

## **Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020**

- **No COVID-19-Related Evictions Until February 1, 2021**
  - Tenant cannot be evicted for a COVID-19 related hardship that accrued between March 4 – August 31, 2020 if tenant returns declaration of hardship under penalty of perjury.
  - Tenant cannot be evicted for a COVID-19 related hardship that accrues between September 1, 2020 – January 31, 2021 if tenant returns declaration of hardship under penalty of perjury and pays at least 25% of the rent due.
  - Higher income tenants (over \$100K household income or over 130% of median household income, whichever is higher) must provide documentation to support their declaration upon a landlord's request.
  - Applies to all residential tenants (including mobile home tenants), regardless of immigration status.
- **Tenants Still Responsible for Paying Unpaid Amounts to Landlords**
  - So long as the tenant with COVID-19 related hardship follows the bill's procedures, any unpaid rent due between March 4, 2020 – January 31, 2021 is not a ground/basis for eviction, but is still owed to the landlord as a form of consumer debt.
  - Small claims court jurisdiction is temporarily expanded to allow landlords to recover these amounts.
  - Landlords may begin to recover this debt on March 1, 2021. This expanded small-claims court provision sunsets on February 1, 2025.
- **Additional Legal and Financial Protections for Tenants**
  - Extends notice period for nonpayment of rent from 3 to 15 days to provide tenant additional time to respond to landlord's notice to pay rent or quit.
  - Requires landlords to provide hardship declaration forms in a different language if rental agreement was negotiated in a different language.
  - Provides tenants a backstop if they have a good reason for failing to return the hardship declaration within 15 days.
  - Requires landlords to provide tenants a notice detailing their rights under the Act.
  - Limits public disclosure ("masking") of eviction cases involving nonpayment of rent between March 4, 2020 – January 31, 2021.
  - Protects tenants against being evicted for "just cause" if the landlord is shown to be evicting the tenant for COVID-19-related nonpayment of rent.
- **Statewide Consistency and a Pause on Local Measures**
  - Existing local ordinances can remain in place until they expire and future local action cannot undermine this Act's framework.
  - Requires ordinances that provide a repayment schedule to begin repayment no later than March 1, 2021.
  - Clarifies that nothing in the Act affects a local jurisdiction's ability to adopt an ordinance that requires just cause, consistent with state law, provided it does not affect rental payments before January 31, 2021.
- **Protections for Small Landlords**
  - Extends the Homeowners' Bill of Rights' anti-foreclosure protections to small landlords, 1-4 units, non-owner occupied.

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- Provides new accountability and transparency provisions to protect small landlord borrowers who request CARES-compliant forbearance, and provides the borrower who is harmed by a material violation with a cause of action.
- **Significantly Increases Penalties on Landlords Who Do Not Follow Court Evictions Process**
  - Increases penalties on landlords who resort to self-help (i.e., locking the tenant out, throwing property out onto the curb, shutting off utilities) to evict a tenant, rather than going through the required court process.