



SHELTERED IN PLACE:

THE COMMUNITY-CENTERED ADVOCACY
BEHIND AMERICA'S STRONGEST EVICTION
MORATORIUM



EAST BAY
COMMUNITY
LAW CENTER

ABOUT EBCLC

EAST BAY COMMUNITY LAW CENTER (EBCLC)

One of the largest providers of free legal services in the Bay Area, providing over 5,000 services to 4,000 clients annually. EBCLC increases economic mobility and advances positive health outcomes by utilizing a three-pronged approach:

1. **Holistic Legal Services;**
2. **Community-Centered Policy Advocacy; and**
3. **Robust Clinical Education to over 100 law and social worker students a year.**

MISSION

EBCLC seeks to promote justice and build a community that is more secure, productive, healthy, and hopeful by providing legal services and policy advocacy that are responsive to the needs of low-income communities and law training that prepares future attorneys and social workers to be skilled and principled advocates, who are committed to addressing the causes and conditions of racial and economic injustice and poverty.

VISION

EBCLC works to create a California where Black and Brown families are positioned to realize thriving, healthy, and dignified lives by eliminating the **racial and gender wealth gap**, protecting the **stability and security of families**, and expanding the public **social safety net**.

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EXECUTIVE SUMMARY

Alameda County, one the most populous counties in California, was home to the most innovative and most replicated COVID-19 prevention policy. The 2020 Alameda County Eviction Moratorium provides critical lessons on how to actualize safe housing for the benefit of collective health.

This report reviews the urgent, coordinated actions that the East Bay Community Law Center took to create and uphold the longest and strongest eviction moratorium in the country. It details how these actions directly influenced the creation of a nationwide eviction moratorium six months later. Moreover, the report outlines the significant advocacy carried out to compassionately end the moratorium three years after it was enacted. It reviews the groundbreaking protections now put in place in anticipation of future crises. Finally, this report offers critical recommendations for policymakers, health advocates, and the housing justice community to strengthen the health and safety of tenants.

We discuss the importance of utilizing concurrent strategies to include:

- Client informed legal advocacy. Clients are in the best position to develop solutions for their legal problems. Attorneys must partner with clients to provide meaningful systemic change.
- Organizing with nonprofit coalitions. Tenants' rights organizations play an integral role in building client power. In addition to providing individual direct services, they can collaborate together to create a larger organizing strategy.
- Rental assistance as an important stop gap. Providing cash payments to clients increases negotiating power with landlords and ensures tenants remain in their homes.
- Navigating the authority of government entities. Alignment between State, Local Government, and the Courts on enforcement of laws is an important tool in implementing key policies.
- Fortifying Government Programs. Nonprofit organizations play an important role in implementing effective public policy and ensuring public resources reach the most vulnerable communities.



ACKNOWLEDGMENTS

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EBCLC IS GRATEFUL TO THE FOLLOWING PARTNERS FOR THEIR COLLABORATION:

Berkeley Tenants' Union, Causa Justa Just Cause, Centro Legal de la Raza, East Bay Housing Organization, Eviction Defense Center, Faith in Action East Bay, Family Violence Law Center, Legal Assistance for Seniors, Movement Legal (formerly "ACCE"), Moms4Housing, My Eden Voice, and Oakland Tenants' Union.

The Keep Oakland Housed Collaborative, including Bay Area Community Services, Catholic Charities, Jackie Downing, San Francisco Foundation, Crankstart Foundation, Kaiser Permanente, City of Oakland, and All Home.

All EBCLC alumni and clinical students from around the country who worked alongside EBCLC attorneys to uphold the Eviction Moratorium. We are deeply grateful for all of our clinical students who joined EBCLC with a passion for justice and helped us meet the needs of the communities we serve.

WHAT IS AN EVICTION MORATORIUM?

An eviction moratorium is a temporary ban or suspension of evictions. Eviction moratoriums stop landlords from forcing tenants out of their homes for reasons such as nonpayment of rent.

During the height of the COVID-19 pandemic, eviction moratoriums became a life-saving public policy. In March 2020, Alameda County passed one of the first eviction moratoriums in the country in response to advocacy by the East Bay Community Law Center and our partner organizations. This law would serve as a state and national model.

2020

MARCH 11

World Health Organization declares COVID-19 a Global Pandemic

MARCH 19

Alameda County passes first moratorium

2021

SEPTEMBER 1

Center for Disease Control (CDC) passes national eviction moratorium

AUGUST

CDC moratorium expires

2023

APRIL

Alameda County Moratorium ends

INTRODUCTION

BAY AREA HOUSING CRISIS PRE-COVID-19

COVID-19 FORCED UNPRECEDENTED COLLABORATION AND IMAGINATION AMIDST THE BAY AREA'S DECADES LONG HOUSING CRISIS

It is no secret that the Bay Area has long grappled with a housing crisis. Even prior to the COVID-19 pandemic, there was a severe shortage of affordable housing, Black families were disproportionately impacted by housing instability, and there were over 300 evictions filed every month in Alameda County. EBCLC's Housing Program deployed high-impact strategies to meet the needs arising from these conditions, including operating monthly eviction defense clinics at Alameda County's eviction court to provide free, real-time legal advice to those facing eviction. EBCLC responded to 3,495 threats of eviction in 2019, with clients ranging from parents of newborns, seniors taking on custody of grandkids, domestic violence survivors, and to elders with dementia.

On Wednesday, March 11, 2020, EBCLC Housing Program Director Meghan Gordon prepared to defend tenants in court. A quick glance at the settlement calendar indicated that this would be a long day, with more than 50 evictions scheduled. The courthouse would be packed full of tenants and their families. Heading to the Hayward Hall of Justice, Alameda County's eviction court, Meghan heard reports on the radio of the COVID-19 virus spreading around the world. Faced with the possibility of an airborne illness spread through close human contact, she and her colleagues in EBCLC's Housing Program quickly understood that the danger tenants in eviction proceedings now faced was unprecedented. EBCLC's Housing Program mobilized quickly to pass a county-wide eviction moratorium, a court-enforced halt of home expulsions that prevents tenants from losing their housing. While this policy seemed like a common sense solution to protecting vulnerable tenants' health and preventing mass homelessness at a time when we were all being ordered to shelter in place, EBCLC's Housing Program would spend the next three years fighting tirelessly to keep it in place.



COVID-19

FUNDAMENTALLY CHANGING EVICTION DEFENSE

"SHELTER IN PLACE AND SOCIAL DISTANCE"

As news of the novel coronavirus spread in early 2020, EBCLC experienced an explosion in client calls. Tenants across the East Bay frantically sought counsel: "What will happen if I get sick and can't work? How will I pay rent? Will I be able to stay in my home if this gets bad? If I am unable to work because my job is closed, can my landlord evict me?" As EBCLC fielded these calls, the organization's staff were also mindful that Alameda County averaged 324 eviction filings per month since 2018. For this reason, EBCLC uniquely understood that these combined factors could create a catastrophe for our community.

On March 11, 2020, the World Health Organization (WHO) declared that COVID-19 was a global pandemic. Across the world, a "shelter in place" directive was issued, urging people to stay home and maintain at least six feet of social distance to stop the spread of the virus. However, this news did not stop business as usual at Department 511, Alameda County's eviction court. Despite the threats to public safety, tenants, landlords, and attorneys from across the county continued to crowd into the hallways at the Hayward Hall of Justice to argue their cases.

