



# Informational Update on Eviction Bans and Other Tenant Protections

Marin County Board of Supervisors  
September 22, 2020

# Eviction Bans

<b>Local</b> Marin County Temporary Ban on Evictions	<b>State</b> AB 3088: The COVID-19 Tenant Relief Act of 2020	<b>Federal</b> CDC Temporary Ban on Evictions
In effect from March 24, 2020 to September 30, 2020	In effect from September 1, 2020 to January 31, 2021	In effect from September 1, 2020 to December 31, 2020
Applies to evictions related to nonpayment of rent	Applies to evictions related to nonpayment of rent	Applies to evictions related to nonpayment of rent
For protection to apply, the tenant must 1) submit written notice to landlord within 30 days of rental due date and 2) submit documentation within 7 calendar days of sending the notice	For protection to apply, the tenant must submit a declaration form and by January 31, 2021, pay 25% of rent owed between September and January. Tenants that earn above 130% AMI may need to also submit documentation	Applies to tenants that make below \$99,000 (\$198,000 or less for couples filing jointly)
90-day repayment period at the end of the moratorium period (until December 30, 2020). No late fees can be assessed for rent delayed due to COVID	Rent owed can be collected as consumer debt on or after March 1, 2021	Rent owed can be collected after the moratorium period ends

# AB 3088 Overview

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- Expands some mortgage protections currently available for homeowners to small landlords (4 or fewer units)
- Limits pursuing foreclosure and loan modifications at the same time
- Requires loan providers to give specific information as to why a loan modification is denied
- Provides protections against eviction for tenants that have been unable to pay rent due to financial impact related to COVID-19.

# AB 3088 Landlord Requirements

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Under AB 3088, landlords must do the following:

- By September 30, 2020, provide the tenant with a **notice of tenants' rights under AB 3088** and a **blank form** to the tenant, which gives the tenant an opportunity to provide a declaration if they have been negatively impacted by COVID-19
- If attempting to evict a tenant for nonpayment of rent, to provide a **15-day notice**, in addition to the blank declaration form
- No unlawful detainer action may be taken before **October 5, 2020** unless necessary due to urgent habitability problems with the premises.

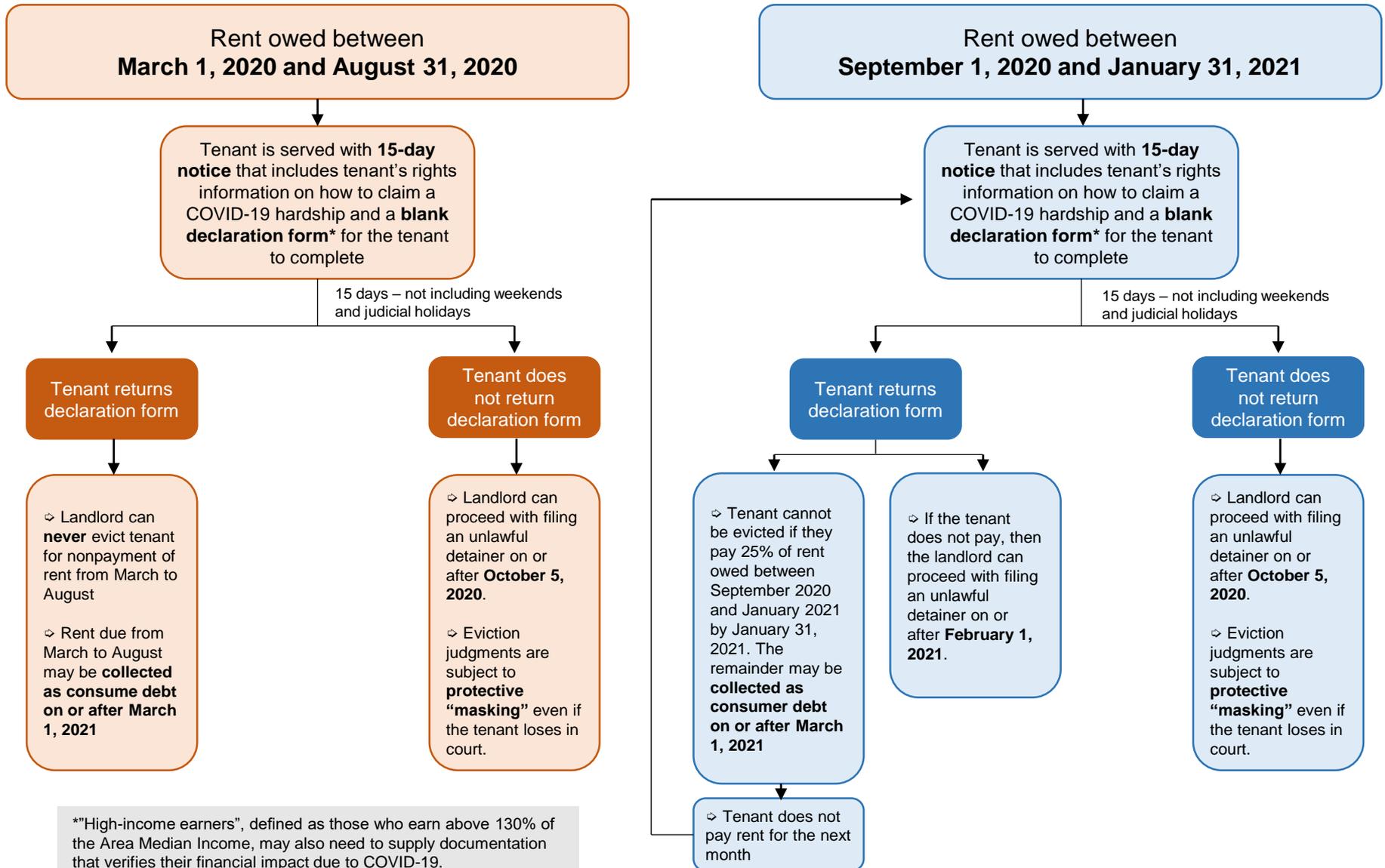
# AB 3088 Tenant Requirements

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Under AB 3088, tenants must do the following:

- For rent owed between **March 1, 2020 and August 31, 2020**:
  - Provide a **declaration** to the landlord stating they have been impacted by COVID
  - Tenant **cannot** be evicted for nonpayment of rents from March-August. Outstanding rent may be collected as **consumer debt** on or after **March 1, 2021**.
- For rent owed between **September 1, 2020 and January 31, 2021**:
  - Provide a **declaration** to the landlord stating they have been impacted by COVID
  - Pay **25%** of rent owed between September-January by **January 31, 2021**. Outstanding rent may be collected as **consumer debt** on or after **March 1, 2021**.

# AB 3088 Eviction Ban Overview





# Questions