



EXECUTIVE SUMMARY

MEETING DATE: June 15, 2023

HCR23-073

SUBJECT: Execution of Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Administration of the City's Eviction Notice Registry

COUNCIL DISTRICT: Citywide

ORIGINATING DEPARTMENT: Rental Assistance Division

CONTACT/PHONE NUMBER: Azucena Valladolid (619) 578-7604

REQUESTED ACTION:

Authorize the execution of a Memorandum of Understanding between the City of San Diego (City) and the San Diego Housing Commission for the oversight and administration of the City's Eviction Notice Registry for an initial term of August 1, 2023, through July 31, 2024, with four one-year options to renew.

EXECUTIVE SUMMARY OF KEY FACTORS:

- Under the terms of the City of San Diego's Tenant Protection Ordinance, which goes into effect June 24, 2023, the Housing Commission is responsible for creating a Tenant Protection Guide, collecting and maintaining landlord eviction notices, and providing corresponding reports to the City of San Diego. The City of San Diego will oversee and facilitate the overall Tenant Protection Ordinance, including enforcement, policy development, and communication and outreach efforts.
- The Tenant Protection Ordinance specifies that landlords will be required to notify the Housing Commission of any at-fault and no-fault terminations within three business days of issuing the tenant a termination notice.
- If the staff-recommended actions in this report are approved, the Housing Commission and the City will enter into a Memorandum of Understanding for the Housing Commission to oversee and administer the responsibilities defined for the Housing Commission in the Tenant Protection Ordinance, including an online portal for collecting and maintaining landlord eviction notices, which will be known as the City of San Diego Eviction Notice Registry.
- Upon approval of funding and execution of the proposed Memorandum of Understanding, the Housing Commission would begin to hire staff to assist with the development and implementation of the portal, procedures, website, Tenant Protection Guide and ongoing administration of the program.
- The website and Tenant Protection Guide must be approved by the City Attorney. The Housing Commission would also issue a request for proposals (RFP) to procure a contractor to create the portal. The Housing Commission would begin collecting landlord submissions about eviction notices by July 2024.
- Funding for the Housing Commission's responsibilities pursuant to the Tenant Protection Ordinance, including the source of funds, will be determined through the City's annual budget approval process. The Housing Commission's performance of its defined responsibilities under the ordinance is contingent on the City making funds available for that purpose.



REPORT

DATE ISSUED: June 7, 2023

REPORT NO: HCR23-073

ATTENTION: Chair and Members of the San Diego Housing Commission
For the Agenda of June 15, 2023

SUBJECT: Execution of Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Administration of the City's Eviction Notice Registry

COUNCIL DISTRICT: Citywide

REQUESTED ACTION

Authorize the execution of a Memorandum of Understanding between the City of San Diego (City) and the San Diego Housing Commission for the oversight and administration of the City's Eviction Notice Registry for an initial term of August 1, 2023, through July 31, 2024, with four one-year options to renew.

STAFF RECOMMENDATION

That the San Diego Housing Commission (Housing Commission) Board of Commissioners (Board) recommend that the Housing Authority of the City (Housing Authority) of San Diego and the San Diego City Council (City Council) take the following actions:

Housing Authority:

- 1) Authorize the Housing Commission to enter into a Memorandum of Understanding with the City of San Diego (City) for an initial term from August 1, 2023, through July 31, 2024, with four one-year options to renew, for oversight and administration of the City's Eviction Notice Registry.
- 2) Authorize the Housing Commission's President and Chief Executive Officer (President & CEO), or designee, to execute all documents and instruments that are necessary and/or appropriate to implement these approvals, in a form and format approved by General Counsel, and to take such actions necessary and/or appropriate to implement these approvals, provided that a copy of the documents, signed as to form by General Counsel, are submitted to each Housing Commissioner.

City Council:

- 1) Authorize the City to enter into a Memorandum of Understanding with the Housing Commission for an initial term from August 1, 2023, through July 31, 2024, with four one-year options to renew, for oversight and administration of the City's Eviction Notice Registry.
- 2) Authorize the Mayor of the City of San Diego, or designee, to execute all documents and instruments that are necessary and/or appropriate to implement these approvals, in a form and format approved by the City Attorney, and to take such actions necessary and/or appropriate to implement these approvals.

