



# Los Angeles County Temporary Eviction Moratorium for Residential Tenants



## What is the County's eviction moratorium?

The Los Angeles County Temporary Eviction Moratorium ("Moratorium"), effective March 4, 2020, through October 31, 2020\*, unless repealed or extended by the Los Angeles County ("County") Board of Supervisors ("Board"), places a Countywide ban on evictions for residential and commercial \*\*tenants, including mobilehome space renters. Under the County's Moratorium, tenants may not be evicted for COVID-19 related nonpayment of rent, as well as no-fault reasons, nuisance, or unauthorized occupants or pets – if related to COVID-19.

*\*Note: As of October 1, 2020, the County's Moratorium will no longer apply to residential tenants facing eviction for nonpayment of rent due to COVID-19 related financial hardship.*

*\*\*Note: Please refer to Frequently Asked Questions for commercial tenants as this FAQ pertains only to residential tenants and mobilehome space renters.*

## What protections does the County's Moratorium include for residential tenants and mobilehome space renters ("Tenants")?

- Prohibits evictions for:
  - o Nonpayment of rent due to COVID-19 related financial hardship through September 30, 2020;
  - o No-fault reasons under the Los Angeles County Code ("Code");
  - o COVID-19 related violations due to unauthorized occupants or pets; or
  - o Nuisance
- Prohibits rent increases or new pass-throughs for:
  - o Rent-stabilized units in unincorporated Los Angeles County subject to Chapter 8.52.050 of [the Code](#) and
  - o Mobilehome spaces subject to Chapter 8.57.050 [of the Code](#).
- Through September 30, 2020, prohibits imposing or charging late fees, interest, and any related charges for unpaid rent accrued during the Moratorium Period.

## Does this mean Tenants don't need to pay their rent?

No. The County's Moratorium is **not** a cancellation of unpaid rent during the Moratorium. Tenants will have until September 30, 2021 to repay past due rent accrued between March 1, 2020 and September 30, 2020. For past due rent accrued between October 1, 2020 and January 31, 2021, tenants must follow the directives under California Assembly Bill ("AB") 3088 in order to establish protections against eviction. For more information about AB 3088, please visit [www.housingiskey.com](http://www.housingiskey.com).

## Who do the County's Moratorium protections apply to?

The Moratorium applies to residential tenants, commercial\*\* tenants and mobilehome space renters in unincorporated Los Angeles County, and cities in the County that do not have a moratorium in place. The County's Moratorium also applies to tenancies in incorporated cities within the County whose local eviction moratoriums do not address residential tenants, mobilehome space renters, or commercial\*\* tenants.

### **What if an incorporated city has its own eviction moratorium?**

If your city has its own moratorium, the County's rules may not apply. On September 1, 2020, the Board of Supervisors established the County's protections as a baseline for all residential and commercial tenancies in Los Angeles County, with certain exceptions. This means the provision in the County's Moratorium that provides the strongest protection to Tenants will prevail. Please visit <http://www.dcba.lacounty.gov/noevictions> for a list of incorporated cities' moratoria in the County. Additionally, the recently passed AB 3088 and the Centers for Disease Control and Prevention's ("CDC") Order provide additional protections that may apply to you.

### **What is Assembly Bill 3088?**

On September 1, 2020, Governor Newsom signed AB 3088 into law to provide protections and financial relief to tenants, homeowners, and landlords impacted by COVID-19. AB 3088 protects residential tenants and mobilehome space renters from eviction if they are unable to pay rent between March 1, 2020 and January 31, 2021 due to COVID-19. For more information on the protections established by AB 3088, and guidelines related to landlord-issued notices, certification requirements, and more, please visit: [www.housingiskey.com](http://www.housingiskey.com).

### **How Does AB 3088 impact the County's Moratorium?**

Starting on October 1, 2020, the County's protections for residential tenants and mobilehome space renters for non-payment of rent due to COVID-19 related financial hardship will temporarily expire and be replaced by AB 3088, which will offer protections to Los Angeles County residential tenants and mobilehome space renters facing eviction for nonpayment of rent due to COVID-19 related financial hardship. All other Tenant protections offered through the County's Moratorium, including protections for no-fault evictions and evictions for unauthorized occupants, pets, and nuisance, will remain in effect.

### **What is the Center for Disease Control and Prevention's Order?**

On September 4, 2020, the CDC issued an Order to provide baseline protections for income-qualifying tenants facing financial hardship, regardless if the financial hardship is related to COVID-19. Qualifying residential tenants who meet the annual income threshold (\$99,000 for single tax filer or \$198,000 for joint filers) and are unable to pay rent due to a financial hardship will be protected from evictions between September 4, 2020 and December 31, 2020, if they follow the provisions established in the CDC Order. For more information on the protections established by the CDC order, and guidelines related to certification requirements, eligibility, and more, please visit: <https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>.

### **Do Tenants have to do anything to be protected against eviction for nonpayment of rent?**

Yes. Through September 30, 2020, Tenants covered under the County's Moratorium must notify their landlord, through a self-certification within 7 days after rent is due, unless extenuating circumstances exist. Between October 1, 2020 and January 31, 2021, Tenants must comply with the certification requirements established in AB 3088 in order to be protected from eviction. If a residential tenant's inability to pay rent is not directly related to COVID-19, they may be protected under the CDC Order and should comply with the certification requirements under that order. For more information on AB 3088 and the CDC Order, please visit: [www.housingiskey.com](http://www.housingiskey.com) and <https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>, respectively.

**Do landlords have any responsibilities regarding accepting documentation or delivering notices to tenants?**

Yes. Through September 30, 2020, under the County's Moratorium, landlords must accept self-certification as a valid form of notice for Tenants. Landlord should not harass or intimidate Tenants that exercise their rights under the County's Moratorium. Starting October 1, 2020, landlords must comply with requirements to provide notice and receive Tenants' documentation as outlined in the directives in AB 3088 and the CDC Order for residential tenants only. For more information on AB 3088 and the CDC Order, please visit: [www.housingiskey.com](http://www.housingiskey.com) and <https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>, respectively.

**What if a landlord still tries to evict a Tenant?**

The County's Moratorium, AB 3088, the CDC Order, or a combination of each of these may provide an affirmative defense if a Tenant is served with an unlawful detainer (formal eviction notice). Tenants are not required to move unless a Sheriff has served a Notice to Vacate.

Tenants can see if they qualify for free legal assistance, help understanding their rights, responding to notices, short-term rental assistance, and/or access to other resources by visiting [www.stayhousedla.org](http://www.stayhousedla.org) or calling 833-223-7368 for more information.

**If you have questions or need assistance, contact us:**

 (833) 223-RENT (7368)

 [rent@dcba.lacounty.gov](mailto:rent@dcba.lacounty.gov)

 [RENT.LACOUNTY.GOV](http://RENT.LACOUNTY.GOV)

 [STAYHOUSEDLA.ORG](http://STAYHOUSEDLA.ORG)