

County OKs new protections from price-gouging and evictions following a disaster

The new ordinance would prevent businesses from raising the price of basic goods and rental rates by more than 10% in the month following a disaster

By Maura Fox

The San Diego County Board of Supervisors voted Tuesday to extend protections against predatory price gouging and unlawful evictions for disaster victims.

The new ordinance would expand upon a state law that bars businesses from significantly raising prices in the days and months following a declaration of a disaster, and that protects renters from eviction without just cause.

The proposal came in response to the devastating flooding that damaged thousands of homes in San Diego and displaced many residents in January 2024, predominantly in lower-income communities where few residents had flood insurance.

But the new law goes beyond floods. It applies to both natural and human-caused disasters, such as earthquakes, fires or pandemics or disease outbreaks.

“We know that our region consistently rates as one of the most expensive — if not the most expensive — place to live in the entire United States, and so the high housing costs make it very difficult for our lower-income communities to get by when a natural disaster strikes,” said Supervisor Monica Montgomery Steppe. “So I think it’s important that the county does everything that we can during those times of emergency to keep folks in their home.”

The motion passed with three supervisors voting in favor. Supervisor Joel Anderson voted against the proposal.

The new ordinance comes after county supervisors asked the chief administrative officer last April to explore options to extend protections for disaster survivors under the California law that bans price increases immediately following a disaster declaration — on basic needs, rental rates for apartments and hotels and charges for repairs or construction services.

The county’s ordinance adds provisions to prevent price hikes on short term vacation rentals and care facilities and prevent hoarding of goods to resell.

Businesses and landlords also cannot raise prices by more than 10% in the first 30 days following the declaration of a disaster. The measure also limits construction cost increases for 180 days after a disaster declaration and prohibits hoarding goods to resell for 30 days.

Tenants also cannot be evicted without just cause in the week of a declared disaster, expanding

on another existing state law that protects against unlawful evictions. Just cause requires proof that there is an “imminent health or safety threat,” according to the ordinance.

Several residents and community advocates spoke in favor of the expanded protections at Tuesday’s meeting, with many saying they witnessed the price gouging and predatory real estate practices in the days following the flood.

“Being a flood survivor, you’re in the middle of so much trauma, and everything is disorienting,” said Jessica Calix, a displaced Southcrest resident who now lives with her son in Pacific Beach. “Landlords were horrible. There were so many people exploiting the situation to potentially get more rent in the future.”

Patricia Mondragon, the regional policy manager for Alliance San Diego, said residents had told her team about unlawful evictions and requests to sell their properties for under-market value after the floods.

“It is imperative to protect the most vulnerable community members, especially during difficult times,” she said.

Most public comments on the effort were supportive, but some people who spoke on behalf of landlords disapproved.

Molly Kirkland, director of public affairs at the Southern California Rental Housing Association, said she worries the new law could complicate evictions that were already in progress before a disaster, and said that some eviction moratoriums don’t require enough proof of hardship from a tenant.

“I think these policies are intended to help those in need, and we should require that that be proven,” Kirkland said.

The supervisors adopted the ordinance with a few amendments, including a suggestion from Supervisor Jim Desmond to add a requirement for reasonable documentation of a tenant’s economic loss after a disaster.

The amendments will be included in the next draft and reviewed again by the board at its April 8 meeting. If the board approves the ordinance then, it will be adopted.