

A city skyline at sunset with palm trees in the foreground. The sky is a warm orange and yellow, and the buildings are silhouetted against the light. The palm trees are in the foreground, some in silhouette and some catching the light.

COVID 19 TENANT PROTECTIONS

AB 3088, AND SB 91

TENANT RIGHTS,
EQUITABLE
DEVELOPMENT
AND HEALTHY
HOMES





SB 91

- Signed into law on January 29, 2021, SB 91 extends California's previous eviction moratorium (AB 3088) through June 30, 2021.
- SB 91 also creates a framework for distributing rental assistance for qualifying tenants who cannot pay rent because of COVID-19.

AB 3088 (PHASE 1)

FOR AB 3088 TENANTS HAVE TO SUBMIT A DECLARATION ENSURING RENT DUE BETWEEN MARCH 1, 2020 AND AUGUST 31, 2020 CAN NEVER BE USED AS A WAY TO EVICT DUE TO ITS CONVERSION TO CONSUMER DEBT



THE FORM MUST STATE HOW THE TENANT HAS BEEN UNABLE TO PAY RENT DUE TO BEING IMPACTED BY THE PANDEMIC

AB 3088 (PHASE 2)

- YOU CAN ALSO BE PROTECTED FROM EVICTION FOR RENT DUE BETWEEN SEPTEMBER 1, 2020 AND JUNE 30, 2021 IF YOU GIVE YOUR LANDLORD A SIGNED AND DATED FORM DECLARATION EACH MONTH AND PAY A TOTAL OF 25% OF THE RENT FOR THAT 10-MONTH PERIOD BY JUNE 30, 2021. ONLY 75% IS CONSUMER DEBT. (CAN BE PAID IN AN LUMP SUM OR MONTHLY)
- JULY 1, 2021 IS THE EARLIEST DATE AN EVICTION COURT CASE CAN BE FILED AGAINST TENANTS WHO CANNOT PAY THE 25%
- LANDLORDS CAN START COLLECTING RENT AUGUST 1, 2021 UNLESS NEW PROTECTIONS PASS (SMALL CLAIMS)



ADDITIONAL SB 91 PROTECTIONS

- ALL TENANTS SUBJECT TO AB 3088 HAVE JUST CAUSE EVICTION UNTIL JULY 1, 2021
- COVID-19 RENT DEBT CANNOT BE USED AGAINST YOU WHEN YOU APPLY FOR NEW HOUSING.
- YOUR LANDLORD MUST GIVE YOU A NOTICE TELLING YOU ABOUT THE STATE'S RENTAL ASSISTANCE PROGRAM.
- YOUR LANDLORD CANNOT CHARGE LATE FEES OR INTEREST ON COVID-19 RENT DEBT.
- YOUR LANDLORD MUST USE YOUR RENT PAYMENTS FOR THE CURRENT MONTH'S RENT UNLESS YOU AGREE IN WRITING THAT THEY CAN USE IT FOR PAST DUE RENT.

ADDITIONAL SB 91 PROTECTIONS CONT.

- YOUR LANDLORD MAY NOT USE YOUR SECURITY DEPOSIT TO COVER COVID-19 RENT DEBT UNLESS YOU AGREE IN WRITING.
- YOUR LANDLORD CANNOT SUE YOU FOR BACK-RENT IN COURT UNTIL AFTER JULY 1, 2021.
- YOUR LANDLORD CANNOT SELL YOUR COVID-19 RENT DEBT TO A 3RD PARTY COLLECTION AGENCY.
- IT IS ILLEGAL FOR YOUR LANDLORD TO LOCK YOU OUT, SHUT OFF UTILITIES, OR HARASS YOU. PLEASE
- CONTACT YOUR LOCAL LEGAL SERVICES AGENCY IF THIS IS HAPPENING TO YOU.

HOW TO PARTICIPATE

- LANDLORD WERE SUPPOSED TO GIVE A DECLARATION AS A 15 DAY NOTICE
- TENANTS CAN RETROACTIVELY SEND A DECLARATION FORM TO THE LANDLORD
- IF THE LANDLORD DOES PROVIDE A DECLARATION FORM A TENANT CAN SEND ONE RETROACTIVELY
- TENANTS ARE SIGNING "UNDER PENALTY OF PURJURY" SO THEY SHOULD ENSURE EVERYTHING ON THE DECLARATION IS CORRECT



WHO QUALIFIES FOR AB 3088

- TENANTS WHO MAKE LESS THAN \$99,000 INDIVIDUALLY OR \$198,000 JOINT INCOMES
- TENANTS WHO HAVE LOSS INCOME DUE TO THE PANDEMIC
- TENANTS WHO HAVE TO CARE TAKE DUE TO THE PANDEMIC

SB 91 RENTAL ASSISTANCE PROGRAMS

- APPLICATIONS WILL BEGIN MARCH 15, 2021
- FOR THE COUNTY OF LA THE STATE WILL ADMINISTER THE FUNDS AND FOR THE CITY HCID WILL ADMINISTER IT
- PRIORITY WILL BE GIVEN TO LOW INCOME TENANTS BASED ON AREA MEDIAN INCOME (AMI)
- IF LANDLORD AGREES TO PARTICIPATE 80% OF RENTAL DEBT WILL BE FORGIVEN IF THEY CHOOSE TO FORGIVE 20% THEMSELVES
- IF LANDLORDS DO NOT PARTICIPATE TENANTS HAVE TO PROVE THE LANDLORD'S NEGLIGENCE AND WILL HAVE 25% FORGIVEN

WHO QUALIFIES?

- TENANTS WHO HAVE PAID THE 25% BY JUNE 30, 2021
- FIRST ROUND ARE TENANTS THAT HAVE BEEN UNEMPLOYED FOR 90 DAYS OR MORE OR ARE 50% AMI
- SECOND ROUND ARE TENANTS FROM COMMUNITIES HIGHLY IMPACTED AND 80% AMI
- THIRD ROUND ARE TENANTS WHO WERE NOT COVERED UNDER ROUND 1 & 2



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Can't pay rent?

You're not alone. Millions of Americans won't be able to pay rent because of COVID-19. Use our FREE tool to take action by writing a letter to your landlord.

[Build my letter](#)

A national tool by non-profit [JustFix.nyc](#)

STAYHOUSED

Stay Housed **L.A. County**

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The Extended Tenant Relief Act is now the law in California. Check back soon for updates about what the new law means for your rights. CDC order extended to March 31, 2021. To learn more, [click here](#).
For immediate assistance call 1-888-694-0040.

Owe
Rent?
Eviction
Notice?



Stay Housed L.A. County has the resources you need to know your rights and the legal assistance to back them up.

[Know Your Rights](#)

[Get Legal Help](#)

[Find a Workshop](#)



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