



# Los Angeles County Eviction Moratorium for Residential Tenants and Mobilehome Space Renters



## What is the County's eviction moratorium?

The Los Angeles County ("County") Eviction Moratorium ("Moratorium"), effective March 4, 2020, through September 30, 2021, unless repealed or extended by the Los Angeles County ("County") Board of Supervisors ("Board"), places a Countywide ban on evictions for residential and commercial\* tenants,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, residential and commercial\* tenants, including mobilehome space renters may not be evicted for COVID-19 related nonpayment of rent\*\* as well as no-fault reasons, denying entry to a landlord, nuisance, or unauthorized occupants or pets – if related to COVID-19.

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

- Prohibits evictions, except where necessary to protect public health and safety, for:
  - o Nonpayment of rent due to COVID-19 related financial hardship through September 30, 2020;
  - o No-fault reasons, including but not limited to, a landlord's intent to substantially remodel or demolish the property, except:
    - As of July 1, 2021, where a landlord who owns a single-family home on or before June 30, 2021, and intends to move into the home for their or their family member's use as their principal residence;
  - o COVID-19 related violations due to unauthorized occupants or pets;
  - o Nuisance; or
  - o Denying entry to a landlord,
- Prohibits rent increases or new pass-throughs in the unincorporated areas of the County for:
  - o Rent-stabilized units subject to permitted rent increases set forth in Chapter 8.52 of the County Code; and
  - o Mobilehome spaces subject to permitted rent increases set forth in Chapter 8.57 of the County Code.
- 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 rent owed by a tenant during the Moratorium. Tenants who have provided a notice to their landlord of their inability to pay rent under the County's Moratorium during the period of March 4, 2020 through September 30, 2020 will have until September 30, 2021 to repay all past due rent during that period. For past due rent accrued between October 1, 2020 and September 30, 2021, tenants must follow the directives under the State's eviction protections (AB 3088, SB 91, AB 81, and AB 832) in order to establish protections against eviction. Tenants are encouraged to pay partial rent during the County's Moratorium if they are able to do so and work out a payment plan with their landlord during and after the termination of the County's Moratorium. For more information about the state's eviction moratorium please visit [www.housing.ca.gov](http://www.housing.ca.gov).

*\*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.*

*\*\*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: Prohibition against late fees, interest, or other charges does not apply to residential and mobilehome space rent incurred between October 1, 2020, and September 30, 2021.*

### **To whom do the County's Eviction Moratorium protections apply?**

The Moratorium applies to residential tenants, commercial tenants and mobilehome space renters in unincorporated Los Angeles County, as well as 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 that have a moratorium in place to the extent the County's Moratorium provides greater tenant protections. 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, as long as the local declaration of emergency remains in place. Please visit <http://www.dcba.lacounty.gov/noevictions> for a list of incorporated cities' moratoria in the County.

### **Can a Landlord evict a Tenant to move into a single-family home during the Moratorium?**

As of July 1, 2021, a landlord who purchased a single-family home on or before June 30, 2021, may evict a Tenant (s) in order to move into the single-family home for their own or their family member's use as their principal residence for at least thirty-six (36) consecutive months. The Tenant(s) currently occupying the single-family home must be current on rent payments and have not been impacted by COVID-19. A landlord may only evict a Tenant (s) if certain conditions apply, including that the landlord or landlord's family member must be *similarly situated to the Tenant currently occupying the home*. Similarly-situated means that if the Tenant or a member of the Tenant's household is over 62 years of age, disabled, terminally ill, or low-income, then the landlord or landlord's family member who will be occupying the single-family home as their principal place of residence must also meet those qualifications. Landlords are required to provide at least sixty (60) days' notice to such Tenants and provide additional time if either party is diagnosed with COVID-19, as well as provide relocation assistance as required by the County's [Rent Stabilization Ordinance](#) or the incorporated city's applicable ordinance or regulation.

