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Agenda Date: 4/8/2021  
Council Meeting

2021 APR -7 P 3:45  
CITY OF FRESNO  
CITY CLERK'S OFFICE

# FRESNO CITY COUNCIL



## Information Packet

### ITEM(S)

#### **File ID 21-504 (4-B)**

**RESOLUTION - Creating the Rental Mediation Program**

**Contents of Supplement: eComments and emails.**

### Item(s)

#### **Supplemental Information:**

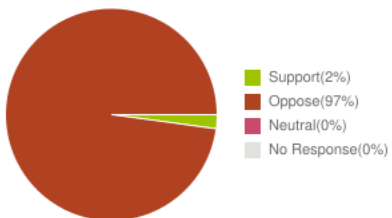
Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

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Agenda Item: eComments for 4-B ID 21-504 RESOLUTION - Creating the Rental Mediation Program

Overall Sentiment



**Andrea Mangano**  
Location: 93737, Fresno  
Submitted At: 1:39pm 04-07-21

The people renting are usually part of some of the most vulnerable categories of our community, which means they are at high risk of exploitation from people who want to abuse their power. As citizens of Fresno, it is our city responsibility to ensure their safety and fair treatment. I believe Right to Council will help way more

### **Chelsea Cogburn**

Location: 93710, Fresno  
Submitted At: 12:31pm 04-07-21

I oppose the Rental Mediation Program, and request that the City Council instead adopt the Right to Council/Eviction Diversion Program.

When the eviction moratorium ends on June 30th, thousands of residents will be at risk of losing their housing, and many of them will be forced into the street. The RMP is a dozen steps short of addressing this problem - a problem that will assuredly devastate the lives of numerous Fresno residents.

Instead, Fresno should adopt a plan similar to those that have succeeded in New York and Baltimore, both of which have enacted plans that use the RTC/EDP framework. If Fresno is serious about dealing with the issue of homelessness, the city should not enact a program that will exacerbate the problem, and must instead look for a solution that keeps people in their homes.

### **N R**

Location: 93749, Fresno  
Submitted At: 11:13am 04-07-21

I strongly oppose rental mediation program. I strongly support the Fresno Right to Counsel Coalition. To me home is a place where your in a safe environment with family. To feel safe as a renter in Fresno is not to be stressed financially and have landlords who are supportive and understandable. As well as living in a clean environment and have proper maintenance. During the pandemic of COVID-19 many families are struggling with housing problems and some are even homeless due to the virus. I urge the city council to support the Right to Council Coalition in order to help those people in need.

### **Lyneth Alacar**

Location: 93710, Fresno  
Submitted At: 10:40am 04-07-21

I strongly oppose rental mediation program. I strongly support and in favor for the Fresno Right to Counsel Coalition. Regardless of this pandemic and the times we are in, many people suffer on a daily basis with housing crisis and homelessness. The pandemic adds more stress and fear for tenants of Fresno because majority of the population have been laid off and there's more struggle to meet the deadline of payments. Theres a rise of being financially unstable and vulnerability because there's an urgency that people are put in and could never fulfill. No one ever wants to be in such a position. There's so much people can do to help themselves and the RTC program strongly supports and fights for those in need of housing and representation to bring hope and light for their crucial needs, especially having a home where they can feel safe and secure.

### **Jessica Ramirez**

Location: 93726, Fresno  
Submitted At: 10:38am 04-07-21

I strongly oppose rental mediation program, I do however support the Fresno Right to Counsel . We need renter protections for our people.I am an experienced of reality of homeless with my kids this is why we need RTC to prevent homelessness , EVERY HUMAN DESERVES TO BE PROTECTED AND HAVE A SAFE SECURED HOME I know how it is living in a car with kids not having a home I'm crying for help please help and I urge you people of power to make a CHANGE!!!

### **Laura Winer**

Location: 93711, Fresno  
Submitted At: 10:25am 04-07-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called

Eviction Diversion Program (RTC/EDP). The RMP proposal is short sighted and only offers a temporary bandaid for a problem that requires systemic change. Chavez' Rental Mediation Program will not decrease evictions or decrease homelessness once the eviction moratorium is lifted on June 30, 2021. As a result of being rent burdened and potentially behind in their rent, more than 28,000 Fresno County households may be vulnerable to eviction on June 30, 2021, when the eviction moratorium ends. The requested level of staffing of the Rental Mediation Program will be adequate to address only a small number of those people who may be subjected to eviction.