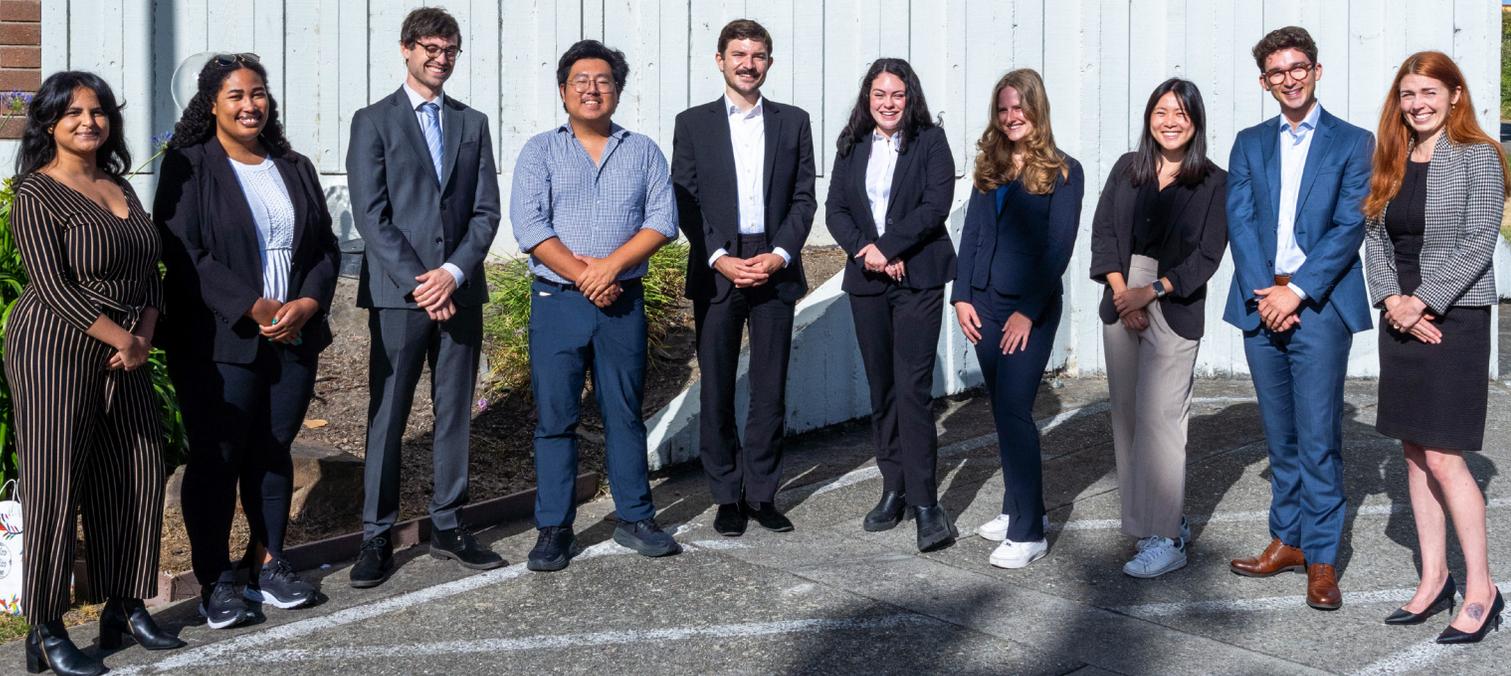
“COVID-19, in its breathtaking devastation, has stopped business as usual. So we have an opportunity, an opening, to really push for all the ways these systems have been failing our clients—particularly people of color—to change. EBCLC is going to disrupt those systems, to make them more equitable.”

EBCLC Statement
April 2020

In this environment, EBCLC knew that in order to protect Alameda County's tenants, it was critical to halt business as usual at the courts.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

HAYWARD HALL OF JUSTICE
24405 AMADOR STREET



CREATING CONCURRENT STRATEGIES

Concentrating EBCLC resources on Berkeley and Oakland was core to obtaining an eviction moratorium for all of Alameda County. As the County's largest and most progressive cities, EBCLC knew that passing moratoriums in these cities would influence the County to take action and save even more people. Thus, this document outlines EBCLC's strategy to pass local moratoriums in both Oakland and Berkeley in order to pressure Alameda County officials to ensure protections for all tenants. The following sections outline key concurrent strategies, illustrating how these overlapping and successful phases shaped the overall impact of EBCLC's efforts.

CONCURRENT STRATEGY 1:

Shutting down the county eviction court

CONCURRENT STRATEGY 2:

Pressuring the sheriff to stop removing people from their homes

CONCURRENT STRATEGY 3:

Advocating at the legislature for long-term tenant protections

CONCURRENT STRATEGY 4:

Securing rental assistance to prevent debt collection lawsuits

CONCURRENT STRATEGY 5:

Partnering with public health department to make eviction prevention key to community well-being

CONCURRENT STRATEGY 6:

Ensuring eviction court complied with the county moratorium

CONCURRENT STRATEGY 7:

Preparing for the end of the moratorium and mitigating harm



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CONCURRENT STRATEGY SHUTTING DOWN THE COUNTY EVICTION COURT

EBCLC understood that support from county judges would be key to keeping people sheltered in place and, as a result, in good health.

In coalition with other tenant rights advocates from Centro Legal de la Raza, Eviction Defense Center, Movement Legal (formerly “ACCE”), and other community-based partners, EBCLC reached out to Department 511’s presiding judge, who oversees all eviction cases in the county and had the power to ensure that the court would honor the international “shelter in place” mandate, thereby protecting insecure tenants. EBCLC and coalition partners made a simple, compassionate request: close the courts.

This proposal was immediately attacked by multiple attorneys representing landlords, who argued that landlords would be harmed if evictions did not proceed. EBCLC and coalition partners countered with public health information on the threats of COVID-19, including how easily it spreads with close contact. Notably, the courtroom could not provide six feet of distance between the hundreds of people who appeared in court on any given day. Finally, EBCLC argued that forcibly removing people from their homes during a WHO-declared pandemic was a danger to public health. Housing advocates’ arguments temporarily prevailed, with the court closing from March 16, 2020 until April 7, 2020. This pause provided a critical ticking clock for urgent advocacy.

“We called an emergency meeting with the court to demand that people were not forced to show up to court in person. It would be impossible to keep over 200 people safe on a single windowless floor of the courthouse amidst one of the worst public health crises of our time. After 72 hours of community organizing through a social media push, targeted phone-call campaign, and limited in person testimony from our advocates, the court temporarily suspended eviction trials. For the next three years, we made it our mission to protect vulnerable tenants' facing hardships exacerbated by the pandemic and systemic inequities.”

