



COVID-19 Tenant Protections Resolution

What is the County's COVID-19 Tenant Protections Resolution (Resolution)?

The County's COVID-19 Tenant Protections Resolution (formerly the LA County Eviction Moratorium), which went into effect March 4, 2020, extends certain protections to residential and commercial Tenants affected by the COVID-19 pandemic in Los Angeles County. On January 25, 2022, the Los Angeles County Board of Supervisors voted to extend the Resolution through December 31, 2022, unless repealed or further extended by the Board.

Who is covered by the Resolution?

The Resolution 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. It also established the County's temporary emergency tenant protections as the baseline for all incorporated cities within the County. This includes incorporated cities that have their own local eviction moratoria, to the extent the city's moratorium does not include the same or greater tenant protections as the County's Resolution. Please contact your city or call DCBA at 800-593-8222 for more information.

Does this mean Landlords can't evict Tenants right now?

No. It is important to understand that the Resolution does NOT prevent an unlawful detainer (eviction) from being filed, but it does provide tenants with an affirmative defense against an unlawful detainer (eviction) action. Tenants are encouraged to act quickly if they receive any written notices or court orders from their landlord.

What protections are included in the Resolution?

The updated Resolution includes two phases which incorporate both extensions and lifting of some existing eviction protections as outlined below:

Phase I (February 1, 2022 – May 31, 2022)

- Current eviction protections for residential tenants and mobilehome space renters extended through May 31, 2022. This includes:
 - **Rent increase freeze** (including new pass-throughs or related charges) for rent-stabilized units in unincorporated areas of the County
 - **Protections against evictions for:**
 - No-Fault eviction reasons (except for qualified Owner Move-in);
 - Nuisance;
 - Unauthorized occupants or pets;
 - Denying entry to landlord
 - **Anti-harassment and retaliation protections** for all residential, mobilehome space renters and commercial tenants
 - **Personal guarantee protections** for smaller (0-9 employees) commercial tenants
- **Lifts** non-payment of rent eviction protections for **commercial tenants** (expired January 31, 2022)

Phase II (June 1, 2022 – Dec. 31, 2022)

- Eviction Protections for residential tenants and mobilehome space renters continued through December 31, 2022:
 - **Rent increase freeze** (including new pass-throughs or related charges) for rent-stabilized units in unincorporated areas of the County
 - **Protections against evictions for:**
 - No-Fault eviction reasons (except for qualified Owner Move-in);
 - Nuisance;
 - Unauthorized occupants or pets
 - **Anti-harassment and retaliation protections** for all residential, mobilehome space renters and commercial tenants
 - **Personal guarantee protection** for smaller (0-9 employees) commercial tenants
- **Adds (Effective July 1, 2022)** eviction protections for nonpayment of rent due to a COVID-19 financial hardship, including self-certification to establish affirmative defense, *only* for households with income at or below 80% Area Median Income (AMI) for rent incurred on or after July 1, 2022.
- **Lifts** the following protections:
 - **Protections against eviction for denying entry to landlord**, except when the entry constitutes harassment
 - **Owner Move-Ins:**
 - Removes the purchase date (6/30/2021) requirement; and
 - Requirement that tenants not be financially impacted by COVID-19 for Owner Move-Ins to be allowed

Are Tenants protected against eviction if they are unable to pay rent right now?

Residential tenants may be protected against eviction for nonpayment between March 2020 and March 2022 under State eviction protections if they met certain requirements **and** applied for the state's rent relief program by the March 31, 2022 deadline, or if the tenants live in a city that is not preempted under state law.

State law (AB 2179) currently prohibits the County from imposing eviction protections for nonpayment of rent under the Resolution through June 30, 2022. However, effective July 1, 2022 (under Phase II of the Resolution), **tenant households with incomes at or below 80% of the Area Median Income (AMI)** will be protected for nonpayment of rent due to a COVID-19 financial hardship for rent incurred on or after July 1, 2022. Tenants must notify their landlord within seven (7) days of the rent being due, unless extenuating circumstances exist.

Eviction protections for nonpayment of rent for commercial tenants expired January 31, 2022.

What should Tenants do if they cannot pay rent?

The Resolution does **NOT** cancel or stop the rent from being owed or stop the accumulation of rent that is owed during the protections period. Tenants should pay rent if they can and are encouraged to work out a payment plan with their landlord during and after the termination of the Resolution.

If you're a Tenant in a city that still has nonpayment of rent protections *or* you applied for rent relief through the State's program by the March 31, 2022 deadline, you may still be protected from eviction at this time. If a tenant has a pending application, they may have an affirmative defense if an unlawful detainer action (eviction) is filed against them for nonpayment of rent. For information on the status of your rent relief application, contact Housing is Key at housingiskey.com.

Though the State's program closed their application portal on March 31, 2022, there may be additional assistance available. Reach out to your city or contact DCBA for more information about available resources.

How long do Tenants have to repay past due rent protected by the Resolution?

Residential tenants will have twelve (12) months following the expiration of the Resolution to repay past rent due on or after April 1, 2022.

Beginning February 1, 2022, commercial tenants have the following time to repay any past due rent from March 2020-January 2022: Twelve (12) months for those with 0-9 employees; Six (6) months for those with 10-100 employees in equal installments.

Can a Landlord evict a Tenant to move into a Property while the Resolution is in place?

A landlord or a qualifying family member can move into a single-family home, mobilehome space, condominium unit, duplex, or triplex (collectively "units") through Phase I (through May 31, 2022) of the Resolution if the property was purchased *on or before* June 30, 2021 **and** meet the following criteria:

- Landlord or Landlords qualifying family member must physically reside in the unit for at least thirty-six (36) consecutive months;
- Tenants of the affected unit must be current on rent and not have been financially impacted by COVID-19;
- Landlord or Landlords qualifying family member must be similarly situated to the Tenant currently occupying the unit;
- Landlord must provide at least sixty (60) days' notice to Tenant in writing;
- Landlord must pay tenant relocation assistance as required by the County's [Rent Stabilization Ordinance](#) or the incorporated city's applicable ordinance or regulation.

Note: Effective June 1, 2022 (Phase II), the purchase date requirement and the requirement that tenants not be financially impacted by COVID-19 for an owner move-in will be lifted. For more information on Owner Move-In requirements, contact DCBA.

What if a Landlord violates the Resolution?

Landlords are prohibited from harassing or intimidating tenants that exercise their rights under the Resolution 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 Resolution. Additionally, the County or State protections, or a combination 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.

What should Tenants do if they receive an eviction notice from a Landlord?

It is important to seek legal assistance in responding to any eviction notice or "Unlawful Detainer" action filed by a landlord. Tenants that receive an eviction notice should immediately contact Stay Housed LA to see if they qualify for free legal assistance, and for help understanding their rights, responding to notices, short-term rental assistance, and/or access to other resources by visiting www.stayhousedla.org or calling DCBA at 800-593-8222 for more information. Tenants are **not** required to leave their units unless they are served with a five (5) Day Notice to Vacate from the Sheriff's Department.

Still have questions?

If you have additional questions or need assistance, please contact DCBA at 800-593-8222 or visit rent.lacounty.gov.