



COVID-19 CALIFORNIA TENANTS RIGHTS 101

THE JUDICIAL COUNCIL OF CALIFORNIA PASSED AN EMERGENCY RULE OF COURT, ORDERING ALL STATE COURTS NOT TO PROCEED WITH EVICTIONS DURING THE COVID-19 CRISIS.

- Nothing can happen after landlord files complaint (Court can't issue summons, so landlord can't serve tenant).
- Until 90 days after Governor Newsom ends COVID-19 State of Emergency.
- Except where “necessary to protect public health and safety.”

ALL EVICTIONS

PAUSED FROM

GOING FORWARD



TENANTS SHOULD DOCUMENT IMPACTS OF COVID-19

- Document well why you can not pay rent. This could be medical care expenses or pay-stubs. Beneficial in the case tenant has to seek legal aid for potential/current eviction notice.
- Do not rush into an agreement before seeking advice. Because evictions are currently stopped from going forward you have time to consider terms of an agreement.
- Unfortunately none of the state emergency rules create special protections for tenants who have to break leases during COVID-19. Tenants should try to negotiate with your landlord.



LOCAL EVICTION PROTECTIONS

WHILE THE STATE GOVERNMENT HAS SHUNTED RESPONSIBILITY ONTO COUNTY AND CITY GOVERNMENTS, TENANT ORGANIZING HAS SUCCESSFULLY PUSHED OVER 100 LOCALITIES TO ENACT TEMPORARY PROTECTIONS TO SEE FULL LIST GO HERE: [HTTPS://BIT.LY/CATEMLOCALCOVID19PROTECTIONS](https://bit.ly/catemplocalcovid19protections)

When and how much does the tenant have to tell the landlord?

Some cities have deadlines as to when and how the tenant must inform the landlord of their inability to pay. Some cities have no specific requirement and thus apply the judicial council ruling.

What counts as COVID-19 impact?

Some cities only consider impact on employment (reduction of hours, etc) while others are more comprehensive and take into consideration increases in childcare duties, elder care, etc



Are sheriffs enforcing lock-outs?

Some are stopping lock-outs related to non-payment cases.

What kind of evictions are prohibited during this time?

Any eviction other than those necessary for public health and safety.

What Proof does the tenant need to show COVID-19 impact?

Some cities require tenants to provide COVID-19 related documentation of inability to pay at every rent cycle including: Pay stubs, letters from employers. Tenants do NOT have to divulge private information directly to their landlord.

When does the tenant have to pay unpaid rent back?

Some eviction protections include guidelines on how long a tenant has to pay back rent, but not all of them do. Tenants Together is organizing to cancel back rent owed statewide: <http://bit.ly/cancelrentca>

RENT GOUGING PROTECTIONS DURING A STATE OF EMERGENCY



- Landlords giving rent increases above 10% are price gouging – this is not only prohibited but is a criminal offense under Penal Code Section 396
- Landlords also can't evict a tenant and then raise the rent on the unit above 10% unless they can show that the increase has a direct correlation to increase in costs

EMPLOYMENT PROTECTIONS

CA Employment Development Dept guide on accessing benefits through the state's Employment Development Department (EDD).



ALL UTILITY SHUT OFFS DUE TO NONE PAYMENT ARE DISCONTINUED

California Public Utilities Commission is in charge of ensuring that Gov. Newsom's executive order regarding no shut-offs due to lack of payment is being enforced.