

Summary of Ordinance No. 20-07 Eviction Moratorium

Applicability. All residential rental units, commercial rental units, and any residence subject to a mortgage payment that are occupied by the homeowners.

Term. Effective until July 6, 2020.

Prohibitions. Prohibit evictions of residential tenants, commercial tenants and lender evictions of homeowners during the moratorium for nonpayment of rent or mortgage payments related COVID-19, the State of Emergency regarding COVID-19, or following government-recommended COVID-19 precautions, as well as explicit prohibitions on retaliation against tenants and homeowners who are protected under this moratorium. Prohibits eviction of residential tenants for no cause evictions.

Landlord and Lender Notification Requirement. Residential and Commercial tenants and homeowners must make a good faith effort to notify the landlord or lender, respectively, in writing of the loss of income and/or increased expense related to COVID-19 and inability to pay the full rent or mortgage.

Documentation Requirements. Residential and commercial tenants and homeowners should be prepared to provide documentation to support their claim. This documentation could include but is not limited to: medical bills or medical reports; documents showing reduced income such as pay stubs or unemployment benefit documents; correspondence from an employer citing COVID-19 as a basis for reduction in work hours or termination of employment; documents showing reduced business income; or correspondence by a business owner citing COVID-19 as a basis for reduced business hours or business closure.

Payment of Past Due Rent or Mortgage. Nothing in the proposed Ordinance would relieve residential or commercial tenants or homeowners of the liability for unpaid rent or mortgage payments.

No-Fault Evictions for Public Health or Safety. The carve-out for no-fault evictions necessary for public health or safety is intended to deal with a situation where the unit is uninhabitable or subject to some type of regulatory action such as a code enforcement or fire department 'red tag' order. This carve-out is not an opportunity to exploit or avoid the constraints of this emergency ordinance.

Mediation Services. Through the Residential Rent Stabilization Program, the City will provide mediation services to assist residential landlords and tenants to enter into repayment agreements for past due rent. Mediation will not be available for commercial tenants or property owners' negotiating forbearance agreements with their lender.