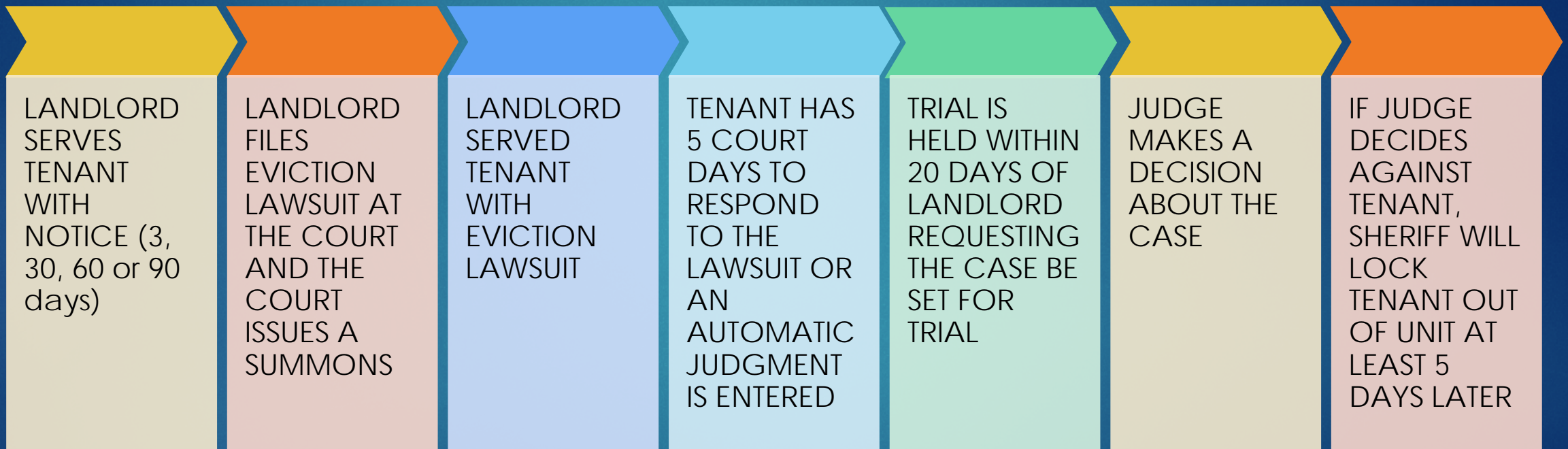


Disclaimer

- ▶ *The material covered in this presentation is intended only to educate and does **not** constitute legal advice. Viewers should not act on the information provided without seeking professional legal counsel. Neither transmission nor receipt of these materials creates an attorney-client relationship between the author/presenter and the receiver.*

OVERVIEW OF NORMAL EVICTION (UNLAWFUL DETAINER) PROCESS



HOW HAS COVID19 AFFECTED TENANTS RIGHTS?

STATEWIDE

- ▶ Executive Order N-37-20 (March 27, 2020)
 - ▶ Requires a tenant to notify their landlord in writing that they will be unable to pay rent due to COVID19 within 7 days of rent being due.
 - ▶ Does not extend the time a tenant has to pay but delays the filing of an eviction lawsuit based on non-payment.

<https://www.gov.ca.gov/wp-content/uploads/2020/03/3.27.20-EO-N-37-20.pdf>

EVICTON MORATORUMS IN THE COURTS

- ▶ On April 7, 2020, the Judicial Council issued an eviction moratorium which does 3 things:
- ▶ State of Emergency started on March 4, 2020.

Prohibits courts from issuing a Summons in an eviction lawsuit until 90 days after the State of Emergency ends.

Prohibits courts from entering a default judgment against a tenant until 90 days after the State of Emergency ends.

Trial must now be heard at least 60 days after the landlord requests the trial be set.

- ▶ Possible exception to moratorium if LL states tenant's actions are risk to public health

Local Ordinances

▶ County of Los Angeles

- ▶ Prohibits evictions for non-payment of rent and no fault evictions.
- ▶ Gives Tenants 6 months to pay the rent they missed IF they gave their landlord a letter stating they could not pay due to COVID19 within 7 days of rent being due.


▶ City of Los Angeles

- ▶ The Mayor's Order (March 15, 2020)
- ▶ Landlords were not prohibited from filing new eviction cases.
- ▶ Rent is still due as usual.
- ▶ For a tenant to stay in their home if facing an eviction for nonpayment of rent during the Covid-19 crisis, the tenant must bring evidence and witnesses to prove to the court that the Covid-19 crisis was the cause of their problem with paying rent.

SPECIAL EVICTION DEFENSE FOR FEDERALLY SUBSIDIZED HOUSING


- ▶ Lasts 120 days from March 27, 2020.
- ▶ Prohibits landlords from filing new eviction actions based on non-payment of rent.
 - ▶ In California this will extend longer than 120 days because of the eviction moratorium.
- ▶ After the 120 days is up, landlord must serve at least a 30 day notice to begin eviction process.
- ▶ Prohibits landlords in covered properties from charging late fees or other fees.

WHAT LANDLORDS CAN DO:



SERVE A 3 DAY, 30 DAY OR 60 DAY NOTICE TO VACATE.*

*Cannot be pay or quit that is Covid-19 related.



ASK YOU TO SIGN A REPAYMENT AGREEMENT BUT CANNOT REQUIRE IT.

WHAT LANDLORDS CANNOT DO:

➡ ENGAGE IN SELF-HELP EVICTION INCLUDING:

- ▶ Changing the locks on the unit.
- ▶ Shutting off essential utilities like power and water.

➡ REFUSE TO MAKE EMERGENCY REPAIRS.

Resources

- ▶ For direct legal services for tenants located in South East Los Angeles or Orange County, please contact Community Legal Aid SoCal at:
 - ▶ (800) 834-5001



Community
Legal Aid SoCal

Advocates for Justice in Orange and Los Angeles Counties