- Meghan Gordon, Housing Co-Director

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CONCURRENT STRATEGY

PRESSURING THE SHERIFF TO STOP REMOVING PEOPLE FROM THEIR HOMES

With the main valve of evictions temporarily shut off, EBCLC shifted attention to another key stakeholder: the Alameda County Sheriff's Office. The buy-in of the Sheriff's Office would be essential, as they serve as eviction enforcers. After receiving eviction orders from the court, it is the deputy sheriffs that remove people from their homes. At the time of the court closure, the Sheriff's Office had more than 20 orders for eviction that the court supplied prior to its closure. While the closure of the courts prevented new eviction cases from being filed, there was nothing precluding the Sheriff's Office from carrying out the eviction cases that had already been decided.

In coalition with other tenant rights advocates, EBCLC sent letters to officials demanding that the Sheriff's Office halt the execution of all evictions (see Appendix A "March 2020 Letter to Alameda County Sheriff Office"). In addition, social media was leveraged to enable EBCLC, partner organizations, clients, EBCLC's clinical students, and the larger community to put public pressure on the Sheriff to value collective health over law enforcement (see Appendix B March 2020 social media content circulated by the EBCLC). Ultimately, the Sheriff's Office was persuaded by this advocacy and agreed to pause on executing court-ordered evictions.

“

“In 2020, there was national discourse on Breonna Taylor and the fact that she was killed by police in her home. At the same time, Black women accounted for 1 out of 3 of EBCLC's eviction matters. We represented them in Alameda County, which has one of the largest Black populations in California. All of this data and context mattered as EBCLC worked to stop sheriff's deputies from forcefully entering people's homes and removing them. We knew that our advocacy was a critical to the national movement to save Black Lives.”

- Zoë Polk, Executive Director, East Bay Community Law Center ”

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CONCURRENT STRATEGY

ADVOCATING AT THE LEGISLATURE FOR LONG-TERM TENANT PROTECTIONS

With the court and Sheriff's Office in alignment on a formal, temporary pause in evictions, EBCLC could move from triaging to promoting long-term care for clients and the greater community. Already, tenants were calling EBCLC to say that COVID-19 had caused them to fall behind on rent.

One EBCLC client, a single mother and Berkeley resident of 30 years, called EBCLC looking for answers when the shelter-in-place order froze her income from nannying and housekeeping, halted her efforts to start her own business, and set her behind in rent. Another client, also a single mother and life-long Berkeley resident, described being furloughed due to the health crisis and was at risk of losing her subsidized housing unit.

In mid-March 2020, California Governor Gavin Newsom ordered a shutdown of schools, paving the way for localities previously considering the adoption of COVID-19-mitigating measures to now implement them. This provided a new opportunity for advocacy on the adoption of eviction moratoriums. Leveraging the Governor's order, EBCLC shared critical data on evictions, homelessness, and the particular vulnerability of communities of color to successfully persuade the City of Berkeley and Alameda County to pass short-term eviction moratoriums. The City of Berkeley's moratorium covered the period March 17 through April 30, 2020. Alameda County designated a 90-day moratorium beginning March 24, 2020. After weeks of testimony from EBCLC and other tenants' rights groups to the City Council, Oakland passed a temporary moratorium at the end of March 2020. While these temporary policies provided some sense of security to EBCLC's clients, their end dates loomed large as infection and fatality rates of COVID-19 continued to skyrocket. Thus, EBCLC began advocacy to extend the moratoriums as soon as the first ones were passed.

In addition, EBCLC was hearing from tenants who had been accumulating rent debt due to sudden unemployment and income insecurity. Thus, EBCLC argued cities needed to deploy financial resources to enforce the shelter in place directive.

“Everything was so devastating when I was furloughed from my job. I didn't know what was going to happen in the world, let alone how I would pay my rent and find new income. Nobody really knew. EBCLC helped me stabilize and keep going.”

Anonymous EBCLC Housing Client

”

HOLISTIC ADVOCACY: LAW STUDENTS ON THE FRONT LINES

Over the course of the pandemic, EBCLC law students worked alongside our attorneys to uphold the eviction moratorium. Students received progressive community-based training and incomparable practice of their legal skills.

“I remember vividly how the housing team sprung into action to address the new and urgent needs of our clients in the early days of the eviction moratorium. As a clinical student, I got to see firsthand what it means to be a public interest lawyer: to be tenacious, creative, resourceful, relentless. EBCLC’s team was responding to a crisis, arguing matters of first impression in eviction court hearings, and managing the enormous logistical challenge of distributing rental assistance. I saw the immediate impact of the work I did for our clients and witnessed remarkable lawyering by the housing team. My clinical experience was the highlight of my time in law school.”

- Elizabeth Cheever, Berkeley Law Class of 2021

“For months before COVID, our supervisors taught us essential lessons in motion drafting and negotiations. But when COVID broke, our supervisors became policy advocates, organizing emails and calls to Court clerks and chamber offices to make sure the Court’s kept renters in mind as it responded to the pandemic. This was a pivotal lesson for us students. We saw what it meant to be a complete advocate. I am so grateful I was able to support the Clinic during that time. “

- Franklin Munoz, Berkeley Law Class of 2021

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CONCURRENT STRATEGY

SECURING RENTAL ASSISTANCE TO PREVENT DEBT COLLECTION LAWSUITS

EBCLC learned that the Berkeley City Council was quietly considering the adoption of a rental assistance program that would provide grants to tenants at risk of eviction. Rental assistance, a mechanism in which local governments provide public funding to help tenants pay rent to their landlords, is a critical tool to keeping people in their homes. While the moratoriums ensured tenants could not be evicted, landlords could still potentially file lawsuits for unpaid rent. Given that many people were facing income insecurity or unemployment due to the pandemic, it was critical for EBCLC to stave off landlords from debt collection actions, including wage garnishment.

EBCLC and partners sent a letter to Berkeley officials requesting that the city improve access to an emergency rental assistance fund to help Berkeley's housing insecure residents remain sheltered in place (see Appendix C March 2020 Letter to City of Berkeley).

On March 30, 2020, the City of Berkeley announced that \$10,000 grants would be made available for tenants to help retain housing and directed eligible tenants to call EBCLC (see Appendix D City of Berkeley Housing Retention Grants Announcement). This announcement had an immediate impact: EBCLC's phone lines were inundated with at least 75 calls a day from Berkeley renters in need of these funds. EBCLC staff worked diligently to connect tenants with life-saving funding. Because of the organization's thirty years of community credibility and strong relationships with tenants, EBCLC was able to efficiently get funds to people at risk of losing their homes. In the first two months after the announcement was made, EBCLC dispersed \$251,763.34 in funding to tenants in partnership with the City of Berkeley.

One EBCLC client, a single mom and restaurant worker living with cancer, was awarded over \$4,000 in rental assistance after she lost her job and had no means to pay rent. Another client, a 30-year Berkeley resident, was self-employed and forced to abandon her efforts to open a small business due to the pandemic. EBCLC helped her secure over \$6,000 in rental assistance to help retain her housing after she had to stop working to care for her school-aged child.

As the requests for funding continued to pour in, it was clear that the demand for rental assistance far exceeded the supply of funds. While some rental assistance was available to Berkeley residents, tenants in Oakland, Hayward, San Leandro, and other Alameda County residents did not have the same access to resources and were clearly struggling. EBCLC uniquely understood that all low-income tenants, including those who received rental assistance, were barreling towards a cliff. East Bay tenants needed more comprehensive action and a lasting solution.