The EDP/RTC program offers long term solutions that will help cure the problem of illegal evictions and curb the rates of homelessness in our city. In other cities that have instituted EDP/RTC programs, like New York and Baltimore, studies have shown EDP/RTC programs prevent homelessness. Fewer unhoused residents helps keep community housing stable. Less money is needed to deal with homeless issues. Fewer unhoused residents improves the health and well-being of communities, helps more people maintain their employment, and helps keep children in schools.

### **Karlie Bradbury**

Location: 93740, Fresno  
Submitted At: 10:08am 04-07-21

I strongly oppose rental mediation program, I do however support the Fresno Right to Counsel program. Home to me means that I am safe from the outside elements and have a place to come home to and unwind both physically and mentally. In order to feel safe as a renter in Fresno I would like good/ safe living conditions, like proper cleanliness. As well as responsive property managers.

The Fresno Right to Counsel Coalition is important to me because I witness many of my college classmates and friends who rent struggle to meet their increasing rent prices. They fear that they will be evicted, and that it will affect their ability to continue their education and be a part of the workforce. We need renter protections for our people.

### **Isabelle Romero**

Location: 93720, Fresno  
Submitted At: 9:47am 04-07-21

I strongly oppose rental mediation program. I instead support the right to counsel and I strongly ask city council to support RTC instead. Homelessness is affecting so many people in Fresno and it isn't fair that they have to continue to suffer especially during this time of the pandemic. I am strongly urging that city council supports the right to council so that the homeless population and vulnerable tenants in Fresno can get the help they deserve and obtain a suitable lifestyle.

### **Nancy Key**

Location: 93705, Fresno  
Submitted At: 8:45am 04-07-21

I oppose the Rental Mediation Program because research shows it does not ultimately prevent rental evictions. Instead, I support creation of the Right to Counsel (RTC) proposal which is demonstrated (see Straut research conducted on this program's effectiveness and cost benefit for the cities of New York, Los Angeles, Baltimore, and Philadelphia). The RTC program would provide neighborhood-based community outreach and education, legal advice and representation to tenants facing eviction. The budget also includes evaluation to ensure accountability and provide the basis of consideration for future programs. The RTC proposal also includes a well-constructed budget to support the program effectiveness, and potential funding sources for the program.

Not only would the RTC program ensure justice to Fresno's tenants who have faced a 37% increase in rents in the past few years (highest of any city in the nation), but by preventing evictions leading to homelessness, the program will realize cost savings by reducing lost school days for children, by reducing jobs lost due to homelessness, reducing insurance lost due to lost jobs, and reduce poor health associated with homelessness.

The RTC proposal is the right approach for the citizens of Fresno to ensure justice for tenants and reduce homelessness.

### **Kathleen Miles**

Location: 93728, Fresno  
Submitted At: 8:41am 04-07-21

Homelessness is a public crime, in my personal view. It is inexcusable. I see its consequences for individuals and the community's quality of life on a daily basis all around me, and the word "tragic" seems mild to describe the scene. Yet at this late stage of the debate on the issue of homelessness Council Member Chavez is putting forward a proposal that will make it worse.

### **Samantha Imperatrice**

Location: 94609, Fresno  
Submitted At: 8:39am 04-07-21

I am a resident of District 1 and I am writing to express my STRONG OPPOSITION to Councilmember Chavez' Rental Mediation Program (RMP). I strongly encourage council to support the community-created, Eviction Diversion Program (formally Right to Council) instead. The RMP lacks key measures that are needed to keep low-income vulnerable tenants housed and slow the growth of homelessness in Fresno. The RMP lacks a guaranteed right to council, which is critical to rebalancing power in our court system. It does not call for or fund aggressive outreach in communities that are most at-risk, and understaffs its own inadequate measures. Only 1% of renters have legal representation in eviction proceedings versus 75% of landlords. In a city where 50% of residents are renters, the majority of whom are rent burdened, a comprehensive approach that provides legal representation and access to rental assistance is an absolute necessity. When the Covid Eviction Moratorium is lifted on June 30th, 2021 we will be facing an unprecedented case load of potential evictions. Other cities around the country have implemented programs similar to EDP with great success in preventing homelessness and stabilizing communities.

### **STEPHANIE LOPEZ**

Location: 93702, Fresno  
Submitted At: 8:30am 04-07-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP).

