



Housing

San José Eviction Moratorium Webinar

March 31, 2020

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Housing Department



Health and Safety



**Housing stability and
eviction protections**



**Minimize
homelessness**



**Public Health and
Safety**



Public Health Declarations

- 🏠 **January 30, 2020:** World Health Organization declared COVID-19 a Public Health Emergency of International Concern
- 🏠 **February 10, 2020:** Santa Clara County announced a local health emergency
- 🏠 **March 11, 2020:** World Health Organization declared outbreak a pandemic
- 🏠 **March 16, 2020:** Santa Clara County declares “shelter in place” order
- 🏠 **March 20, 2020:** Governor Gavin Newsom declares statewide “shelter in place” order



Eviction Moratoriums for City of San José, County of Santa Clara, & State Executive Order

🏠 City of San Jose:

- Effective **March 18, 2020** through **April 17, 2020**. City may extend Ordinance.

🏠 Santa Clara County:

- Effective **March 24, 2020** through **May 31, 2020**

🏠 State Executive Order:

- Effective **March 27, 2020** through **May 31, 2020**



San José City Council Action

On March 17, 2020, City Council approved:

- 🏠 **Resolution**
- 🏠 **Ordinance**
- 🏠 **Companion Urgency Ordinance**

providing eviction protection for renters for 30 days



Protected Homes

The moratorium applies to:

- 🏠 Single family homes & rooms rented in single family homes
- 🏠 Duplexes & condos
- 🏠 Income-restricted apartments
- 🏠 Rent stabilized apartments
- 🏠 Market rate apartments
- 🏠 Mobilehomes



Landlord Provide Notice to Tenants

Require landlords to:

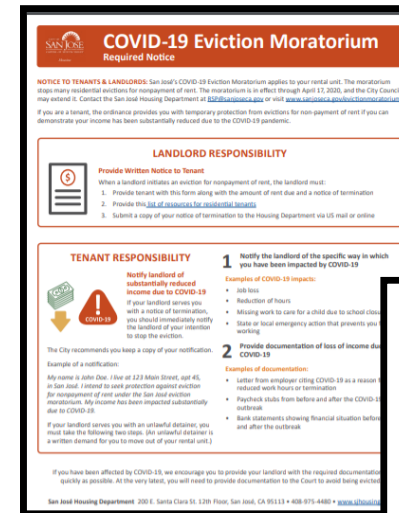
- 🏠 Provide a copy of the Eviction Moratorium Notice to all affected tenants by COVID-19
- 🏠 Provide information on homelessness prevention
- 🏠 Provide a copy of the eviction notice to the Housing Department



PROVIDING HOUSING FOR ALL

INVESTING IN PEOPLE

BUILDING GREAT PLACES



COVID-19 Eviction Moratorium
Required Notice

NOTICE TO TENANTS & LANDLORDS: San Jose's COVID-19 Eviction Moratorium applies to your rental unit. The moratorium stops many residential evictions for nonpayment of rent. The moratorium is in effect through April 17, 2020, and the City Council may extend it. Contact the San Jose Housing Department at 310@sanjoseca.gov or visit www.sanjoseca.gov/housingdepartment.

If you are a tenant, the ordinance provides you with temporary protection from evictions for non-payment of rent if you can demonstrate your income has been substantially reduced due to the COVID-19 pandemic.

LANDLORD RESPONSIBILITY

Provide Written Notice to Tenant:
When a landlord initiates an eviction for nonpayment of rent, the landlord must:

1. Provide tenants with this form along with the amount of rent due and a notice of termination
2. Provide this [list of resources for residential tenants](#)
3. Submit a copy of your notice of termination to the Housing Department via US mail or online.

TENANT RESPONSIBILITY

Notify the landlord of the specific way in which you have been impacted by COVID-19

Notify landlord of substantially reduced income due to COVID-19. If your landlord serves you with a notice of termination, you should immediately notify the landlord of your intention to stop the eviction.

The City recommends you keep a copy of your notification.

Example of a notification:
My name is John Doe. I live at 22 Main Street, apt 4L, in San Jose. I intend to seek protection against eviction. For nonpayment of rent under the San Jose eviction moratorium, My income has been impacted substantially due to COVID-19.

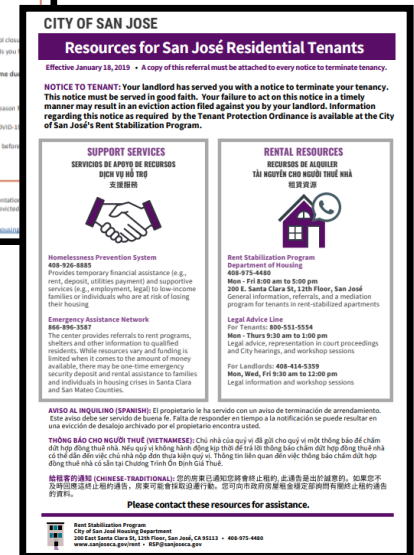
If your landlord serves you with an unlawful detainer, you must take the following two steps. An unlawful detainer is a written demand for you to move out of your rental unit.)

