



# COVID-19-Related City and State Eviction Protections Information Sheet

## What city and state eviction protections are in place due to Covid-19?

1. **Just Cause Requirement:** No tenant can be evicted without a just cause reason. Local and state laws have placed further restrictions as explained in #2 below. These protections apply to RSO and non-RSO units.
2. **No-Fault Eviction Protections:** There are [local renter protections](#) in place that ban all no-fault evictions (e.g., owner occupancy, Ellis Act) during the local emergency period and prevent evictions due to the presence of unauthorized occupants, pets, or nuisance related to COVID-19. These local protections act as an affirmative defense, which means that tenants or their attorneys can raise the existence of these local protections as a defense against an Unlawful Detainer action in housing court. These protections apply to RSO and non-RSO units.
3. **Non-Payment of Rent Eviction Protections:** Under [new state law](#), the landlord must serve a tenant a copy of [this declaration](#) with any notice to “pay or quit” that includes specific language informing you of your rights under the state law. You will have 15 business days after receiving a “pay or quit” notice to sign [this declaration](#) that you have experienced COVID-19 financial distress for you to sign and return to the landlord. Signing this declaration is critical to making sure you can take full advantage of state protections. State and local protections do not cancel or forgive any rent owed, but they give households economically impacted by COVID-19 extra time to make payments. Here are the specific details:

Rent owed from March 1, 2020 through August 31, 2020: The landlord must serve a tenant a [notice](#) of tenant rights on or before September 30, 2020 if as of September 1, 2020 the tenant owes rent from March 1, 2020 through August 31, 2020. A landlord cannot evict you for any rent missed between March 1, 2020 and August 31, 2020, if you sign a declaration that you have experienced a COVID hardship. Your landlord should provide a copy of this declaration with any notice to pay rent which you must sign and return to the landlord. You must sign and return this declaration within 15 business days to take advantage of this protection. Although you cannot be evicted, landlords can bring you to small claims court to recover owed rent starting on March 1, 2021, or file a case in Superior Court at any time. But a judgment saying you owe rent is not sufficient to evict you.

Rent owed from September 1, 2020 through January 31, 2021: The city’s ordinance does not require you to pay 25% of rent in order to be protected from eviction, but in order to take full advantage of the state protections it is suggested you pay at least 25% of your rent for September 1, 2020 through January 31, 2021. By paying 25% of your rent for this period, you get the benefit under state law that the landlord can never evict you for failing to pay the balance of rent due for these months if you sign a declaration that you have experienced a COVID hardship. To take advantage of this protection, you must pay 25% for September 1, 2020 through January 31, 2021. The landlord must serve a tenant a copy of [this declaration](#) with any



notice to pay rent owed for September 1, 2020 through January 31, 2021, which you must sign and return to the landlord within 15 days. Landlords can bring you to small claims court to recover owed rent starting on March 1, 2021, or file a case in Superior Court at any time. But a judgment saying you owe rent is not sufficient to evict you.

Rent owed from March 1, 2020 through January 31, 2021: Under the city ordinance, you have 12-months to repay your rent before the landlord can seek to evict you. This means that you must pay all accrued, unpaid rent no later than March 1, 2022 or earlier if the city lifts the local emergency order before March 1, 2021. For example, if the city lifts the local emergency order on December 1, 2020, then all rent owed is due December 1, 2021. If you do not pay the full deferred rent by the deadline, your landlord may seek to evict unless you have also taken advantage of the state law protections, as described above, and provided the COVID-19 financial distress declaration and paid 25% of the rent due between September 1, 2020 through January 31, 2021. Landlords can bring you to small claims court to recover owed rent starting on March 1, 2021, or file a case in Superior Court at any time. But a judgment saying you owe rent is not sufficient to evict you.

You cannot be served with an eviction court case prior to October 5, 2020 for any unpaid rent from March 1, 2020 to the present. No eviction court case can be filed for unpaid rent from September 1, 2020 to January 31, 2021 until February 1, 2021.

4. **CDC Countrywide Eviction Moratorium:** The Centers for Disease Control and Prevention (CDC) countrywide eviction moratorium covers fewer types of evictions than city and state protections. The CDC's order only prohibits evictions for failure to pay rent through December 31, 2020, and the entire amount of the rent deferred is due immediately afterwards. Also, the CDC's order limits protections to tenants who earn \$99,000 or less (\$198,000 if filing jointly), and requires tenants to sign a declaration under oath that an eviction would force them into homelessness or having to move into congregate, shared, or close quarter living accommodations. Angelenos should utilize the city and state eviction protections in place.

## RESOURCES:

The Housing & Community investment Department (HCID) hotline is available to answer questions from tenants and landlords, Monday through Friday at 1-866-557-RENT. You can find the most updated information on renter protections at [HCIDLA.LACITY.ORG](https://hcidla.lacity.org) (direct webpage is <https://hcidla.lacity.org/covid-19/renter-protections>)

We recommend tenants seek legal representation to help them better understand their rights and support them through the process. For those impacted by COVID-19, free legal services are available through LA Represents at [Coronavirus.LACity.org/LARepresents](https://Coronavirus.LACity.org/LARepresents)