Chavez' Rental Mediation Program will not decrease evictions or decrease homelessness once the eviction moratorium is lifted on June 30, 2021. In other cities that have instituted EDP/RTC programs, like New York and Baltimore, studies have shown EDP/RTC programs prevent homelessness. The benefit of the EDP/RTC program is not confined to just those districts that are highly impacted from the risk of renters being evicted. Everyone in Fresno will benefit financially, socially and economically from a reduction in unhoused residents. Per the Rental Mediation Program resolution, it appears the Rental Mediation Program does not provide any benefit except that, "both parties will leave the meeting more educated about their rights and responsibilities."

### **Amber Crowell**

Location: 93720, Fresno  
Submitted At: 8:27am 04-07-21

A mediation program falls far short of what is needed to reduce the thousands of evictions that happen in Fresno every year. The courthouse already has a mediation program and it has minimal impact on the likelihood of a tenant being able to stay in the home. In contrast, studies from other jurisdictions have shown that a right to counsel for tenants dramatically reduces evictions and even eviction filings, meaning landlords are less likely to file for eviction when they know that tenants have legal representation. This will reduce the large amount of illegal evictions and evictions over petty issues that the court currently processes every week. A comprehensive right to counsel, as proposed by the Fresno Right to Counsel Coalition, is more proactive and evidence-driven. It will reduce evictions and homelessness and also prevent families from the costs and trauma of being displaced from their homes. It will also balance the courtroom, where 73% of landlords have attorneys compared to only 1% of tenants. I strongly oppose the mediation proposal and urge City Council to listen to the community and support the RTC Coalition's proposal for eviction diversion and guaranteed legal representation for tenants instead. The city has the funds to implement it.. This is a critical opportunity as we have more federal relief to support housing stability than we have ever had before. We cannot afford to miss this opportunity.

### **Alexandros Acedo**

Location: 93711, Fresno  
Submitted At: 7:37am 04-07-21

Council President Luis Chavez's Rental Mediation Program does not dignify or offer justice for Fresno tenants facing eviction, or dealing with bad faith landlords/property managers. This plan only offers two law clerks to serve the whole community of Fresno, which is a majority renter city. The mediation program does not offer legal counsel to renters in a city where only 1% of renters have legal representation, versus around 75 % of landlords/managers. It seems obvious that Chavez's plan is offered as a minimalist approach to dealing with a huge problem, and is destined to fail the thousands of tenants of Fresno.

As a Fresno resident, I urge you to oppose this very weak plan and support a more robust and holistic approach to dealing with evictions. Faith in the Valley and the Leadership Council have researched for over a year a comprehensive plan that will better serve the needs of Fresno's tenants. I urge you to oppose the Chavez plan, and instead support the plan developed by this community coalition - the Eviction Diversion Plan (formally known as the Right to Counsel plan). The Eviction Diversion Plan actually provides legal counsel to renters, instead of relying on legal clerks & code enforcement. The pandemic has made life hard on so many people, especially the most vulnerable and least financially secure. I urge you to make the choice that dignifies Fresno's residents: No to Chavez Plan, Yes to the EDP

### **Charlotte Miller**

Location: 93710, FRESNO  
Submitted At: 5:31am 04-07-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP). This meditation program concept was created without community input, and does not fill the needs of the community as a result. Our community deserves real support that can truly help them as they face one of the most difficult times in our collective experience. EDP/RTC programs are proven to work, whereas this meditation is not. We must consider those members of our community who are the most vulnerable, and provide them with true and proven methods of support.

### **Juan Mejia**

Location: Fresno  
Submitted At: 2:28am 04-07-21

I ask the council to oppose the Rental Mediation Program and instead support the more comprehensive and community-led Eviction Diversion Program. We have an opportunity to create impactful change that will give real help to renters in the form of legal representation. The Rental Mediation Program simply falls short of delivering the help that is needed by the community. Please listen to the people, and listen to the research. Go with the Eviction Diversion Program. Thank you.

### **Amanda C**

Location: 93650, Fresno  
Submitted At: 1:11am 04-07-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP).

### **Amanda C**

Location: 93650, Fresno  
Submitted At: 1:11am 04-07-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP).

### **Brett Felts**

Location: 93612, Clovis  
Submitted At: 12:08am 04-07-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called

Eviction Diversion Program (RTC/EDP).

RMP was created with little community input, and does very little to protect renters from eviction. Code enforcement has been shown to be underfunded and ineffective at best and oppositional to tenants rights at worst, and will do nothing to help protect tenants from slumlords.

**Monserath Sanchez**

Location: 93706, Fresno  
Submitted At: 11:48pm 04-06-21

My name is Monserath Sanchez. I was born and raised in Fresno. I am a resident leader with Faith in the Valley and the Right to Counsel Coalition. I am a renter in District 3. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's eviction diversion program.