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CONCURRENT STRATEGY

PARTNERING WITH PUBLIC HEALTH TO MAKE EVICTION PREVENTION KEY TO COMMUNITY WELL-BEING

By the end of March 2020, many Alameda County cities had separate and disconnected moratoriums, with varying levels of protection and end dates. EBCLC had its attention on April 7, 2020, the date that the Court had scheduled as its re-opening date.

This plan was counter to the data from hospitals and public health officials on the continuing spread of COVID-19, particularly for people of color. EBCLC was acutely aware that tenants needed time to create plans for their families and identified the need to create a time buffer on eviction protections, to the extent possible. EBCLC thus leveraged the expertise of attorneys and legal workers on staff to launch a new three-pronged strategy: EBCLC would put pressure on elected officials, public health department employees, and the courts to create a county-wide moratorium that would stay in place through the pandemic.

By forming a partnership working directly with the Alameda County Public Health Department, EBCLC aimed to create a streamlined county-wide policy. To accomplish this, EBCLC proposed a novel strategy: tie the eviction moratorium to the public health emergency declaration. This would thereby ensure that the moratorium would go into effect county-wide and would only end after the public health crisis was officially declared over. This unprecedented approach would make certain that tenant protections remained in place until the COVID-19 crisis ceased from a public health perspective, as opposed to ending on arbitrary dates that elected officials would need to propose and amend every few weeks to retain.

After proposing this strategy, EBCLC staff arranged an urgent meeting with the Alameda County Board of Supervisors and the County Counsel to provide eviction data, client impact stories, and the potential costs of an increase in homelessness. At the time, the moratorium was being extended in increments with no plans for addressing potential gaps between when one moratorium expired and a new one was passed. Legislators were reluctant to approve legislation that did not contain an end date. EBCLC's solution enabled the County to ensure continuity for tenants while still setting a date for its expiration.



On March 31st, Alameda County announced that the county-wide eviction moratorium would not expire until the end of the public health emergency. EBCLC's advocacy was particularly impactful; the cities in Alameda County account for over 75% of the organization's client base. While EBCLC had successfully advocated for moratoriums in the cities of Oakland and Berkeley, the smaller unincorporated areas in Alameda County including Castro Valley, San Lorenzo, and Sunol also needed protection. Notably, these cities did not have the robust tenant protections as their larger neighboring cities. Thus, a county wide moratorium ensured that tenants in smaller cities wouldn't face eviction.

Alameda County's announcement marked the adoption of what would become the nation's longest and strongest eviction ban. Ultimately, the Alameda County eviction moratorium would remain in effect for the **next 3 years—officially ending on April 29, 2023, when the public health crisis was declared over.**

“ We were able to illustrate the catastrophic reality—forcing tenants from their homes during a public health crisis threatened the health of everyone in our community. We successfully pushed for data driven solutions, including tying the end of the moratorium to the end of the public health emergency, as opposed to arbitrary end dates that would create uncertainty and rely on continued political will to renew.”

-Sabyl Landrum, Former EBCLC Housing Attorney ”

HOLISTIC ADVOCACY:

PROVIDING FREE VACCINES AND LEGAL ADVICE

While EBCLC designed legal arguments and policies to protect clients during the COVID-19 pandemic, the organization also actively identified ways to advance community health. When COVID-19 vaccines first became available in March, 2021, EBCLC conducted outreach to women of color to understand barriers to vaccine access. EBCLC's study found that clients overwhelmingly wanted to be vaccinated to protect the health of their families. However, EBCLC's clients who were not yet vaccinated indicated that they did not believe they were a priority under vaccine eligibility guidelines. Clients also faced difficulties scheduling their appointments. EBCLC's clients who were unsure about obtaining a vaccine stated their primary concern was how it would impact underlying health conditions.

With this information, EBCLC held two "Community Health Days" in 2021. EBCLC partnered with the Alameda County Public Health Department to host a vaccine drive at EBCLC's community-based office. In addition to vaccines, EBCLC provided free walk-in legal services and advice on housing, immigration, criminal justice, consumer debt, public benefits, and juvenile justice issues. \$100 stipends were also distributed to participating clients and those who referred other clients to attend a Community Health Day.

EBCLC targeted its outreach to women of color for these events because women of color are most often the connectors for their families and larger networks to receive necessary health and advocacy support. EBCLC had triple the number of participants than anticipated and successfully administered 100% of the vaccine allotment at its Community Health Days. Client feedback made clear that EBCLC's established community credibility was a key incentive for attending and getting vaccinated.

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CONCURRENT STRATEGY

ENSURING EVICTION COURT COMPLIED WITH THE COUNTY MORATORIUM

Once Alameda County passed its eviction moratorium, EBCLC moved quickly to ensure that the court would follow this policy, recognizing that judges had the power and responsibility to prevent landlords from filing lawsuits that did not comply with the local moratorium.

Before the pandemic, the court would allow landlords to file eviction lawsuits without court officials reviewing them to ensure their legality. This allowed landlords to use lawsuits as a strategic tool to scare tenants, even if the paperwork was unlawful. Unfortunately, this often led tenants who received an eviction notice to agree to vacate their homes, only to learn after consultation with EBCLC that the eviction was improperly filed. After a tenant voluntarily moves out, there are very few solutions available to reinstate their housing.

EBCLC recognized that the court had a vital role to play in ending housing instability and associated fear during the pandemic. Working in coalition with other tenant rights advocates, EBCLC successfully advocated for the California Judicial Council, which serves as the rule making body for the state's courts, to direct courts to review eviction complaints *before* filing to ensure that they complied with one of the few allowable exceptions to the eviction moratorium (see Appendix D March 2020 Letter to California Judicial Council. Through this action, judges were empowered to curtail lawsuits that were illegally initiated and protect tenants from the devastating threat of a lawsuit. Thus, EBCLC was able to prevent unlawful evictions in cities and counties across California, even if tenants did not have their own legal representation.

Moreover, in order to obtain an extra layer of protection for clients, EBCLC persuaded the Alameda County Superior Court to impose a new rule, Rule 1.8a, to regulate the abuse of eviction filings by landlords. In addition to the review required by the California Judicial Council, this rule required landlords to obtain court approval before initiating an eviction lawsuit while the eviction moratorium was in place. Adopted on April 10, 2020, this rule remained in effect throughout the eviction moratorium and was critical to barring landlords from threatening tenants with frivolous eviction lawsuits.

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THE FINAL STRATEGY

PREPARING FOR THE END OF THE MORATORIUM AND MITIGATING HARM

Housing justice experts predicted that once Governor Newsom ended the COVID-19 State of Emergency across California on February 28, 2023, counties would soon follow suit. EBCLC fought to ensure that the lifting of the eviction moratorium was directly tied to the county's state of emergency and, importantly, provided for a 60-day grace period between the lifting of the eviction moratorium and when eviction filings could resume.

