

Help Protect Bay Area Tenants During COVID-19

Current as of 5/18/2020

In California, evictions are suspended until 90 days after the Governor of California lifts the State of Emergency (*unless* the eviction is to protect public health and safety). However, **rent payments are not excused**, and many tenants will face an eventual eviction if they do not pay rent in full during this time.

We are hopeful that the government will provide some form of relief to tenants before evictions proceed, but we also know that a few basic steps will help prepare tenants either way. And you can help! Below are steps that will help tenants: 1) communicate clearly, in writing, with landlords; 2) organize and save documentation that might help to defend against an eventual eviction or access rental relief, should that become available; and 3) in some cities, provide the tenant with additional time to pay back unpaid rent.

IF CLIENTS CANNOT PAY RENT DUE TO COVID-19, HELP THEM TAKE THESE STEPS:

1. WRITE A LETTER TO THE LANDLORD NOTIFYING THEM TENANT CANNOT PAY RENT

Each month that the tenant cannot pay rent in full due to COVID-19, tell the landlord this in writing - send this and all correspondence to landlord by email or certified mail (so you have a receipt / copy).

- *San Francisco template letter (due within 30 days) available in [English](#), [Spanish](#), and [Mandarin](#) (from EDC)*
- *Residents of all other counties can use [this tool](#) to create and send one (from JustFix, SAJE, et al.)*

2. COLLECT + PROVIDE DOCUMENTATION

Collect documentation of COVID-19 impacts on loss of income and provide it to the landlord, including as many of the following as possible: 1) termination notices or related statements from an employer; 2) payroll checks, paystubs, and bank statements; 3) medical bills, medical records; or 4) anything else showing loss of income related to COVID-19.

- *The template letters linked in step #1, above, include a section related to documentation.*
- *In [San Francisco](#), timely documentation gives tenants more time to pay; in [Alameda County](#) it protects against an eviction (but the money owed can still be collected). Check your city + county!*

3. KEEP COPIES + MAKE A LOG

Make a copy of the letter(s) and documentation for the client or have the client take a picture, and keep it in a safe place. Even better if you can keep an extra copy for the client on file. Help the client make a log that summarizes events (you can use [this template](#)).

4. REFER TO LEGAL HELP IF NEEDED

If client receives eviction paperwork (summons/complaint) at any time - during the State of Emergency or after - [refer client to an eviction defense organization](#) ASAP. Responding by the deadline is their opportunity to fight the eviction, get more time, and/or keep the eviction off of their record!

OTHER RESOURCES

- Tenants Together has a user-friendly [overview of California's eviction moratoriums](#).
- Some cities and counties provide additional protections. Check your city's COVID resources (start [HERE](#) if you are unsure) and see [Legal Link's COVID-19 Resources](#) page.
- Judicial Council of California's [Emergency Court Rules](#) (April 6, 2020): pause on most evictions.
- [Statewide Eviction Moratorium](#) (March 27, 2020): pause on most evictions IF tenants give notice.