**JOHN BEYNON**

Location: 93702, FRESNO  
Submitted At: 9:57pm 04-06-21

We need real protections for renters who have for so long been at the mercy of landlords that the city has favored. Stand up for renters!

**Melanie Lee**

Location: 93703, Fresno  
Submitted At: 9:47pm 04-06-21

My name is Melanie Lee. I was born and raised in Fresno. I am a youth leader with FIRM and member of the Summerset Village Community in District 7. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's eviction diversion program.

**Emily Brandt**

Location:  
Submitted At: 8:43pm 04-06-21

am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP).

**Arthur Robinson**

Location: 93705, Fresno  
Submitted At: 8:14pm 04-06-21

My name is Arthur Robinson and I am taking a moment to ask the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Renters deserve a right to counsel if they are involved in an eviction action so instead, I want the City Council to support this: a comprehensive Right To Counsel Community Program which is now known as the Eviction Diversion Program (RTC/EDP). The benefit of the EDP/RTC program is not confined to just those districts that are highly impacted by the risk of renters being evicted. Everyone in Fresno will benefit financially, socially, and economically from a reduction in unhoused residents. Per the Rental Mediation Program resolution, it appears the Rental Mediation Program does not provide any benefit except that, "both parties will leave the meeting more educated about their rights and responsibilities." Fewer unhoused residents help keep community housing stable. Less money is needed to deal with homeless issues. Fewer unhoused residents improve the health and well-being of communities. People maintain access to their health care and mental health care. Fewer unhoused residents help more people maintain their employment. Fewer unhoused residents help keep children in schools. This is the right thing. Do the right thing.

**Dallas Blanchard**

Location: 93728, Fresno  
Submitted At: 7:56pm 04-06-21

I am asking the City Council to oppose the Resolution creating a Rental Mediation Program (RMP). Instead, I

want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP).

The process by which the Rental Mediation Program was developed did not have any community input. There is no documentation of any research having been done to support the RMP being proposed.

The Eviction Diversion Program EDP (formerly called RTC) provides adequate staffing to address the eviction problem; describes the public outreach process; includes an education program for landlords and tenants; outlines evidence-based economic and social benefits obtained from studies of other cities that have instituted RTC programs.

Chavez' Rental Mediation Program will not decrease evictions or decrease homelessness once the eviction moratorium is lifted on June 30, 2021. In other cities that have instituted EDP/RTC programs, like New York and Baltimore, studies have shown EDP/RTC programs prevent homelessness.

Chavez' Rental Mediation Program is an inadequate response to what is a serious and growing problem in Fresno. More than 50% of Fresno residents rent. The majority of renting households are rent burdened and pay more than 30% of their household income on rent and utilities.

### **Jacob Bailey**

Location: 93728, Fresno

Submitted At: 7:07pm 04-06-21

I am a resident of district 3, a teacher, and a property owner. The rental mediation program proposal is a problem. A voluntary mediation program will never outbalance the need for tenants to have representation, and since the timeline of eviction is so quick, even if mediation is chosen it will not be completed before default judgements are ruled. If we are really serious about empowering our residents and keeping them from being housing insecure, they must have legal representation in eviction court. As a teacher, I see the effect housing insecurity has on our students. That impact is exaggerated in the age of distance learning when consistency of place (and Internet connection) is vital to student success. Support the families of our districts (at least half of whom rent) by striking down this proposal and making bold action to give renters right to counsel.

### **Devorah Zehring**

Location: 93705, Fresno

Submitted At: 5:39pm 04-06-21

Hello. My name is Devorah Zehring. I am a Fresno resident living in Council district #1. I am writing today to urge the council to oppose

The Rental Mediation Program. The proposed program will neither decrease homelessness or evictions. A thriving Fresno needs all citizens in stable homes whether they rent or own. Because renters constitute a majority of our citizenship we must ensure their housing is secure.

Renters deserve a right to counsel if they are involved in an eviction action.

Thank you for your thoughtful vote in opposition to Rental Mediation Program and your strong support of renters Right to Counsel.

### **Selenne Avalos**

Location: 95333, LE GRAND

Submitted At: 5:05pm 04-06-21

My name is Selenne Avalos, I am a Fresno State student. I have heard several testimonies of renters that have been struggling with their landlords. It is so unfair that their families have to go through such a horrible experience. I strongly oppose the President Chavez's Rental Mediation Program. We need their voices to be heard and receive all the support they can get.