Many sources projected that there would be a drastic increase in evictions, or an "eviction tsunami," once the eviction moratorium expired in Alameda County. In preparation for this, as California began rolling back pandemic-era policies in 2022, EBCLC prepared to strengthen tenant protections. For example, EBCLC worked in coalition with tenant rights advocates to mobilize for the passage of ballot Measure V in Oakland during the 2022 elections. Measure V successfully passed, expanding "just cause for eviction" to include all residential rental units built after December 31, 1995, including RVs and ADU's, with some exceptions, and prohibiting "no-fault" evictions during the school year for families with school-age children or an educator in the household. These legal protections for tenants would now extend to 10,000 more properties in Oakland. Measure V effectively slowed down evictions when the moratorium ended but has also continued to play a crucial role in keeping Oakland tenants housed, with additional safety nets for tenants.

When the statewide and Alameda County public health emergencies ended, the Alameda County eviction moratorium followed suit, officially ending on April 30, 2023.

As a community-based organization that directly serves members of the Alameda County community, it was clear to EBCLC that lifting the eviction moratorium without a thoughtful plan would be disastrous for its clients. To mitigate further harm, EBCLC's attorneys created an advocacy plan with the aim to carefully phase out the moratorium in several stages. As the county-wide moratorium ended, EBCLC successfully advocated to Berkeley and Oakland's city councils to pass tenant protections that would phase out over several months, allowing tenants to adjust to the end of the county moratorium.

Notably, Oakland extended limitations on rent increases well after the city moratorium ended. Between the months of March and July 2023, the only evictions permitted in Oakland were for health and safety reasons. This was in large part due to EBCLC advocacy.

Berkeley began allowing lawful evictions in gradual phases, with protections extended until September 2023. For example, between March 1, 2023, and April 30, 2023, all evictions were prohibited, with an exception for occupancies that caused an imminent health and safety risk to other occupants. Then, between May 1, 2023 and August 31, 2023, the only permitted evictions were for health and safety risks, owner move-ins, and non-payment cases in which the tenant did not provide documentation establishing a COVID19-related financial loss.



In anticipation of skyrocketing evictions, EBCLC provided tenants at risk of displacement with actionable and responsive legal advice. To respond to the needs of the community, EBCLC hosted weekly tenants' rights workshops, created accessible 'Know Your Rights' resources, and disseminated flyers in high-traffic areas across the county.

As anticipated, the end of the moratorium's protections had a significant impact on low-income tenants, and there was a surge of evictions across the county after the moratorium ended in April 2023. As soon as the moratorium ended, the courts immediately saw a huge wave of evictions filed. Per Court data, there was a 750% increase in eviction cases filed in Alameda County between April and May 2023. As of 2025, the number of eviction lawsuits filed on a monthly basis are 1.8x higher than they were prior to the pandemic.

EBCLC's Housing Program continues to navigate a surging wave of evictions in Alameda County. In the two years following the end of the moratorium, EBCLC's Housing Program fields, on average, 500 calls per month from tenants in need of legal advice, and almost one third of the callers are facing active evictions. EBCLC's Housing Program also continues to see the effects of this wave when representing tenants at the courthouse. As one of only three eviction defense organizations tasked with supporting unrepresented tenants at mandatory settlement conferences in the County's eviction court, EBCLC has weathered a surge in eviction filings since the end of the moratorium, and has provided services to a higher number of unrepresented tenants during settlement conferences than ever before.

“We relied on community power to meet tenants and disseminate know-your-rights materials; we pushed for training for the Berkeley police department to stop landlord abuse; we won codified protections such as just cause; we advanced courthouse protocols to prioritize accessibility and health—we did everything we could to push for tenant protections that would exist beyond the COVID-19 eviction moratorium era.”

-Linda Yu, Housing Co-Director

HOLISTIC ADVOCACY: **SOCIAL WORKERS PARTNERING WITH LAWYERS**

Since 2019, EBCLC has maintained a Social Work practice to partner with attorneys to provide holistic advocacy to clients seeking access to justice. Social workers provide trauma-informed case management, crisis intervention, and system navigation to clients as they work towards both their legal and non-legal goals. This care was a crucial companion to the Alameda County eviction moratorium. Social workers provided financial support to undocumented clients and those who did not (or could not) qualify or access other forms of relief, provided crucial mental health support to seniors facing pandemic isolation, and advocated for increases to housing subsidies.

Their work included robust care for clients like Ms. D, a long time resident of Berkeley and honorary auntie to many. As a low-income, disabled elder, Auntie D got behind on rent after an error with her disability benefits decimated her income. She was in and out of the emergency room for preventable flares of chronic health and psychiatric conditions. While EBCLC attorneys worked on her eviction matter, the social work team stabilized Ms. D in her home. They helped her get a safe medical bed for her home, obtained a utilities grant to ease the burden of other unpaid bills, and successfully applied for a reasonable accommodation for a live-in caregiver. EBCLC settled her eviction matter with the support of rental assistance from the City of Berkeley. Infusing social work support with our legal advocacy was a core component of EBCLC's shelter in place strategy.



RECOMMENDATIONS

FORTIFYING THE FUTURE

EBCLC uniquely understands the gravity and inequitable impact of the ongoing eviction crisis: 1 out of every 3 eviction defense clients at EBCLC are Black women and over 40% of the women of color clients seeking EBCLC's Housing Program's services (including eviction defense) have a child in the home. EBCLC continues to wield effective legal strategies to prevent a long-term, structural eviction crisis that could disproportionately impact women of color on par with the widening of the racial and gender wealth gap created by the 2008 subprime mortgage crisis.

As a community-based legal organization that directly serves low-income clients while advancing policy that will erode systemic barriers to health and economic mobility, EBCLC has developed a unique expertise in designing long-term solutions for marginalized communities. Housing justice is directly tied to health outcomes and opportunities for economic mobility. EBCLC therefore recommends:

1. **Cities and counties nationwide must proactively adopt automatic eviction moratoriums that will immediately take effect during public health emergencies.** Such moratoriums should include a coordinated plan with the sheriff to halt all evictions, alongside dedicated emergency rental assistance. Eviction moratoriums are vital in preventing negative health outcomes and mass homelessness in the face of public health emergencies.

2. **The California legislature must pass a suite of statewide tenant protections that reflect the protections provided in Oakland, including:**
 - a) More protective rent control with state-wide oversight
 - b) A narrow set of just cause protections for evictions;
 - c) Tenant protection ordinances that enable tenants the right to sue if the landlord engages in harassment or makes their living conditions so untenable that they must vacate their unit;
 - d) Rent registry that collects information on landlords; and
 - e) Dedicated rental assistance funds.

3. **Alameda County must expand the rights of tenant unions to create greater leverage for tenants.** The County should adopt measures that allow tenants to organize and prohibit eviction in retaliation for organizing. In addition, landlords should be required to attend tenant union meetings and negotiate in good faith with tenant union representatives. This action could create a national model for other jurisdictions around the country.

4. **Community land trusts and tenants should increase collaboration and partnerships to create pathways to housing ownership.** Because community land trusts are nonprofit organizations that endeavor to create permanent affordable housing, they can work with tenants to promote democratic residential control of housing.

5. **The Alameda County Board of Supervisors should:**
 - a) Commission a study of the Alameda County eviction moratorium, including the impact on the housing market and eviction rates in the years since the moratorium lifted in May 2023. This study should explore the health impacts of policies passed during the pandemic and make data-informed policy recommendations to be incorporated in current and future housing policy.
 - b) Create a task force to implement lessons learned from the COVID-19 pandemic. The task force should be composed of leaders in social services agencies, healthcare professionals, food security advocates, and housing advocates. This body would be geared towards memorializing policy recommendations to enable local governments to rapidly respond to the next public health emergency.
 - c) Pilot county-wide universal basic income in low-income neighborhoods. By creating income stability for vulnerable households, the County could enable families to pay rent and manage other essential household needs.

