

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

August 22, 2023

FROM

LUTHER SNOKE, Chief Operating Officer, County Administrative Office

SUBJECT

Ordinance Amendment Related to Grounds for Eviction Under the Crime Free Housing Program

RECOMMENDATION(S)

1. Consider proposed Ordinance to amend Section 33.1017 of the San Bernardino County Code related to the grounds for eviction under the Crime Free Housing Program.
2. Make alterations, if necessary, to proposed Ordinance.
3. Approve introduction of proposed Ordinance:
 - a. An ordinance of San Bernardino County, State of California, amending Section 33.1017 of Title 3, Division 3, Chapter 10, Article 1.5 of the San Bernardino County Code relating to grounds for eviction under the Crime Free Housing Program.
4. SCHEDULE ORDINANCE FOR FINAL ADOPTION ON TUESDAY, SEPTEMBER 12, 2023, on the Consent Calendar.

(Presenter: Luther Snoke, Chief Operating Officer, 387-4811)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

The proposed ordinance modifies the authority granted to landlords in the County Code to evict tenants that engage in specific criminal activity at a rental unit. On January 8, 2008 (Item No. 84), the Board of Supervisors enacted the Criminal Offender Eviction Program for Landlords (Program). Under the Program, a landlord is allowed to bring an action against a tenant to recover possession of a rental unit when a tenant has caused or permitted the rental unit and surrounding area to be used for specified criminal activity, or when the tenant has been convicted of specified criminal offenses for activity at the rental unit or surrounding area. The Program was adopted to assist landlords in pursuing their right to evict tenants in order to remove a dangerous element from their property.

In response to an advisory letter issued to all cities and counties by California Attorney General Rob Bonta regarding local Crime-Free Housing Programs, staff have reviewed the existing County ordinances relating to crime-free housing and are recommending modifications to better align with changes to State law. The proposed ordinance modifies the eviction authority of a landlord under the Program to those instances where a tenant has been convicted of specified

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August 22, 2023**

offenses based upon conduct that occurred at or near the property, while the individual was a tenant. The conviction must be related to a gang-related offense, a crime committed with a firearm or other deadly weapon, a crime involving great bodily injury to the victim, or a crime that involved illegal drug activity. The proposed ordinance does not impact a landlord's ability to utilize other grounds for eviction authorized in State law.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Kristina M. Robb, Deputy County Counsel, 387-5455) on July 27, 2023; Sheriff/Coroner/Public Administrator (Ernie Perez, Deputy Chief, 387-3760) on August 7, 2023; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on August 7, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on August 7, 2023.

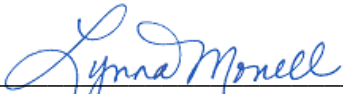
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.
Absent: Col. Paul Cook (Ret.)

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 22, 2023



cc: File -
JLL 08/23/2023