



County of Marin Eviction Moratorium Frequently Asked Questions Urgency Ordinance Number 3750

1. How long is this moratorium in place?

The Marin County eviction moratorium is in place through September 30, 2021. On Monday, June 28, 2021, **Governor Newsom signed AB 832, extending statewide eviction protections against evictions for COVID-19 related nonpayment of rent until September 30, 2021**, which will generally take precedence over local Urgency Ordinances.

2. Who does it apply to?

This eviction moratorium applies to tenants in the unincorporated regions of Marin.

Under this Ordinance, a tenant includes a subtenant, lessee, sublessee (of any level), or any other person entitled to use or occupancy of residential property. **All renters are protected by this law, regardless of citizenship status.**

To determine if you live in an unincorporated region, use the County's [jurisdiction look-up tool](#).

3. What does "financial impacts" mean under this Ordinance?

Under this Ordinance, "financial impacts" means a substantial loss of income due to:

- business closure,
- loss of compensable hours of work or wages,
- layoffs,
- missing work, or childcare expenditures due to school closure,
- medical expenses related to being ill with COVID-19 or caring for a member of the residential tenant's household who is ill with COVID-19,
- or other similarly- caused reason resulting in a loss of income due to COVID-19.

A financial impact is "related to COVID-19" if it was directly or indirectly caused by the COVID-19 pandemic, the proclamation of Local Emergency, the Health Officer's Shelter-in-Place Order, or public health orders or recommended guidance related to COVID-19 from local, state, or federal authorities.

4. How many days' notice must a tenant receive to be evicted for non-payment of rent?

If a tenant is unable to pay rent due to financial impacts related to COVID-19, the landlord must provide a 15-day notice. To prevent eviction, the tenant must submit a declaration of COVID-19-related financial distress to the landlord within 15 days after receiving the notice.

5. Where can I find the declaration form?

The declaration form is available on the County's [COVID-19 Renter Protections](#) page. The text is also available below:

I am currently unable to pay my rent or other financial obligations under the lease in full because of one or more of the following:

1. Loss of income caused by the COVID-19 pandemic.
2. Increased out-of-pocket expenses directly related to performing essential work during the COVID-19 pandemic.
3. Increased expenses directly related to health impacts of the COVID-19 pandemic.
4. Childcare responsibilities or responsibilities to care for an elderly, disabled, or sick family member directly related to the COVID-19 pandemic that limit my ability to earn income.
5. Increased costs for childcare or attending to an elderly, disabled, or sick family member directly related to the COVID-19 pandemic.
6. Other circumstances related to the COVID-19 pandemic that have reduced my income or increased my expenses.

Any public assistance, including unemployment insurance, pandemic unemployment assistance, state disability insurance (SDI), or paid family leave, that I have received since the start of the COVID-19 pandemic does not fully make up for my loss of income and/or increased expenses.

Signed under penalty of perjury: _____

Dated: _____

6. I am a tenant, and I have unpaid rent that was due before July 1, 2021. Can I be evicted for that?

For rent due before July 1, 2021, State law SB 91 applies. To receive protection from SB 91, the tenant must have paid at least 25% of total rent due between September 1, 2020 and June 30, 2021. **If a tenant has satisfied this amount, then they may not be evicted for nonpayment of rent due that became due before July 1, 2021.**

At this time, eligible households and landlords may apply to receive assistance through the County's [Rental Assistance](#) program for unpaid rent due between April 1, 2020 and March 31, 2021. The unpaid rental debt may also be settled voluntarily by both parties (landlord and tenant) through mediation. Free mediation services are offered Countywide. This team can be reached at (415) 473-6495.

SB 91 dictates that any unpaid rental debt due between April 1, 2020 and June 30, 2021 may be collected via [small claims court](#) on or after August 1, 2021.

7. I am a tenant, and I cannot pay my rent this month. Can I be evicted for that?

If a tenant is unable to pay rent due to COVID-19 related financial impacts (see question 4) and fills out a declaration form of COVID-19-related financial distress (see question 5 and 6), then they may not be evicted for this cause under this Ordinance through September 30, 2021.

8. I am a property owner, and I am owed rent from my tenant. How and when can I recover that?

At this time, eligible households and landlords may apply to receive assistance through the County's [Rental Assistance](#) program for unpaid rent due between April 1, 2020 and March 31, 2021. The unpaid rental debt may also be settled voluntarily by both parties (landlord and tenant) through mediation. Free mediation services are offered Countywide. This team can be reached at (415) 473-6495.

SB 91 dictates that any unpaid rental debt due between April 1, 2020 and June 30, 2021 may be collected via [small claims court](#) on or after August 1, 2021.

9. Does a tenant need to provide the declaration form to their landlord for each month they are unable to pay rent due to a financial impact of COVID-19?

Yes, a tenant must submit the declaration form for each month that they are unable to make a rental payment.

10. I am a tenant, and I have received an eviction notice. Where can I get advice?

For legal assistance, you may consider reaching out to [Legal Aid of Marin](#), a local organization that provides legal advocacy and support (415) 492-0230 (extension 102).

11. I am a property owner with questions, who can I speak with?

For assistance, please contact the County's Consumer Protection Unit, which offers free landlord-tenant mediation services, at (415) 473-6495.