



EVICCTIONS UNDER COVID-19 TENANT RELIEF ACT OF 2020 Rev. 9-18-20

Rent was due between March 1, 2020 and January 31, 2021

Rent owed between Mar, 1, 2020 and Aug. 31, 2020

Not Evicting

Give Notice of Rights on or before Sept. 30, 2020. (can serve it the same as notices, but can also mail)

Evicting

Give Notice of Rights on or before Sept. 30, 2020. (can serve it the same as notices, but can also mail)

Serve tenant 15-day notice with statutory language and include blank declaration for tenant to complete. Can serve with Notice of Rights if before Sept. 30, 2020.

Wait 15 days, don't count weekends or Court holidays.

If Declaration not returned, rent not paid or tenant does not move out in time, landlord can file eviction case, but not before Oct. 5, 2020. Use supplemental cover sheet. All cases are confidential.

If Declaration is returned, landlord cannot evict for rents owed. Rents can be sought later in small claims action, but cannot file small claims case until Mar. 1, 2021.

Tenant can still file Declaration as part of Court case and case may be dismissed if Court finds failure to provide was mistake, inadvertence or excusable neglect.

Rent owed between Sept. 1, 2020 and Jan. 31, 2021

Serve tenant 15-day notice with statutory language and include blank declaration for tenant to complete.

Wait 15 days, don't count weekends or Court holidays.

If Declaration is returned, landlord cannot evict for rents owed under that notice if tenant pays 25% of amount owed on or before Jan. 31, 2021. 75% left can be sought later in small claims action if not paid, but cannot file small claims case until Mar. 1, 2021.

If Declaration not returned, rent not paid or tenant does not move out in time, landlord can file eviction case, but not before Oct. 5, 2020. Use supplemental cover sheet. All cases are confidential.

If tenant does not pay full rent for the next month rent is again due after receipt of a 15-day notice.

If tenant does not pay (on or before Jan. 31, 2021) 25% of all amounts appearing on a 15-day notice for which tenant provided a Declaration, landlord can file eviction case on or after Feb. 1, 2021.

Evicting for reasons that do not include any past due rent since March 1, 2020

Other than based on above, cannot evict at all before February 1, 2021 (can file before Oct. 5, 2020), unless:
- Tenant was already holding over after lawful termination prior to Mar. 1, 2020 (would need pre Mar. 1, 2020 notice served if rent involved and cannot seek daily rent after Feb. 29, 2020) or Owner has contract for sale to buyer who will occupy and CCP 1946.2(e)(8) followed.
- Landlord has "at-fault" reason under AB 1482 (nuisance; waste; termination of written lease; assign or sublet in violation of lease; refusing owner access; using for unlawful purpose; lease tied to employment and it is terminated; refusal to leave after providing notice to landlord. Typically based on a 3-day notice to quit (if curable, 3-day notice to cure first).
- Landlord has "no-fault" reason under AB 1482 (owner or close family to occupy, but if lease after Jul. 1, 2020, would need agreement from renter in writing or written lease must provide for it; taking off rental market; complying with a law; to demolish or substantially remodel unit, but only if required by health and safety laws. Typically 30 or 60 day notice (must state reason in notice).