

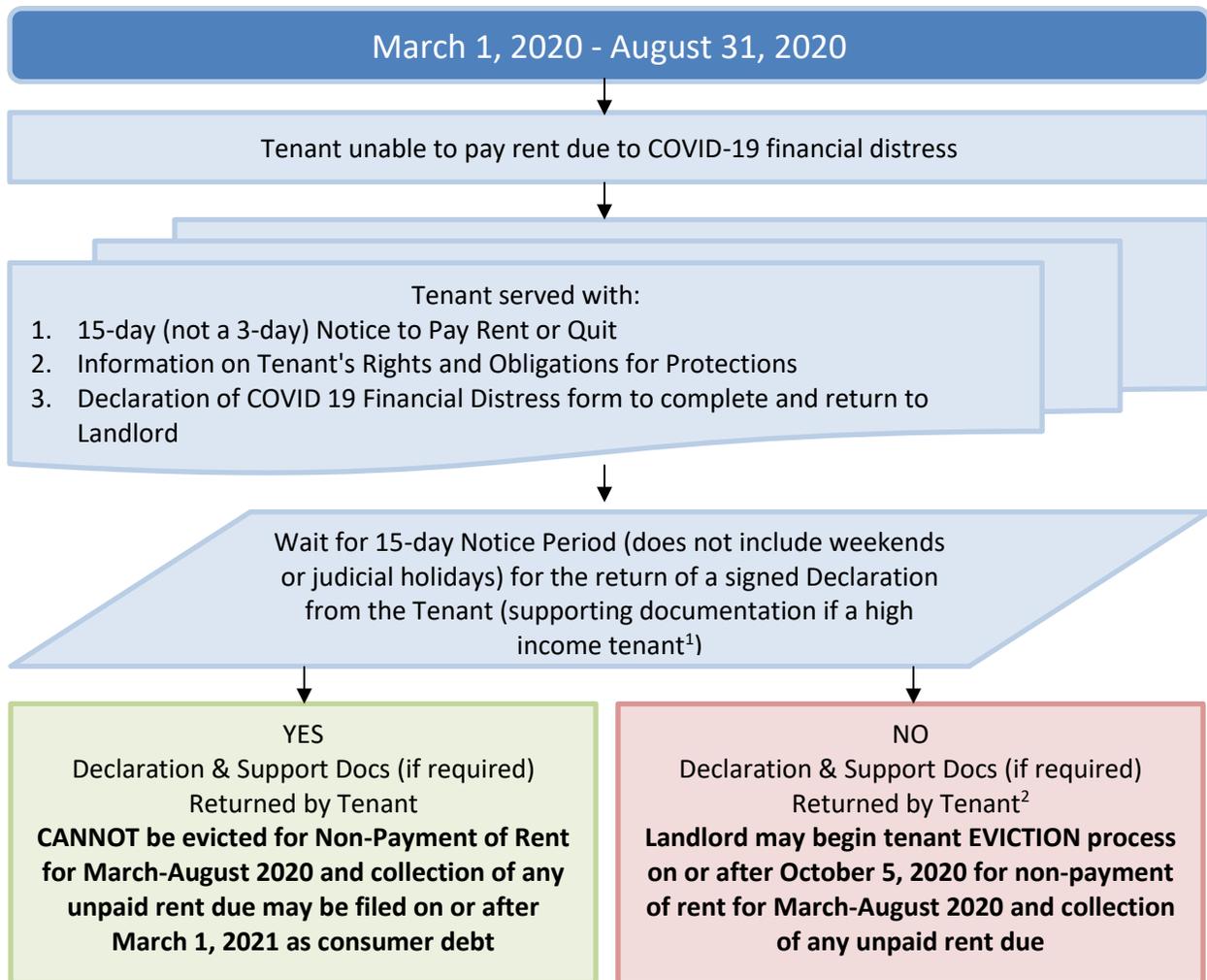
California's Tenant, Homeowner, And Small Landlord Relief and Stabilization Act Of 2020: What You Need to Know

