

Agenda Report

January 11, 2021

TO: Honorable Mayor and City Council

FROM: Department of Housing

SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT WITH HOUSING RIGHTS CENTER IN THE AMOUNT OF \$118,098 TO PROVIDE LEGAL SERVICES AND ASSISTANCE TO PASADENA HOUSEHOLDS AT RISK OF FALLING INTO HOMELESSNESS

RECOMMENDATION:

It is recommended that the City Council:

- 1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061 (b)(3), the "General Rule" that CEQA only applies to projects that may have an effect on the environment; and
- 2) Authorize the City Manager enter into a contract with Housing Rights Center in the amount of \$118,098. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
- 3) Grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049 (B), contracts for which the City's best interests are served; and

BACKGROUND:

On October 1, 2018, Council authorized the submission of a funding application to the California Department of Housing and Community Development (HCD) for California Emergency Solutions and Housing (CESH) Program grant funds. On January 11, 2019 HCD notified the City of its CESH award in the amount of \$720,243. To date, \$118,098 remains unallocated and has been reserved for the provision of legal services and counseling regarding matters that interfere with a person's ability to obtain and retain housing, including eviction defense services.

PROJECTED INCREASE IN DEMAND FOR LEGAL SERVICES

Currently there are federal, state and local eviction moratoria in place to minimize the impact of the novel coronavirus (COVID-19) crisis on tenants by prohibiting residential landlords from pursuing eviction for nonpayment of rent due to COVID-19-related financial distress. Locally, the eviction moratorium that was adopted by the Council in March 2020 will protect residential and commercial tenants who are unable to pay rent due to the loss of income as a result of COVID-19. After the lifting of the emergency order, tenants will be expected to pay back deferred rent. There are an estimated 34,000 renter households in Pasadena.

In order to benefit from the protections of the various eviction moratoria, tenants are expected to keep proper documentation and give timely declarations of financial distress stemming from the pandemic to their landlord. Similarly, the scope of these temporary bans on evictions varies greatly and can generate confusion among tenants. Since the pandemic started and moratoria were put into place, there has been increased concern around landlords pursuing intimidation tactics and other methods to accuse someone of a lease violation that fits an exception in the moratorium so evictions can move forward. Many people who have previously experienced housing instability may carry housing trauma with them that is triggered when they experience harassment or intimidation from a landlord, which can impact how quickly residents respond to potential eviction notices.

The Department believes it is of the utmost importance that adequate resources are in place to serve and support residents at risk of falling into homelessness, especially after eviction moratoria are lifted and anticipated waves of evictions follow suit. Extensive research indicates that tenants with legal representation are much more likely to avoid an eviction judgment compared to unrepresented tenants. Attorneys may be able to keep eviction filings off tenants' records, arrange for alternative housing, negotiate reasonable amounts of time for tenants to move out, reduce or eliminate money owed to the landlord, or help tenants apply for rental assistance. As such, the Department is recommending allocating the remaining \$118,098 of CESH funding to the Housing Rights Center in order to fund an additional legal support position specifically for Pasadena residents.

The Housing Rights Center is the nation's largest non-profit civil rights organization dedicated to securing and promoting Fair Housing with a location in Pasadena. The Department currently administers a \$97,000 contract with Housing Rights Center to provide tenant/landlord related services specifically for Pasadena residents and they are uniquely positioned to perform the proposed scope of services given their local presence and qualifications. As such, the Department recommends a competitive selection exemption for these aforementioned reasons. This service provider already has the necessary infrastructure in place to further expand their existing program, which would allow for a greater continuity of services and quicker onboarding of an additional staff person than if the Department pursued an outside vendor. This is particularly important given the time-sensitive nature of affairs requiring legal support for resolution, such as unlawful detainer notices and evictions, to prevent homelessness. This would

serve the City's best interests during the local state of emergency by deploying resources quickly with minimal program ramp up required.

COUNCIL POLICY CONSIDERATION:

Approval of the recommended action has the potential to provide homelessness prevention services for Pasadena households at risk of falling into homelessness. Approval of the proposed projects are in accordance with the Pasadena Continuum of Care system, General Plan Housing Element, Five-Year Consolidated Plan, and Five-Year Public Housing Authority Plan.

ENVIRONMENTAL ANALYSIS:

The action proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3), the "General Rule" provision of CEQA which applies to projects which may have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Entering into a contract to provide legal services to prevent homelessness will not have a significant effect on the environment and, hence, is not subject to CEQA.

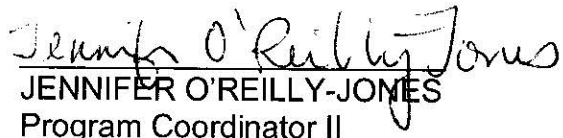
FISCAL IMPACT:

Approval of the recommended action will have no direct fiscal impact as the grant funds for the proposed contract are currently included in the Department's Fiscal Year 2021 recommended budget.

Respectfully submitted,


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