

### WHEN

- Effective March 23, 2020 until May 31, 2020, or such a later date specified by action the City Council
- This ordinance shall not apply to eviction notices served on or before March 17, 2020

### WHAT

- Local ordinance enacting California Governor Newsom's Executive Order N-28-20 which temporarily prohibits and suspend residential and commercial evictions arising from loss of income or substantial medical expenses related to the Corona Virus Pandemic (COVID-19).

### FOR LANDLORD

- Landlord cannot evict a residential or commercial tenant for nonpayment of rent if the tenant cannot pay due to financial impacts related to COVID-19
- Landlords are encouraged to reach out to the tenants proactively and negotiate possible deferrment with tenants
- Any rent payments that are deferred pursuant to this ordinance shall remain the lawful debt and obligation of the tenant
- Landlords must adhere to the City of Santa Barbara's Mandatory Offer of a One-Year Lease
  - If the rental term expires before May 31, 2020, upon request of the tenant, the tenancy shall be extended unless the lease specifies that it would have converted to a month-to-month, the lease will end
  - The landlord shall offer a one year lease extension, but may deduct from that extension the amount of time from the original termination date of the prior lease to May 31, 2020

### FOR TENANT

- This does not relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency
- Tenant must inform landlord of inability to pay rent:
  - Within 20 days after the date that rent is due
  - In writing (includes text & email) of lost income
  - Provide documentation to support claim
  - Include the amount of the rent payment that the tenant believes they can make on a current monthly basis and the amount the tenant seeks to defer during the emergencyAny medical or financial information provided shall be held in confidence, except when disclosure is both necessary to enforce the owner's rights under this ordinance and otherwise lawful

### FINANCIAL IMPACTS

- Financial impacts related to COVID-19 include, but not limited to tenant lost household income as a result of:
  - Being sick with COVID-19 or caring for a household or family member who is sick with COVID-19
  - Lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19
  - Compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with other during the state of emergency
  - Extraordinary out-of-pocket medical expenses
  - Child care needs arising from school closures related to COVID-19
- Violations may be asserted as an affirmative defense or any other remedies provided by law

The City of Santa Barbara ordinance language can be found at:

[https://www.santabarbaraca.gov/gov/depts/attorney/rental\\_housing\\_information.asp](https://www.santabarbaraca.gov/gov/depts/attorney/rental_housing_information.asp)