The Tenant Relief Act of 2020 – COVID 19 Tenant Evictions

[AB 3088](#) Effective 09/01/2020

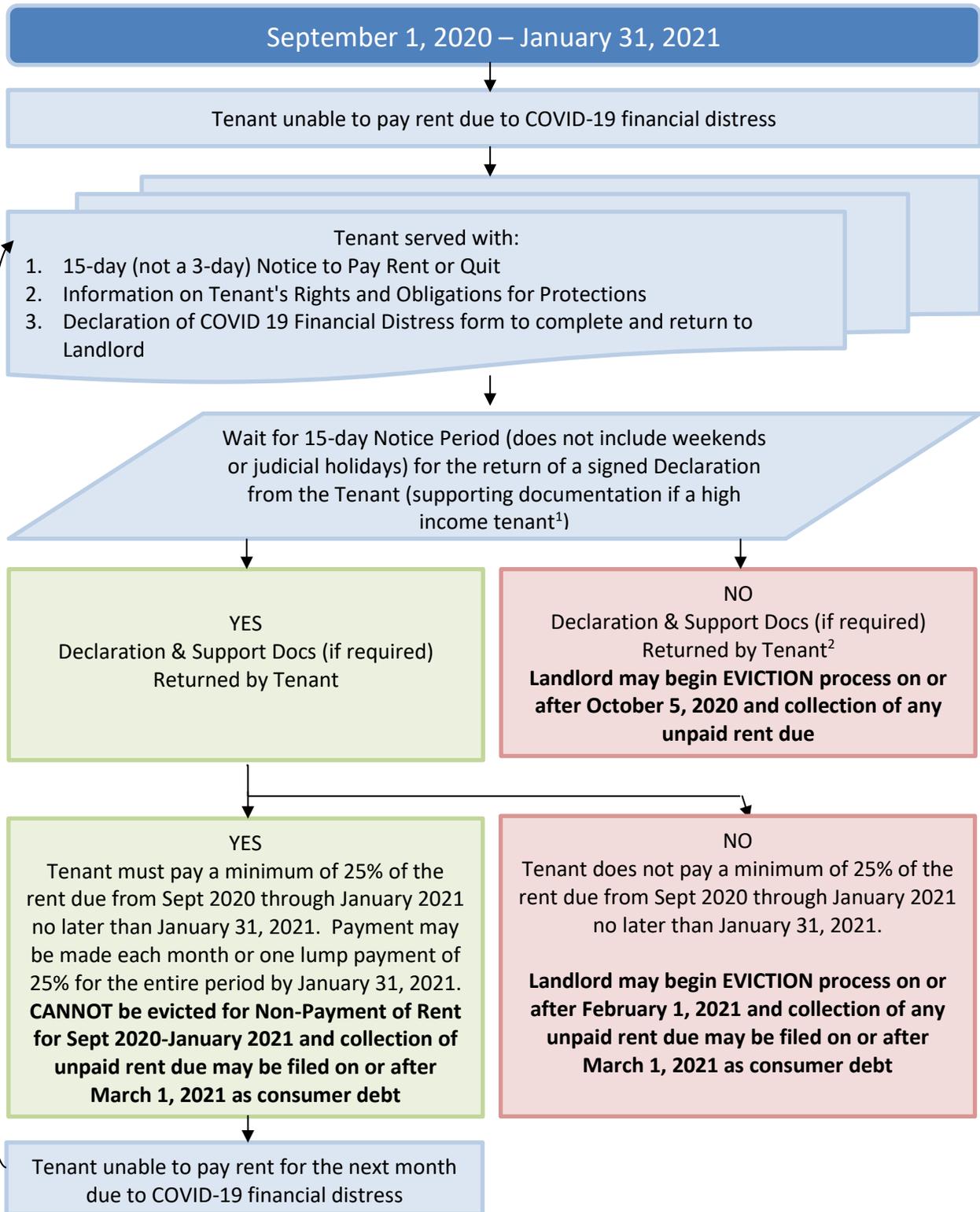
California has new eviction protections for residential tenants (including mobile home tenants), regardless of immigration status, who are experiencing a financial hardship due to the COVID-19 pandemic and have been unable to pay rent. These eviction protections are for rent payments due from March 1, 2020 through January 31, 2021. The following guidance will help you better understand the new laws and how they will affect you.

Covers the Rent Payment Period from March 1, 2020 to January 31, 2021





Our mission is to equip Chula Vista's diverse residents with information and the resources to build strong families and to strengthen the social and physical fabric of the community.



Notes:

- ¹ Higher income tenants are defined as having over \$100K household income or over 130% of median household income, whichever is higher.
- ² Tenants who are unable to provide the Declaration within 15 business days may still submit the Declaration if they have a “good reason”, such as a mistake, inadvertence, surprise, or excusable neglect (*California Code of Civil Procedure Section 473 (b)*)

Eligible Residential Tenants (*Those Who Have Experienced COVID-19 Related Financial Distress*)

- Loss of income caused by the COVID-19 pandemic;
- Increased out-of-pocket expenses directly related to performing essential work during the COVID-19 pandemic;
- Increased expenses directly related to the health impact of the COVID-19 pandemic;
- Childcare responsibilities or responsibilities to care for an elderly, disabled, or sick family member directly related to the COVID-19 pandemic that limit a tenant’s ability to earn income;
- Increased costs for childcare or attending to an elderly, disabled, or sick family member directly related to the COVID-19 pandemic;
- Other circumstances related to the COVID-19 pandemic that have reduced a tenant’s income or increased a tenant’s expenses.

No Rent Forgiveness
Tenants are Responsible for Paying Unpaid Rent to Landlords

Evictions for Just Cause

Residential tenants may still be evicted for Just Cause, with limitations for those unable to pay rent due to financial impacts from COVID-19. The eviction process for causes other than non-payment of rent may begin September 2, 2020.

