

COVID-19: City of San Diego's Temporary Ban on Evictions

The San Diego City' Council adopted a law on March 25, 2020, that temporarily bans evictions due to nonpayment of rent because of financial effects of COVID-19. The City of San Diego's law may be found online at:

https://docs.sandiego.gov/council_reso_ordinance/rao2020/O-21177.pdf

A landlord cannot evict a tenant if:

- The tenant is unable to pay rent because of the financial impacts related to COVID-19.
- The tenant provides a written notice (text or email are OK) to the landlord on or before the day that rent is due.
- The tenant provides documents or verifiable information to the landlord within one week of the written notice to show the financial impact of COVID-19.

If the tenant doesn't provide the required documents or information in the required time, then the landlord can take enforcement action.

If a tenant moves while the temporary ban on evictions is in effect, all rent owed is due to the landlord, unless the lease says it will be handled differently.

Tenants have up to six months from March 25, 2020, to pay all unpaid rent. The landlord can still seek the rent from the tenant but cannot evict the tenant or charge late fees.

The temporary ban on evictions is in effect through May 31, 2020.

If the tenant remains unable to pay the rent due to COVID-19 after May 31, 2020, the tenant must, each month, provide notices and documentation of COVID-19 financial impacts to the landlord. In no event will this option be available to the tenant after September 25, 2020.

Definitions

"Financial impacts": Substantial loss of income due to business closure, loss of work or wages, or extraordinary medical expenses. This may include needing to stay at home because the tenant is sick or needs to take care of a sick family member.

"Related to COVID-19": Caused by the COVID-19 pandemic or any governmental response to the COVID-19 pandemic, including complying with any public health orders.

San Diego Housing Commission Residents

Effective March 18, 2020, the San Diego Housing Commission (SDHC) will not evict residents of its affordable rental properties due to nonpayment of rent because of lost income related to COVID-19. Residents should contact their property manager for more information.

SAMPLE LETTER (or EMAIL) TO LANDLORD:

Date: _____

Landlord's name: _____

Landlord's address: _____

Dear _____,

I _____ am a tenant at _____. Pursuant to the San Diego City Council's Temporary Eviction Moratorium, this is to inform you that I am unable to pay my rent this month because of the financial impacts of the COVID-19 virus. (*Explain how you have lost wages, been sick, or have had to care for a relative.*)

I will be providing documentation or other verifiable information confirming my current inability to pay rent in the next few days. I understand that, when the Temporary Eviction Moratorium ends, I am still required to become current with my rent no later than six months after the moratorium was adopted. I will endeavor to make my rents current as soon as I am able to.

Thank you for your understanding and cooperation.

Sincerely,

_____ [Signature]

Name: _____ [Print Name]