



*Housing*

# Webinar on Amendments to the Eviction Moratorium Ordinance and Extension of Moratorium

May 26, 2020

**Rachel VanderVeen**

Deputy Director

Housing Department



# Overview of Eviction Moratorium

- Prohibits evictions for all residential units and mobilehomes
- Includes single family homes, duplexes, condos, rent stabilized and market rate apartments



# Overview of Approved Amendments

- Extend the tenant notification period
- Provide harassment and retaliation protections
- Late fees and interest prohibited
- Affected tenant also includes being impacted by COVID-19
- Affidavit to document loss of income for undocumented residents
- Rent repayment period
- Extension of the Eviction Moratorium
- Reduction in Rent Stabilization Program per unit fees for owners



# Approved Amendments



**Extend the tenant notification period**



**Provide harassment and retaliation protections**



**Late fees and interest prohibited**



# Approved Amendments (Cont'd)



Affected tenant also includes being impacted by COVID-19

**2020 AFFIDAVIT OF SUBSTANTIAL LOSS OF INCOME PAGE 1**

**WHO SHOULD BE USING THIS FORM:**  
Tenants affected by the COVID-19 pandemic, who are unable to provide other objectively verifiable evidence of their COVID-19 related job or income losses may use this form as documentation to demonstrate that you are a tenant who has been financially impacted by COVID-19 and do not have any documentation from your employer on your income, reduction in work hours, or job loss. Tenants who are participating in the non-traditional economy, and who may not have traditional methods of documentation of their status as affected by COVID-19 are encouraged to use this template.

**Affidavit of Affected Tenant**

First Name \_\_\_\_\_ Last Name \_\_\_\_\_ Date \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zipcode \_\_\_\_\_ Unit # \_\_\_\_\_

**INCOME SOURCE:** \_\_\_\_\_

Check if Applicable:  
 Job Loss  Reduction of Hours

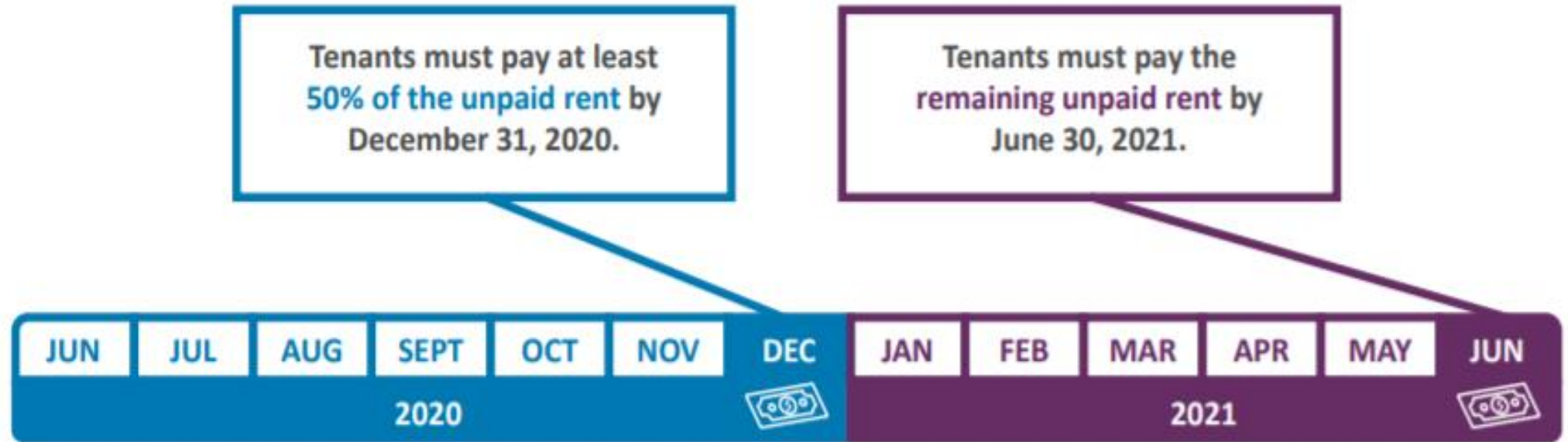
**Declaration Explaining Substantial Income Loss Due to COVID-19**