### **What is the State's Eviction Moratorium and how does it impact the County's Moratorium?**

On September 1, 2020, Governor Newsom signed into law AB 3088, and subsequently SB 91 and AB 81 on January 29, 2021, and February 23, 2021, respectively, which protect Tenants from eviction if they are unable to pay rent between March 1, 2020 and June 30, 2021 due to COVID-19. On June 28, 2021, Governor Newsom signed AB 832 into law, which further extends the protections for residential and mobilehome space renters facing eviction due to COVID-19 financial hardship through September 30, 2021. This means that between October 1, 2020 and September 30, 2021, the County's protections for Tenants, specifically for non-payment of rent due to COVID-19 related financial hardship, do not apply and are replaced by the state's eviction moratorium. During this timeframe, tenants facing eviction for non-payment of rent due to COVID-19 related financial hardship will continue to be protected under the State's eviction moratorium. All other Tenant protections offered through the County's Moratorium, including protections for no-fault evictions, denying entry to a landlord, and evictions for unauthorized occupants, pets, and nuisance, will remain in effect through September 30, 2021. SB 91 and AB 832 also establish a framework for distributing federal rental assistance funding throughout the State, including renters and property owners in Los Angeles County. For more information on the protections established by AB 3088, SB 91, AB 81, and AB 832, guidelines related to landlord-issued notices, certification requirements, and more, please visit: <http://www.housing.ca.gov> or call 1-833-422-4255.

### **What is the Federal Eviction Moratorium?**

On September 4, 2020, the CDC issued an Order to provide baseline protections for income-qualifying tenants facing financial hardship, regardless of whether the financial hardship is related to COVID-19. On August 3, 2021, the CDC issued a new Order that extends these protections for income-qualifying tenants who live in communities with substantial or high levels of COVID-19 transmission. 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 October 3, 2021, 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?**

Tenants covered under the County's Moratorium must notify their landlord, through a self-certification within seven (7) days after rent is due, unless extenuating circumstances exist. Between October 1, 2020 and September 30, 2021, Tenants must comply with the certification requirements established in AB 3088/SB 91/AB 832 in order to be protected from eviction. If a 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/SB 91/AB 832 and the CDC Order, please visit: <http://www.housing.ca.gov> 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?**

Under the County's Moratorium, landlords must accept self-certification as a valid form of notice for Tenants who were unable to pay rent between March 4, 2020 through September 30, 2020. Under State law, between September 1, 2020 and September 30, 2021, landlords must comply with requirements to provide notice and receive Tenants' documentation as outlined in the directives in AB 3088/SB 91/AB 832 and the CDC Order for residential tenants only. For more information on AB 3088/SB 91/AB 832 and the CDC Order, please visit: [www.housing.ca.gov](http://www.housing.ca.gov) and <https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>, respectively.

**Is there Rental Assistance available for Tenants and Landlords?**

Yes. The CA COVID-19 Rent Relief program helps income-eligible households with rent and utilities, both for past due and future rent payments. Income eligible Tenants who have been impacted by COVID-19 and have unpaid rent or utilities, or need help with future rent or utility payments, can apply for the CA COVID-19 Rent Relief program. Additionally, landlords with Tenants who are behind on rent and who need financial assistance to support this income loss can also apply if certain conditions are met. The State will calculate tenants' income eligibility when a Tenant or landlord applies for the program. Immigration status does not affect eligibility, so long as income requirements are met. Depending on the address of your rental property, you may be eligible for a local program. Visit [www.housing.ca.gov](http://www.housing.ca.gov) to determine which program is right for you and to apply for assistance.


**What if a landlord violates a condition of the Moratorium?**

The County, State, Federal protections, or a combination of each of these may provide an affirmative defense if a Tenant is served with an unlawful detainer (formal eviction notice) or is facing other civil actions for failure to pay back rent 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).

Landlords are prohibited from harassing or intimidating Tenants that exercise their rights under the County's Moratorium and may be subject to administrative fines and penalties for violating this provision. Tenants, or a representative acting on behalf of the Tenant, may sue a landlord in court for violations of the Moratorium.

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)