June 7, 2023

Execution of Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Administration of the City's Eviction Notice Registry

Page 2

SUMMARY

Under the terms of the City of San Diego's Tenant Protection Ordinance, which goes into effect June 24, 2023, the Housing Commission is responsible for creating a Tenant Protection Guide, collecting and maintaining landlord eviction notices, and providing corresponding reports to the City of San Diego. The City of San Diego will oversee and facilitate the overall Tenant Protection Ordinance, including enforcement, policy development, and communication and outreach efforts.

The Tenant Protection Ordinance specifies that landlords will be required to notify the Housing Commission of any at-fault and no-fault terminations within three business days of issuing the tenant a termination notice.

The San Diego City Council adopted the Tenant Protection Ordinance for the City of San Diego on April 25, 2023. Mayor Todd Gloria signed the ordinance on May 25, 2023, with an effective date of June 24, 2023.

If the staff-recommended actions in this report are approved, the Housing Commission and the City will enter into a Memorandum of Understanding for the Housing Commission to oversee and administer the responsibilities defined for the Housing Commission in the Tenant Protection Ordinance, including an online portal for collecting and maintaining landlord eviction notices, which will be known as the City of San Diego Eviction Notice Registry.

The final budget, including the source of funds, for the Housing Commission's responsibilities pursuant to the Tenant Protection Ordinance will be determined through the City's budget approval process. On June 12, 2023, the City Council is scheduled to consider the City's proposed Fiscal Year 2024 budget, and the Housing Authority is scheduled to consider the Housing Commission's proposed Fiscal Year 2024 budget.

Upon approval of funding and execution of the proposed Memorandum of Understanding, the Housing Commission would begin to hire staff to assist with the development and implementation of the portal, procedures, website, Tenant Protection Guide and ongoing administration of the program. The website and Tenant Protection Guide must be approved by the City Attorney. The Housing Commission would also issue a request for proposals (RFP) to procure a contractor to create the portal. The Housing Commission would begin collecting landlord submissions about eviction notices by July 2024.

FISCAL CONSIDERATIONS

Funding for the Housing Commission's responsibilities pursuant to the Tenant Protection Ordinance, including the source of funds, will be determined through the City's annual budget approval process. The Housing Commission's performance of its defined responsibilities under the ordinance is contingent on the City making funds available for that purpose.

HOUSING COMMISSION STRATEGIC PLAN

This item relates to the Vision and Purpose in the Housing Commission's Strategic Plan for Fiscal Year (FY) 2022 – 2024. Vision: Everyone in the City of San Diego has a home they can afford. Purpose: Help individuals, families and the San Diego community thrive.

June 7, 2023

Execution of Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Administration of the City's Eviction Notice Registry

Page 2

EQUAL OPPORTUNITY CONTRACTING AND EQUITY ASSURANCE

The Housing Commission will ensure the City of San Diego Eviction Notice Registry and associated Housing Commission responsibilities pursuant to the Tenant Protection Ordinance are implemented equitably and in accordance with the proposed Memorandum of Understanding.

KEY STAKEHOLDERS and PROJECTED IMPACTS

Stakeholders include tenants and landlords, the City and the Housing Commission.

ENVIRONMENTAL REVIEW

This activity is not a project as defined by the California Environmental Quality Act Section 21065 and State CEQA Guidelines Section 15378(b)(5), as it is an administrative activity of government that will not result in direct or indirect physical changes in the environment. Processing under the National Environmental Policy Act is not required as no federal funds are involved in the proposed activities. The parties agree that the provision of any federal funds for this activity is conditioned on the City of San Diego's final NEPA review and approval.

Respectfully submitted,

Azucena Valladolid

Azucena Valladolid
Executive Vice President
Rental Assistance and Workforce Development
San Diego Housing Commission

Approved by,

Jeff Davis

Jeff Davis
Interim President and Chief Executive Officer
San Diego Housing Commission

Hard copies are available for review during business hours at the information desk in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101 Docket materials are also available in the "Governance & Legislative Affairs" section of the San Diego Housing Commission website at www.sdhc.org.