

MARIN COUNTY COVID-19 EVICTION MORATORIUM Frequently Asked Questions

On March 24, 2020, the Marin County Board of Supervisors enacted an emergency eviction moratorium (Resolution No. 2020-27) to temporarily protect tenants from being displaced from their homes during the ongoing COVID-19 public health crisis and the related Shelter-In-Place order. This eviction moratorium protects eligible tenants against evictions due to COVID-19 related non-payment of rent. Please read these FAQs for more detailed information on the emergency eviction moratorium and the responsibilities of tenants during the state of emergency.

1. I lost some or all of my income due to COVID-19 and the Shelter In Place order. Now I can't pay my rent. Will my Landlord evict me?

As long as you provide the proper notice and proof to your Landlord, your Landlord cannot evict you while the state of emergency lasts.

2. How do I provide proper notice and proof to my Landlord that I can't pay my rent?

In order to receive protection, tenants need to notify their landlord of their financial loss related to COVID-19 within 30 days of the rent payment due date (30 days before or 30 days after). **The notice must be written**, which means you can write your Landlord a letter on paper (and make a copy!), email, or even send a text message on your phone. You then have one week (7 calendar days) after submitting this letter to show documentation of the financial impact of COVID-19, although you can also submit it at the same time. "Financial Impact" means a substantial loss of income due to business closure or reduction of hours, layoffs, missing work due to child care/school closures, medical expenses related to being ill with COVID-19 or caring for a family member who is ill with COVID-19, or other related loss of income.

Please see our website for a sample letter to your Landlord, as well as a sample letter from your employer regarding financial impact: Legallaidmarin.org/covid-19/

3. What kind of documentation do I need to submit to my Landlord to show "financial impact"?

You have one week after notifying your Landlord to submit proof of the financial impact of COVID-19. Here are some examples of sufficient documentation:

- A letter from employer or other source of income citing COVID-19 as a reason for reduced work hours, termination, or other significant reduction in pay (see Legalaidsmarin.org/covid-19/ for a sample employer letter)
- Pay stub showing loss of hours, wages, or income due to COVID-19
- Bank statements showing a reduction in income following the COVID-19 outbreak
- Documentation of medical expenses or financial impact related to COVID-19, or caring for someone in your household with COVID-19
- If you are self-employed, a letter or similar documentation that shows that COVID-19, the Marin County Public Health's shelter-in-place order or the State of California's order, that has forced you to close your business or prevents you from working. Documentation showing the closure of a school or childcare facility where a child in the resident's care would otherwise be present during the resident's working hours
- Cost of childcare due to school closure

Any medical or financial information that you submit to your Landlord during this time must be kept confidential by the landlord.

4. I'm confused. Can you remind me again what I need to submit to my Landlord?

- (1) Written notification that COVID-19 has impacted you financially and you are unable to pay the rent **AND**
- (2) Proof that your income has been reduced or that you have COVID-19 expenses that make you unable to pay the rent

5. Where in Marin does this apply?

It applies to all cities and towns throughout Marin County, as well as unincorporated areas of the County.

6. Does this new Resolution apply to all tenants?

The Resolution applies to all tenants of all rental properties, residential *and* commercial. This includes single-family homes, Accessory Dwellings Units, duplexes, room rentals, and multi-family homes. It also applies to rentals of mobile home spaces and tenancies in RV parks.

7. Can I just tell my Landlord once that I can't pay the rent?

No. For each month that you are unable to make your rental payment you must notify your Landlord and provide proper documentation. For example, you may have to tell your Landlord that you cannot pay April rent, and later notify your Landlord that you cannot pay May rent.

8. How long does the eviction moratorium last?

The eviction moratorium is currently in place until May 31, 2020, in accordance with Governor Newsom's Executive Order N-28-20. However, if the public health emergency is extended past May 31, the Marin County Board of Supervisors may lengthen the expiration of the Resolution.

9. So what happens on June 1, 2020, or whenever the moratorium ends?

As it stands right now, you will have to pay back all the rent you owe for April and May, or any months you were unable to pay rent under the resolution. **The eviction moratorium does not forgive rent owed.** For most people this will be a hardship as they have been without work for several months. The good news is that Landlord's cannot charge you late fees in addition to the back rent.

The Marin Board of Supervisors approved money to be given to several agencies in Marin County to distribute. This money will be used to provide emergency rental assistance. The agencies are: St. Vincent de Paul Society, the Ritter Center, Adopt-A-Family, Canal Alliance, and North Marin Community Services. Contact info for these organizations are listed on our website under Legalaidsmarin.org/covid-19/ Please reach out to them and leave a message as these organizations are trying to address the needs of all Marin County tenants.

10. Can I pay back my rent in installments?

Our website has a sample letter requesting a payment plan that you can send to your landlord. Trying to negotiate with your Landlord regarding a payment plan can be an effective way to avoid an eviction once the public health emergency ends. Please feel free to use the sample letter in order to request a payment plan to repay the rent. If you can agree with your Landlord on a payment plan, make sure to put that agreement in writing and have the Landlord sign it.

11. I can make partial rent payments but can't pay the full amount. Should I still pay what I can?

This is up to you. We recommend trying to pay what you can as it will reduce your rent debt in the long run and might make your Landlord less likely to try to evict you once the moratorium is over. However, your priority should be your health and the health and safety of your family, so basic necessities like food and medicine should come first.

12. My Landlord doesn't want to negotiate a payment plan and there is no way I'll be able to get the money together on June 1, 2020 to pay back the debt. What will happen to me?

It's possible that your Landlord will serve you a 3-Day Notice to Pay Rent or Quit (eviction notice) for non-payment of rent. If you have properly notified your Landlord and attempted to work out a payment plan, but your Landlord has refused, please contact Legal Aid of Marin to discuss your options.

13. What if my Landlord tries to evict me during the public health emergency even though I gave him notice that I can't pay the rent?

Get in touch with Legal Aid of Marin to discuss your options.

14. Does the eviction moratorium apply to everyone, including people without immigration status?

The Resolution applies to everyone! Your immigration status does not stop you from being protected by this Resolution.

15. Where can I go to get more resources or information?

Please call Legal Aid of Marin at (415) 492-0230 ext. 102 or visit our website at [Legaidmarin.org/covid-19/](https://legaidmarin.org/covid-19/)