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200 E. Santa Clara St., 12th Floor, San Jose, CA 95113 • 408-975-4480 • www.sjhousing.org/hrent • HRP@sanjoseca.gov

Affidavit to document loss of income for undocumented residents



# Approved Amendments (Cont'd)



## Rent Repayment Period



# Disclosure of Rights for Voluntary Rent Repayment Agreement

**DISCLOSURE OF RIGHTS FOR COVID-19 VOLUNTARY RENT REPAYMENT AGREEMENT**

Prior to asking tenants to sign Voluntary Rent Repayment Agreements, landlords must provide tenants with this disclosure about tenant rights and responsibilities under the City of San José COVID-19 Eviction Moratorium Ordinance ("Ordinance").

The moratorium runs through June 30, 2020, and the City Council may extend it.

Under the Ordinance, the City Council has activated an eviction moratorium that temporarily stops residential evictions of Affected Tenants for failing to pay rent when their incomes have been reduced or lost due to COVID-19. An Affected Tenant is a Tenant or Tenant Household, or Mobilehome Owner, who has suffered a substantial loss of income as a result of the COVID-19 pandemic or a government action related to the pandemic.

While Affected Tenants cannot be evicted during the moratorium for failure to pay rent, this Ordinance does not reduce or eliminate a tenant's obligation to pay rent. If the Temporary Eviction Moratorium ends on June 30, 2020, as currently scheduled, Affected Tenants will be required to meet the following repayment deadlines for any unpaid rent that accrued during the Temporary Eviction Moratorium.

Tenants must pay at least 50% of the unpaid rent by December 31, 2020.

Tenants must pay the remaining unpaid rent by June 30, 2021.

During the repayment period, landlords may not charge late fees, interest or penalties for the unpaid rent that accrued during the eviction moratorium. Retaliation or harassment against Affected Tenants for invoking their rights under the moratorium is prohibited.

Tenant should keep a copy of this form.

Tenant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landlord Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**DIVULGACIÓN DE DERECHOS PARA EL ACUERDO DE REEMBOLSO VOLUNTARIO DE ALQUILER DE COVID-19**

**THÔNG BÁO QUYỀN LỢI TRƯỚC KHI KÝ ĐƠN THỎA THUẬN ĐỂ TRẢ TIỀN NỢ MƯỢN NHÀ DO ẢNH HƯỞNG VÌ BỆNH COVID-19**

Antes de pedir a los inquilinos que firmen Acuerdos de Pago de Alquiler Voluntario, los propietarios deben proporcionar a los inquilinos esta divulgación con información sobre los derechos y responsabilidades del inquilino bajo la Ordenanza de Moratoria de Desalojo de la Ciudad de San José COVID-19 ("Ordenanza").

Trước khi người mượn nhà đồng ý ký Đơn Thỏa Thuận Để Trả Tiền Nợ Mượn Nhà, người chủ nhà phải cho người mượn nhà thông báo này về quyền lợi dưới Đạo Luật Cấm Đuổi Ra Người Mượn Nhà do ảnh hưởng vì bệnh COVID-19 của Thành Phố San Jose.

Bajo la Ordenanza, el Consejo ha activado una moratoria de desalojo que detiene temporalmente los desalojos residenciales de los inquilinos afectados por no pagar el alquiler cuando sus ingresos se han reducido o perdido debido a COVID-19. Un inquilino afectado es un inquilino o inquilino de hogar, o propietario de casa móvil, que ha sufrido una pérdida sustancial de ingresos como resultado de la pandemia COVID-19 o una acción del gobierno relacionada con la pandemia.

