



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/19/2018

Agenda Placement: 7A

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee

FROM: Helene Franchi for Minh Tran - County Executive Officer
County Executive Office

REPORT BY: Molly Rattigan, Deputy County Executive Officer - 253-4112

SUBJECT: AB 1919- Price Gouging

RECOMMENDATION

County Executive Officer requests discussion and possible action on AB 1919 (Wood), a bill that would make it a misdemeanor to increase the monthly rent by more than 10% than the rental price within 30 days prior to a declared emergency, extend the prohibition on monthly rent increases for any period the disaster declaration is extended, and make it a misdemeanor to evict a housing tenant after the proclamation of a state of emergency for the purpose of renting the housing out in violation of the proposed provisions.

EXECUTIVE SUMMARY

AB 1919 (Wood) would, upon the proclamation or declaration of an emergency, make it a misdemeanor to increase the monthly rental price advertised, offered or charged for residential housing to an existing or prospective tenant by more than 10% greater than the rental price advertised, offer or charged within 30 days immediately prior to the date of the proclamation or disaster. AB 1919 would also extend the prohibition with regards to housing for any period that the proclamation or disaster is extended. Finally, the bill would additionally make it a misdemeanor to evict a housing tenant after the proclamation of a state of emergency for the purpose renting the housing out in violation of the proposed provisions.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Under existing law, upon the proclamation of a state of emergency declared by the President of the United States, Governor or local agency, and for the period of 30 days following the declaration, it is a misdemeanor with specified penalties for a person, contractor, business or other entity to sell or offer certain goods and services, including housing, for a price that exceeds by 10% the price charged by that person immediately prior to the proclamation unless otherwise specified.

AB 1919 (Wood) would additionally, upon the proclamation or declaration of an emergency, make it a misdemeanor for a person, business, or other entity to increase the monthly rental price advertised, offered or charged for residential housing to an existing or prospective tenant by more than 10% greater than the rental price advertised, offer or charged within 30 days immediately prior to the date of the proclamation or disaster. AB 1919 would also extend the prohibition with regards to housing for any period that the proclamation or disaster is extended. Finally, the bill would additionally make it a misdemeanor to evict a housing tenant after the proclamation of a state of emergency for the purpose renting the housing out in violation of the proposed provisions. A violation of either misdemeanor is punishable by imprisonment in county jail for a period not exceeding one year, or by a fine of more than \$10,000, or both.

By creating a new crime, this bill would create a state-mandated local program. The California Constitution requires the state to reimburse local agencies for certain costs mandated by the state. The bill would provide that no reimbursement is required by this act.

California State Association of Counties: Watch
Rural County Representative of California: Support

SUPPORTING DOCUMENTS

A . AB 1919-Text

Recommendation: Approve

Reviewed By: Molly Rattigan