



**Agenda
City of Vernon
Special Vernon Housing Commission
Meeting
Wednesday, April 29, 2020, 06:00 PM
City Hall, Council Chamber
4305 Santa Fe Avenue
Vernon, California**

**Frank Gaviña, Chair
Steven Froberg, Vice Chair
Ronit Edry, Commissioner
Jorge Nevarez Jr., Commissioner
Marlene Ybarra, Commissioner
Melissa Ybarra, Commissioner
Vacant, Commissioner**

THIS MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20.

The public is encouraged to view the meeting at <http://www.cityofvernon.org/webinar> or by calling (415) 655-0052, Access Code 501-780-446#.

You may submit comments to PublicComment@ci.vernon.ca.us with the subject line "April 29, 2020 Housing Commission Meeting Public Comment Item #__." Comments received prior to 4 p.m., Wednesday, April 29, 2020, will be read into the record.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC COMMENT

At this time the public is encouraged to address the Vernon Housing Commission on any matter that is within the subject matter jurisdiction of the Commission. The public will also be given a chance to comment on matters which are on the posted agenda during Commission deliberation on those specific matters.

Vernon Housing Commission Agenda Item Report

Agenda Item No. COV-171-2020
Submitted by: Diana Figueroa
Submitting Department: City Administration
Meeting Date: April 29, 2020

SUBJECT

COVID-19 Emergency Rent Relief Options for Tenants of City Owned Housing

Recommendation:

- A. Find that approval of the proposed action is exempt from California Environmental Quality Act (“CEQA”) review, because it is an administrative activity that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a “project” as defined by CEQA Guidelines section 15378; and
- B. Consider options for emergency rent relief in response to financial impacts of the COVID-19 pandemic and direct staff to proceed with a plan for rent forgiveness and/or rent repayment.

Background:

At its April 21, 2020 meeting, Vernon’s City Council adopted Emergency Ordinance No. 1268 authorizing a moratorium on evictions for residential properties in Vernon. This action follows the City’s declaration of a local emergency on March 14, 2020 due to the recent outbreak of the Novel Coronavirus (COVID-19). The COVID-19 pandemic has had a significant effect on the national, regional, and local economy resulting in economic hardship related to layoffs, COVID-19 affected quarantines, and/or reduced work hours for a significant percentage of the nation’s workforce.

The passage of the emergency ordinance is in response to the public health emergency and the precautions ordered by health authorities that have contributed to financial hardships for Vernon residents. The City understands that individuals affected by COVID-19 may experience potential loss of income, health care and medical coverage, and the ability to pay for housing and basic needs. The moratorium will remain in effect through May 31, 2020 (aligned with State Order N-28-20), unless otherwise extended.

Under certain circumstances of extreme adversity due to COVID-19, it may be appropriate to enact additional measures that protect the well-being and livelihood of Vernon residents. As per the direction of City Council at its April 21, 2020 meeting, staff is presenting options for Commission consideration.

Proposed COVID-19 Emergency Rent Repayment Procedures

In an effort to ensure that renters are able to safely and successfully stabilize their financial foothold, the Commission can approve a COVID-19 Emergency Rent Repayment Policy. This procedure is designed to support residents impacted by COVID-19 by offering a structured plan for repayment of past due rents accumulated during the COVID-19 emergency.

Summary points of the Temporary Rent Repayment Procedures for Existing Tenants Experiencing Hardship due to COVID-19 Emergency are:

- Must provide written documentation of loss of job, income, or other monetary hardship as a result of COVID-19
- Must enter Emergency Re-Payment Plan Agreement
- All other terms and conditions of the Resident's Lease Agreement with the City of Vernon shall remain in full force and effect
- Housing Commission Director or designee would make determination of eligibility

The situation is extraordinary and evolving rapidly. Further economic impacts are anticipated, leaving tenants vulnerable to eviction. Because of these challenging times, City leaders are eager to offer reasonable forms of assistance to residents who are vulnerable to the sudden and immediate loss of income caused by the COVID-19 emergency. The City continues to prioritize and protect public peace, health, safety, and public welfare and seeks to help enable tenants in Vernon to remain in their homes. The possibility of rent waivers was suggested at the April 21, 2020 Council meeting. If the Commission desires to offer a temporary waiver of rental obligation for the months of May, June and July for all lawful residents of City-owned properties it should adopt the proposed resolution.