### **Starry Rinn**

Location: 93725, Fresno

Submitted At: 5:04pm 04-06-21

My name is Starry Rinn. I am a long-life Fresno resident and I live in District 5. I strongly oppose Council President Chavez's Rental Mediation Program It does not treat the root causes of poverty and homelessness like a Right to Counsel would. I know that Councilmembers have met with the community and have agreed with the overall tenets of a RTC. I ask that councilmembers vote no on the mediation program and follow through with passing an RTC.



**Alexandra Alvarado**

Location: 93726, Fresno  
Submitted At: 5:04pm 04-06-21

I strongly OPPOSE Councilmember Chavez's Rental Mediation Program. My name is Alexandra My name is Alexandra Alvarado. I am a wife, sister, daughter, and community organizer and a renter. In Fresno the disparity of legal representation between tenants and landlords is over 70%. The mediation program that is being proposed is deeply flawed and concerning as to how this is supposed to help families during an eviction. Let's not forget how many of these families continue to live in dilapidated, slumlord housing, and still pay rent every month under your watch. What was Council President Chavez's process in creating this mediation program? Did he engage in a meaningful process to ensure community voices were central to his plan? Did he develop a plan that would address longstanding racism and discrimination in our housing and court system? If the city does not prioritize whole person care in implementing an eviction diversion and homelessness prevention proposal, people will be left out, families will be continued to be displaced, children will not have the best opportunity to thrive. Protect our Tenants! Keep our Families Housed!

**Jacqueline Olguin**

Location: 93710, Fresno  
Submitted At: 5:04pm 04-06-21

My name is Jacqueline Olguin. I am a Fresno State student as well as a Fresno renter and I care about renters rights. After hearing Inez Hernandez story about the unfair treatment she got as a renter, it made me realize renters need more protection. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's eviction diversion program.

**Amaya Marquez**

Location: 93250, Mc Farland  
Submitted At: 5:02pm 04-06-21

My name is Amaya Marquez. I strongly oppose President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. Families in Fresno need programs that address Fresno's eviction and homelessness crisis by including them in building the solutions. I urge the council to vote NO. Please listen to the voices and expertise of the community and support the community's Right to Counsel program.

**Israel Arias**

Location:  
Submitted At: 5:01pm 04-06-21

My name is Israel Arias. I am a Fresno State students who is working to advance housing justice in Fresno County. We are studying the longstanding housing crisis in Fresno and we know that in order to change the broken housing system we need policies that will address the roots of the problem. I heard powerful testimony from Inez Hernandez about how renters are not being treated fairly. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's Right to Counsel program.

**Karina Sanchez**

Location: 93710, Fresno  
Submitted At: 5:01pm 04-06-21

I am a Fresno State students who is working to advance housing justice in Fresno County. We are studying the longstanding housing crisis in Fresno and we know that in order to change the messed up housing system we need policies that will address the roots of the problem. I heard powerful testimony from Inez Hernandez about how renters are not being treated fairly. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's Right to Counsel program.

want the City Council to support the comprehensive Right To Counsel Community Program which is now called Eviction Diversion Program (RTC/EDP).

More than 50% of Fresno residents rent. The majority of renting households are rent burdened and pay more than 30% of their household income on rent and utilities.

The Rental Mediation Program would be inadequate in addressing the needs of renters and would not provide legal representation to renters facing eviction. More than 28,000 Fresno County households may be vulnerable to eviction on June 30, 2021, when the eviction moratorium ends. The proposed level of staffing for the Rental Mediation Program would be inadequate to address even a small number of those who may be subjected to eviction.

Please listen to the community and draft a policy that addresses the needs of the communities and vulnerable renters. Thank you.

**Jennie Guadagno**

Location: 93711, Fresno  
Submitted At: 3:21pm 04-06-21

My name is Jennie Guadagno. I am a Fresno renter in district 6. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's eviction diversion program.

**Jayla Thomas**

Location: 93726, Fresno  
Submitted At: 3:18pm 04-06-21

My name is Jayla Thomas. I was born and raised in Fresno. I am a Fresno renters in District 6. I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's eviction diversion program.

