

Who Am I?

Alex Werth, Policy Associate
East Bay Housing Organizations
alex@ebho.org

Who Am I Not?

A lawyer
A tenant counselor

Eviction Moratoriums 101



What Are We Going to Discuss Today?

1. What is an eviction moratorium? How does it work? How do these policies impact evictions right now?
2. What policies exist in Contra Costa County?
3. What policies exist in Alameda County?

What is an Eviction Moratorium?

e·vic·tion (n) – the process of expelling a tenant from a property

mor·a·to·ri·um (n) – a temporary prohibition of an activity

An **eviction moratorium** is a temporary ban on activities that cause a tenant to be removed from a space that they rent.

These activities can be **direct** or **indirect**.

Why Is an Eviction Moratorium Needed Right Now?

Public health measures have made it harder for renters to earn income and pay rent.

This is due to **governmental action**. The government has a **responsibility** to make sure that tenants aren't evicted as a result.

Without eviction moratoria, low-to-moderate-income renters could lose their housing, adding to the **homelessness crisis** and making it hard to **shelter-in-place** or **self-isolate**.

This is a matter of **racial and economic justice**.

Eviction Moratoriums 101



But What About Property Owners?

If tenants can't pay rent, then property owners may not be able to pay mortgages, taxes, and maintenance costs.

EBHO is advocating for **financial relief** so that tenants don't end up in debt and landlords, especially small property owners and non-profit affordable housing providers, can stay afloat and keep our communities affordable.

Tenant protections are need to avoid mass **homelessness** and **displacement**, which would make the pandemic much worse.

How Does an Eviction Work?

1. Landlord issues eviction notice
2. Landlord files eviction lawsuit (“unlawful detainer”)
3. Court hears legal case
4. Court decides case and orders sheriff to remove tenant
5. Sheriff carries out order (“writ of possession”)

Who Regulates Each of These Activities?

1. Landlord issues eviction notice – cities + counties
2. Landlord files eviction lawsuit (“unlawful detainer”) – state + courts
3. Court hears legal case – courts
4. Court decides case and orders sheriff to remove tenant – courts
5. Sheriff carries out order (“writ of possession”) – sheriff departments



So Is There a Moratorium in the East Bay?

- ~~1. Landlord issues eviction notice – city and county ordinances~~
- ~~2. Landlord files eviction lawsuit (“unlawful detainer”) – Judicial Council rule~~
- ~~3. Court hears legal case – JC rule~~
- ~~4. Court decides case and orders sheriff to remove tenant – JC rule~~
5. Sheriff carries out order (“writ of possession”) – executive order + sheriff directive

Where Can I Find More Information?

Policies: www.ebho.org/our-work/covid19-housing-policy/

Legal services: www.ebho.org/resources/looking-for-housing/direct-support/

Stay in touch: alex@ebho.org



How Does a Local Eviction Moratorium Work?

Moratorium period: start date, end date, ban on certain types of evictions

Rent freeze: limit on rent *increases*, not rent payments

Grace period: length, benchmarks, late fees, what happens at the end?

Notification requirements: time to notify owner and provide documentation

Does My Area Have a Local Eviction Moratorium?

Contra Costa County

Concord, El Cerrito, Pinole, Pittsburg, Richmond, San Pablo

Alameda County

Alameda, Albany, Berkeley, Emeryville, Fremont, Hayward, Newark, Oakland, San Leandro, Union City



Does the City or County Ordinance Apply?

Contra Costa County

Bans evictions for non-payment

Bans no-fault evictions

Bans rent increases

Bans late fees

120-day grace period

El Cerrito

Bans evictions for non-payment

Doesn't ban no-fault evictions

Doesn't ban rent increases

Bans late fees

180-day grace period

Does the City or County Ordinance Apply?

Alameda County

Bans evictions for non-payment

Bans no-fault evictions

Doesn't ban rent increases

Bans late fees

12-month grace period

Alameda

Bans evictions for non-payment

Bans no-fault evictions

Bans rent increases

Bans late fees

180-day grace period

How Does the Contra Costa County Ordinance Work?

Moratorium period: bans evictions for non-payment of rent and no-fault reasons* from March 16 to July 15

Rent freeze: bans rent increases during moratorium period, but doesn't apply to new buildings, affordable housing, owner-occupied duplexes, and single-family homes or condos (unless they're owned by corporations)

Grace period: 120 days from end of moratorium period to pay back rent with no late fees, then **eviction is permitted**

Notification requirements: within 14 days of missed rent

Eviction Moratoriums 101



Which Ordinance Applies to Me?

County

Brentwood

Clayton

Danville

Hercules

Lafayette

Martinez

Moraga

Oakley

Orinda

Pleasant Hill

San Ramon

Walnut Creek

Census-Designated Places + Unincorporated Areas

County + City

Concord

El Cerrito

Pinole

City

Pittsburg

Richmond

San Pablo

Eviction Moratoriums 101



What If I Need Help Paying My Rent?

Shelter, Inc. and Catholic Charities provide rental assistance for residents of Alameda County.

Learn more: www.ebho.org/resources/looking-for-housing/direct-support/



How Can I Take Action to Strengthen Tenant Protections?

Email the Board of Supervisors to demand that they **divest/invest** using this form: www.ebho.salsalabs.org/contracostadivestinvest/index.html

Tell your story and call upon the Board of Supervisors to extend the moratorium and grace period on **July 14** (tentative meeting time).

Tell your story and call upon the Concord City Council to extend the moratorium and grace period on **July 7**.

Stay connected: alex@ebho.org

How Does the Alameda County Ordinance Work?

Moratorium period: bans evictions for non-payment of rent and no-fault reasons from April 21* to July 28

Rent freeze: doesn't ban rent increases

Grace period: 12 months from time that payment was missed to pay back rent with no late fees, then remaining debt turns into consumer debt, but eviction isn't permitted if inability to pay is due to COVID-19

Notification requirements: within 45 days of request from owner or 30 days of the end of the state of emergency, whichever is later

Eviction Moratoriums 101



Which Ordinance Applies to Me?

<u>County</u>	<u>County + City</u>	<u>City*</u>
Albany	Alameda	TBD
Dublin	Berkeley	
Emeryville	Fremont	
Hayward	Newark	
Livermore	Oakland	
Pleasanton	San Leandro	
Census-Designated Places	Union City	
Unincorporated Areas		



What If I Need Help Paying My Rent?

There are rental assistance programs set up for residents of Berkeley, Emeryville, Fremont, Hayward, and Oakland.

Catholic Charities also provides rental assistance for residents of Alameda County.

Learn more: www.ebho.org/resources/looking-for-housing/direct-support/

How Can I Take Action to Strengthen Tenant Protections?

Email the Board of Supervisors to demand that they **divest/invest** using this form: www.ebho.salsalabs.org/alamedacountyinvest/index.html

Tell your story and call upon the Board of Supervisors to uphold strong tenant protections on **June 23**.

Stay connected: alex@ebho.org

Eviction Moratoriums 101



How Can I Take Action to Strengthen Tenant Protections?

Send an email to members of the Senate Judiciary Committee telling them to pass **AB 1436**: www.acceaction.org/homesnottents



How Can I Take Action to Defend Black Communities?

Search the map for Juneteenth actions in solidarity with the **Movement 4 Black Lives**: www.map.sixnineteen.com/

Eviction Moratoriums 101



Thank You!

Alex Werth, Policy Associate
East Bay Housing Organizations
alex@ebho.org

Eviction Moratoriums 101