Fiscal Impact:

Since the COVID-19 Emergency Rent Repayment Procedure is temporary, it is not likely to have significant overall impacts on the City in the long-term. If, however, the Vernon Housing Commission approves waiving of rent for Vernon residents in City-owned properties, the fiscal impact to the City could be as much as \$61,030 over a three-month period.

Attachments:

1. [VHC COVID-19 Emergency Rent Repayment Procedures](#)
2. [VHC Resolution - Rent Waiver](#)

Vernon Housing Commission
Temporary Rent Repayment Procedures for Existing Tenants
Experiencing Hardship due to COVID-19 Emergency
Adopted April 29, 2020

On April 21, 2020, the City Council of the City of Vernon adopted Emergency Ordinance No. 1268 enacting a Temporary Emergency Moratorium for renters and owners of residential properties in the City and late fee assessments and service shut-offs for rent and utility payments. Tenants who defer payments during the City's residential eviction moratorium could accumulate significant personal debt, and may be in need of a repayment plan.

Pursuant to Ordinance No. 1183 and the Vernon Rental Housing Policy ("VRHP"), the Vernon Housing Commission ("VHC") hereby adopts the following temporary rent repayment procedures for existing tenants who experience a financial hardship due to the COVID-19 Emergency. The repayment procedures stipulated below shall apply only to existing, lawful tenants of City-owned housing whose tenancies and/or ability to pay rent were impacted during the COVID-19 Emergency. Tenants may apply for a rent repayment plan with the City through July 31, 2020.

1. Definition of "Hardship" Generally: Something that causes or entails significant difficulty in complying with the VRHP.

2. Definition of "Hardship related to the COVID-19 Emergency": A "Financial Hardship related to the COVID-19 Emergency" shall exist if a residential tenant lost household income as a result of any of the following: (a) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (b) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (c) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (d) extraordinary out-of-pocket medical expenses; or (e) child care needs arising from school closures related to COVID-19.

3. Procedures for Applying for Temporary Rent Repayment Due to a COVID-19 Hardship:

a. COVID-19 Emergency Hardship Application Form: Lessee shall complete and submit an application form (attached as Exhibit "A") that contains sufficient financial information from which the Director of the Vernon Housing Commission ("Commission Director") or designee may evaluate the lessee's financial condition. Both leasees and authorized occupants must submit three (3) months of pay stubs, bank statements, or equivalent documentation of current wages, if any, including periods before and after the COVID-19 outbreak. To the extent legally permissible, the Commission Director shall maintain the confidentiality of the COVID-19 Emergency Hardship Application and any documentation submitted in support of it.

b. Verification/Relief: If the Commission Director confirms that a lessee suffers a COVID-19 Emergency Hardship, the lessee shall be required to enter into the Payment Plan Agreement (attached as Exhibit "B"). No certification of Financial Hardship may be found unless all required supporting documentation is provided, or a separate certification that some or all of the supporting documentation does not exist (i.e., if there are no current wages).

4. The Commission Director or designee shall promptly consider all hardships on a case by case basis. The Commission Director or designee shall make a determination regarding whether a tenant may enter into a COVID-19 Emergency Rent Repayment Agreement, and the nature and scope of the repayment plan.

Exhibit A
COVID-19 Emergency Hardship Application Form



Vernon Housing Commission COVID-19 Emergency Hardship Rent Repayment Plan Application Form

Pursuant to the Vernon Housing Commission's Temporary Rent Repayment Procedures for Existing Tenants Experiencing Hardship due to the COVID-19 Emergency, adopted on April 29, 2020, the named leasee below, who resides at the address indicated below, hereby applies for a rent repayment plan based on his/her financial hardship caused by the COVID-19 emergency.

