



California Tenants Are Protected From Immediate Eviction

The Tenant, Homeowner and Small Landlord Relief and Stabilization Act makes sure millions of California tenants who are unable to work because of the pandemic have a chance to get back on their feet without fear of immediate eviction, while property owners have a way to recover unpaid rent.

A new tool called "**The California COVID-19 Information App for Tenants & Landlords**," which you can access [here](#) , helps both tenants and landlords understand their rights, and what protections or support they may have under California's new law. [Download the app](#) for information on eviction protections, rent recovery, and find additional resources.

Here's what you need to know about California's protections for tenants, small landlords and homeowners:

Protections for Tenants:

If you are having trouble paying your rent due to the coronavirus or quarantine, the Tenant, Homeowner and Small Landlord Relief and Stabilization Act can protect you from eviction.

If you receive an eviction notice, that does not mean you need to leave immediately. There may be legal protections to help you stay in your home. After receiving a Notice to Pay Rent or Quit for missed rent from the landlord, a tenant has 15 business days to make one of the following choices before the landlord proceeds with an eviction case for unpaid rent:

- **Return a declaration form to the landlord** , signed under penalty of perjury, indicating that the tenant cannot pay the demanded amount because of a COVID-19 related financial hardship,
- Pay the needed amount, or
- Vacate.

If a tenant returned a signed COVID-relief declaration form between September 1 and January 31, the tenant cannot be evicted for failure to pay rent until February 1, 2021. If the tenant pays 25% of their total rent from September 2020 to January 2021 **by January 31, 2021** they cannot be evicted for failure to pay rent. Starting on **February 1, 2021** and going forward, tenants must pay their full rent.

However, the tenant still owes their total rent to the landlord. A landlord can take a tenant to small claims court to recover rent debt

on March 1, 2021. Tenants who get an eviction filed against them but did not receive a notice from their landlord or have a good reason for not returning the hardship form (for example, because they were in the hospital) can use that reason as defense in an eviction proceeding.

If your landlord is attempting to evict you and you took all the above steps, contact a local legal aid provider and [learn about your protections](#) , or take a short survey about your circumstance [here](#) to find out more about your rights and protections.

Small Landlord and Homeowner Protections

Homeowners and small property owners (defined as operating four units or less, not occupied by the owner) who have fallen behind on their mortgage payments because of COVID-19 will be covered by the Homeowners Bill of Rights until January 1, 2023. The Homeowners Bill of Rights provides protections and rights to homeowners prior to a foreclosure sale, including requiring mortgage servicers to contact borrowers to explore foreclosure prevention alternatives, and halting the foreclosure process to consider any loan modification application that a borrower submits.

Mortgage servicers that deny a borrower's request for forbearance on mortgage payments must provide the borrower with a written explanation of the denial.

If you have questions about your rights and protections as a residential landlord, you can find more information [here](#) .

For questions on these new protections, or for help with other state resources, please contact my office. To speak to someone over the **phone, contact my District Office during regular business hours, Monday-Friday: (619) 338-8090. To reach someone by email, contact [Assemblymember.Gonzalez @ assembly.ca.gov](mailto:Assemblymember.Gonzalez@assembly.ca.gov) .**

California Tenants Are Protected From Immediate Eviction

The Tenant, Landlord and Smallholder Relief and Stabilization Act ensures that millions of California tenants, who have been unable to work due to the pandemic, have the opportunity to stand up without fear of immediate eviction. In the meantime, landlords will have a way to get back the unpaid rent.

A new tool called "**The California COVID-19 Information App for Tenants and Landlords**," which you can access [here](#) , helps both tenants and landlords understand their rights, and what protections or supports they may have under the new law in California. [Download the app](#) for information on eviction protections, rent recovery, and additional resources .

Here's what you need to know about California's new protections for renters, smallholders, and landlords:

Tenant Protections:

If you are having trouble paying your rent due to coronavirus or quarantine, the Tenant, Landlord and Smallholder Relief and Stabilization Act can protect you from eviction.

If you receive an eviction notice, that doesn't mean you should leave immediately. There may be legal protections to help you stay at home. After receiving a Notice to Pay Rent or Vacate for Lost Rent from the landlord, the tenant has 15 business days to take one of the following options before the landlord proceeds with an eviction case for unpaid rent:

- **Return a declaration form to the landlord**, signed under penalty of perjury, stating that the tenant is unable to pay the required amount due to financial difficulties related to COVID-19.
- Pay the amount due, or
- Vacate the property.

If a tenant returns a signed COVID-relief declaration form between September 1 and January 31, the tenant cannot be evicted for not paying rent until February 1, 2021. If the tenant pays 25% of their

total rent between September 2020 and January 2021 **before January 31** , they cannot be evicted for not paying rent. Beginning **February 1, 2021** and into the future, tenants must pay their rent in full.

However, the tenant still owes the full rent to the landlord. The landlord can take a tenant to small claims court to recover the rent debt on March 1, 2021. Tenants who receive an eviction filed against them but claim they did not receive notice from their landlord or have good reason for not returning the form (for example, because they were in the hospital) can use that reason as a defense in an eviction proceeding.

If your landlord is trying to evict and you took all of the steps above, contact a local legal aid provider and [learn about your protections](#) ,or take a short survey about your circumstances [here](#) to learn more about your rights and protections.

Smallholder and Homeowner Protections

Homeowners and smallholders (defined as someone who operates four units or fewer, not owner-occupied) who have fallen behind on mortgage payments due to COVID-19 will be covered by the Homeowners Bill of Rights until on January 1, 2023. The Homeowners' Bill of Rights provides protections and rights to homeowners prior to a foreclosure sale, including requiring mortgage servicers to contact borrowers to explore foreclosure prevention alternatives mortgage, and stop the foreclosure process to consider any modification request a borrower makes.

Mortgage servicers who deny a borrower's request for suspension of mortgage payments must provide the borrower with a written explanation of the denial.

If you have questions about your rights and protections as a homeowner, you can find more information [here](#) .

For questions about these new protections, or for help with other state resources, contact my office. To speak with someone by

phone, please contact my District Office during regular business hours, Monday through Friday: (619) 338-8090. To reach someone by email, contact Assemblymember.Gonzalez@assembly.ca.gov

Sincerely,



Lorena Gonzalez
Assemblymember, 80th District

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