

BUSINESS

Marin tenants get eviction shield in virus crisis

By **RICHARD HALSTEAD** | rhalstead@marinij.com | Marin Independent Journal

PUBLISHED: March 24, 2020 at 3:54 p.m. | UPDATED: March 25, 2020 at 6:50 a.m.

Residential and commercial tenants in Marin who have suffered financial setbacks due to fallout from the coronavirus emergency received temporary protection from eviction Tuesday.

The Marin County Board of Supervisors voted unanimously to approve a resolution barring evictions through May 31.

“The resolution will apply to properties throughout the county both in cities and towns and unincorporated areas,” Leelee Thomas, a Marin County planning manager, told supervisors.

Gov. Gavin Newsom issued an executive order on March 16 authorizing local governments to place a moratorium on evictions for renters and homeowners during that period. Similar ordinances are being considered throughout the state.

Marin County Counsel Brian Washington said, “Normally when we exercise our police power in this type of ordinance it applies to the unincorporated area only. What we’re proposing today is exercise of extraordinary power.”

Washington said the authority springs from there being a grave health emergency. People are being ordered to shelter in their homes in the interests of public safety, but they can’t do that if they have no home.

Marin County Administrator Matthew Hymel said managers of Marin’s 11 cities and towns expressed support for the move.



The resolution, which is effective immediately, also prohibits landlords from charging a late fee for rent that is delayed due to the health crisis. The action does not, however, relieve tenants from their obligation to eventually pay the rent owed. Thomas said the action will apply to all tenants regardless of their immigration status.

The resolution gives tenants 30 days after the date their rent was due to provide notice to their landlord that payment of the rent will be delayed. Within the first week, tenants must also provide some documentation or objective verifiable information to show that their inability to pay was related to coronavirus.

Acceptable reasons for foregoing rent payment would include: substantial loss of income due to a business closure, layoff or loss of work hours, child care expenditures due to school closure, medical expenses related to being ill with COVID-19 or caring for a member of the tenant's household.

"I want to thank our landlords for their understanding," Thomas said. "All the folks I've heard from say they understand what is going on but were also worried about our own small businesses."

Marin County and the Marin Community Foundation are working on creating a fund to provide rental assistance. Thomas said the county is hoping that will ease the impact on landlords somewhat.

"This should be looked at as a last resort," Supervisor Katie Rice said. "To the degree that people can pay their rent we really want them to pay their rent. People need to be focusing on the bare essentials right now: food, shelter and taking care of their health needs. We want to keep cash flowing through the local economy."

Supervisor Kate Sears said, "This resolution is not a rent holiday."

The Marin County Sheriff's Office is not conducting evictions anyway because the court is effectively shut down because of the pandemic, said Sgt. Brenton Schneider. He said the department currently has two evictions it would enforce under normal circumstances.

Only two members of the public were in attendance to comment on the resolution. Both expressed their support but urged the supervisors to take even bolder action.

Sami Mericle, a representative of the Marin Organizing Committee, urged the supervisors to allow tenants 180 days to repay rent not paid during the state of emergency.

Mericle said she works four jobs to afford a two-bedroom apartment she shares with a roommate in San Rafael, and she can count on only one of those jobs to pay her through this crisis.



“There is no way I could repay the missed rent by the end of the state of emergency,” Mericle said, “and I’m not alone. There are 30,000 renters in Marin County.”

Josh Sullivan, the supervising attorney at Legal Aid of Marin, said, “We believe doing the right thing includes extending the grace period for up to six months. Doing something decisive now rather than creating additional uncertainty is the right thing to do.”

Sullivan also urged the supervisors to extend the moratorium to cover home foreclosures for missed mortgage payments.

“Renters aren’t the only people in our community who deserve this protection,” he said.

Washington told supervisors he was recommending against including a 180-day grace period for repayment at this time. He said the supervisors needed to “narrowly tailor” the resolution to ensure they were acting within their legal authority.

Washington added, “That doesn’t mean we couldn’t take another look at the issue in late April or early May.”

Tags: [business](#), [Coronavirus](#), [health](#), [housing](#), [Marin Supervisors](#), [newsletter](#), [Real estate](#)



Richard Halstead | Reporter

Richard Halstead is a news reporter covering Marin County news, politics, health care, social services, Fairfax and San Anselmo.

rhalstead@marinij.com

[Follow Richard Halstead @HalsteadRichard](#)