Name(s) of Leasee(s): _____

Address of Leasee(s): _____

Email: _____ Phone Number: _____

COVID-19 IMPACT

Household income has been impacted by COVID-19 due to the following (select at least one):

- Job loss
- Reduction of work hours
- Missing work to care for a child due to school closure
- Extraordinary out of pocket costs, such as medical costs (including doctor or hospital bills)
- Missing work due to COVID-19 diagnosis or caring for a household/family member sick with COVID-19
- State or local emergency action that prevents me from working, explain: _____
- Other: _____

DOCUMENTATION

I am providing the following documentation of my loss of income (select all that apply):

- Written communication from employer citing COVID-19 as reason for reduced work hours/layoff
- Paycheck stubs from before and after the COVID-19 outbreak, at least for 3 months *
- Bank statements showing financial situation before and after the COVID-19 outbreak *
- Other proof of loss of income related to COVID-19: _____

*These documents must be included for each lessee and each adult listed as an authorized occupant.

Documentation for items selected above is attached. If documentation is not available, please explain why not.

Combined Gross Monthly Income of all named leasee(s) and authorized occupants: \$ _____

How much can you afford to pay towards your monthly rent? \$ _____

How many months of rent will you need to re-pay? _____

[CERTIFICATION ON NEXT PAGE]

I/We, _____(name/s), the named leasee(s)
for the unit located at _____(address),
hereby certify that the information provided on this Housing Commission COVID-19 Emergency
Hardship Application Form is true and correct. I/We further certify that the documents I/we have
provided in connection with this Application are true and correct copies of the originals of said
documents. I/We declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

Executed this _____ day of _____ at Vernon, California.

(Signature)

(Print Name)

(Signature)

(Print Name)

Submit the completed Application, Required Documentation, and Certification to:

Vernon Housing Commission
4305 Santa Fe Avenue Vernon, CA 90058
Attn: Commission Director/City Administrator
housing@ci.vernon.ca.us

Exhibit B
COVID-19 Emergency Payment Plan for Past Due Rent Agreement



COVID-19 EMERGENCY PAYMENT PLAN FOR PAST DUE RENT AGREEMENT

This COVID-19 Emergency Payment Plan for Past Due Rent Agreement is by and between the City of Vernon (“Landlord”) and Leasee (“Tenant”): _____, (“Tenant”) for the property located at _____, in Vernon, CA 90058.

The City of Vernon acknowledges the COVID-19 pandemic has directly affected many of our residents. Some residents have experienced a loss of wages, incurred new medical expenses or been laid off from their place of employment as a result of the COVID-19 pandemic.

For those who have been directly affected by this COVID-19 Emergency, we are willing to enter into an agreement to provide temporary flexibility for paying rent for the following period of time not to exceed 12 months: _____.

In order to qualify for the terms of this Agreement, you must provide written documentation of your loss of job, income, or other monetary hardship along with a COVID-19 Emergency Hardship Application Form. This may be done via any method normally permitted under the Lease Contract. The determination of the sufficiency of such documentation to qualify for this Agreement is solely within the discretion of the Vernon Housing Commission.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we (as Landlord) and you (as Tenant) agree to a temporary re-payment plan for rent and other sums due as further described below. You agree to make payments as follows:

Rent Payment Month	Amount Paid	Balance Due	Date to be Paid	Amount
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The payment plan agreed upon shall be paid in addition to the Tenant’s regular monthly rent. The Tenant shall pay the full amount of rent owed. Landlord acceptance of any partial payment of rent does not waive the landlord’s right to demand payment in full or waive the landlord’s rights to enforce any other rights pursuant to the rental agreement. Any payment received by the Tenant shall first be applied to the past amount owed.

You understand and agree that your failure to comply with this Agreement is a material breach by you of the Lease Contract and a default under the Default by Leasee paragraph of the Lease Contract for which we may sue you for eviction and entitles us to pursue any and all other legal remedies.

We will not pursue eviction for nonpayment of rent if the terms of this Agreement are met. If you do not timely comply with payment provisions set forth herein, we may in our sole discretion pursue eviction for nonpayment of rent and any other remedy under the Lease Contract and state and/or local laws. To the fullest extent authorized by applicable state and local law, we do not waive any right to commence eviction proceedings against you for any breach of this Payment Plan Agreement or any other breach of the Lease Contract or state or local law.

