

## California's COVID-19 Renter Protections - April 1, 2022, Onward

California adopted statewide COVID-related eviction protections for renters and made rental assistance available between March 1, 2020, and March 31, 2022. These protections were very complicated, and the rules changed many times. (See chart below.) While there are no longer state-level COVID-related renter protections for rent due starting on April 1, 2022, all renters in California still have procedural and substantive protections for rent that was originally due between March 1, 2020, and March 31, 2022. ***If you cannot pay your rent, are worried about eviction, or have received an eviction notice, you should consult with a lawyer. Visit [www.lawhelpca.org](http://www.lawhelpca.org) to find a free or low-cost lawyer.***

### Landlords Must Provide Special Notice to Renters when Seeking to Collect Rent

- ➔ Landlords must still follow special notice requirements if they want to collect rent that came due between March 1, 2020 and March 31, 2022.
- ➔ All notices demanding payment of COVID-19 related rent debt served between April 1, 2022 and July 1, 2022, must notify the tenant of situations where they may still be protected from eviction.

### Landlords Must File a Declaration About Rental Assistance when Seeking a Summons to Evict

- ➔ Between October 1, 2021, and March 31, 2022, a landlord could not get a summons to evict a renter for nonpayment of rent unless they also filed statements regarding emergency rental assistance.

- ➔ Between April 1, 2022, and June 30, 2022, a landlord cannot get a summons to evict a renter based on nonpayment of rent unless they file a signed statement that a determination is not pending on a rental assistance application, filed prior to April 1, 2022, to cover any part of the rent being demanded.
- ➔ **Renters should seek help from a lawyer to ensure the landlord followed these complicated rules.**

### Renters Have Additional Defenses in Court

***Renters should seek help from a lawyer in any court proceeding.***

- ➔ Renters can dispute a landlord's claim that they were denied rental assistance, or that the landlord completed a rental assistance application but the renter did not by filing a court form called an [Answer](#) to [tell the court their side of the story](#).

When Rent was Due	COVID Renter Protections & Requirements	Notice Forms & Resources to Defend Against Eviction
<b>Rent due March 1, 2020 – August 31, 2020</b>	A renter who completes a specific declaration that they have "COVID-19 related financial distress" (lost income, increased expenses, etc.) can never be evicted because they did not pay that rent	<ul style="list-style-type: none"> <li>• 15 day eviction notice <a href="#">language</a> for rent demanded between March 31, 2020 - Aug 1, 2020</li> <li>• <a href="#">Declaration of COVID financial Impact</a></li> </ul>
<b>Rent due Sept. 1, 2020 – Sept. 30, 2021</b>	A renter who completes a specific declaration that they have "COVID-19 related financial distress" AND paid 25% of the rent due for this period by September 30, 2021, can never be evicted because they did not pay the rest of that rent. A landlord may bring a court case to collect the remaining unpaid rent but cannot evict the renter based on the debt.	<ul style="list-style-type: none"> <li>• 15 day eviction notice <a href="#">language</a> for rent demanded between Sept 1, 2020 – June 30, 2021</li> <li>• 15 day eviction notice <a href="#">language</a> for rent demanded between July 1, 2021 – Sept 30, 2021</li> <li>• <a href="#">Declaration of COVID financial Impact</a></li> <li>• <a href="#">Rent receipt</a> form</li> <li>• Proof of <a href="#">ERAP application and case number</a></li> </ul>
<b>Rent due October 1, 2021 – March 31, 2022</b>	A renter who received a 3-day eviction notice to "pay or quit" must respond to the notice within 15 days of their landlord informing them they have applied for government rental assistance. If tenants do not receive financial assistance for months requested, their landlord may bring them to eviction court for the debt after June 30, 2022.	<ul style="list-style-type: none"> <li>• 3-day eviction notice <a href="#">language</a> for rent demanded between Oct 1, 2021 – March 31, 2022</li> <li>• <a href="#">Rent receipt</a> form</li> <li>• Proof of <a href="#">ERAP application and case number</a></li> </ul>
<b>Rent due April 1, 2022 – June 30, 2022</b>	California's "normal" rules about the eviction process apply. This means that a renter who received a 3-day eviction notice to "pay or quit" for rent due in this period must respond to invalidate the notice OR pay rent owed within 3 days.	<ul style="list-style-type: none"> <li>• 3-day eviction notice language</li> <li>• <a href="#">Rent receipt</a> form</li> <li>• Proof of <a href="#">ERAP application and case number</a></li> </ul>