**Barbara Gallman**

Location: 93711, Fresno  
Submitted At: 2:14pm 04-06-21

I find the proposed City Council Rental Mediation Program (RMP) to be inadequate. Fresno is a city where 50% of the occupants are renters; the majority of tenants pay over 30% of their income on rent and utilities, and although the cost of living has been rising for decades, incomes remain flat. To make matters worse, Fresno County suffers an affordable housing shortage of 35,000 units. This is a recipe for housing instability and displacement due to eviction, which the RMP does nothing to mitigate. The Fresno Right To Council Coalition has submitted a comprehensive Right To Council Proposal (RTC), which is based on programs implemented in major cities around the country. The RTC provides preventative and real time interventions proven to reduce evictions and housing displacement: 1)Education On Tenant/Landlord Rights; 2)Rental Assistance For Eviction Avoidance; 3)Partnering With Community Programs For At Risk Renters; 4)Legal Council And Representation For Those Facing Eviction, and more. The City Council proposed RMP would provide two law clerks to service their entire program. Two clerks, who will analyze eviction cases, represent no ones interest, and hope "...both parties will leave the meeting more educated about their rights and responsibilities." With families facing the prospect of dislocated lives and/or homelessness due to evictions, Fresno must do better.

**Mellissa JessenHiser**

Location: 93722  
Submitted At: 2:00pm 04-06-21

I strongly oppose Council President Chavez's Rental Mediation Program. It's deeply flawed and falls way too short of actually addressing Fresno's eviction and homelessness crisis. I urge the Council to vote no. Please listen to the voices and expertise of the community and support the community's eviction diversion program. Any plans by the city council to address eviction and homelessness MUST include the voices of the people living

through this crisis. I urge you to put people before profit. It is shameful that in a country with so many resources, any person would live in substandard conditions or without a permanent residence.

**Mariah Thompson**

Location: 93705-4118, FRESNO  
Submitted At: 1:49pm 04-06-21

I submit this comment in my personal capacity as a resident of District 1. I am an attorney specializing in multiple aspects of affordable housing. Prior to my current job, I worked as an eviction defense attorney in Fresno. I strongly oppose the Rental Mediation Program. It is a flawed half measure that will not protect most residents from evictions. A few flaws:

1. Most residents do not seek help until a UD is already filed. A resident has 5 court dates to file an answer. If a resident fails to file an answer timely, the resident will get a default judgment and eviction without trial. This is how most evictions occur. Trial must be set within 21 days. This program does not stay the 5 day deadline and will result in default judgments. In this way it can actually HARM residents.
2. A clerk cannot fully evaluate the legality of the eviction if the eviction has not been filed. You can't evaluate a lawsuit that doesn't exist yet.
3. This does not change the power imbalance in court between tenants, without lawyers, and landlords, who have lawyers.
4. Most residents will not know how to utilize or access this program. Poor individuals without internet access, seniors without internet literacy, farmworkers, and other vulnerable people who do not have access to reliable internet will not be served.

..and a dozen other reasons that there is not space here to describe.

Oppose this program. Talk to UD lawyers.

**Janine Nkosi**

Location: 93726, Fresno  
Submitted At: 10:32am 04-06-21

I strongly oppose the Rental Mediation Program and I urge Fresno City Councilmember to vote no too. Evictions and displacement are a major factor contributing to Fresno's homelessness crisis. Since summer 2019, our university-community coalition has studied the problems of and solutions to the eviction crisis. Our intention was to fully understand the problem and find the most effective way for Fresno to address the eviction and homelessness crisis.

Our Eviction Diversion Program (RTC) is an evidence-based proactive approach that will reduce homelessness in the City of Fresno. We have an opportunity to leverage federal money to establish a long-needed program to ensure that renters fundamental constitutional rights are upheld in the housing and court system.

We know through an abundance of research from other places that already established RTC that there's an extraordinary return on investing in robust comprehensive solutions -- Right to Council -- to mitigate the crisis. This is a once in a generation opportunity. Please do the right thing.

Our proposal was created and vetted by people who are directly impacted by evictions. We thoroughly studied the problem. We found the most effective solution. We found the money. All we need is for our elected leaders to listen. I oppose the Rental Mediation Program. Please support the community's proposal holistic proposal NOT the deeply flawed RMP.

**James Mendez**

Location:  
Submitted At: 3:58pm 04-05-21

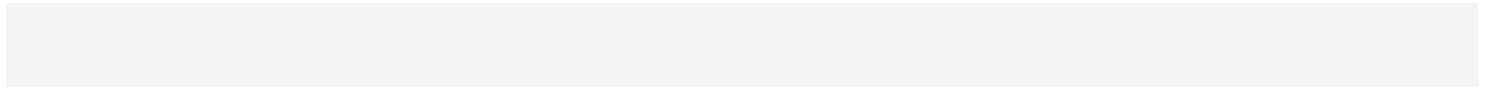
I would like the City Council to oppose the Resolution creating an inadequate Rental Mediation Program. Instead, I would like the City Council to support the comprehensive Right To Counsel Community Program which

has been presented several times before. <https://leadershipcounsel.org/wp-content/uploads/2021/01/Fresno-Right-to-Counsel-Coalition-Community-Proposal.pdf>

The goal of the RTC Community Proposal is to decrease homelessness by decreasing evictions. The RTC Community Proposal is a comprehensive program that allows ALL income-eligible people who have been served with an eviction notice to have legal representation in eviction court.

