



County of Santa Cruz

0301

COUNTY ADMINISTRATIVE OFFICE

701 OCEAN STREET, SUITE 520, SANTA CRUZ, CA 95060-4073

(831) 454-2100 FAX: (831) 454-3420 TDD: (831) 464-2123

SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

March 9, 2000

AGENDA: March 21, 2000

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

TENANT RELOCATION ISSUES

Dear Members of the Board:

On October 19, 1999, your Board considered a report by Supervisor Campos concerning tenant relocation issues and a proposed emergency relocation protocol. These issues were brought before your Board in connection with the fire and relocation issues associated with the Landis property, where a number of individuals were displaced as a result of a fire. In response to these issues, your Board directed staff to 1) determine whether the County's Relocation Ordinance can be modified to make the relocation payments more accessible; 2) establish a protocol with the Red Cross to provide for last resort emergency relocation assistance to income eligible tenants displaced by emergencies such as a fire; 3) develop informational material to be distributed to tenants faced with displacement; and 4) explore modifications to the County Last Months Rent and Security Deposit program to improve overall program effectiveness.

This report, which provides for a complete response to these issues, recommends adoption of the following measures to address these matters:

- Proposed amendments to the County's Relocation Ordinance, which would:
 - expand the applicability of the ordinance to cover tenants displaced by situations such as the Landis fire;
 - facilitate payment of relocation payments to eligible tenants by instituting treble damages for landlords who fail to provide relocation payments in a timely manner; and

48

- enhance tenant notification requirements by requiring landlords to inform tenants of their potential eligibility for relocation assistance;
- Code enforcement administrative procedures and informational materials designed to ensure that potentially displaced tenants are aware of available housing and relocation assistance programs;
- A proposed Last Resort Emergency Relocation Program, to be administered by the Red Cross as part of their existing Emergency Relocation protocol; and
- Changes to the County's Last Months Rent and Security Deposit Program which will expand access to the program;

RELOCATION ORDINANCE

The County's Relocation Ordinance (County Code Section 8.45) is a key vehicle to provide for relocation assistance for a certain class of displaced tenants. As discussed in the October 19th letter to your Board, County Code Section 8.45 currently mandates that relocation assistance of up to three months fair market rent be provided by property owners to tenants who are displaced due to unsafe or hazardous living conditions, or due to illegal use of a structure as a residence, except in the case of a fire or other unforeseen circumstance.

As part of assessing the Landis matter, the CAO's Office, County Counsel and the Planning Department conducted an assessment of our relocation ordinance to determine if the ordinance provides for appropriate relocation services to affected residents and whether ordinance amendments were needed to make the relocation payments more accessible to eligible tenants. Staff review of this ordinance also involved consultation with Legal Aid as well as other jurisdictions in an effort to determine the effectiveness of our program and better understand approaches taken elsewhere in the County.

In order to obtain relocation benefits, claims are first made through a demand letter presented to the property owner by the tenants and if that is not successful, tenants must make a claim through small claims court. This process could take several months and displaced households must obtain alternate housing without the benefit of relocation assistance. Also, many mono-lingual Spanish speaking tenants are reluctant to proceed through a time consuming and highly technical court procedure.

Typically, tenants who are displaced due to code violations are simply not aware of the property owner's relocation obligations and for those who are, the process involved in preparing a relocation claim is overwhelming. Non-English speaking tenants very rarely

seek relocation payments, as these factors are further compounded by the language barrier.

Because the relocation ordinance is structured to require a tenant seek a civil action, access to relocation payments is, in part, constrained by the ability of the legal community to represent tenants in relocation matters. While Legal Aid does handle some cases and mono-lingual Spanish speakers are a priority for Legal Aid's services, Legal Aid has resource constraints of its own, and either legally or practically cannot serve all eligible residents in the unincorporated County.¹ Legal Aid tends to focus its limited resources on larger scale projects which have greater implications for a larger number of tenants. The Murphy's Crossing Project and the Golden Torch RV park are both examples of projects with a large number of effected residents, where Legal Aid has represented tenants in relocation matters. Legal Aid estimates that they were aware of only 10 cases over the past year where tenants sought relocation assistance.

According to Planning Department staff, a very small number of properties cited for unsafe or hazardous living conditions actually immediately result in the displacement of existing tenants. Also, properties cited for illegal residential use may or may not result in the displacement of existing tenants. Illegal residential use violations typically have relatively long lead times to resolve the violation and, options other than tenant displacement may be available to the property owner. (For example, the property owner may be able to obtain appropriate permits to legalize the structure.) If an illegal unit has to be vacated, and unsafe or hazardous living conditions are not present, the tenant can be afforded a reasonable period of time to relocate and the unit may not be re-rented. In such instances, the unresolved question is whether the tenant is aware that he or she may be eligible for relocation assistance.

Based-on staffs review, it **appears** that there are a number of factors which limit the number of tenants seeking relocation payments from landlords. In response to these concerns, we have developed a series of amendments to the relocation ordinance. Our review of the major issues and discussion of proposed changes follows:

Tenants not aware of relocation ordinance: Currently, there is no enforceable mechanism in the County's relocation ordinance that ensures that eligible tenants are made aware of the County's relocation ordinance or other assistance programs. As a result, while County staff provides landlords with a notice that requires the landlord notify the tenant of the relocation ordinance, there is no penalty to landlords for failure

¹ While Legal Aid may assist some tenants in preparing a relocation claim, they can only assist tenants which meet certain federal eligibility guidelines, which include a requirement that clients must be a US citizen or legal immigrant.

to provide this information to tenants. In order to address this problem, it is recommended that the Section 8.45.030 be amended to require that:

- On or before the date that the landlord gives a notice of eviction or other notice to vacate a dwelling subject to this Chapter, the landlord shall provide written information to the tenants notifying the tenants of their rights to relocation assistance under this Chapter. If the owner fails to provide this information or the required relocation assistance, the owner shall not be entitled to possession of the premises.

