



**MAYOR STEVEN SCHARF**  
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June 2, 2020

The Honorable Scott Wiener  
State Senator, 11<sup>th</sup> District  
State Capitol, Room 5100  
Sacramento, CA 95814

**RE: SB 939 (Wiener) – SUPPORT**

Dear Senator Wiener,

On behalf of the City of Cupertino, I am writing to express our Support position on SB 939, your measure that would establish a temporary moratorium on evictions for commercial tenants for the duration of the COVID-19 related state of emergency.

Specifically, SB 939 would prohibit commercial landlords from terminating any tenancy, serving notice to terminate a tenancy, or otherwise endeavor to evict a tenant of a commercial real property, including a business or nonprofit organization, during the duration of the state of emergency related to COVID-19, unless the tenant has been found to pose a threat to the property, other tenants, or other entities. Additionally, the bill allows a small business that is an eating or drinking establishment, place of entertainment, or a performance venue, that has experienced a decline of 40% or more of monthly revenue may notify the landlord that they wish to modify its commercial lease. If the commercial tenant and landlord do not reach a mutually satisfactory agreement within 30 days of the date the landlord received the negotiation notice, the commercial tenant may terminate the lease.

Many of the small business and establishments that are covered by this bill have been disproportionately affected by the economic impacts due to COVID-19 and the associated stay-at-home orders. These businesses have been unable to earn revenue, while still being responsible for the costs associated with maintaining their businesses. SB 939 will provide small businesses that have been most impacted by COVID-19 with the assurance that they will not be evicted, as well as an opportunity to work with their landlord to potentially modify their lease.

The City of Cupertino wants to ensure that these businesses and nonprofits, which are an essential part of our city, are able to sustain their business and emerge from the current crisis in a position

to continue to provide their services to our community. It is for these reasons, that the City is pleased to support SB 939.

Sincerely,



Steven Scharf  
Mayor  
City of Cupertino

cc: Senator Jim Beall  
Assemblymember Evan Low  
Assemblymember Marc Berman