Đạo luật này cấm người chủ nhà đuổi người mượn nhà đang bị ảnh hưởng tài chính vì mất việc hoặc giảm thu nhập do bệnh COVID-19 và không đủ khả năng trả tiền nhà. Người mượn nhà bị ảnh hưởng bao gồm những ai mượn nhà hoặc chủ nhà của nhà di động mà đã bị ảnh hưởng tài chính do bệnh vì COVID-19.

La moratoria se extiende hasta el 30 de junio de 2020, y el Consejo puede extenderla.

The moratorium runs through June 30, 2020, and the City Council may extend it.

Trong thời gian người mượn nhà đang trả tiền nhà đang nợ, người chủ nhà không thể tính thêm lệ phí, tiền phạt, hoặc tính tiền lãi. Đạo luật này cấm sự đe dọa hoặc làm tổn hại người mượn nhà.

Tuy được bảo vệ dưới đạo luật này, người mượn nhà vẫn có trách nhiệm trả tiền nhà. Đạo luật này không có giảm tiền nhà hoặc miễn tiền mượn nhà. Sau khi Đạo Luật này hết hạn ngày 30 tháng 6 năm 2020, người mượn nhà cần phải tiếp tục đáp ứng với các thời hạn để trả tiền mượn nhà đang nợ.

Los inquilinos deben pagar al menos el 50% del alquiler no pagado antes del 31 de diciembre de 2020.

Tenants must pay at least 50% of the unpaid rent by December 31, 2020.

Los inquilinos deben pagar el alquiler pendiente restante antes del 30 de junio de 2021.

Tenants must pay the remaining unpaid rent by June 30, 2021.

El inquilino debe conservar una copia de este formulario. Người mượn nhà nên lưu lại thông báo này.

Tenant Signature: \_\_\_\_\_ Fecha / Ngày: \_\_\_\_\_

Landlord Signature: \_\_\_\_\_ Fecha / Ngày: \_\_\_\_\_

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# Extension of the Eviction Moratorium

One-month extension from 5/31/2020 to 6/30/2020

	MAR	APR	MAY	JUNE
City		3/17	5/31	Approved to extend 6/30
County		3/24	5/31	
State		3/27	5/31	





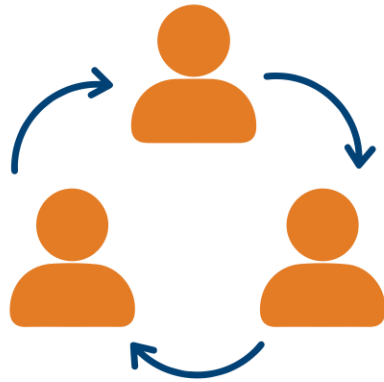
# Reduction in Rent Stabilization Program Per Unit Fees for Owners



	<b>Apartment Rent Ordinance Fee</b>	<b>Tenant Protection Ordinance Fee</b>	<b>Mobilehome Rent Ordinance Fee</b>
<b>2019-2020 Fee Levels</b>	<b>\$85.04</b>	<b>\$8.76</b>	<b>\$24.24</b>
<b>Proposed 2020-2021 Fee</b>	<b>\$55.00</b>	<b>\$5.45</b>	<b>\$20.00</b>
<b>Percent Reduction for 2020-2021</b>	<b>35%</b>	<b>37%</b>	<b>17%</b>

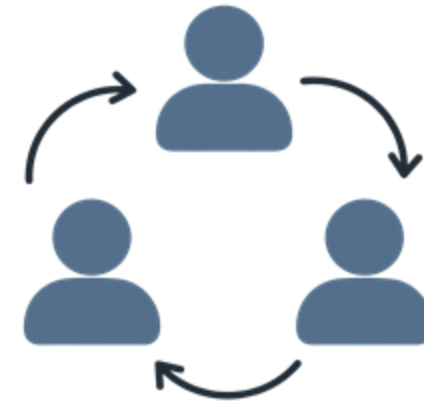


# Access to Mediation Programs



## Santa Clara County Pilot Partnership

For affected tenants, mobilehome residents, owners, and mobilehome park owners



## Rent Stabilization Program

Tenants and owners covered by the Apartment Rent Ordinance





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