In addition, the Planning Department's memo (Attachment 1) describes the department's recommended procedures for furnishing tenants with this information and other pertinent materials. Sample materials to be distributed to both landlords and tenants are included in the Planning Department's memo; all materials will be available in English and Spanish.

While the notification process and informational materials alone will not resolve all of the issues, it is an important step toward increasing program awareness and facilitating relation payments to eligible tenants.

Obstacles to tenants in areparina relocation claims: For those residents who are aware of the relocation program, they often do not proceed with a claim because the process is complex, time consuming and can be intimidating, and there may a language barrier and adequate legal representation may not be available. In an effort to address this problem, it is recommended that the ordinance be amended to provide for an incentive for property owners to provide relocation payments without having to be compelled to do so by the courts. To this end, it is recommended that Section 8.45.070 be amended to:

- provide that whenever a tenant is required to file a civil action to obtain the relocation assistance, the amount of the relocation assistance, shall be **trebled**.²

This approach introduces a financial incentive to private legal services to take on relocation cases. In effect, the potential for the property owner to pay treble damages

*According to County Counsel, the courts have upheld the remedy of treble damages to aid private enforcement of local ordinances. "If civil remedies in aid of these tenants are to be meaningful, they must provide sufficient financial incentive to justify bringing suit. The award of treble damages very clearly serves such a purpose." Kelly v. Yee (1989) 2 13 Cal.App.3d 336,341

will facilitate tenant's access to relocation payments by increasing the likelihood that landlords will provide payments to tenants to avoid a more costly, court-ordered relocation payment

Abolicability of Relocation Ordinance to Tenants Displaced by an Unforeseen Emergency: Currently, in the case of a fire or other unforeseen emergency, the Relocation Ordinance does not apply, even if the unit is illegal or out of compliance with building or fire codes. This ordinance loophole should be remedied. It is therefore recommended that Section 8.45.040 be amended to:

exclude illegal units or units out of compliance with building and fire codes from the exception provision contained in the ordinance.

Because illegal units are more likely to be in poor condition and substandard and therefore more prone to destruction due to a fire or other unforeseen circumstance, staff believes that this ordinance change will extend relocation benefits to a group of displaced tenants who are currently ineligible for relocation assistance, e.g. the category of tenants displaced by the Landis fire. As discussed in the next section of this report, this proposed amendment will play a key role in financing the relocation needs of some of the tenants who are currently provided services through the Red Cross's Emergency Relocation program.

Based on staff's analysis of the County's relocation ordinance, we believe that these recommended ordinance revisions will significantly improve access to relocation payments by displaced tenants. A marked copy of the ordinance, including the proposed ordinance amendments described above, is included as Attachment 2.

"LAST RESORT" EMERGENCY RELOCATION PROGRAM

The October 19th Board letter raised a number of issues concerning the availability of relocation services to residents displaced by an isolated fire or other types of unforeseen incidents which lead to immediate displacement. That letter described the role of the Red Cross and their existing procedure, which provides for limited relocation services, and discussed the need for the County to provide a last resort emergency relocation program once the existing services have been fully utilized. The October 19th Board letter directed HRA staff to develop an emergency relocation protocol. A description of the Red Cross Direct Assistance program, which includes the emergency hotel voucher program, is included as Attachment 3.

Overview of Red Cross Program

Red Cross's existing program is designed to provide immediate assistance to

households displaced by an emergency. Households eligible for Red Cross services would include persons displaced by a fire or other unforeseen circumstance, or persons ordered to vacate their home due to an imminent health and safety risk. The Red Cross's goal is to help transition a displaced household into a stable - albeit short term - housing situation. The program focus is not on obtaining permanent, long term housing, nor is the existing program tailored only to income eligible households; all income levels, and both tenants and property owners are eligible for Red Cross's services.

The program currently provides each displaced household with a hotel voucher for three days worth of accommodations, while Red Cross case managers work with the **displacees** to locate a more stable situation. **Displacees** typically move from the hotel voucher accommodation to stay with friends or relatives or to a short term rental unit. In some cases, based on individual circumstances, displaced families which require funding (in addition to the voucher) to stabilize their housing may receive additional assistance, though the Red Cross is operating within a limited budget, funded through an unpredictable source of income based solely on donations.

Last year, for example, Red Cross vouchers were provided to sixty relocation cases. Nineteen of these families, located within the unincorporated area of the County, received, on the average, an additional \$400-\$500 to extend their temporary accommodations. It is likely that some of these cases would have benefitted from yet additional assistance prior to finding permanent accommodations. In an effort to supplement Red Cross relocation assistance, several options were considered by staff, including a program designed to ensure three full months of relocation assistance to eligible households. This approach would have resulted in the need to budget for substantial expenditures of County funds and most likely, some of these funds would have been used to by households who had other possible short term housing options.

Red Cross and HRA staff agreed that any efforts to expand upon the existing program should be designed to ensure maximum flexibility. If additional resources are made available, rather than provide for blanket three month relocation which would be able to assist a minimal number of families, County funds would be provided to the Red Cross to use with discretion, serving those with the greatest need based on their individual circumstances.

Six Month Pilot Program

Given the potentially high cost of the Last Resort Relocation program, the importance of ensuring that these funds supplement rather than supplant Red Cross funds, and the limited availability of County funds to support this effort, HRA is proposing to establish a six month pilot program with the Red Cross.

Based on discussions with the Planning Department and Red Cross, we believe that a **sizeable** number of eligible households were displaced from illegal units, as poor or illegal housing conditions often contribute to fires or other hazardous situations. As a result, we anticipate that the amendments to the relocation ordinance will provide for full relocation assistance to some eligible families who are currently ineligible for relocation assistance, and thus relieve some of the need for assistance from the Red Cross.

