



CENTRAL CALIFORNIA
LEGAL SERVICES
JUSTICE. EQUITY. POWER.

TENANT PROTECTION UPDATE

July 2020

EVICCTIONS

For as long as the state of emergency is in effect, your landlord cannot obtain an order from the court for your eviction **unless the reason for the eviction is to protect the public health and safety**. For example, you may be evicted if your landlord can prove that you are selling drugs from your rental unit.

RENT PAYMENTS

You are responsible for paying your rent during the state of emergency. However, you may be able to **defer payment** if you do the following:

- Provide your landlord with written notice that you are unable to pay rent because you have lost income or you are experiencing increased expenses as a result of COVID 19 or the state of emergency. **This should be done every month that you are unable to pay.**
- Provide your landlord with some form of documentation that shows the reason for your loss of income or increased expenses is related to COVID 19 or the state of emergency.
- Keep records to show that you notified your landlord and that you provided documentation to prove the reason for non-payment. You may need these records if your landlord goes to court to try to evict you after the state of emergency is lifted.

RENT INCREASES

For as long as the state of emergency is in effect, it is a **crime** to do any of the following:

- Increase motel or hotel rates by more than 10%
- Increase residential housing rent by more than 10%
- Increase mobile home space rent by more than 10%
- Evict a residential tenant and rent or offer to rent to another for greater than 10% more than the evicted tenant was charged for rent.

The penalty for these offenses is up to 1 year in jail and a fine of up to \$10,000.



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ILLEGAL EVICTIONS

Even without the state of emergency, your landlord must obtain a court order to evict you from your rental unit. You are entitled to **peaceful possession** until the court awards your landlord possession.

It is **unlawful** for your landlord to do any of the following to get you to leave:

- Change your locks
- Turn off your utilities
- Lie to you or to the police about your right to possession of your rental unit
- Harass or threaten to harm you or your family
- Enter your rental unit without your permission
- Threaten to report your immigration status or the status of another occupant, family member or friend

The civil penalty for each violation is up to \$2,000.

Call the police or the sheriff for help getting in if your landlord changes your locks. Or, you can call a locksmith to change the locks so that you can get in.

If you suspect that your landlord might attempt to evict you unlawfully, carry proof that you live at the address of your rental unit so that you can show the police, sheriff or locksmith that you are entitled to possession. Ideally, you have a written lease to prove your right to possession, but you could show any document addressed to you at the address of your rental unit, including a utility bill, phone bill or credit card bill.

Call CCLS

If you are low income and have questions or need help with a housing issue, call **1-800 675-8001**. You may be entitled to free legal services.