



CENTRAL CALIFORNIA
LEGAL SERVICES
JUSTICE. EQUITY. POWER.

COVID-19 Housing Update.

Phase 1

California State of
Emergency

Declared on:
March 4, 2020

End date:
to be determined

* add eviction
protection details (non
payment of rent only).

Phase 2

Judicial Council Emergency Rule

This rule effectively stops all
Unlawful Detainer cases
(evictions) for a period of 90 days
after State of Emergency ends.

Start date:
The day after Gov . Newsom lifts
the State of Emergency
Declaration.

Duration:
90 days

Special considerations:

- HUD / Sec. 8 / Low Income Housing / VA
- City of Fresno Residents

...only after 90
days may your
landlord
attempt to
proceed with
an Unlawful
Detainer case
against you for
not payment of
rent...

Phase 3

Traditional Written Response Period

Start date:
The day after your landlord serves
you a UD Complaint and Summons.

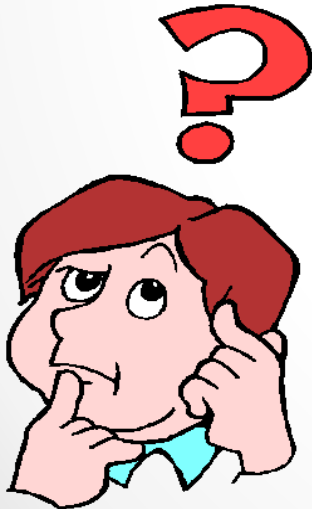
End date:
Usually 5 days.*

Can my landlord evict me during the State of Emergency if I can't pay my rent?

No. All evictions are stopped until 90 days after the state of emergency is lifted. The only exception is evictions for threats to health and safety. Your landlord may serve you with a 3-day notice to pay or quit, but they cannot serve you with a summons and complaint to start the eviction process until 90 days after the state of emergency is lifted.

Do I need to prove that I can't pay my rent because of COVID-19 to avoid being evicted?

No. You are protected from eviction for as long as the Judicial Council Rule is in effect. However, 90 days after the state of emergency is lifted, your landlord can serve you with an unlawful detainer summons and complaint to start the eviction process. At that point in time, you may need to prove your inability to pay rent was COVID 19 related. If you live in the City of Fresno, you may be eligible for rent deferral for 6 months after the state of emergency is lifted.



Do I still have to pay my rent?

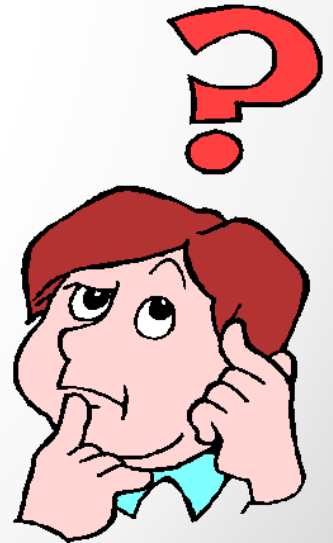
Yes. All of the protections against eviction are temporary and they do not relieve you of the obligation to pay rent. Although you cannot be evicted, your landlord can sue you for the rent you fail to pay.

What is Rent Deferral?

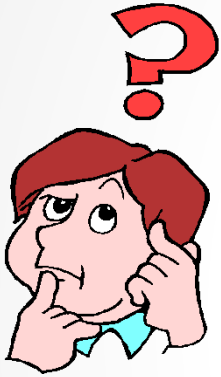
The Fresno City Council Ordinance gives eligible Fresno tenants up to **6 months after the State of Emergency is lifted to pay any back-due rent.** Landlords cannot charge interest, fees or other penalties during the deferral period.

How can I become eligible for rent deferral?

- Notify your landlord that you cannot pay rent due to a COVID-19 related impact.
- Provide your landlord with documentation or other objective information that you cannot pay rent.



What is considered a COVID-19 related impact?



What is considered documentation or other objective information that I cannot pay rent?

This term is not defined in the City's ordinance. However, the Governor's order identifies examples of reasons related to COVID-19, including but not limited to the following:

- The tenant was unavailable to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;
- The tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or
- The tenant needed to miss work to care for a child whose school was closed in response to COVID-19.

This term is not defined in the City's ordinance. However, the Governor's order includes the following as examples: Termination notices, payroll checks, pay stubs, bank statements, medical bills or signed letters or statements from an employer or supervisor explaining the tenant's changed financial circumstances.

When do I need to provide my landlord with documentation or information?

To qualify for 6 months of rent deferral, **each month that you are unable to pay rent**, you need to provide this information to your landlord within 10 days after giving notice of your inability to pay.

What do I do if my landlord shuts off my water or locks me out?

It is unlawful for a landlord to shut off your water or to lock you out. The City will not shut off or terminate utility services for the duration of the state of emergency for nonpayment. Call the police at (559) 621-7000 and call City utilities at (559) 621-6888 to have your water turned back on; if you cannot resolve the matter, call Central California Legal Services at (800) 675-8001 to see if you qualify for free legal help.

When do the protections under the City's ordinance end?

The City's prohibition against evictions ends April 18, 2020 and may be extended by the Council for additional 30 day periods. However, **you are still protected from eviction by the Judicial Council rule until 90 days after the state of emergency is lifted**. The rent deferral protection ends 6 months after the end of the state of emergency is lifted. The utility shut off protection lasts for the duration of the state of emergency.



I live in a motel, garage, illegal rental unit or I'm a roommate. Does the City's ordinance apply to me?

Maybe. The prohibition against utility shut offs applies to everyone living in the City. You may be protected regardless of your living arrangements. If you are being threatened with eviction, call Central California Legal Services at (800) 675-8001 to see if you qualify for free legal help.

Who do I call if I have questions about the City's emergency tenant protections?

You can call the City of Fresno's Hotline for information at 311. If you are low-income and have a legal question, call Central California Legal Services at (800) 675-8001 to see if you qualify for free legal help.

Who do I call if I need help finding housing?

Call the Multi-Agency Access Program (MAP) at (559) 421-9358.



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