HRA Program with Red Cross

HRA is developing a contract with the Red Cross that will provide last resort emergency housing assistance to income eligible (below 80% of the County median income) residents of the unincorporated County who have been displaced by fire or other unforeseen circumstances. This program will augment the Red Cross's existing emergency relocation program. The contract will be administered through HRA's Homeless Assistance budget (no. 391200) and the \$15,000 in program costs will be handled through transfers from the CDBG fund (no. ~~135436~~), based on invoices submitted to HRA from the Red Cross which demonstrate that County funds provide last resort funding to eligible households and are used to supplant, not supplement, existing Red Cross funding. These one-time funds, which are administered by the RDA, are the proceeds from housing rehabilitation loan repayments or loan payoffs and can be allocated to this program within current appropriations. To this end, HRA staff is recommending that your Board direct the HRA Administrator to finalize and execute the contract and adopt the attached resolution accepting and appropriating unanticipated revenue in the amount of \$15,000 (Attachment 4).

While it is not possible to predict the demand for this program, we believe that the amendments to the relocation ordinance, combined with the recommended funding assistance to the Red Cross, will enhance services available to displaced households throughout the unincorporated County. Please be assured that staff will monitor this program to determine program effectiveness and after the six month period, we will collect the information we need in order to make more informed funding recommendations.

LAST MONTH'S RENT AND SECURITY DEPOSIT PROGRAM

The October 19, 1999 Board letter discussed the difficulties residents encounter who are displaced by code violations, evictions, expiring affordable housing subsidies or expiring relocation assistance. In effect, this category of tenants who involuntarily must locate alternate housing are forced to compete with everyone else in a very competitive and costly housing market. While this group of tenants have advanced notice that they will need to locate alternate housing, there are a limited number of assistance programs available. The October 1999 letter discussed the County's RDA's Last

Months Rent and Security deposit program as a key resource to assist residents in obtaining housing and directed RDA staff to review the effectiveness of this program.

By way of background, this program was created by the Board last year for the purpose of assisting low income households which do not have adequate financial resources to cover the full cost of moving into a rental unit to transition into stable rental housing situations. As established by the Board, the program is designed to give priority to households which are involuntarily displaced, live in substandard housing, or live in temporary housing. The program is administered by the RDA through a contract with the Housing Authority. Since April of last year, 35 households have been placed in stable rental situations through the County's program. Low income families benefitting from the program reside throughout the unincorporated County.

In reviewing the effectiveness of the program, there is one area that RDA staff believes should be slightly modified in an effort to enhance the program's utility. Currently, the program requires the Housing Authority staff to perform an inspection of the unit to assure that it meets housing quality standards, similar to their inspections for Section 8 Units. The requirement for an inspection can create a disincentive for landlords' participation in the program — due to time delays, scheduling difficulties, and in some cases, delays in completing required minor repairs. Both the Cities of Santa Cruz and Scotts Valley have opted for a different approach for addressing unit habitability. Those jurisdictions have established a self-certification process, with the landlord and tenant jointly certifying compliance of a unit with basic habitability standards. RDA staff believes that a similar approach would result in a greater level of landlord participation with a wider range of unit rent levels that would better serve the lower income population.

It appears that this program provides a key resource to low income households displaced from substandard or illegal housing and to further enhance the utility of the County's program, this letter recommends that the County follow the Cities of Santa Cruz and Scotts Valley and shift to a self-certification on unit habitability. It is worth noting that because the program provides for one-time assistance to cover initial rent payments and security deposits and is not an on-going rental subsidy program, the primary constraint to this program is that program participants must be able to afford market rents.

SUMMARY AND RECOMMENDATIONS

Displaced tenants, whether resulting from an unforeseen emergency such as a fire or a more prolonged code enforcement action, are confronted with locating alternate housing in a very competitive housing market.

The existing protocol for tenants faced with an immediate loss of their housing currently does not always provide for the minimal relocation services needed for a displaced household to temporarily stabilize their housing situation. To this end, the efforts described in this letter, particularly the proposed changes to the Relocation Ordinance allowing for treble damages and extending relocation protections to residents of illegal units and the Last Resort Emergency Relocation Pilot Program, will greatly enhance the availability of relocation services to displaced residents. These measures provide a critical new component to the existing complement of services.

While these actions themselves cannot possibly resolve all of the issues effecting displaced tenants and their efforts to locate alternate, affordable housing in Santa Cruz County, we believe that these measures are an important step forward in addressing some of the most pressing concerns raised by your Board during the October 19th discussion on the displacement of tenants living on the Landis property.

To move this program forward, it is therefore **RECOMMENDED** that your Board take the following actions:

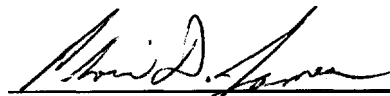
1. Accept and file this report;
2. Direct the Planning Director to implement the administrative procedures to ensure that tenants who may be displaced receive timely information on available relocation assistance programs for, as outlined in Attachment 1;
3. Approve the attached amendments to the County Relocation Assistance Ordinance, County Code Section 8.45 (Attachment 2), and place it on your next agenda for formal action;
4. Direct the HRA Administrator to finalize and execute an agreement with the Red Cross to provide for a last resort emergency relocation assistance program;
5. Adopt resolution accepting and appropriating unanticipated revenue in the amount of \$15,000 in CDBG funds (Attachment 4) to provide funding assistance to the Red Cross's the Last Resort Emergency Relocation Program;
6. Direct **CAO** and HRA Administrator to report back to the Board on or before November 7, 2000 with a **status** report on the six month pilot program; and
7. Direct the Redevelopment Agency Administrator to take the necessary actions to replace the current requirement included in the Last Months Rent and Security Deposit program that units participating in the program must be inspected and certifying by the Housing Authority with a self-certification program whereby the landlord and tenant jointly certifying compliance of a unit with basic habitability standards.