Our choice to enforce, not enforce or delay enforcement of the due date or amount of any payment due under this Agreement or the Lease Contract is not a waiver under any circumstances.

Nothing contained in this Agreement waives, limits, prejudices or adversely affects any of our rights, remedies or powers under the Lease, by statute, at law or in equity, all of which rights, remedies and powers are expressly reserved, and all other terms and conditions of the Lease Contract not in conflict with this Agreement shall remain in full force and effect.

Any and all terms and conditions of the Lease Contract that are not specifically amended herein remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the undersigned dates written below.

Tenant's Signature: _____ Date: _____

Print Name: _____

Landlord's Signature: _____ Date: _____

Print Name: _____

RESOLUTION NO. VHC-__

A RESOLUTION OF THE VERNON HOUSING COMMISSION OF THE CITY OF VERNON IMPOSING A TEMPORARY WAIVER OF RENT PAYMENTS FOR ALL LAWFUL RESIDENTS OF CITY-OWNED HOUSING DURING THE MONTHS OF MAY, JUNE, AND JULY 2020

WHEREAS, on June 7, 2011, the City Council of the City of Vernon adopted Ordinance No. 1183 establishing the Vernon Housing Commission (the "Commission"); and

WHEREAS, Chapter 7.5 of the Vernon City Charter provides that the Commission shall oversee the day-to-day management, leasing and maintenance of City-owned housing stock; and

WHEREAS, international, national, state, and local health and governmental authorities are responding to a pandemic outbreak of a respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a "state of emergency" throughout the State in response to COVID-19, and in furtherance of this proclamation has issued several Executive Orders that include extraordinary measures directed at slowing the spread of COVID-19 and reducing impacts to residents and businesses; and

WHEREAS, on March 15, 2020, Governor Newsom released statewide guidance, urging the highest risk of population (individuals who are 65 years or older, or have compromised immune system) to self-isolate at home; and

WHEREAS, given these conditions, on March 14, 2020, the Mayor of the City of Vernon, acting as Chief Executive Officer of the Vernon Disaster Council, proclaimed the existence of a local emergency to allow

prompt response to emergency conditions at the local level, and provide the City access to federal, state, and local resources during the crisis, and this local emergency was ratified by City Council on March 17, 2020; and

WHEREAS, on March 19, 2020, in an unprecedented step to slow the spread of COVID-19, Governor Newsom issued Executive Order No. N-33-20 ordering all California residents and businesses to stay and work at home for an indeterminate period of time, with the only exceptions from this order being essential services and industries; and

WHEREAS, Governor Newsom has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, a study by the University of Southern California found that in early April 2020, only 45% of Los Angeles County residents reported being currently employed, representing a 16% drop from mid-March; and

WHEREAS, the pandemic's ongoing impact on public health and the economy is unprecedented and evolving rapidly. Further economic impacts are anticipated, leaving tenants vulnerable to severe financial hardship; and

WHEREAS, as a result of the public health emergency and the precautions ordered by health authorities, many tenants in Vernon may experience or have already experienced sudden and unexpected income

loss; and

WHEREAS, on March 16, 2020, Governor Newsom issued Executive Order N-28-20 temporarily reducing limits on local governments' ability to impose their own "substantive limitations on residential or commercial evictions" through May 31, 2020; and

WHEREAS, on March 27, 2020, Governor Newsom issued Executive Order N-37-20 banning the enforcement of eviction orders for renters affected by COVID-19 through May 31, 2020; and

WHEREAS, on April 7, 2020, the City Council of the City of Vernon adopted Emergency Ordinance No. 1267 enacting a Temporary Emergency Moratorium on Evictions for renters and owners of commercial properties in the City and late fee assessments and service shut-offs for rent and utility payments; and

WHEREAS, on April 21, 2020, the City Council of the City of Vernon adopted Emergency Ordinance No. 1268 enacting a Temporary Emergency Moratorium for renters and owners of residential properties in the City and late fee assessments and service shut-offs for rent and utility payments, and asked City staff to bring before the Commission a proposed temporary waiver of rent payments for tenants of City-owned housing; and

