

## Temporary Moratorium of Tenancy Terminations and Evictions

On March 19, 2020, the Santa Monica City Council ratified a temporary moratorium of termination of tenancies and evictions in response to the COVID-19 (coronavirus) pandemic. The moratorium is in effect through May 31, 2020, and the City Council may extend it.

[https://www.santamonica.gov/Media/Default/CMO/1a\\_-\\_Revised\\_Supplement\\_1.pdf](https://www.santamonica.gov/Media/Default/CMO/1a_-_Revised_Supplement_1.pdf)

The moratorium applies to all residential properties in Santa Monica, including single-family homes, rooms rented in single-family homes, duplexes, condominiums, income-restricted apartments (i.e., affordable housing), rent-stabilized apartments, market-rate apartments, and mobilehomes.

The moratorium applies to residential evictions for nonpayment of rent due to impacts of the COVID-19 outbreak and to no-fault evictions of tenants who are sick, quarantined, or in isolation. There is no moratorium on lawful evictions for other just causes such as substantial breaches of the lease. (Note: commercial tenancies are also protected but this page covers only residential tenancies.)

Tenants must do two things to qualify for relief from evictions for nonpayment of rent:

**1. Show that they have been impacted by COVID-19.** Examples of being impacted by COVID-19 include:

- job loss
- reduction in hours of work
- store, restaurant or office closure
- furlough or layoff
- the need to miss work to care for a home-bound co-habitants such as school-age children or the elderly.
- State or local emergency actions that prevent the tenant from working

**2. Show a loss of income due to COVID-19 or related emergency declarations by County, State or federal agencies.** The tenant must provide documentation to the landlord showing they have experienced a loss of income. Examples of documentation include:

- letter from an employer citing COVID-19 as a reason for reduced work hours or termination
- paycheck stubs from before and after the COVID-19 outbreak

- bank statements showing the tenant’s financial situation before and after the outbreak
- bills from extraordinary out-of-pocket medical expenses

Tenants seeking protection under the moratorium should begin collecting this information as soon as possible and present it to their landlords. If the tenant presents it to the landlord before the rent is due, the landlord is prohibited from serving the tenant with a notice. If the landlord has already served a tenant with a notice, once the tenants presents the COVID-19 impact information, further steps toward termination and eviction are prohibited.

The landlord could be fined for further attempts at eviction and the tenant may use the moratorium protection as a defense in any unlawful detainer. Landlords should note that the City’s Tenant Harassment Ordinance also prohibits attempted terminations or evictions that are untenable based on facts (such as a tenant’s protection under the moratorium) known to the landlord.

The rent due is not waived, just deferred. When the moratorium ends, landlords may seek unpaid rent – i.e., past due rent that was not paid during the moratorium – from the tenant within six months after the end of the moratorium.

The moratorium does not apply to preexisting back rent the tenant may have owed prior to the moratorium. If the tenants already owed back rent, they may still be evicted for failure to pay that rent. Please note, however, that Los Angeles County Sheriff’s Department has announced that they will NOT be conducting any writ of possession lockouts during the pandemic crisis **or until further notice**.

For tenants seeking protection from no-fault evictions (such as those pursuant to removals from the rental market and owner-occupancy), they must demonstrate that they are sick, in quarantine, or in self-isolation. Virtually all residents have been advised by state and local public health officials to self-isolate, and as stated above, the Sheriff’s Department is not conducting any lockouts during the crisis or until further notice.

For more information about Santa Monica’s eviction moratorium, please read our list of [Frequently Asked Questions](#). If you have additional questions, please email [consumer.mailbox@smgov.net](mailto:consumer.mailbox@smgov.net) or call 310-458-8336.

Please note that during this public health crisis, most city staff are teleworking.