Board of Supervisors
Tenant Relocation Issues

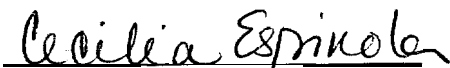
Agenda: March 21, 2000
Page 10



SUSANA A. MAURIELLO
County Administrative Officer



ALVIN JAMES
Planning Director



CECILIA ESPINOLA
HRA Administrator



TOM BURNS
RDA Administrator

SM:ES

cc: Planning Department
HRA
RDA
County Council
Red Cross
Watsonville City Council

attachments:

1. Memoranda from Planning Director (includes informational materials)
2. Relocation Ordinance Amendments
3. Red Cross Program Description
4. **Resolution accepting and appropriating unanticipated** revenue

ATTACHMENT 1

LETTER FROM PLANNING DIRECTOR

Proposed procedures to ensure that tenants who may be displaced receive timely information on available relocation assistance (includes informational materials)



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060-4000

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

March 13, 2000

Agenda: March 21, 2000

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

Proposed Procedures to Ensure that Tenants Who May be Displaced Receive Timely Information on Available Relocation Assistance

Members of the Board:

At its October 19, 1999 meeting, your Board directed various parties within the County to develop a system for responding to situations where tenants may be displaced as a result of emergencies, such as a fire, and code enforcement actions. The Planning Department has developed the following procedures for ensuring that affected tenants receive timely notice of their rights and the programs that are available to assist them.

Tenant Notification Procedures

After various meetings with County Counsel, the CAO's Office, HRA, RDA and Supervisor Campos's Office and within the Planning Department, it became clear that different approaches are appropriate for emergencies, such as occurred on Landis Street, than for general code enforcement cases. Emergencies and code enforcement cases in which there is an imminent threat to the health and safety of the occupants of a property result in the immediate displacement of the tenants. Consequently, these require a quicker and more extensive response. Tenants should to be notified immediately of the programs and services that are available to them.

In contrast, the displacement of tenants may never occur as the result of the typical code enforcement action. Property owners have a broad range of alternatives available to resolve or correct code violations, many of which may not require displacing their tenants. Notifying every tenant whose unit is subject to a code enforcement action that they may be displaced, and providing them information on the available programs and services, is not necessary, may be inappropriate and in some cases may be counter productive.

Instead, notice should only be provided if and when the tenants have an imminent threat of displacement. Landlords are in the best position to determine whether and when they must displace their tenants in order to bring their properties into compliance with County Codes. Therefore, they should have responsibility for notifying the affected tenants. County Counsel is recommending amendments to the relocation assistance ordinance to require that landlords notify their tenants.

The Planning Department proposes to use the following procedures to implement these amendments and ensure that tenants of properties that are the subject of code enforcement action will not be displaced without receiving timely information on the various programs and benefits that are available to help mitigate the impact of their displacement. Different procedures are proposed for properties that have conditions that pose a risk to the health and safety of their occupants than those that do not pose such a risk. All documents will be provided in English and Spanish.

Dangerous or Unsafe Conditions

Code Compliance Investigators will use the following procedures for violations that constitute an imminent threat to the health and safety of the occupants or the public (i.e., a "dangerous or unsafe conditions"). The Planning Department estimates that approximately five of these cases occur each year.

Upon identifying a potential dangerous or unsafe conditions, the Code Compliance Investigator will contact the appropriate Local Official who has authority to determine whether the property is, in fact, dangerous or unsafe (e.g., the Chief Building Official, County Geologist, Local Fire Marshal or Fire Chief, or Environmental Health Director). If the Local Official declares that the property is unsafe to occupy, the Code Compliance Investigator will deliver the following items to the occupants of each dwelling unit at the property or, if no occupants are present, post these items at the entrance to each apparent dwelling unit:

- Notice to Tenants — Dangerous or Unsafe Conditions;
- Handout or brochure on the Relocation Assistance Ordinance, Chapter 8.45 of the Santa Cruz County Codes; and
- Handout or brochure on the County's Security Deposit/Last Month's Rent Guarantee Program.

In addition, the Planning Department will work with the Red Cross to develop a procedure and appropriate material for referring eligible households for services under the pending contract with Red Cross.

All Other Code Enforcement Cases

Code Compliance Investigators will use the following procedures for properties that are not determined to be dangerous or unsafe. These procedures will therefore be followed

for virtually all code enforcement cases. The notices that are identified below will also be translated to Spanish when the ordinance is amended.

Upon posting a property that is not dangerous or unsafe, the Code Compliance Investigator will mail the following items to the owner of record for the property:

- Landlord's Tenant Notification letter;
- Notice to Tenants;
- Relocation Assistance Ordinance, Chapter 8.45 of the Santa Cruz County Codes;
- Handout or brochure on the Relocation Assistance Ordinance; and
- Handout or brochure on the County's Security Deposit/Last Month's Rent Guarantee Program.

The Code Compliance Investigators will also include the following condition in the recommendation to the Hearing Officer for the code enforcement action:

- The property owner shall provide the Notice to Tenants which is required by Chapter 8.45 of the Santa Cruz County Codes to each tenant at the time the tenant is given notice to vacate the property.

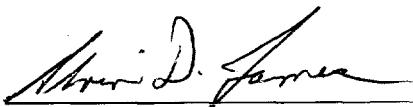
The above procedures assume that the proposed changes to the relocation ordinance, which are presented in the CAO's report, are adopted by your Board. The changes include a requirement that landlords notify their tenants concerning the ordinance, subjects landlords to civil penalties if they fail to advise their tenants of Chapter 8.45 and triple the landlords' liability if the tenant must take legal action to secure their relocation benefits.

