



# Los Angeles County Eviction Moratorium for Commercial Tenants



## What is the County's eviction moratorium?

The Los Angeles County ("County") Eviction Moratorium ("Moratorium"), effective March 4, 2020 through September 30, 2021, implements a Countywide ban on evictions for residential\* and commercial\*\* tenants, including mobile home space renters. During the effective dates of the Moratorium, commercial tenants may not be evicted for COVID-19 related nonpayment of rent. The Moratorium may be extended or repealed by the Los Angeles County Board of Supervisors ("Board").

## What protections does the Moratorium include for commercial tenants ("Tenants")?

- Prohibits evictions for:
  - Nonpayment of rent due to COVID-19 related financial hardship;
  - Failure to repay unpaid rental debt accrued during the Moratorium under the terms of a payment plan, if the Tenant has nine (9) employees or fewer;
  - Tenants on a holdover or month-to-month lease.
- Prohibits a landlord from applying a payment to any other rental obligation except the current month's rent, unless the tenant agrees otherwise.

## 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 with nine (9) or fewer employees will have up to twelve (12) months following the end of the Moratorium to repay any past due payments. Tenants with ten (10) or more, but no more than one hundred (100), employees will have up to six (6) months following the end of the Moratorium to pay back any past due rent in equal payments, unless prior arrangements have been made with the landlord.

## What do Tenants need to do to establish protections under the County's Moratorium?

- Tenants are responsible for providing notice to their landlord if they are unable to pay rent due to financial impacts related to the COVID-19 pandemic.
- Landlords must accept a Tenant's self-certification as a valid form of notice from Tenants with nine (9) employees or fewer (See below for documentation requirements for Tenants with more than nine (9) employees).
- Landlords are prohibited from harassing or intimidating Tenants that exercise their rights under the Moratorium.
- Landlords must provide a Tenant with nine (9) or fewer employees a copy of their rights under the Moratorium within ten (10) days of serving a notice of nonpayment.
- Tenants and landlords are encouraged to work out a payment plan during and after the termination of the Moratorium.

*\*Note: Between October 1, 2020 and September 30, 2021, the County's Moratorium will not apply to residential tenants and mobilehome space renters facing eviction for nonpayment of rent due to COVID-19 related financial hardship, as they are covered under the State's eviction moratorium.*

*\*Note: Please refer to Frequently Asked Questions (FAQ) for commercial tenants as this FAQ contains information related to residential tenants and mobilehome space renters only.*



### **When should a Tenant notify their landlord that they are unable to pay rent?**

Tenants must notify their landlord of their inability to pay rent within seven (7) days after rent is due, unless extenuating circumstances exist. Tenants with nine (9) employees or fewer may self-certify their inability to pay rent to their landlord, either orally or in writing. Tenants with ten (10) or more, but no more than one hundred (100), employees will need to provide written documentation that demonstrates inability to pay rent due to financial hardship related to COVID-19 to their landlord. If they are able to do so, Tenants are encouraged to pay partial rent during the Moratorium.

### **Who do these protections apply to?**

The Moratorium applies to commercial tenancies in the unincorporated areas of the County and in all incorporated cities located within the County, except in a city that has adopted an eviction moratorium that provides equal or greater protections to tenants than that of the County's. **NOTE: These protections do not apply to Tenants that are multi-national, publicly traded, or have more than one hundred (100) employees. As of September 1, 2020, these protections do not apply to Tenants who rent space or property located at airports within the County.**


### **What if my city has its own eviction moratorium?**


If a city has its own moratorium, the County's rules may not apply. However, effective on September 1, 2020, the Board established the County's protections as a baseline for all Tenants in the County, with certain exceptions. This means that the provision in the County's Moratorium that provides the strongest protection to Tenants will prevail. Please visit [rent.lacounty.gov](http://rent.lacounty.gov) for a list of incorporated cities' moratoria in the County.

### **What if a landlord violates a condition of the moratorium?**

The County's Moratorium may provide an affirmative defense if a Tenant is served with an unlawful detainer (formal eviction action) or is facing other civil actions for failure to pay back rent owed during the moratorium due to financial impacts from COVID-19. Tenants are not required to move unless they are served with a five (5) Day Notice to Vacate from the Sheriff's Department. We recommend tenants reach out to the Department of Consumer & Business Affairs for assistance immediately if they receive any notice from their landlord or the court (contact information below).

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

 (833) 223-RENT (7368)

 [rent@dcbalacounty.gov](mailto:rent@dcbalacounty.gov)

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

*\*Note: Between October 1, 2020 and September 30, 2021, the County's Moratorium will not apply to residential tenants and mobilehome space renters facing eviction for nonpayment of rent due to COVID-19 related financial hardship, as they are covered under the State's eviction moratorium.*

*\*Note: Please refer to Frequently Asked Questions (FAQ) for commercial tenants as this FAQ contains information related to residential tenants and mobilehome space renters only.*