6. **The State of California must repeal the Costa Hawkins Rental Housing Act, which prevents meaningful action to create more affordable housing for the over 50% of Californians who are rent-burdened (meaning that they spend over 30% of household income on rent).** Repealing the law would also curb landlords' unfettered control of the rental market.

7. **The Constitution of California must be amended to establish a universal right to housing, thereby requiring cities to ensure there is adequate housing for all residents.**

8. **The United States Congress should increase federal funding for the Housing Choice Voucher Program (Section 8 vouchers) and adequately fund the Housing Choice Voucher Program to ensure all eligible families have access to a subsidy.**

CONCLUSION

The Alameda County eviction moratorium made an immense difference in protecting the county's tenants from facing homelessness during the COVID-19 pandemic. Mercury News reported that as Bay Area evictions soared between 2021 and 2022 in the neighboring counties of San Francisco, Contra Costa, San Mateo, and Santa Clara, Alameda County remained the exception, with significantly lower eviction rates thanks to the moratorium and its critical protections. This policy had a clear benefit to Black women in particular, who are disproportionately impacted by evictions, and provided a sense of protection and relief to an estimated 800,000 East Bay residents. EBCLC's advocacy for the Alameda County eviction moratorium had lasting impacts for the housing justice movement in California. Its implementation of concurrent strategies proved to be an effective approach to rapidly respond to shifting conditions.

“

“As a single mom, losing my job at the start of the pandemic and then almost losing my home was an added struggle I couldn't plan for. I needed help and EBCLC's aid came at just the right moment. Being able to stay in our home helped me make sure my son and I stayed mentally and physically healthy during a time we could have never predicted.”

- Melina Ocampo, EBCLC Housing client

”

EBCLC's relationships with clients, community members, and tenant rights advocates enabled quick and powerful mobilization. And the strength of the Alameda County moratorium in protecting tenants inspired multiple jurisdictions across the country to follow suit. Statewide victories in recent years, including California's implementation of automatic eviction moratoriums in response to natural disasters, build from what EBCLC was able to accomplish in Alameda County and demonstrates our ability to create lasting change for tenants when community-based groups, courts, and policy makers work together.

EBCLC ADVOCACY TIMELINE 2020 - 2023

2021

- MARCH 1, 2020** Alameda County declares a public health emergency due to COVID-19.
- MARCH 4, 2020** Governor Gavin Newsom proclaims a state of emergency for the State of California as a result of the threat of COVID-19.
- MARCH 11, 2020**
- The World Health Organization declares COVID-19 a global pandemic.
 - EBCLC attorneys appear in eviction court, demanding that the court shut down due to the public health emergency. Within a week of this demand, the eviction court closes down.
 - EBCLC issues “Statement to Keep Communities Safe,” calling for:
 - State and local officials, as well as law enforcement, to halt evictions and close eviction courts to prevent sick clients from crowding courtrooms and support impacted workers struggling to pay rent.
 - Alameda County Sheriff’s Office to cease wage garnishments and bank levies so individuals are not forced to choose their economic survival over personal and public health.

MARCH 12, 2020

Former EBCLC Staff Attorney Sabyl Landrum testifies at Oakland City Council in support of passing an eviction moratorium. This marks the beginning of a multi-day advocacy campaign to get the moratorium passed.



Former EBCLC Staff Attorney Sabyl Landrum testifies at Oakland City Council in support of passing an eviction moratorium.

MARCH 16, 2020

- White House and Center for Disease Control issue “30 Days to Slow the Spread” guidelines, which encourages Americans to stay home and avoid groups of more than 10 people.
- Alameda County’s Health Officer orders residents to shelter-in-place due to the spread of COVID-19 virus.
- Alameda County Superior court delayed all pending eviction trials and settlement conferences due to the COVID-19 pandemic.

MARCH 17, 2020

After education and advocacy on the impact of evictions from EBCLC, Berkeley City Council passes moratorium on residential evictions for failure to pay rent due to financial impacts related to COVID-19 for the period of the local state of emergency, and on almost all no-fault evictions.

MARCH 19, 2020

- Governor Newsom issues Executive Order mandating all Californians stay home, making California the first state to implement a statewide shelter-in-place order. He also issues an order giving local governments the authority to create ordinances to halt evictions for residential and commercial renters in California who are affected by COVID-19.
- All seven Bay Area counties release local shelter-in-place policies.
- EBCLC persuades Alameda County Sheriff’s Office to temporarily suspend executing eviction orders due to COVID-19. Emeryville passes a temporary eviction moratorium for residential and commercial evictions.

MARCH 24, 2020

The Alameda County Board of Supervisors implements a temporary eviction moratorium in unincorporated areas.

MARCH 27, 2020

After weeks of EBCLC advocacy with the Oakland City Council and Mayor's office, the City of Oakland passes its own version of an eviction moratorium, which is stronger than Alameda County's.



Example of social media graphic created by Causa Justa Just Cause for the Protect Oakland Renters Coalition, which EBCLC was a member. In order to put pressure on city leaders to pass the moratorium, all coalition members published this graphic on their social media channels and encouraged their members to as well.

MARCH 30, 2020

In response to data and advocacy provided by EBCLC to the City of Berkeley regarding rental debt, City of Berkeley announces Housing Retention Grants and directs all Berkeley residents experiencing financial hardship to contact EBCLC to determine eligibility for grants up to \$10,000. EBCLC facilitates \$607,060.21 in total funding directly to tenants to preserve their housing and keep their families safe.

MARCH 31, 2020

After days of testimony by EBCLC, the Alameda County Board of Supervisors extends county-wide eviction moratorium to both unincorporated and incorporated areas of the county.

APRIL 6, 2020

The Judicial Council of California issues emergency rules suspending court proceedings for evictions. EBCLC had leveraged legal expertise and direct service data to urge the Council to ensure the suspension stays in place until 90 days after the Governor declares the state of emergency is lifted.

APRIL 10, 2020

Superior Court of California - Alameda County issues Emergency Local Rule 1.8a, directing that new unlawful eviction complaints will be rejected unless they fall under the limited list of acceptable evictions.

MAY 29, 2020

EBCLC proposes an entirely new court procedure for the facilitation of evictions during the moratorium, to ensure that the Courts enforced the moratoriums. These rules are adopted by Alameda County Superior Court, and remained in effect for years.

JULY-AUGUST, 2020

EBCLC successfully advocates for a variety of policies to ensure the Alameda County community retained access to the county's court system - including a remote court appearance procedure and access to remote translation services.

AUGUST 31, 2020

In coalition with tenants rights organizations across the state, EBCLC supports passing AB 3088, also known as the COVID-19 Tenant Relief Act, prohibiting evictions for nonpayment of rent from March 1, 2020 to January 31, 2021 and requiring landlords to state a reason permitted by the law to evict tenants.