Recommendation

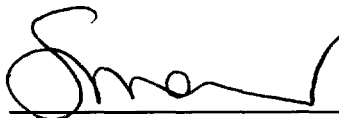
It is therefore RECOMMENDED that your Board accept and file this report.

Sincerely,

RECOMMENDED



ALVIN D. JAMES
Planning Director



SUSAN A. MAURIELLO
County Administrative Officer

Exhibit 1 — Sample Documents

Sample Documents

All of the following documents will be provided in both English and Spanish.

1. Notice to Tenants — Dangerous or Unsafe Condition
2. Notice to Tenants — General
3. Landlord's Tenant Notification letter
4. Handout on the County's Security Deposit/Last Month's Rent Guarantee Program
5. Brochure on the Relocation Assistance Ordinance

Notice to Tenants

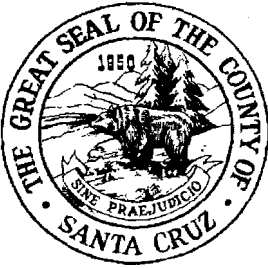
Dangerous or Unsafe Conditions

This unit is located on property that has been posted as dangerous or unsafe by the County of Santa Cruz. If you are the tenant who occupies this unit and you are forced to vacate this unit as a result of this code enforcement action, you may qualify for one or more of the following benefits:

- temporary shelter, food and clothing;
- assistance in finding a new apartment;
- a relocation assistance payment from your landlord equal to at least three times your current rent; and/or
- assistance with the security deposit and last month's rent for a new unit from the County.

Information on these and other benefits that may be available to you is attached to this notice. For additional information on these programs and benefits, please contact the individuals or offices listed in the handout or brochure for each program and benefit.

The above notice will be translated into Spanish and repeated below:



County of Santa Cruz⁰³¹⁷

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060-4000

(831) 454-2580 FAX (831) 454-2131 TDD: (831) 454-2 123

ALVIN D. JAMES, DIRECTOR

(insert date)

(insert name and address)

re: (insert property address)

Dear Property Owner:

Your property has been posted as an unsafe and/or illegal housing unit. If your property is occupied by a tenant or tenants who must move as a result of this code enforcement action, you will be required to pay relocation assistance to your tenants under Chapter 8.45 of the Santa Cruz County Codes. The amount of this relocation assistance will be at least three times the monthly rent for your unit(s) and must be paid within one week after you give the notice to vacate the property. If your tenants are required to take legal action to receive their relocation benefits, your liability will be tripled to nine times the monthly rent.

Under County Code Section 8.45035, you must give each tenant a copy of the enclosed "Notice to Tenants" no later than the day on which you give them notice to vacate the property. You must also give each tenant a copy of the enclosed the information on the County's relocation assistance requirement and the County's Security Deposit/Last Month's Rent Guarantee Program. Both the English and Spanish versions of these documents must be given to each tenant.

If you fail to provide copies of these documents to your tenant(s) or fail to provide the relocation assistance to an eligible tenant, you may be liable for relocation benefits of up to nine months rent plus civil penalties.

Sincerely

Planning Department Representative

enclosures Chapter 8.45, Notice to Tenants

brochure on Chapter 8.45

handout on Security Deposit/Last Month's Rent Guarantee Program

Notice to Tenants

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County of Santa Cruz has cited the structure in which you live as an unsafe and/or illegal housing unit. The County provided this notice and the attached information to your landlord with instructions to provide you copies if the landlord asks you to move from the property as a result of the unsafe or illegal condition. If you received this notice and a notice to vacate your unit, you may be eligible for the following assistance:

Relocation Assistance

Chapter 8.45 of the Santa Cruz County Code requires that a landlord must provide relocation assistance to each tenant who is displaced or forced to move from an unsafe or illegal housing unit as a result of code enforcement action. Chapter 8.45 requires that your landlord pay you the greater of 1) three times the monthly rent that you pay for your unit or 2) three times the Section 8 Fair Market Rent¹ if it is higher than the rent you pay.

Your landlord must pay this assistance to you within one week after he or she gives you notice to vacate the property. If you are required to sue your landlord to receive these benefits, you may receive three times this amount. Additional information on this program is attached to this notice.

Security Deposit/Last Month's Rent

In addition to relocation assistance, you may be eligible for assistance to pay the security deposit and/or last month's rent for a new rental unit. The security deposit/last month's rent program is funded by the County Redevelopment Agency and operated by the County Housing Authority. Information on this program is also attached to this notice. If you have any questions concerning this program, please contact the County Housing Authority at (831) 464-0170.

This notice is repeated Spanish on the reverse side of this page.

¹ The Section 8 Fair Market Rent is calculated by the US Department of Housing and Urban Development (HUD) based on local rents in Santa Cruz County.



Relocation Assistance For Displaced Tenants

Santa Cruz County Code Chapter 8.45

*Is your landlord evicting you because
your apartment/house was red-tagged by
the County?*

*If so, you may be eligible for relocation
assistance ~~benefits from your landlord.~~*

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You are not entitled to relocation assistance if you are responsible for the bad conditions in the dwelling, if you are behind in the rent, if you refuse to move, or if the unsafe or unhealthy conditions are the result of a natural disaster.

If the County allows your landlord to make repairs and re-rent the apartment/house, your landlord must give you an opportunity to move back in if you want to, so long as you let the landlord know how to reach you to offer you the dwelling.

If you believe that you are entitled to relocation assistance benefits but your landlord is not willing to pay you, you can sue the landlord in court to get the money. You should first start by writing your landlord a letter asking for the benefits. Your landlord may also be subject to criminal charges.