The Rental Mediation Program is an inadequate response to what is a serious and growing problem in Fresno. More than 50% of Fresno residents rent. The majority of tenants are rent burdened and pay more than 30% of their household income on rent and utilities. More than 28,000 households may be vulnerable to eviction on June 30, 2021, when the COVID eviction moratorium ends. The Rental Mediation Program does nothing to keep tenants housed. The Rental Mediation Program provides two law clerks to provide legal information but does not provide any legal representation for tenants that would keep tenants housed.

The Rental Mediation Program does not provide any benefit except that, "both parties will leave the meeting more educated about their rights and responsibilities."



**From:** [Karla Martinez](#)  
**To:** [Yvonne Spence](#); [Clerk](#)  
**Cc:** [Grecia Elenes](#); [Ivanka Saunders](#)  
**Subject:** ID 21-504  
**Date:** Wednesday, April 07, 2021 9:21:38 AM  
**Attachments:** [ID 21-504\\_Opposition.pdf](#)

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**External Email: Use caution with links and attachments**

Good Morning,

I am attaching our comments in opposition to Item 21-504.

Thank you,  
Karla

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**Karla Martinez (she/her)**

Policy Advocate

Leadership Counsel for Justice and Accountability

2210 San Joaquin St, Fresno, CA 93721 **(new office location)**

Office: 559-369-2790 | Cell: 213-944-4935

[kmartinez@leadershipcounsel.org](mailto:kmartinez@leadershipcounsel.org)



April 7th, 2021

Attn: Fresno City Council

Attn: Council President Luiz Chavez

2600 Fresno St.

Fresno, CA 93721

### **Public Comment RE: ID 21-504 Opposition to Rental Mediation Program**

Dear Council President Chavez and fellow Councilmembers,

We are taking this opportunity to submit comments in **opposition** to Item 21-504 regarding the Rental Mediation Program sponsored by Council President Chavez. Leadership Counsel for Justice and Accountability, Faith in the Valley, Fresno Building Healthy Communities, and Root and Rebound work alongside the most impacted communities in the City of Fresno. We're working to advance a movement for racial justice and health equity, and prioritize people over profit for a future where everyone is treated as sacred, and has a chance to thrive and live a healthy decent life.

The Rental Mediation Program being introduced is a program that is deeply flawed and falls far too short of actually addressing Fresno's eviction crisis. For almost a year now, Faith in the Valley along with Leadership Counsel have been researching, advocating, and pushing for a comprehensive [Eviction Diversion and Homelessness Prevention Program](#). Our coalition developed this research-driven, comprehensive, community-led proposal that includes: (1) a city-wide tenant and landlord outreach and education campaign; (2) legal assistance, which includes mediation to help renters and landlords find a fair resolution; (3) coordinated assistance between other vital city services (i.e. Code Enforcement, Anti-Slum Enforcement Team, Housing Retention Program, etc.); and, if needed, (4) direct legal representation as a last resort.

Our proposal comes from residents who are directly impacted by the power imbalances and injustices in our housing and legal systems. People directly impacted by the housing crisis and a legacy of housing injustice are the experts who can lead us toward a model of housing where everyone has a safe, accessible and permanently affordable place to call home. We must invest in a court of action to stabilize homes before they become homeless, especially during an



unprecedented public health crisis. Evictions during a global pandemic put tenants' health and safety, and the wider community, in even greater harm. **Investing in access to legal aid for tenants proves to be cost-effective and saves the city and its constituents more money in the long run.**

The Rental Mediation Program being introduced lacks empirical research and any understanding of the needs of Fresno tenants and residents. There seems to be no community involvement, no comprehensive solutions to the issues, and no meaningful research done. This program proposal puts a barrier between those whose housing issue may not be deemed as illegal but could be avoided. Tenants need to know their rights, legal assistance, and a right to counsel to avoid being evicted, that destabilizes households and children as they bear the burden of not having stable secure housing.

