



Office of the Mayor

CONSENT CALENDAR
September 15, 2020

To: Honorable Members of the City Council

From: Mayor Jesse Arreguín

Subject: Amending Ordinance No. 7,692-N.S. extending the grace period for Fair Chance Housing Ordinance

RECOMMENDATION

Adopt an ordinance amending Ordinance No. 7,692-N.S. (Fair Chance Housing Ordinance) to extend the grace period for landlords to be held liable to January 1, 2021 so that staff has adequate time to complete the intended outreach prior to the ordinance going into full effect.

BACKGROUND

On March 10, 2020 the City Council unanimously passed the Fair Chance Housing Ordinance. Subsequently, on March 16, 2020 the Berkeley Health Officer issued a Shelter in Place Order in conjunction with six Bay Area counties. Final adoption of the ordinance came with the second reading on April 14, 2020.

The ordinance directed the City Manager to develop a notice and mail it to all residential property owners within 90 days of final adoption. Additionally, under the current ordinance a Housing Provider is not liable for a violation until 180 days after adoption, which would be October 11, 2020. The initial outreach, as well as more robust and collaborative efforts to ensure residential property owners and managers are properly informed and educated on this new law has been delayed. Staff has been rightfully focused on responding to the COVID-19 pandemic and closing the City's budget shortfall.

The proposed amendment extends the grace period for landlords to January 1, 2021 which would maintain the timelines and spirit of the ordinance as originally passed. Staff has indicated that they can get the notice out to property owners by Mid-September, which is more than 90 days before the proposed grace period extension expires. This should allow for sufficient time for outreach to and education to be executed as it was initially intended.

ENVIRONMENTAL SUSTAINABILITY

Not applicable

CONTACT PERSON

Mayor Jesse Arreguín 510-981-7100

Attachments:

1: Proposed Ordinance

ORDINANCE NO. -N.S.

AMENDING SECTION 2 OF ORDINANCE NO. 7,692-N.S., PROHIBITING THE USE OF
CRIMINAL HISTORY IN HOUSING DECISIONS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Section 2 of Ordinance No. 7,692-N.S. is hereby amended to read as follows:

Effective Date

The provisions of this Chapter shall take effect upon thirty days after final adoption of this ordinance. A Housing Provider shall not be liable for a violation ~~within 180 days after final adoption of this Chapter~~ prior to January 1, 2021, unless the Housing Provider has first received a warning letter from the City regarding a violation of the Ordinance.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.