

# Housing and Tenant Protections



LOS ANGELES COUNTY  
**CONSUMER &  
BUSINESS AFFAIRS**





# About DCBA

The **Department of Consumer and Business Affairs (DCBA)** serves consumers, businesses, and communities through education, advocacy, and complaint resolution. Our mission is to create a fair and vibrant marketplace for consumers and businesses through:

- Consumer Protection
- Small Claims and Mediation
- Office of Small Business
- Rent Stabilization
- Stay Housed L.A. County
- Center for Financial Empowerment
- Wage Enforcement
- Office of Immigrant Affairs
- Foreclosure Prevention

*Serving Los Angeles County Consumers and Businesses since 1976*

# Today, We'll Cover...



PROPERTY OWNER  
PROTECTIONS



RENT STABILIZATION  
PROGRAM



LA COUNTY EVICTION  
MORATORIUM



LEGISLATIVE UPDATES



# Foreclosure Prevention Division

- ← Help with exploring options for property owners and landlords of 15 or fewer units
- ← Free
- ← Proper application of laws and other guidelines
- ← Call directly to discuss individual situations

# CARES Act and AB 3088

## Foreclosure and Eviction Moratorium, and Forbearances

### ← Federally Backed Loans

- Government Sponsored Enterprises (GSE): Fannie Mae and Freddie Mac
- Federal Housing Administration (FHA)
- United States Department of Veterans Affairs (VA) or,
- United States Department of Agriculture (USDA)

### ← Protections

- Foreclosure and Eviction moratorium in place until June 30, 2021

### ← Forbearance to non GSE loans

- Same protections apply when requesting a forbearance only



# AB 3088/SB 91

## Non-Federally Backed Loans

### ← Rights and Responsibilities

- Forbearance review

### ← Who qualifies?

- 1<sup>st</sup> liens
- 1-4 units
- Owner and non owner occupied

# AB 3088/SB 91

## ← Documentation

- Proof of financial hardship due to the COVID-19
- Current as of February 1, 2021

## ← Timeline

- Request submitted in writing
- Denial within 21 days with specific reason as to why
- Revised request must be answered within 5 days



# AB 3088/SB 91

← Post forbearance

→ Loss mitigation options

← Language used consistent with regular communication

← SB 91

→ Extends the obligation of the lender to provide written notification concerning a request for forbearance to September 1, 2021.



# What is the DCBA Housing & Tenant Protections Division?

## The Housing & Tenant Protections Division Supports:

- Mobilehome owners, park owners, tenants, and landlords who have questions or who wish to discuss potential violations of the L.A. County Rent Stabilization Ordinance and Mobilehome Rent Stabilization Ordinance
- Residents and property owners who have questions regarding the L.A. County Temporary Eviction Moratorium
- Stay Housed L.A. County, a partnership with local community-based organizations and legal service providers to give residents the resources and information to stay in their homes

# Los Angeles County Eviction Moratorium

What is it?

- ▶ Countywide ban on evictions for residential and commercial tenants impacted by COVID-19

Who's covered?

- ▶ Residential tenants
- ▶ Commercial tenants
- ▶ Mobilehome space renters

The County's moratorium applies to unincorporated areas and all cities within the county that do NOT have their own COVID-19 renter protections.

How long is in effect?

- ▶ The moratorium is effective from March 4, 2020 through June 30, 2021, unless extended by the Board of Supervisors



# What protections does the County's Moratorium include for **Residential** Tenants?

## Prohibits Evictions For:

- **Nonpayment of rent, late charges, or any other fees** if the Tenant can certify to their inability to pay rent and/or related charges due to COVID-19 related financial hardship
- COVID-19 related **violations** for temporarily housing unauthorized occupants or pets
- Nuisance
- A **No Fault** eviction reason, including but not limited to substantial remodels or demolitions
- Denying entry to a landlord

## Additional Protections Include:

- **Rent freeze** on rent stabilized units in unincorporated areas of L.A. County
- Landlords cannot harass or intimidate tenants who exercise their rights under the Moratorium

# What protections does the County's Moratorium include for **Commercial** Tenants?

## **Prohibits Evictions For:**

- **Commercial Tenants:** Nonpayment of rent, late charges, or any other fees if the Tenant can show an inability to pay rent and/or related charges due to COVID-19 related financial hardship

## **Additional Protections Include:**

- Landlords cannot harass or intimidate tenants who exercise their rights under the Moratorium



# Does This Mean Tenants Don't Have to Pay Rent?

No, the County's Moratorium is NOT a waiver of rent or rent forgiveness.