Prepared by:

Legal Aid Society
of Santa Cruz County, Inc. :
21 Carr Street
Watsonville, CA 95076
(4 0 8) 724-2253/688-6535

Funding for this booklet was provided by the
County of Santa Cruz.
This leaflet is based upon laws in effect
as of July, 1993.

Under California Law, a landlord can rent out an apartment or house only if he/she has a permit to do so, the area is zoned for it, and the dwelling is safe and sanitary. If these conditions are not met, the County Department of Environmental Health or Planning Department may tell the landlord that it can no longer be rented out and that the tenant has to move.

The County will place a notice called a "red tag" on the unit which will state that it cannot be occupied by a tenant. Your landlord may then be required to ask you to move out as soon as possible.

If you receive an eviction notice from your landlord after a red tag has been placed on your unit, you may be entitled to relocation assistance from your landlord. If so, your landlord must pay you three months worth of rent to help you find a new place and to pay for the move (Relocation assistance is three months' rent for a comparable unit under the Housing and Urban Development (HUD) schedule, or the actual rent, whichever is higher.) Instead of financial benefits, the landlord can provide you with safe, decent, and comparable replacement housing.

You will be eligible for these benefits only if you are being evicted because of the County action and only if you are either all paid up on your rent when you receive your eviction notice or are legally withholding rent to force you landlord to make repairs (Legal rent withholding is a complicated process. Please see brochure entitled "Repairs/Uninhabitable Rental Dwellings" for information about the proper methods for withholding rent.) Your landlord should pay these benefits to you within one week of the eviction notice.





County of Santa Cruz 0320

REDEVELOPMENT AGENCY

701 OCEAN STREET, ROOM 510, SANTA CRUZ, CA 950604000

(631) 454-2280 FAX: (831) 454-3420 TDD: (831) 454-2123

TOM BURNS, AGENCY ADMINISTRATOR

Security Deposit / Last Month's Rent Guarantee Program

Program Summary

The Program is designed to assist low-income households in our community who can afford to pay monthly rent but do not have sufficient funds to pay the security deposit and last month's rent typically required by landlords. The Housing Authority of the County of Santa Cruz, as the agent for the County's Redevelopment Agency, initially pays the security deposit to the landlord through a loan to the tenant which is forgiven over the first year at the rate of 1/12 of the total loan amount per month. The Agency also provides a guarantee for the last month's rent, which may be paid to the landlord by the tenant over the first year of occupancy by paying an additional 1/12 of the monthly rent amount per month.

1999 Income Limits

Your income must be less than 80% of median income for Santa Cruz County as follows:

Household Size	1	2	3	4	5	6	7	8
Maximum income	\$33,450	\$38,250	\$43,000	\$47,800	\$51,600	\$55,450	\$59,250	\$63,100

Other Requirements

- ▶ The rental unit must be located within the unincorporated area of Santa Cruz County which is anywhere in the County except within the city limits of Watsonville, Capitola, Santa Cruz and Scotts Valley
- ▶ The rental unit must meet minimum health and safety standards
- ▶ Priority may be given to applicants who:
 - Live and/or work in Santa Cruz County
 - Are involuntarily displaced
 - Live in substandard housing
 - Live in temporary housing

How to Apply

Call the Housing Authority at 464-0170 for an application and Program materials.

Other Security Deposit / Last Month's Rent Guarantee Programs

- Cities of Scotts Valley, Santa Cruz and Capitola -- Call the Housing Authority at 464-O 170
- City of Watsonville -- Call Pajaro Valley Housing Corporation at 722-946 1





County of Santa Cruz⁰³²¹

REDEVELOPMENT AGENCY

701 OCEAN STREET, ROOM 510, SANTA CRUZ, CA 950804000

(831) 454-2280 FAX: (831) 454-3420 TDD: (831) 454-2123

TOM BURNS, AGENCY ADMINISTRATOR

DEPOSITO DE GARANTIA/PROGRAMA PARA GARANTIZAR EL PAGO DEL ULTIMO MES DE RENTA

Resumen del Programa:

Se ha **diseñado** este **programa para** ayudar a **los hogares** de bajos ingresos en nuestra comunidad que pueden cubrir la **renta** mensual, pero no tienen **los suficientes** fondos **para** pagar el **depósito** de seguridad y el **último** mes de **renta** que típicamente requieren **los dueños**. La "Housing Authority" del Condado de Santa Cruz, como agente de la "County Redevelopment Agency", inicialmente paga el **depósito** de garantía al **dueño** por medio de un **préstamo** al inquilino **el cual** se le perdona deduciendo el **préstamo** el 1/12 por mes de la cantidad total en el transcurso de un **año**. La "Agency" también proporciona una garantía **para** el **pago del último** mes de **renta** y dicha cantidad de garantía se la puede pagar el inquilino al **dueño** durante el primer **año** que ocupe la vivienda por medio del **pago** adicional del 1/12 mensual de la cantidad de la **renta** que se paga por mes.

Límites de ingresos para el año de 1999

Su ingreso debe ser menos **del 80%** del ingreso medio **para** el Condado de Santa Cruz **como se señala** en seguida:

Número de iaquilinos	1	2	3	4	5	6	7	8
Ingreso Máximo	\$33,450	\$38,250	\$43,000	\$47,800	\$51,600	\$55,450	\$59,250	\$63,100

Otros requisitos

- ▶ La unidad por rentar debe estar situada dentro **del area del Condado de Santa Cruz que no está incorporada** y que **esté** en cualquier **lugar del** Condado **excepto** dentro de **los límites** de las ciudades de Watsonville, Santa Cruz y **Scotts Valley**.
- ▶ La unidad **para** rentar debe cumplir con las **normas mínimas** de sanidad y seguridad
- ▶ Se les puede dar prioridad a **los** solicitantes que:
 - Viven **y/o** trabajan en el Condado de Santa Cruz
 - Fueron **desplazados** involuntariamente
 - Viven en viviendas que no satisfacen **las normas** requeridas
 - Viven en viviendas temporales

Forma de hacer su solicitud

Llame a la "Housing Authority" al 464-O 170 **para** pedir una **solicitud** e informacdn **del** Programa.