**IMPORTANT:** Renters should speak to a local lawyer if they receive an eviction notice to make sure they know their rights. Visit [www.lawhelpca.org](http://www.lawhelpca.org) to find a list of free or low-cost lawyers near you.

- ➔ If the landlord says that the renter did not submit a COVID-19 financial hardship declaration, the renter can still submit [one](#) with their Answer to show they should be protected from eviction.
- ➔ If a renter can show that (1) the eviction case demands rent that accumulated due to COVID-19 financial hardship, (2) the renter has an APPROVED rental assistance application and proof of the approval, and (3) the approved rental assistance along with payments that the renter made equal full payment of the rent demanded in the eviction case, then the court must dismiss the case (or set aside the judgment if one has been entered).
- ➔ If a renter was approved for assistance, but the landlord has not yet received payment, the court should pause the eviction case for 15 days to obtain proof of payment. If a renter received payment directly from a rental assistance program but does not pay it to the landlord within 15 days of

receiving it, the court may still evict the renter. Renters who move into a new home on or after October 1, 2021, do not have these additional protections.

- ➔ You can find information about eviction cases and court forms [here](#).

### There May Be Stronger Local Protections

- ➔ Some cities and counties still have laws that give a tenant more time to pay rent before a landlord can try to collect it, or that prohibit landlords from evicting tenants except for serious violations.
- ➔ The interaction between state law and local laws can be complex and renters should consult a lawyer for help.

### Renters Also Have Other COVID-19 Rights

- ➔ Landlords cannot charge late fees or interest for nonpayment of rent that came due between March 1, 2020, and September 30, 2021.
- ➔ Landlords must use a rental payment for the current month's rent unless the renter agrees in writing the landlord can use it for past due rent.
- ➔ Landlords cannot use a renter's security deposit to cover COVID-19 rental debt unless the renter agrees in writing.
- ➔ Landlords face increased penalties if they illegally lock out renters, shut off utilities like hot water, remove outside doors or windows, or engage in other extreme harassing behavior. Renters can report potential violations of housing law to [housing@doj.ca.gov](mailto:housing@doj.ca.gov)
- ➔ Landlords and landlord screening companies are prohibited from considering rental debt accrued between March 1, 2020, and September 30, 2021, as a negative factor when evaluating a renter's qualifications to rent. Landlords cannot sell rental debt from this period. Some COVID-19 debt recovery actions are shielded from public view.
- ➔ If a landlord wants to evict a renter for rent that was not paid between March 2020 and September 2021, the landlord must give the renter a 15-day notice to "pay rent or quit (move out)" that explains the eviction protections AND a blank declaration form the renter can sign that says the renter has financial impacts from COVID. **See chart above.**

### The State Rental Assistance Program is Closed to New Applications

- ➔ If you submitted an application on or before March 31, 2022, and it is still pending a determination, you may have defenses in an eviction case.
- ➔ The program is no longer accepting new requests for additional funds, even if you were already approved for rental assistance.
- ➔ **Renters who applied for state rental assistance can appeal within 30 days if they were denied or received the wrong amount of money.**
  - File appeals form and paperwork with the [COVID-19 Rent Relief Appeal System](#).
  - Appeals will be decided by the Appeal Coordination Team, and all decisions are final.
- ➔ Some cities and counties have their own rental assistance programs that remain open and may still be accepting applications after April 1, 2022.
- ➔ **To check on the status of your rental assistance application call 1- 833-430-2122 or visit [HousingIsKey.com](https://housingiskey.com).**
- ➔ Renters currently experiencing homelessness and already submitted a state rental assistance application, please contact a Continuum of Care location for support in your community. [All federal Continuum of Care grant recipients in California are listed here](#).



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