## Terms of Repayment:

### Residential Tenants:

- Back rent between March 4, 2020 – September 30, 2020 must be repaid by **September 30, 2021**
- Back rent between October 1, 2020 – June 30, 2021 – **follow the directives under Assembly Bill (AB) 3088 and Senate Bill (SB) 91**

### Commercial Tenants:

- Less than 10 employees - **12 months** following the end of the Moratorium
- 10-100 employees: **6 months** (equal installments) following the end of the Moratorium

# Who's exempt?

- Commercial tenants who:
  - Are multi-national
  - Are publicly traded; or
  - Have more than 100 employees
- Airports, as of September 1, 2020
- **Residential** nonpayment of rent between October 1, 2020 through June 30, 2021 [AB 3088 and SB 91 cover tenants for non-payment of rent during this period]



# Board Update: February 23, 2021

**The LA County Board of Supervisors (Board) voted to extend and expand the Eviction Moratorium on February 23, 2021. Updates to the Moratorium include:**

- Extend the Temporary Eviction Moratorium through **June 30, 2021**, to the extent protections are not preempted by AB 3088 and SB 91
- Include administrative fines and penalties for violations of the Moratorium, in accordance with the County Code

**The Board also voted to:**

- Waive the RSO registration fee requirement for property owners in unincorporated LA County, so long as they register by **September 30, 2021**

# Legislative Updates: AB 3088 & SB 91

## AB3088: Effective September 1, 2020 – January 31, 2021

- Protects most residential tenants from being evicted for nonpayment of rent if related to COVID-19 financial hardship
- Preempts certain local protections for this category of residential tenants
- Requires landlords to provide written notice of unpaid rent, copy of tenant rights under state bill, and a sample declaration of hardship
- Requires tenants to pay 25% of unpaid rental balance and submit a signed declaration to their landlord for each month tenant is unable to pay rent due to COVID-19 related financial hardship

## SB91: Effective February 1, 2021 – June 30, 2021

- Extends protections, noticing requirements, and certification requirements for landlords and residential tenants, as well as local preemptions under AB3088
- Includes state rental assistance component



# How Do AB 3088 & SB 91 Affect the County's Protections?

## **Residential Tenancies**

- Evictions for nonpayment of rent due to COVID-19 financial hardship are not covered by the County's Moratorium for the period October 1, 2020 – June 30, 2021
- Tenants required to provide their landlord with a signed declaration of hardship in accordance with State requirements
- All other local County protections remain in place for all of Los Angeles County

## **Commercial Tenancies**

- No impact

# Repayment of Unpaid Rent

## **March 4, 2020 – September 30 , 2020 [AB 3088]**

- Tenants cannot be evicted if they submit a declaration to their landlord, verbally or in writing
- Tenants have until September 30, 2021 to repay unpaid balance accrued during this time

## **September 1,2020 - June 30 , 2021 [SB 91]**

- Tenants are protected from eviction if they send a written declaration to their landlord **and** pay at least 25% of unpaid balance by June 30, 2021
- Tenants have until August 31 , 2022 to repay remainder of unpaid balance accrued during this time

**For more information on AB 3088 and SB 91, visit [Housingiskey.com](https://housingiskey.com) or call 833-422-4255**



# Resources





# LA COUNTY

## DISASTER HELP CENTER

**(833) 238-4450**

**[lacountyhelpcenter.org](https://lacountyhelpcenter.org)**

Countywide effort

- ▶ Launched **March 26, 2020**
- ▶ Assisted more than **35,700 residents**

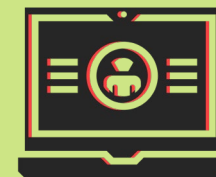
Help available in multiple languages



**Business  
Support**



**Worker  
Support**



**Resources  
for Non-  
profits**



**Essential  
Businesses**



**Eviction  
Moratorium**



**Access to  
Capital**



# CA COVID-19 Rent Relief Program

Under SB91, \$2.6 billion from the federal government will be available to pay off rental debt for eligible households at or below 80% AMI, with a priority on those under 50% AMI. The goal is to stabilize low-income households.

- ▶ Participating landlords:
  - ▶ 80% of tenant's total unpaid rent will be provided to landlords
  - ▶ Landlord must accept payment in full and agree to forgive the remaining 20% owed in back-rent
- ▶ Landlords unwilling to participate:
  - ▶ Eligible tenant households can still apply and, if tenant qualifies, landlords can receive a 25% direct payment for tenant's unpaid debt
  - ▶ For more information and to apply, visit **Housingiskey.com** or call **833-430-2122**



# COMING SOON: Mortgage Relief Program

Los Angeles County Board of Supervisors passed a motion to create a Mortgage Relief Program to provide property owners, including “mom and pop” landlords, with relief due to the financial effects of COVID-19

The program will:

- ▶ Expand housing counseling and outreach efforts
- ▶ Provide up to \$4 million in direct financial assistance to qualifying landlords

For More information, please contact  
DCBA's Foreclosure Prevention Program



# Contact Us.

Rent Stabilization

(833) 223-RENT (7368)

Email us at:

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

Foreclosure Prevention

(833) 238-4450

Email us at:

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

Visit us online:

[rent.lacounty.gov](http://rent.lacounty.gov)

[dcba.lacounty.gov/foreclosure-prevention](http://dcba.lacounty.gov/foreclosure-prevention)





Any  
1.1  
Questions