Las siguientes ciudades **también ofrecen** los Programas de **Depósito** de Garantía y Garantía **del** Pago **del** Ultimo Mes de **Renta**

- **Scotts Valley, Santa Cruz y Capitola** - Llame a la "Housing Authority" al 464-0170
- **Watsonville** - Llame al "Pajaro Valley Housing Corporation" al 722-9461

ATTACHMENT 2

RELOCATION ORDINANCE AMENDMENTS

0322

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 8.45
TO THE SANTA CRUZ COUNTY CODE RELATING TO
RELOCATION ASSISTANCE REQUIREMENTS FOR
DISPLACED TENANTS**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 845.030 is hereby amended to read as follows:

8.45.030 Relocation assistance requirements.

A. Relocation Assistance Due and Notice to Tenant of Entitlement. The owner of a dwelling or mobilehome park shall provide directly to the tenant or tenants relocation assistance pursuant to subdivisions B. and C. of this section, within one week of any notice of eviction or other order requiring a tenant or tenants to vacate any dwelling or mobilehome space, rented for residential purposes due to (a) unsafe or hazardous living conditions (regardless of the date such use commenced), or (b) due to illegal use of the structure or the mobilehome space for residential purposes. On or before the date the owner gives tenant(s) notice of eviction or other notice to vacate a dwelling or mobilehome space subject to this chapter, the owner shall provide written notice in English and Spanish advising the tenant of his or her right to relocation assistance and the right of first refusal as specified in subdivision C. of this section. The owner shall not be entitled to possession of the dwelling or mobilehome space pursuant to a notice of eviction or other notice to vacate if the owner has failed to provide the notice of the right to relocation assistance or fails to tender the relocation assistance required by this Section.

SECTION II

Section 8.45.040 is hereby amended to read as follows:

8.45.040 Exceptions.

A. Any tenant evicted or required to vacate as a result of unsafe or hazardous living conditions or illegal use defined in Section 8.45.030(A), who is then in default of rent, or who refuses to vacate or who has caused or substantially contributed to condition(s) giving rise to the abatement, shall not be entitled to receive relocation assistance from the property owner. The knowledge of a tenant of the illegal nature of a dwelling or mobilehome space offered for rent by a landlord for residential use shall not by itself disqualify a tenant from eligibility for the relocation assistance provided by this chapter. A tenant lawfully withholding rent pursuant to California Civil Code Section 1942 or pursuant to other statutory or common law to repair conditions rendering the rented dwelling untenable shall not be considered to be in default of rent, and shall be eligible for the relocation assistance provided by this chapter.

B. Property owners are not required to provide relocation assistance to any tenant evicted or required to vacate a legal dwelling or mobilehome space which complied with building and fire codes, that becomes unsafe or hazardous due to fire, flood, earthquake, or other event that is beyond the control of the property owner, provided that such event causes the tenant to be evicted or requires the tenant to vacate the dwelling or mobilehome space within thirty days after such event.

SECTION III

Section 8.45.070 is hereby amended to read as follows:

8.45.070 Enforcement by tenant or tenant's association.

The tenant or a tenant association or organization of which the tenant is a member may file a civil legal action to enforce the relocation assistance provisions of this chapter. If the owner of a dwelling or mobilehome park fails or refuses to pay relocation assistance pursuant to this chapter, and the tenant or a tenant association or organization of which the tenant is a member is required to file a civil legal action to enforce the

relocation assistance provisions, the owner of the dwelling or mobilehome park shall be liable for treble the amount of the relocation assistance otherwise provided by this chapter.

SECTION IV

This ordinance shall take effect on the 3 1st day after the date of **final** passage.

PASSED AND ADOPTED this day of _____ 2000, by the Board of Supervisors for the County of Santa Cruz by the following vote':

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

MARDI WORMHOUDT
Chair of the Board of Supervisors

Attest: _____
Clerk of the Board

Approved as to Form:


MARIE COSTA
Assistant County Counsel

DISTRIBUTION: Planning Department
County Administrative Office
County Counsel



ORDINANCE NO. _____

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relocation assistance provisions, the owner of the dwelling or mobilehome park shall be liable for treble the amount of the relocation assistance otherwise provided by this chapter.

SECTION IV

This ordinance shall take effect on the 31st day after the date of **final** passage.

PASSED AND ADOPTED this ____ day of _____ 2000, by the Board of Supervisors for the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

 MARDI WORMHOUDT
 Chair of the Board of Supervisors

Attest: _____
 Clerk of the Board

Approved as to Form:

 MARIE COSTA
 Assistant County Counsel

DISTRIBUTION: Planning Department
 County Administrative Office
 County Counsel

ATTACHMENT 3

RED CROSS PROGRAM DESCRIPTION

DESCRIPTION OF AMERICAN RED CROSS DIRECT ASSISTANCE PROGRAM

The American Red Cross in Santa Cruz County operates a highly successful Direct Assistance Program as part of an array of services designed to meet the needs of households impacted as a result of unforeseen emergency situations--both isolated emergencies and larger scale disasters. One of the most significant aspects of the program provides for a voucher system designed to supply essentials such as food, shelter and clothing to victims of disaster upon short notice.

