

CalRHA 2021 Public Policy Update



Kate Bell, Capitol Advocacy

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The Legislature is back in session and it's first major action was passing a budget trailer¹ the final week of January that extended the eviction moratorium through the end of June and established a rent assistance program in the state. CalRHA advocated before the Governor's Office, Business Consumer Services and Housing Agency (BCSHA), and with key Legislators for the shortest extension possible and for the eviction moratorium extension be tied to the establishment of a rent assistance program. Furthermore, we have been in communication with the BCSHA and HCD as they work to establish the rent assistance program. We are asking for the process to be streamlined and that the money flow to property owners as soon as possible. The BCSHA held a stakeholder webinar on Monday, February 1 where they discussed the process and timeline. They have secured a vendor, LISC, to administer. A link to their overview of the bill and rent assistance program can be found here² and additional elements highlighted below.

Extensions

- Extends Transition Time Period from January 31, 2021 to June 30, 2021. If resident pays at least 25% of their rent for each month from September 1, 2020 to June 30, 2021, they will be protected from eviction.
- Extension of Just Cause: Requires all terminations of tenancies be for just cause through June 30, 2021.
- Extends expiration date of prohibitions on retaliation because of COVID debt from February 1, 2021 to July1, 2021.

- Small Claims Court: Delay landlord access to small claims court for COVID rental debt until August 1, 2021.

Rental Assistance: Establishes a rent subsidy program

- Assistance is paid to property owner directly.
- The Housing Agency/Department will have a public facing portal through a Community Development Financial Institution (CDFI) available to apply online by March 15, 2021.
- Past Due Rent for Existing Tenants (includes any other financial obligations due under the lease - except damage to the unit).
- Will pay landlord up to 80% of the rent in arrears (not total rent for the period) between April 2020 and March 2021, if landlord agrees to forgive the remaining 20% and not pursue eviction for non-payment or any other curable breach of the lease.
- Will pay landlord 25% of rent in arrears between April 2020 and March 2021, if landlord will not forgive unpaid amounts and forego eviction.
- Pay landlord 25% of up to 3 months rent for months after March 2021.
- Priority: First to those with household income of less than 50% of AMI, second to communities disproportionately impacted by COVID, third to those with household income of less than 80% AMI.

additional documentation supporting that they suffer from COVID-19 financial distress. CalRHA has taken an Oppose position to this bill, as it will be detrimental to the rental housing industry.

- **SB 3** (Caballero/Bradford) - The Senate bill is far less egregious than **AB 15**, as it only extends the sunset date of **AB 3088** until March 31, 2021. **SB 3** takes a quarterly approach to extending **AB 3088** to allow the Legislature to reassess the rental landscape before making a sweeping decision like



*Senator
Anne Caballero*

what is currently included in AB 15. The authors are contemplating making other changes to the bill, including partial payment of rent on a monthly basis, additional documentation, which were proposed changes made by CalRHA.

CalRHA will continue to negotiate with both authors of these bills, the Legislature, and the Governor's Office on thoughtful solutions. In addition to these bills, CalRHA has worked with the Senate Business and Professions Committee who has agreed to include the balcony fix in their committee omnibus bill. We are also pursuing legislation to streamline ADUs and have been working with the Legislature on TOPA legislation. 2021 promises to be a very busy year.