Examples of documentation:

1. Letter from employer (citing COVID-19 as a reason reduced work hours or termination)
2. Paycheck stubs from before and after the COVID-19 outbreak
3. Bank statements showing financial situation before and after the outbreak

If you have been affected by COVID-19, we encourage you to provide your landlord with the required documentation as quickly as possible. At the very least, you will need to provide documentation to the Court to avoid being evicted.

San Jose Housing Department | 200 S. Santa Clara St., 12th Floor, San Jose, CA 95113 • 408-975-4400 • www.sanjoseca.gov



CITY OF SAN JOSE
Resources for San José Residential Tenants

Effective January 16, 2019 • A copy of this referral must be attached to every notice to terminate tenancy.

NOTICE TO TENANT: Your landlord has served you with a notice to terminate your tenancy. This notice must be served in good faith. Your failure to act on this notice in a timely manner may result in an eviction action filed against you by your landlord. Information regarding this notice as required by the Tenant Protection Ordinance is available at the City of San Jose's Rent Stabilization Program.

SUPPORT SERVICES
SERVICIOS DE AYUDA DE RECURSOS
支援服務

RENTAL RESOURCES
RECURSOS DE ALQUILER
租賃資源

Homelessness Prevention System
408-236-8885
Provides temporary financial assistance (e.g., rent, deposit, utilities payment) and supportive services (e.g., employment, legal) to low-income families or individuals who are at risk of losing their housing.

Emergency Assistance Network
466-890-3587
The center provides referrals to rent programs, shelters and other information to qualified residents. While resources vary and funding is limited when it comes to the amount of money available, there may be one-time emergency security deposit and rental assistance to families and individuals in housing crises in Santa Clara and San Mateo Counties.

Rent Stabilization Program
Department of Housing
408-975-4400
Mon - Fri 8:00 am to 5:00 pm
200 E. Santa Clara St., 12th Floor, San Jose
General information, referrals, and a mediation program for tenants in rent-stabilized apartments.

Legal Advice Line
For Tenants: 408-515-9554
Mon, Thurs 9:30 am to 1:00 pm
Legal advice, representation in court proceedings and City hearings, and workshop sessions.

For Landlords: 408-414-5359
Mon, Wed, Fri 9:30 am to 12:00 pm
Legal information and workshop sessions.

AYUDA AL INQUILINO (SPANISH): El propietario le ha servido con un aviso de terminación de arrendamiento. Usted debe ser servido de buena fe. Su falta de respuesta en tiempo a la notificación se puede resultar en una evicción de desahucio archivado por el propietario en contra usted.

THÔNG BÁO CHO NGƯỜI THUÊ (VIETNAMESE): Chủ nhà của quý vị đã gửi cho quý vị một thông báo để chấm dứt hợp đồng thuê nhà. Nếu quý vị không hành động kịp thời để trả lại thông tin cần thiết để tiếp tục thuê nhà, chủ nhà sẽ nộp đơn khởi kiện quý vị. Thông tin liên quan đến việc thông báo chấm dứt hợp đồng thuê nhà có sẵn tại Chi nhánh Trung Tâm Cứu Trợ.

租客的通知 (CHINESE TRADITIONAL): 您的房東已通知您將停止租約。此通知是出於誠意的。如果您不及時回應此通知，房東可能會採取法律行動。您可向市政府的緊急援助中心查詢有關此通知的通告詳情。

Please contact these resources for assistance.

Rent Stabilization Program
City of San Jose Housing Department
200 San Jose Santa Clara St., 12th Floor, San Jose, CA 95113 • 408-975-4400
www.sanjoseca.gov • 310@sanjoseca.gov

Tenant Form to Demonstrate Reduced Income Due to COVID-19

Require Tenants to:

- 🏠 Notify landlord that tenant's income has been reduced substantially due to COVID-19
- 🏠 Provide documentation of impact
- 🏠 Be responsible for past due rent




NOTIFICATION TO LANDLORD OF EVICTION PROTECTION DUE TO COVID-19

The City of San Jose enacted an eviction moratorium that took effect March 18, 2020. The moratorium stops residential evictions for nonpayment of rent when a tenant's income has been substantially impacted by COVID-19. The moratorium runs through April 17, 2020, and the City of San Jose may extend it beyond that date.