WHEREAS, retaining the obligation to pay rent during the City's residential eviction moratorium would mean that those who defer payments will likely accumulate significant personal debt; and

WHEREAS, the Commission recognizes the likelihood of City housing residents experiencing severe financial hardship during this public health crisis, and wishes to provide support to lawful City housing residents; and

WHEREAS, the Commission desires to waive rent payments for

lawful tenants of residential properties owned by the City of Vernon for the months of May, June, and July 2020; and

WHEREAS, the Commission finds this Resolution is a limited and temporary waiver of rent payments intended to promote financial stability and fairness within the City residential rental markets due to the COVID-19 pandemic outbreak, and to prevent avoidable homelessness and debilitating financial impact to City housing residents, thereby serving the public peace, health, safety, and public welfare; and

WHEREAS, the Commission finds and declares that this temporary waiver of rent payments for tenants of City-owned housing is separate from the Vernon City Council's Temporary Moratorium on Residential Evictions, but shall be applied concurrently therewith; and

WHEREAS, the Commission finds and declares that all other terms and provisions, including those regarding rental payments due prior to or following this temporary waiver period, of any City residential lease or rental agreement shall remain in full force and effect and are not otherwise amended, modified, or waived by this temporary waiver Resolution; and

WHEREAS, the Commission finds and declares that any non-rent payments due prior to or following this temporary waiver period as a result of existing lease or rental agreements shall remain in full force and effect and are not otherwise amended, modified, or waived by this temporary waiver Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE VERNON HOUSING COMMISSION OF THE CITY OF VERNON AS FOLLOWS:

SECTION 1: The Vernon Housing Commission of the City of Vernon hereby finds and determines that the above recitals are true and correct.

SECTION 2: The Vernon Housing Commission of the City of Vernon finds that this action is exempt from California Environmental Quality Act (CEQA) review because it is an administrative activity that will not result in any direct or indirect changes in the environment and is therefore not a "project" as defined by CEQA Guidelines section 15378.

SECTION 3: A temporary waiver of rent payments for lawful tenants of residential properties owned by the City of Vernon for the months of May, June, and July 2020 is imposed as set forth herein.

SECTION 4: During this temporary waiver of rent payments:

A. Rent payments are waived and will not be due for the months of May, June, and July 2020 for all lawful residents of City-owned housing; and

B. Nothing in this Resolution shall relieve the tenant of liability for any rent payment due before or after the period of temporary waiver, subject to the provisions of the Vernon City Council Temporary Moratorium on Residential Evictions.

SECTION 5: This Resolution shall not be read in any way to prohibit any terminations of tenancy for just cause, or other terminations of tenancy where this Resolution does not apply.

SECTION 6: Severability. If any section, subsection, paragraph, sentence, clause, phrase, or portion thereof, of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The Vernon Housing Commission declares that it would have adopted this Resolution, and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more

sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof, be declared invalid or unconstitutional. To this end, the provisions of this Resolution are declared to be severable.

SECTION 7: The Secretary of the Commission shall certify to the passage, approval and adoption of this Resolution, and the Secretary shall cause this Resolution and the Secretary's certification to be entered in the File of Resolutions of the Commission.

APPROVED AND ADOPTED this 29th day of April, 2020.

Name: _____
Title: Chairman / Vice Chairman

ATTEST:

Lisa Pope, Secretary

APPROVED AS TO FORM:

Arnold Alvarez-Glasman,
Commission Counsel

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Lisa Pope, Secretary of the Vernon Housing Commission of the City of Vernon, do hereby certify that the foregoing Resolution, being Resolution No. VHC-__, was duly passed, approved and adopted by the Vernon Housing Commission of the City of Vernon at a special meeting of the Commission duly held on Wednesday, April 29, 2020, and thereafter was duly signed by the Chair or Vice Chair of the Vernon Housing Commission of the City of Vernon.

Executed this ____ day of _____, 2020, at Vernon, California.

Lisa Pope, Secretary

(SEAL)