2021

JANUARY 2021

California passes SB 91, extending the COVID-19 Tenant Relief Act protections to June 30, 2021. SB 91 also prohibits small claims recovery of COVID-19-related rental debt prior to August 1, 2021 and prevents the reporting of such debt to credit reporting agencies. EBCLC advocated in support of this amendment with partners across the state.

JANUARY 12, 2021

EBCLC successfully argues that the County moratorium will remain in effect until 60-days after the public health emergency is lifted, and will not expire when state-wide eviction protections under the COVID-19 Tenant Relief Act end.

APRIL 7, 2021

Alameda County Superior Court announces a limited public reopening of courthouses. Despite this decision, EBCLC successfully argues for eviction court to remain remote due to the public health emergency.

2022

OCTOBER 20, 2022

Mercury News reports that evictions soar in all seven Bay Area counties after state and local protections expire. Alameda County is the only county not on track to surpass pre-pandemic eviction rates.

NOVEMBER 8, 2022

Measure V in Oakland passes after significant advocacy by EBCLC and the Protect Oakland Renters Coalition, protecting educators, school children, and other vulnerable tenants from evictions and preserving affordable housing.

2023

FEBRUARY 27, 2023

EBCLC successfully advocates at Berkeley City Council for a transition period of 60 days from May 1, 2023 to August 31, 2023 prior to the end of the for the Berkeley eviction moratorium.

MARCH 01, 2023

Alameda County Public Health Emergency ends.

APRIL 7 - MAY 2, 2023

EBCLC begins meeting with Oakland City Councilmembers to urge for an extension of the Oakland Eviction Moratorium and a transition period to give tenants the opportunity to relocate or negotiate with landlords to stay housed.

APRIL 18, 2023

EBCLC and community members testify before the Oakland City Council to extend the city's eviction moratorium. The city approves the moratorium's extension mid way through July 2023, providing vital time to give notice to tenants and allow the courts to prepare for wave of eviction filings.

APRIL 29, 2023

Alameda County Eviction Moratorium ends.

MAY 2, 2023

Oakland passes legislation ending Oakland's eviction moratorium and late fee moratorium on July 14, 2023. The City's moratorium on rental increases would extend through June 30, 2024. Oakland also passes permanent tenant protections stating that tenants cannot be evicted for rent that came due between March 9, 2020 and July 14, 2023 or evicted for owing less than one month of rent.

JULY 14, 2023

Oakland eviction moratorium ends.

JULY 20, 2023

EBCLC presents current evictions landscape at Berkeley Rent Board and calls for Berkeley's General Counsel to train Berkeley Police Department on intervention for illegal tenant lockouts and self-help by landlords.

AUG 31, 2023

Berkeley's eviction moratorium ends, marking the sunset of all eviction moratoriums in Alameda County.



APPENDICES

- APPENDIX A** March 2020 letter to Alameda County Sheriff Office regarding halting execution of all evictions
- APPENDIX B** March 2020 social media graphic for phone campaign targeting Alameda County Sheriff Office
- APPENDIX C** March 2020 letter to City of Berkeley regarding Housing Retention Program
- APPENDIX D** City of Berkeley Housing Retention Grants Announcement
- APPENDIX E** March 2020 letter to California Judicial Council regarding emergency court rules

APPENDIX A



March 16, 2020

Alameda County Sheriff's Office
2425 E 12th Street
Oakland, CA 94601

We are writing on behalf of our local tenants' rights organizations, the tenants we represent, and the residents of Alameda County. It has come to our attention that the Alameda County Sheriff's Office still intends to execute writs of possession and carry out evictions tomorrow morning, Tuesday, March 17, 2020 at 6:00AM.

In light of the continued public health crisis associated with the increasingly rapid spread of COVID-19, **we request that the Alameda County Sheriff's Office stay all evictions effective immediately to protect the health and safety of Alameda County residents for a period of at least 60 days.**

- 1. Enforcing evictions tomorrow contradicts CDC guidelines and Gavin Newsom's mandates and will put all of Alameda County at greater risk of exposure to, contraction of, and death from COVID-19.**

This pandemic is happening in the midst of an ongoing affordable housing crisis that already has dire consequences for low-income and vulnerable populations in the East Bay. And that affordable housing crisis is now compounded tenfold by the COVID-19 pandemic. This is not just a tenants' rights issue, this is a public health emergency.

It is undisputed that the homeless population is significantly more vulnerable to COVID-19 than the general population. Enforcing evictions tomorrow and in the weeks to follow will increase the homeless population in the East Bay, and therefore, the spread of COVID-19 and COVID-19 related deaths.

In his press release on March 15, 2020, Gavin Newsom specifically identified the homeless population as a vulnerable population during this COVID-19 pandemic. He also required that anyone over 65 years old and anyone with a chronic illness remain isolated in their homes and that other less vulnerable people must practice social distancing when in public, even hospital visits are limited to end of life visitation only. People cannot practice home isolation if they do not have a home. People cannot practice social distancing while huddled together in encampments. People cannot practice social distancing when forced to crowd into the homes of friends or family members should they be fortunate enough to have them. The evidence is staggering that if we do not

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flatten the curve and reduce the spread through social distancing and home isolation, our hospitals will be overrun, and people will die.

2. The Alameda County Sheriff's Office has the power to call off these scheduled evictions immediately.

The Alameda County Sheriff's Office has discretion on when it enforces evictions. Other law enforcement offices have already used their discretion to stay evictions during this crisis. You have the power to flatten the curve. You have made the call not to enforce evictions on Christmas or Thanksgiving. You have made the call to enforce evictions on a different dates than the dates for which they were noticed. You have made the call to stay enforcement at the request of Adult Protective Services. If the decision to stay execution of a writ for possession can be made to honor a holiday or to mitigate a scheduling conflict within the Sheriff's Office or to prevent harm to an elderly individual, surely, you can see that now, during a public health crisis and pandemic, is the time to exercise that discretion. These are extraordinary circumstances, and failure to stay enforcement of evictions now is a threat to the public safety of all Alameda County residents.

Thank you in advance for your consideration.

Signed,

Meghan Gordon
Director of Housing Practice
East Bay Community Law Center

Monique Berlanga
Tenants' Rights Directing Attorney
Centro Legal De La Raza

Leah Simon-Weisberg
Legal Director
Alliance of Californias Community
Empowerment (ACCE)

Anne Omura
Executive Director
Eviction Defense Collaborative

Erin Scott
Executive Director
Family Violence Law Center

Jessica Reddit
Managing Attorney
Bay Area Legal Aid

Kirsten Voyles
Managing Attorney
Legal Assistance for Seniors

APPENDIX B

**CALL ALAMEDA COUNTY
SHERIFF'S DEPARTMENT**

**SHERIFF GREGORY AHERN
510-272- 6866**

SCRIPT: "My name is _____ and I am calling to ask that Sheriff Ahern and the Sheriff's Department stop the executions of all evictions scheduled to be enforced tomorrow at 6am and during the CoVid-19 crisis. Forcibly removing tenants from their homes runs directly contrary to the state of emergency guidelines established by Governor Newsom and public health departments."

