



## **Eviction Moratorium Resolution No. 2020-27**

### **Frequently Asked Questions**

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#### **1. I am unable to pay my rent because I lost some income due to the COVID-19 pandemic. Are there are protections in place for me so that I can keep my housing?**

Yes. Effective March 24, 2020, the Marin County Board of Supervisors passed Resolution No. 2020-27, providing eviction protection for residential and commercial tenants that suffer financial loss related to the COVID-19 pandemic. This Resolution is set to expire on May 31, 2020.

#### **2. I am a small business owner that has suffered financial loss and am unable to pay rent. Does this Resolution apply to me as well?**

Yes. This Resolution applies to commercial tenants as well as residential tenants. This includes business owners who are suffering loss of income due to the COVID-19 pandemic and shelter-in-place order.

#### **3. How does it work?**

To receive the protection, tenants must notify their landlord of financial loss related to COVID-19 within 30 days of the rent payment due date. For purposes of this Resolution, the notice required may be provided in writing, including through paper copy, email, or text communications to a landlord or the landlord's representative who the residential or commercial tenant has previously corresponded by email or text.

Within one (1) week of providing notice to your landlord, you will need to supply documentation to show that your household has experienced a financial impact related to COVID-19. As defined in the Resolution, "financial impacts" means a substantial loss of income due to business closure, loss of compensable hours of work or wages, layoffs, missing work or child care expenditures due to school closure, medical expenses related to being ill with COVID-19 or caring for a member of the residential or commercial tenant's household who is ill with COVID-19, or other similarly caused reason resulting in a loss of income due to COVID-19.

#### **4. Do I need to provide any documentation? What can I provide that's sufficient proof?**

After providing notice to your landlord, you will need to supply documentation to show that your household has experienced a financial impact related to COVID-19 within one (1)

week (7 calendar days). Based on the Resolution, “financial impacts” means a substantial loss of income due to business closure, loss of compensable hours of work or wages, layoffs, missing work or child care expenditures due to school closure, medical expenses related to being ill with COVID-19 or caring for a member of your household who is ill with COVID-19, or other similarly caused reason resulting in a loss of income due to COVID-19, whether you are seeking relief as a residential or as a commercial tenant.

Some examples of sufficient documentation include:

- 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
- 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 provided to the landlord shall be held in confidence, and only used for evaluating the residential or commercial tenant's claim.

### **5. Does this Resolution apply throughout the County?**

Yes. This Resolution applies to all cities and towns throughout Marin County, and all unincorporated areas of the County.

### **6. Does this apply to all rental housing in Marin, including single-family?**

Yes. This Resolution applies to all rentals throughout Marin County, including single-family homes, second units (Accessory Dwelling Units and Junior Accessory Dwelling Units), duplexes, room rentals, and multi-family homes, regardless of the number of units.

Additionally, this Resolution includes commercial tenants that suffered financial impacts related to COVID-19 and the shelter-in-place order.

### **7. Does this Resolution apply to rentals of mobile home spaces, rental of mobile homes, and tenancies in RV parks?**

Yes. This Resolution applies to all rentals throughout Marin County.

## **8. What can I do if my rent was due before the resolution passed?**

The Resolution will still apply to you if you supply adequate notice to your landlord within 30 days of your payment due date, even if this was before the date the Resolution passed (03/24/2020). This Resolution establishes a moratorium on all residential and commercial evictions in the County. While this eviction moratorium does not grant relief from paying rent to your landlord, it will protect you from being removed through eviction from your residence or place of business if you provide timely notice and sufficient documentation of the financial impacts COVID-19 has had on your household that renders you unable to pay rent on time.

## **9. Do I need to notice my landlord for each month I am unable to pay my rent due to a financial impact of COVID-19?**

For each month where you are unable to make your rental payments until May 31, 2020, you must be sure to submit notice and additional documentation in accordance with the Resolution.

## **10. Does this eviction protection apply if I am undocumented?**

Yes. This Resolution applies to all tenants and does not call for any information about citizenship status.

## **11. When does this Resolution expire?**

This Resolution is set to expire on May 31, 2020 in accordance with Governor Newsom's Executive Order N-28-20. In the event that a public health emergency has been declared past this date, the Marin County Board of Supervisors may lengthen the timeline of this Resolution.

## **12. Under this Resolution, can a tenant be charged a late fee for delayed rent payment?**

A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Resolution.

## **13. I can only pay part of the rent. Should I pay what I can?**

The Resolution does not provide for rent forgiveness, so you will still be required to pay all rent owed when the Resolution expires. You are encouraged to pay what you can, while ensuring that other basic needs like food and medications are prioritized.

#### **14. What can I do if my landlord is actively working to evict me for lack of payment?**

First, you must be sure to communicate any financial impact of COVID-19 to your landlord and provide necessary documentation as soon as possible. If your landlord still attempts to serve you with a notice of eviction after you have provided notice and the necessary documentation, this Resolution shall be enforceable as set forth in Section 2.99.060 of the Marin County Code. In addition, this Resolution grants an affirmative defense in the event that an unlawful detainer action is commenced in violation of this Resolution.

#### **15. What can I do when this expires, and I can't pay my rent?**

It is important to note that this eviction moratorium does not forgive the tenant of paying rent but provides relief for residential and commercial renters from being removed from their residences or places of business due to nonpayment of rent due to the extensive financial impacts of COVID-19. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Resolution.

On March 24, 2020 the Marin Board of Supervisors also approved a \$1 million local relief fund, with the goal of addressing the most urgent safety-net needs for local residents, including shelter. One of the five main efforts include utilizing funds for emergency rental assistance for low-income residents. These funds will be administered by the Marin Health & Human Services Department. More information is available at [www.marinhhs.org](http://www.marinhhs.org).

#### **16. What other resources are there in Marin?**

A listing of nonprofit service providers receiving support from the Marin Community Foundation in response to COVID-19 can be found here: [Nonprofit Resources](#).