If a landlord initiates an eviction for nonpayment of rent during the moratorium, the tenant should notify the landlord of her/his intention to stop the eviction. The City recommends tenants notify their landlords immediately upon receiving a landlord's Notice of Termination. The City also recommends notifications be made by email or in writing, and tenants keep copies of the notifications. The following is an example of a notification:

*My name is John Doe. I live at 123 Main Street, apt 45, in San Jose. I intend to seek protection against eviction for nonpayment of rent under the San Jose eviction moratorium.
My income has been impacted substantially due to COVID-19.*

TENANT IS ENCOURAGED TO COMPLETE THE SECTION BELOW AS SOON AS POSSIBLE AND PROVIDE IT TO THEIR LANDLORD NO LATER THAN WHEN SERVED WITH AN UNLAWFUL DETAINER.

Tenant should keep a copy of this form.

An unlawful detainer is a legal demand from a landlord, or a landlord's attorney, for a tenant to move out of a rental unit.

Tenant Information

First Name: _____ Last Name: _____
 San Jose CA _____
 Street Address: _____ City: _____ State: _____ Zipcode: _____ Unit #: _____

COVID-19 IMPACT: My income has been substantially impacted by COVID-19 due to the following (select one):

Job loss Missing work to care for a child due to school closure
 Reduction of hours State or local emergency action that prevents me from working
 Other: _____

DOCUMENTATION: I am providing the following documentation of my substantial loss of income (select all that apply):

Letter from employer citing COVID-19 as a reason for reduced work hours or termination
 Paycheck stubs from before and after the COVID-19 outbreak
 Bank statements showing financial situation before and after the outbreak
 Other proof of substantial loss of income: _____

Documentation for items selected above is attached: Yes No

Tenant Signature: _____ Date: _____

San José Housing Department • Rent Stabilization Program
 200 E. Santa Clara St. 12th Floor, San José, CA 95113 • 408-975-4480 • www.sjhousing.org/rent • RSP@sanjoseca.gov

Payment of Rent

- 🏠 Prevents evictions for affected COVID-19 tenants
- 🏠 Does not address payment of rent



Financial Assistance for Affected Families

To qualify for financial assistance, a household must meet 3 criteria:

🏠 Large demand for assistance

🏠 How to apply:

- Online: sacredheartcs.org/covid19
- By Phone: **408-780-9134**
- In-person: *Appointments can also be arranged by calling the hotline.*
- More information: sacredheartcs.org/covid19



Resources for Landlords

- 🏠 **Santa Clara County – Property Tax:** Partial payment program and make multiple partial payments on installment due. Waivers for penalties, costs, or other charges
- 🏠 **JPMorgan Chase, Wells Fargo, Citigroup, U.S. Bancorp, & 200 state chartered banks & credit unions will waive mortgage payments** for California residents for a limited time. 60-day moratorium on foreclosures in place.
- 🏠 **“Payback Protection Program:”** Administered by U.S. Small Business Administration to offer loans to businesses with less than 500 employees
- 🏠 **Taxes Deadline:** Deadline to file and pay federal & many California income taxes extended to 7/15/2020. County property taxes still due 4/10/2020.



City/County/State Moratorium on “COVID-19 Evictions”

| | City of San José Eviction Moratorium | Santa Clara County Eviction Moratorium | State Executive Order |
|---|--|--|---------------------------------|
| Geography | City of San Jose only | Includes cities in incorporated AND unincorporated | Protects any tenant in State |
| Term & Expiration | 3/18/2020 until 4/17/2020 | Approved 3/24/20 and expires 5/31/20 | 3/27/2020 until 5/31/2020 |
| Non-payment of rent protection | Residential only | Residential & commercial real property | Residential only |



City/County/State Moratorium on “COVID-19 Evictions”

| | City of San José Eviction Moratorium | Santa Clara County Eviction Moratorium | State Executive Order |
|---|---|--|---|
| Rent Repayment Period | Does not address rent repayment period | 120 day period to pay back rent following moratorium | Does not address rent repayment period |
| Notification by Tenant to Landlord | Requires tenant to inform landlord before expiration of Notice of Termination | Does not include obligation to inform landlord | Requires tenant to notify landlord before rent is due, or within 7 days |
| Late Fees | Does not address late fees | Cannot be charged during the Ordinance and 120 days afterwards | Does not address late fees |



City/County/State Moratorium on “COVID-19 Evictions”

| | City of San José Eviction Moratorium | Santa Clara County Eviction Moratorium | State Executive Order |
|--|--|--|---|
| Days to Answer an Unlawful Detainer | Does not address | Does not address | An extension of the answer period of 5 days to 60 days for nonpayment of rent |



More Information on Website

More information can be found on
sanjoseca.gov/evictionmoratorium

- 🏠 Overview on Eviction Moratorium for tenants and landlords
- 🏠 Urgency Ordinance & Resolution
- 🏠 Required Notice to Tenants / Fact Sheet
- 🏠 Form to help tenants document reduced income





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Questions?

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408-975-4480

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