The services provided through the Direct Assistance Program are very comprehensive in nature. For example, a typical case might involve a family who is without shelter due to fire. The Red Cross, available twenty-four hours a day for responding to emergencies such as this, is notified immediately. Shortly thereafter, Red Cross staff meets with the displaced individuals to initiate an in-depth screening process to determine the nature of the disaster and resulting losses, existing available resources (such as friends and family) and any additional services that might be needed such as food, shelter and clothing. All of the information gathered during the screening process is incorporated into a detailed case record for each household that is interviewed.

As part of the Direct Assistance Program, households seeking assistance in the form of shelter typically qualify for a **3-Day Hotel Voucher Program** which applies toward shelter for a maximum of three days in a hotel, motel or other form of temporary accommodations. The Red Cross has gone to great lengths to develop a system of participating hotels and motels through which emergency shelter can be provided at a moment's notice. Participating hotel owners provide special rates to the Red Cross in support of this essential community service. As a result, the cost of a 3-day voucher is approximately \$150. In the event that a family requires longer-term temporary shelter, the Red Cross screening process identifies the income range of a household to determine what type of housing a family can afford. Under these circumstances, Red Cross staff advocates for their clients in terms of contacting landlords, supplying transportation, completing rental agreements, providing translation services and any other forms of assistance necessary to obtain adequate shelter. Again, all of this information is incorporated into the case record for each household.

The Hotel Voucher Program operates within strict budget constraints, in large part due to an unpredictable source of revenue based solely on public support and donations. For example, \$18,000 is budgeted for the coming year for housing assistance needs, including the Hotel Voucher Program. These funds barely address the costs associated with emergency shelter services last year, which included hotel voucher assistance to sixty emergency relocation cases County-wide. Nineteen of these families, located in the unincorporated area of the County, received, on the average, an additional \$400 to \$500 to extend their temporary accommodations. It is likely that some of these cases would have benefitted from yet additional assistance while awaiting completion of repairs to their own home or to help pay a portion of the initial costs of

moving into other permanent living quarters. As a result, Red Cross staff makes every effort to stretch their limited funds so that households in need have access to immediate relocation assistance. In light of this objective, the Red Cross's initial screening process is designed to ensure that any already existing resources, such as accommodations with family and friends, are identified and utilized to the greatest extent possible prior to drawing on Red Cross emergency funds.

0331

Red Cross staff carefully documents the kinds of services provided through its Direct Assistance Program, including the Hotel Voucher Program, using a system of receipts and written verification from participating hotel owners, landlords and merchants. Voucher funds are paid directly to the service providers by the Red Cross.

In summary, the Red Cross Direct Assistance Program, through efforts such as the 3-Day Hotel Voucher Program, offers an essential service to Santa Cruz County residents during a period of time when families and individuals may be at their most vulnerable due to unforeseen emergency circumstances. Clearly, the Hotel Voucher Program plays a very significant role in the Red Cross's overall emergency assistance strategy.

ATTACHMENT4

RESOLUTION ACCEPTING AND APPROPRIATING UNAN'TICIPATED REVENUE

0332

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0333

RESOLUTION NO. _____

On the motion of Supervisor _____
duly seconded by Supervisor _____
the following resolution is adopted:

RESOLUTION ACCEPTING TINANTICIPATED REVENUE

WHEREAS, the County of Santa Cruz is a recipient of funds from the Santa Cruz County Redevelopment Agency for the 'Last Resort' Emergency Relocation Program; and

WHEREAS, the County is recipient of funds in the amount of \$15,000 which are either in excess of those anticipated or are not specifically set forth in the current fiscal year budget of the County; and

WHEREAS, pursuant to Government Code Section 29130(c)/29064(b), such funds may be made available for specific appropriation by a four-fifths vote of the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED AND ORDERED THAT the Santa Cruz County Auditor-Controller accept funds in the amount of \$15,000 into

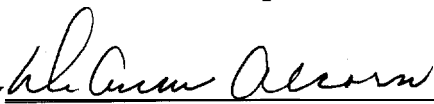
Department HRA-Homeless Assistance

<u>T/C</u>	<u>Index Number</u>	<u>Revenue Subobject Number</u>	<u>Account Name</u>	<u>Amount</u>
001	3 9 1 2 0 0	2367	Contributions from other funds	\$15,000

and that such funds be and are hereby appropriated as follows:

<u>T/C</u>	<u>Index Number</u>	<u>Expenditure Subobject Number</u>	<u>PRJ/UCD</u>	<u>Account Name</u>	<u>Amount</u>
021	391200	4532		Homeless Assistance Programs	\$15,000

DEPARTMENT HEAD: I hereby certify that the fiscal provisions have been researched and that Revenues (has been) (will be) received within the current fiscal year.

By 
Department Head

Date 3/10/00

COUNTY ADMINISTRATIVE OFFICER

☒ ^{ES}

Recommended to Board

0334

☐

Not Recommended to Board

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz,
State of California, this _____ day of _____ 1 9_____
by the following vote (requires **four-fifths** vote for approval):

AYES: SUPERVISORS

N O E S : SUPERVISORS

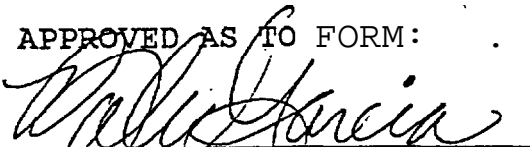
ABSENT: SUPERVISORS

Chairperson of **the** Board

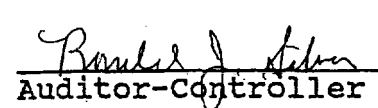
ATTEST: .

Clerk of the Board

APPROVED AS TO FORM: .


County Counsel

APPROVED AS TO ACCOUNTING DETAIL:

 3/14/00
Auditor-Controller

Distribution:

Auditor-Controller

. County Council

County Administrative Officer

Originating Department