

## Coronavirus (COVID-19) Pandemic Information for Renters in Davis

(Updated April 17, 2020. This document will be updated regularly.)

### 1. Has the Governor of California stopped evictions?

No. The Governor of California has not stopped evictions in the state. Many renters in California can still be evicted, even during the COVID-19 pandemic. If you can pay your rent, you should. This is the best way to protect yourself against eviction.

If you get a notice from your landlord or eviction court papers, you should call us for legal advice about what to do next and how to respond. If you do nothing, you may be evicted.

### 2. Are there any protections against evictions for renters who lost income due to COVID-19?

Yes. The Governor issued an order that applies to all California renters who cannot pay rent right now because of COVID-19. This order may delay some evictions, but only if renters take certain steps. Keep reading to learn more about these steps. There is also a federal law that may delay some evictions temporarily for tenants living in certain properties who cannot pay rent right now due to COVID-19.

Also, some cities and counties have passed local laws that temporarily stop landlords from evicting tenants who cannot pay rent because they lost income due to the COVID-19 pandemic. Renters are only protected by these laws if they live in the city or area that the law applies to. You should call our office for advice about whether any of the new laws apply to you.

### 3. Has the City of Davis stopped all evictions?

No, the City of Davis has not stopped all evictions. The City of Davis passed a new law that temporarily stops landlords from evicting tenants who cannot pay rent or were unable to comply with lease terms or submit documentation because of the Coronavirus Pandemic. The new law also temporarily stops no-fault evictions, which are evictions based on notices that do not state a reason for the termination of tenancy. These temporary laws are in place from March 24, 2020 until the local emergency terminates.

### 4. Who is protected by the new eviction rules and laws?

All tenants in the City of Davis are protected by the no-fault eviction protections.

For tenants who are unable to pay rent, submit documents, or who violate a lease term due to COVID-19, the tenant must: 1) Tell the landlord in writing **within ten days** of the day the rent is due, the lease terms are violated, or documentation is due that they cannot pay or that they could not comply with lease terms or submit documentation due to COVID-19; 2) Provide verifiable documentation to the landlord that the tenant cannot pay because of the COVID-19 within 30 days of the day rent is due; and 3) Pay as much rent as they can afford.

Reasons covered under the new law include: 1) inability to comply with lease terms related to the tenancy as a result of administrative delays or other impacts of COVID-19; 2) inability to submit documents related to the tenancy as a result of administrative delays or other impacts of COVID-19; 3) sickness with COVID-19 or caring for a household or family member with COVID-19; 4) being laid off, experiencing a reduction in work hours, or other loss of income related to COVID-19; 5) following the government's recommendation to quarantine, stay at home, or not congregate with others during the state of emergency; 5) extraordinary out-of-pocket medical expenses; or 6) child care needs arising from school closures related to COVID-19.

This law only applies to renters who live in the City of Davis.

### **5. If I cannot pay my rent or comply with my lease because of COVID-19, do I have to tell my landlord?**

Yes. To be protected by the new local eviction law and the Governor's order, you must tell your landlord in **writing** that you cannot pay your rent or comply with your lease and provide proof. Keep a copy of any documents you used to tell your landlord that you cannot pay your rent or comply with your lease.

The local law requires that you tell your landlord **within 10 days of the date** rent is due or you were unable to comply with the lease terms or submit documents. If you were not able to tell your landlord within 10 days, write to your landlord as soon as you can.

Give your landlord a letter, or send your landlord an email or text. You should explain to your landlord why you cannot pay your rent, why you were unable to comply with the lease terms, or why you could not submit documents.

The City of Davis also has information about this new law on their website [here](#).

### **6. What else do I need to do if I cannot pay my rent due to COVID-19?**

You also need to give your landlord proof of the reason you cannot pay rent as soon as you can, but no later than 30 days from the date that rent is due. This might include: job termination notices, paychecks, pay stubs, bank statements, medical bills, a letter from your supervisor stating your hours were reduced, a note from your doctor or your child's doctor, an order from a health care professional to quarantine, or notice of school closure.

You must also pay as much rent as you can afford now.

If you live in housing where your rent is based on your income, you should immediately report any changes in your household income to your housing provider. For example, if you have a Housing Choice Voucher (Section 8) or live in public housing, you should report your income change to Yolo County Housing so that Yolo County Housing can process an interim adjustment to your rent.

### **7. If I can't pay all of the rent now, will I have to pay rent back to my landlord after the COVID-19 pandemic ends?**

Yes. Even if you live in a city or area with a law that temporarily stops evictions for renters who cannot pay because of COVID-19, you will have to pay back all of the rent after the COVID-19 state of emergency declaration is over. The local law requires that the tenant pay back any

unpaid rent within six months of the expiration of the local emergency. The repayment plan should be agreed upon by the landlord and tenant, and if no agreement is reached, the unpaid rent shall be repaid in six equal payments to be paid in thirty day intervals beginning the day after the expiration of the local law. If you reach an agreement with the landlord, you should make sure the landlord signs the agreement.

The landlord cannot collect a late fee for rent that is delayed due to COVID-19 if the tenant complied with the local law by providing notice and proof to the landlord.

## **8. What should I do if I get an eviction notice or court papers?**

Even if you tell your landlord in writing that you cannot pay your full rent right now, or that you could not comply with a lease term or provide documentation due to COVID-19, your landlord may give you a 3-day notice to pay rent or quit or to perform covenant or quit. If you get this and can pay the rent or comply with the lease term now, you should do so. If you cannot pay the rent or comply with the lease term, write to your landlord and explain why and attach proof.

The landlord may also serve you with a 30 or 60 day notice without a reason, even though the local law prohibits no-fault evictions during the local emergency.

If you get served court papers for an eviction, you must respond to the papers. If you don't respond, you may be evicted. Call our office for legal advice about when and how to respond.

## **9. Is the Yolo County courthouse closed?**

No, but the Court is only open for emergency cases. As of March 17, 2020, the Court is closed temporarily for in-person filing **but is accepting filing by mail**. The Court also postponed most trials and hearings in civil cases, including unlawful detainers. **Most landlords will not be able to serve you with a new eviction lawsuit right now, and the Court is only hearing eviction trials in cases where the landlord has proven that the eviction is necessary to protect public health and safety.** However, tenants must still comply with lease terms and pay rent. The landlord can still serve notices to terminate tenancy for reasons not covered by the new law. If you have an eviction case or if you have received eviction papers (notice to terminate tenancy or summons and complaint), call our office right away for advice about what you need to do and how to respond to the court papers.

## **10. Is there a limit on how much my landlord can raise my rent during the Coronavirus Pandemic?**

Yes. Right now a landlord cannot raise rent more than 10%. California's anti-price gouging law says that landlords cannot raise rent more than 10% during a declared state of emergency. The Governor of California declared a state of emergency due to the Coronavirus Pandemic on March 4, 2020 that is currently extended until at least May 31, 2020. This means that all landlords in California cannot raise rent by more than 10% until at least May 31, 2020.

There are other laws that limit how much a landlord can raise rent, such as California's new Tenant Protection Act of 2019. If you get a notice raising your rent, call our office for advice about whether the rent increase is lawful.

## **11. Will my utilities shut off if I cannot pay?**

At least some utility providers will not disconnect services right now. [PG&E](#) has announced that it will temporarily suspend shutoffs for nonpayment. You still owe for services during this time, but will not face a shutoff. The City of Davis also suspended water shut offs and is waiving late fees for its utilities through May of 2020.

## **12. I have lost income due to the Coronavirus Pandemic and cannot pay my rent - what should I do?**

If you live in the City of Davis, you may be protected by the City's new law that temporarily stops landlords from evicting tenants who cannot pay rent because they lost income due to the Coronavirus Pandemic.

Workers who have been laid off, lost hours, or could not go to work because they had to stay home to take care of kids due to school closures may be eligible for Unemployment Insurance Benefits.

Workers who have to take care of an ill or quarantined family member may be eligible for Paid Family Leave, which is up to 6 weeks of benefits. Workers who are sick with the Coronavirus can apply for State Disability Insurance.

Workers can get more information and apply for benefits at [EDD](#) or through [Yolo County's Health and Human Services Agency](#).

Low income families with children might also be eligible for cash aid, emergency housing payments for rent, and food assistance through [Yolo County's Health and Human Services Agency](#).

There is more information about public benefits for people financially harmed by the Coronavirus Pandemic on our website [www.lsn.net](http://www.lsn.net).

## **13. How do I get more information about my rights as a renter?**

Call us for free legal advice at 530-662-1065, or email us at [woodland-office@lsnc.net](mailto:woodland-office@lsnc.net). You may also visit our website for more information: [www.lsn.net](http://www.lsn.net).

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*This handout is intended to provide accurate, general information regarding renters' legal rights in California. Because laws and legal procedures are subject to frequent change and differing interpretations, LSNC cannot ensure the information in this fact sheet is current nor be responsible for any use to which it is put. This is not legal advice. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation. This information is current as of the date of publication, April 2, 2020.*