This is a civil rights issue. About half of Fresno residents are renters. Renters are disproportionately Black, Indigenous, or People of Color, and frequently low-income. Not surprisingly, there are huge disparities in legal representation in Fresno's housing court. Our [analysis of eviction court records](#) in Fresno revealed that less than 1% of renters have legal representation compared to 73% of landlords and a recent study by the Eviction Lab revealed [racial and gender disparities in evictions](#).

Tenants and landlords need an educational portion to understand their rights and duties. Tenants need legal assistance to navigate complicated court documents and deadlines. Tenants need someone to be on their side when all other options fail. Fresnans need an Eviction Diversion and Homeless Prevention Program that will be **open and available to all**. The Rental Mediation Program does none of these things and has no guidance or direction on how eviction and the consequences that follow will be avoided or mitigated. The Rental Mediation Program would be a disservice to tenants, landlords and advocates who have faced housing issues throughout the entire pandemic with no relief or assistance.

We urge the City Council to oppose the proposed Rental Mediation Program. After nearly a year since the City Council supported the concept of a right to counsel program, the council should adopt and implement the community-driven [Eviction Diversion and Homelessness Prevention Program](#). We have done the work, the research, and the outreach. Now it's time to implement.

Sincerely,

Karla Martinez & Ivanka Saunders  
Leadership Counsel for Justice and Accountability

**From:** [Robert Rivinius](#)  
**To:** [Clerk](#)  
**Subject:** PUBLIC COMMENT, 4/8/21, Agenda Item B-5  
**Date:** Wednesday, April 07, 2021 11:24:47 AM

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**External Email:** Use caution with links and attachments

This is a comment on government mandated premium pay. It is a very bad idea as it can destroy jobs, increase the cost of living for those already in deep financial trouble, and force closure of businesses on the brink. Family-owned businesses have done their best to deal with the COVID crisis and have paid premium wages in many cases, when they could do that. They do not need government interference that will do more harm than good.

**Robert Rivinius**  
**Executive Director**  
**Family Business Association**  
**of California**  
**1215 K Street Suite 2120**  
**Sacramento, CA 95814**  
**Off: 916-443-1468**  
**Cel: 916-847-2700**



**From:** [Eric Eisenhammer](#)  
**To:** [Clerk](#)  
**Subject:** PUBLIC COMMENT, 4/8/21, Agenda Item B-5  
**Date:** Wednesday, April 07, 2021 12:39:14 PM

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**External Email: Use caution with links and attachments**

On behalf of the Central Valley Taxpayers Association, I'm writing to urge you to reject Agenda Item B-5, the proposed premium pay ordinance.

Following a year of lockdowns, everyone is struggling these days. Unemployment in Fresno County is among the highest in the state. Many businesses have had to close their doors and many others are barely hanging on.

Although premium pay supporters may think this proposal will help working people, in actuality it will do the opposite. With so many businesses already barely getting by, some will not be able to afford premium pay and will instead be forced to close their doors. This will leave the workers that this agenda item was meant to help worse off than before.

Thank you so much for your consideration.

Eric Eisenhammer  
**Dauntless Communications**  
916 833 9276 (cell)  
[Eric@DauntlessCommunications.com](mailto:Eric@DauntlessCommunications.com)

**From:** [David Clement](#)  
**To:** [Clerk](#)  
**Subject:** PUBLIC COMMENT, 4/8/21, Agenda Item B-5  
**Date:** Wednesday, April 07, 2021 1:07:43 PM

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**External Email: Use caution with links and attachments**

Hello,

I would like to submit this comment on behalf of the Consumer Choice Center. While we support businesses who choose to, and can afford to offer premium pay, we have objections to mandated premium pay.

Forcing government-mandated premium pay on retail, grocery, and neighborhood pharmacy stores will:

- **Destroys jobs**
  - **More than 66,000 jobs could be lost if premium pay mandates are enforced statewide.**
  - **Fresno County has one of the highest unemployment rates in the state. We need policies that bring residents back to work not threaten jobs.**
- **Increases the cost of living**
  - **The average grocery bill for a family of four could increase by \$400 under premium pay mandates.**
- **Hurts our communities**
  - **Premium pay mandates can be the final blow to stores under pressure – forcing many to close and creating voids for the**

**communities that rely on them.**

- **Slows our economic recovery**
  - **The Fresno City Council should be focused on quickly administering vaccinations to**
  - **keep everyone safe, while ensuring a rapid economic recovery.**
  - **This ordinance will jeopardize economic recovery and put more families out of work.**

Thank you,

--

North American Affairs Manager- Consumer Choice Center

905-220-0704

[@ClementLiberty](mailto:@ClementLiberty)