**#HousingIsAHumanRight #CloseTheCourts
#NoEvictions #NoForeclosures**

APPENDIX C



March 19, 2020

Mayor Arreguín,

I am writing to request that the City of Berkeley change the requirements of the Housing Retention Program, administered by the City of Berkeley and overseen by EBCLC, which provides financial assistance to Berkeley tenants. In light of the current public health crisis, tenants across our City are facing housing instability due to a vast array of financial pressures. While many Berkeley landlords are working with their tenants, there are others who appear to be taking advantage of this crisis in an effort to push out vulnerable tenants.

Thankfully, the City of Berkeley already has a program in place to provide much needed financial assistance to tenants, who will in turn be able to continue to pay rent and alleviate financial pressures on their landlords. We are simply asking to alter the requirements to provide timely and necessary funds to tenants.

Specifically, we ask for the following changes to go into effect during and up to at least 60 days after the shelter-in-place order is in effect:

1. **Remove the W9 Requirement:** Currently, tenants are required to obtain a W9 from their landlord in order to qualify for financial assistance. We ask that this requirement be removed immediately, as some landlords refuse to provide the W9 in order to hold up the process and try to force the tenants out. This is not an unprecedented change, as the Alameda County Secure and Oakland Secure financial assistance programs overseen by Centro Legal de la Raza do not require a W9 for financial assistance. Removing this requirement is essential to allowing tenants to remain in their homes.
2. **Increase Income Eligibility:** Currently, this program is only available to tenants with an income at 50% of area median income. We request to increase the income eligibility requirement to 80% of area median income.
3. **Remove Requirement of Third-Party Verification of Income Loss:** Currently, tenants are required to provide documentation from a third party verifying their income loss. Due to the current public health crisis, we believe tenants may struggle to obtain paperwork from employers that are currently closed. We would ask that the City allow us to instead rely on declarations from tenants regarding financial losses when third party documentation cannot be obtained.

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4. **Remove Requirement that Monthly Income Support Monthly Expenses:**
Currently, tenants are only approved if they can demonstrate that they can pay their rent going forward. Given the current health crisis, we anticipate many tenants will be let go from current employment, and thus unable to qualify. We ask to remove this requirement during the public health crisis for tenants who have lost employment/wages. Doing so will allow us to provide desperately needed rental support to community members struggling to survive.
5. **Remove Requirement of Eviction Notices:** Typically, tenants are required to provide a Three-Day Notice in order to qualify for assistance. However, given that the City has issued a moratorium prohibiting landlords for serving such notices for nonpayment of rent, we may not be able to obtain this requirement document. Instead, we ask that landlords be permitted to provide a ledger, letter, or other written documentation verifying the rent balance owed.
6. **Expanding Eligible Financial Crisis:** Currently these funds are restricted to assist with back rent and de-clutter assistance for folks with excessive belongings. We ask that the City authorize the expansion of the scope of assistance during the public health crisis to include – future rent payments, utilities, outstanding bills (i.e. car payments, credit card balances etc.), stipends of up to \$1,000 a month for basic needs (including meals, medical supplies etc.), and any urgent repairs to the home that the landlord is unable to make.
7. **Remove Assistance Cap:** Currently, tenants are only eligible for one-time assistance not to exceed \$5,000. Given the scope of this crisis, and the reality that Berkeley tenants could be experiencing financial instability for months on end, we ask that you remove the cap and any limitation on the number of times tenants can apply for assistance during the public health crisis.

We are anticipating a dramatic increase in need and a dramatic increase in eligibility. Our organization's programmatic, contract compliance, and finance departments will have to increase their hours devoted to this work dramatically. A specific amount of the \$3,000,000 in addition to direct and indirect cost recovery should go to both organizations to ensure they have capacity to meet the demand.



Thank you for your time and consideration during this incredibly busy and uncertain time. Feel free to contact me if you have any questions. Enclosed with this letter is a copy of the City of Berkeley's currently eligibility requirements for this program.

Thank you,

Meghan Gordon
Director of Housing Practice
East Bay Community Law Center

Anne Omura
Executive Director
Eviction Defense Center

APPENDIX D

HOUSING RETENTION GRANTS

Low-income Berkeley residents unable to pay rent or meet basic needs due to the COVID-19 emergency can apply for housing retention grants of up to \$10,000. To apply:

- **Phone:** Due to the incredibly high volume of rental assistance queries, we ask that tenants call EBCLC for assistance. Please call 510-548-4040, ext. 695, and leave a message with your Name, Phone Number, and indicate you are Berkeley resident calling for financial assistance. A staff member will call you back as soon as possible to determine whether you are eligible for the program. Thank you for your patience during this time.

This grant program is intended to prevent homelessness for Berkeley residents. Funds may be used to supplement rent for temporary or permanent housing, utility bills, or other housing-related expenses. Applicants will be required to submit documentation of their low-income status, rental agreement or lease, and other relevant information.

[Visit the City's website](#) to learn more about eligibility requirements and the required application materials.

APPENDIX E



April 5, 2020

455 Golden Gate Avenue
San Francisco, California 94102-3688
Submitted via Email to judicialcouncil@jud.ca.gov

To Members of the Judicial Council:

RE: Cal. Rules of Court, Emergency rules 1, 2 (Agenda Item 20-141) – SUPPORT

To Whom It May Concern:

The East Bay Community Law Center is a nonprofit agency which provides eviction defense to tenants residing in Alameda County. EBCLC submits this letter in strong support of proposed Emergency Rules 1 and 2, related to unlawful detainers and judicial foreclosures. These rules will preserve access to justice for all parties, protect the health and safety of court staff and the public, and avoid impacts to court administration at a time when the courts are struggling with increased challenges presented by the COVID-19 pandemic.

The proposed rules will ensure that the rights of all parties in unlawful detainer and foreclosure cases are preserved at a time when litigants have encountered extreme challenges accessing both legal assistance and the court system itself. In light of the orders calling for the public to remain at home, legal aid programs have been forced to close their doors to in-person visits and reduce their services. Similarly, self-help centers at the courts are closed to visitors. For the low-income clients we represent, who often lack internet access or the ability to prepare and print documents at home, this presents a significant challenge in the ability to respond to court papers and preserve due process rights. We have already heard anecdotes of clients turned away from courthouses due to apparent symptoms, unable to access legal assistance to respond to an action, or unable to obtain printed forms even when they are able to appear in person at the courthouse to respond.

The proposed rules will also protect health and safety. In a time when the ability to move from one's home is extremely limited, and many are facing looming economic challenges, it is likely that those receiving notice of unlawful detainer and foreclosure actions will choose to appear in person rather than follow stay-at-home orders meant to reduce exposure. The proposed rules will ensure these individuals are not faced with an impossible choice, but are rather able to follow public health directives until the emergency subsides and address the issues underlying these cases once it has.

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Finally, the proposed rules will avoid impacts to the courts. Due to the challenges of responding to court papers during this time, it is likely that without these rules, litigants' rights will be prejudiced through no fault of their own despite making every effort to follow court procedures. This has the potential to lead to increased workload for the courts due to an increase in motions to set aside default judgments and the need to re-hear cases.

For all of these reasons, we strongly support proposed emergency rules 1 and 2 and urge their adoption.

Sincerely,

Meghan Gordon
Director of Housing Practice
East Bay Community Law Center



www.ebclc.org | (510) 548-4040 | info@ebclc.org

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