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RESOLUTION 2020-_____

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TULSA, OKLAHOMA, PETITIONING GOVERNOR STITT TO ISSUE AN EMERGENCY STATEWIDE MORATORIUM ON EVICTION ACTIONS RELATED TO ALL DWELLING UNITS OR PREMISES IN THE STATE OF OKLAHOMA NOT ALREADY SUBJECT TO SECTION 4024 OF THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT AND DECLARING AN EMERGENCY.

WHEREAS, the COVID-19 pandemic has compelled difficult decisions by city and state leaders, and elected officials across the country, in an effort to slow the spread of the pandemic and mitigate the public health crisis facing our country; and

WHEREAS, those difficult decisions included the shuttering of nonessential businesses, and the reduction in services offered from businesses and organizations considered essential; and

WHEREAS, Oklahomans have stayed home in accordance with state statutes, local ordinances and orders declaring a civil emergency issued by city and state officials in an attempt to protect themselves and those around them, and slow the spread of the virus; and

WHEREAS, employers faced with a widespread revenue decline have been forced to implement an unprecedented number of layoffs and furloughs across the state, as well as a reduction in working hours available for employees; and

WHEREAS, the layoffs and furloughs faced by many employees across the state have resulted in a record number of applications for unemployment benefits; and

WHEREAS, thousands of unemployed Oklahomans who have no other reliable source of income have yet to receive unemployment benefits, now face an impending threat of housing insecurity; and

WHEREAS, the CARES Act implemented a nationwide moratorium on evictions and late fees for nonpayment of rent beginning on March 27th and running through Saturday, July 25th (120 days), for tenants occupying a Covered Property as defined by the United States Department of Housing and Urban Development (HUD); and

WHEREAS, Oklahomans facing the impending threat of housing insecurity, who reside in properties not covered by the CARES Act, need additional time to receive state and federal relief and create payment plans with their landlords while protecting the health and safety of Oklahomans; and

WHEREAS, the City of Tulsa has authorized emergency rental and mortgage assistance funding, waived water utility cut-offs for failure to pay pursuant to the Mayor's Executive Orders, hosted Town Hall meetings informing tenants and landlords of their rights, and encouraged tenants and landlords to seek free mediation, exhausting all municipal authority to provide resources and remedies to Tulsans facing eviction or foreclosure due to the Covid-19 Pandemic Response.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TULSA THAT:

Section 1. The Mayor and City Council petition Governor Stitt to protect all vulnerable Oklahomans, including Tulsans, from housing insecurity by immediately declaring an emergency statewide moratorium on eviction actions for all rental dwellings not previously covered by the moratorium issued in the CARES Act, effective upon his signing, and running through July 25th.

Section 2. The Mayor and City Council petition Governor Stitt to include all rental dwelling eviction actions in his moratorium, with a limited exception for criminal activity that poses an imminent and direct threat to the health and safety of other tenants or the landlord, or that causes substantial physical damage to the dwelling unit or premises or to the property of others and such eviction of the tenant is the most practical and effective lawful means of preventing or stopping the criminal activity.

Section 3. The Mayor and City Council request that Governor Stitt include the following language in his official proclamation:

“During the period beginning on the effective date of the Governor’s Emergency Statewide Moratorium on Evictions through July 25, 2020 (Moratorium Period), a Landlord, as defined by the Oklahoma Residential Landlord and Tenant Act (ORLTA), of any Dwelling Unit or Premises in the state of Oklahoma, as such terms are defined by ORLTA, shall not:

i. Make or cause to be made, any filing with any court of jurisdiction to initiate a Forcible Entry and Detainer or other legal action (Eviction Action) to recover possession of any such Dwelling Unit or Premises.

ii. Request the issuance of a Writ of Assistance relating to any such Dwelling Unit or Premises.

iii. Charge or collect any late fee, penalty or other charge of any kind or nature related to the non-payment of rent for such Dwelling Unit or Premises coming due during the Moratorium Period.”

Section 4. Emergency Clause. That an emergency is now declared to exist for the preservation of the public peace, health and safety and for this reason this resolution shall take effect immediately from and after its adoption by the Council and approval by the Mayor.

ADOPTED by the Council _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____
Date

At _____
Time

Mayor

(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney