

# COVID-19 Tenant Relief Act



The COVID-19 Tenant Relief Act – [SB91](#) (Act) was signed into law January 29, 2021. The Act extends eviction protections to COVID-19 impacted tenants and establishes the state’s Emergency Rental Assistance Program.

## EVICTION MORATORIUM EXTENDED

The Act extends tenant protections included in the Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020 (AB 3088) to June 30, 2021. These protections were originally set to expire on February 1, 2021. The Act includes the same eligibility and program rules as before including:

- ▶ Prevents evictions for nonpayment of rent by tenants experiencing a COVID-19 hardship.
- ▶ Available to any tenant who timely attests under penalty of perjury that he/she has not been able to pay full rent due to COVID-19-related circumstances.
- ▶ If a tenant pays at least 25 percent of his/her rent owed between September 2020 and June 2021, they are permanently protected from eviction for not paying their full rent during this period; however they will still owe their landlord all unpaid rent.
- ▶ Landlords may still proceed with certain other types of “just cause” evictions unrelated to a tenant’s failure to pay rent.

## EMERGENCY RENTAL ASSISTANCE PROGRAM

- ▶ Available for households with incomes at or below 80 percent of Area Median Income, with a priority on helping households at or below 50 percent of Area Median Income as well as households unemployed for the preceding 90 days at the time of application.
- ▶ Prioritizes the payment of rental arrearages.
- ▶ Landlords can choose to accept 80 percent of any unpaid rent owed from April 1, 2020, through March 31, 2021. If a landlord accepts this funding, the landlord agrees to forgive the remaining unpaid rent for that covered period.
- ▶ If a landlord chooses not to participate, the tenant can still apply for relief valued at 25 percent of unpaid back rent they owe for the covered period.
- ▶ Qualified tenants will also be able to access funds to cover 25 percent of prospective rent for the months of April, May, and June of 2021, subject to funding availability.
- ▶ Utility arrearages will also be eligible to be paid, subject to funding availability.
- ▶ The State will directly administer \$1.5 billion through either the State Rental Assistance program or through block grants to qualifying local jurisdictions.
- ▶ Emphasis on multilingual, local outreach, fraud prevention, and customer service.
- ▶ Program will be stood up to begin accepting applications no later than March 15, 2021.

## PROTECT TENANTS IMPACTED BY COVID-19

- ▶ Limiting public disclosure of eviction cases involving nonpayment of rent between March 4, 2020 and June 30, 2021.
- ▶ Protects low-income tenants from landlords assigning or selling their rental debt to a third-party debt collector.
- ▶ “Pay or Quit” Notice period for nonpayment of rent extended from 3 to 15 days.
- ▶ Protects tenants from being evicted for “just cause” if landlord is shown to be really evicting the tenant for COVID-19 related nonpayment of rent.
- ▶ Landlord may not charge late fees for nonpayment of rent between March 1, 2020 and June 30, 2021 to tenants who have attested they are experiencing a COVID-19-related hardship.
- ▶ Require landlords to notify all tenants who owe back rent about the availability of their rights and the rental assistance program via an informational notice by February 28, 2021.

## PROTECT PROPERTY OWNERS IMPACTED BY COVID-19

- ▶ Provides extended consumer protections for requests of mortgage forbearance for homeowners impacted by COVID-19 until September 1, 2021.

For more information and resources, visit [HousingIsKey.com](https://HousingIsKey.com)

- ▶ [Federal Coronavirus Relief Funds State Rental Assistance Reservation Table](#)
- ▶ [COVID-19 Tenant Relief Act FAQ](#)
- ▶ [AB3088 Stakeholder Engagement](#)

