacted by COVID-19 with incomes at or below 80% of the Area Median Income ("AMI"), through December 31, 2022; and

**WHEREAS**, on September 13, 2022, the County Board voted to direct the Director of the Department of Consumer and Business Affairs, in coordination with others, to prepare and implement an immediate coordinated strategy of the County's emergency tenant protections phase out with a defined end date of December 31, 2022; and

**WHEREAS**, to align with the County ending its eviction protections on December 31, 2022 and to avoid any potential confusion on the applicability of regulations regarding residential evictions related to the COVID-19 emergency, it is in the City's best interest to repeal Urgency Ordinance No. 2020-04U as of December 31, 2022.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROVIA DOES ORDAIN AS FOLLOWS:**

**Section 1. Findings.** The City Council finds that each fact set forth in the preceding recitals is true and correct and incorporated by reference.

**Section 2. Repeal of Urgency Ordinance No. 2020-04U.** The City Council hereby repeals Urgency Ordinance No. 2020-04U in its entirety as of December 31, 2022.

**Section 3. Repayment.** Tenants previously protected by Urgency Ordinance No. 2020-04U that have been unable to pay rent due to financial impacts related to COVID-19 and have otherwise complied with the requirements of Urgency Ordinance No. 2020-04U shall have six months following the effective date of this Ordinance to repay unpaid rent.

**Section 4. Uncodified.** This Ordinance shall not be codified.

**Section 5. Severability.** If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

**Section 6. Effective Date.** This Ordinance shall take effect thirty (30) days after passage.

**Section 7. Certification.** The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance or a summary thereof to be published as required by law.

**INTRODUCED** this 18th day of October, 2022.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Monrovia on this 1st day of November, 2022.

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Becky A. Shevlin, Mayor  
City of Monrovia

**ATTEST:**

**APPROVED AS TO FORM:**

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Alice D. Atkins, MMC, City Clerk  
City of Monrovia

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Craig A. Steele, City Attorney  
City of Monrovia