What are the requirements for a just cause eviction?

- A landlord has limited ability to evict tenants who have occupied a residential unit for at least 12 months to a list of just causes, either “at-fault” or “no-fault”.
- Under AB 3088, no-fault evictions are not permitted against any tenant until February 1, 2021. The only no-fault eviction permitted by AB 3088 is if the property needs to be demolished or substantially remodeled.

What are the 'At-fault' just causes:

- Beginning October 5, 2020 for non-payment of rent prior to March 1, 2020, not an eligible tenant or not following the rules of AB 3088 (e.g. No financial hardship due to COVID-19, timely submittal of the required Declaration or if applicable payment of the 25% rent for Sept 2020 to January 31, 2021)
- Material breach of rental agreement
- Nuisance
- Damaging property
- Non-renewal of lease
- Criminal activity on the property or criminal activity or threat on/off the property directed at the owner or agent of the owner
- Subletting in violation of lease
- Denying landlord access
- Using the premises for an unlawful purpose
- Employee, agent, or licensee's failure to vacate after termination
- Failure to deliver possession as provided in written notice/offer

For most "At-fault" just causes, owners will be required to first give a notice of violation and an opportunity to cure the violation prior to issuing notice of termination.

What are the 'No-fault' just causes: *Limited until February 1, 2021*

- ~~Owner or relative move in (Must be the owner or their spouse, domestic partner, children, grandchildren, parents, or grandparents).~~
- ~~Requires written agreement or provision in lease after July 1, 2020~~
- ~~Withdrawal of the property from the rental market (Ellis Act)~~
- ~~Owner complying with a local ordinance or order from a government agency or court that necessitates vacating the property~~
- Intent to demolish or substantially remodel the property (*Allowed under AB 3088*)

For "no-fault" just causes (such as an owner/relative move-in), owners will be required to make a relocation payment equal to one month's rent or waive in writing the payment of rent for the final month prior to the rent becoming due.

What types of units are exempt from the just cause eviction requirements?

- The units exempt from just cause requirements include those exempt from the new rent control, plus:
 - Single-family owner-occupied residences, if the owner-occupant is renting no more than two units or bedrooms
 - Homes the tenant shares bathroom or kitchen facilities with the owner (must be owner's principal residence)
 - Transient and tourist hotels
 - Nonprofit hospitals, religious facilities, and other care facilities



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Available Resources:

Whether renting a room, an apartment, a house, or a duplex, the relationship between a renter and the property owner is governed by federal and state laws. The City of Chula Vista does not enforce federal and state laws related to landlord-tenant issues. The following information and resources may be of assistance to you or visit our [Landlord-Tenant web page](#):

State of California Fact Sheet AB 3088

- <https://www.gov.ca.gov/wp-content/uploads/2020/08/Factsheet-Tenant-Homeowner-and-Small-Landlord-Relief-and-Stabilization-Act-of-2020.pdf>
- https://www.bcsb.ca.gov/coronavirus19/stabilization_act_guidance.pdf

State of California Housing is Key: Landlord and Tenant Resources

- <https://landlordtenant.dre.ca.gov/index.html>

Declaration of COVID-19 related financial hardship (Required Form)

Available in English and five other common languages

- <https://landlordtenant.dre.ca.gov/tenant/forms.html>

[CSA San Diego County](#)

The City of Chula Vista contracts with CSA of San Diego County regarding landlord-tenant and fair housing issues. Please contact CSA regarding these matters.

- Chula Vista Office [English/Español](#) PDF

(619) 619 444-5700
1-800-954-0441
RAYO DE ESPERANZA
1653 Albany Ave
Chula Vista, CA, 91911
www.c4sa.org

[San Diego Superior Court Self Help Center](#)

- [Landlord Tenant](#)
- Frequently Asked Questions: [Tenants](#) or [Landlords](#)

[Legal Aid Society of San Diego](#) (if they are low-income)

- [Eviction Clinic](#)

(866) 244-0101
110 South Euclid Avenue
San Diego, CA 92114

[Lawyer Referral](#) & Information Service and Landlord Tenant Information from the San Diego County Bar Association.

- [Landlord-Tenant Law](#)

(800) 464-1529
(619) 231-8585
LRIS@sdcb.org

[San Diego Volunteer Lawyer Program](#)

Free civil legal services to disadvantaged families, seniors, persons with disabilities, persons infected with HIV or AIDS, and domestic violence survivors in San Diego County. Contact this group by attending a clinic at one of several locations.

619.235.5656
info@sdvlp.org
707 Broadway, Suite 1400
San Diego, CA 92101

NOTE:

The names and contact information are provided as a resource and not in the way of an endorsement by the City of Chula Vista. The resources list is intended as a brief overview and may not include all available local, state and federal resources.