



## City of South Pasadena TEMPORARY MORATORIUM RESIDENTIAL AND COMMERCIAL EVICTIONS

### FREQUENTLY ASKED QUESTIONS

The following is a list of Frequently Asked Questions to better inform the community about the City's temporary moratorium on evictions:

- **Why did the City pass a temporary moratorium on evictions?**
  - On March 18, 2020, the City issued the eviction moratorium as a part of its emergency order in response to the pandemic emergency related to the spread of COVID-19, and as a part of the necessary measures taken in order to protect the public health and safety of its residents, workers, and visitors. Under statewide and countywide “safer at home” orders and guidance, residents should be staying at home rather than being subject to evictions or looking for another place to live.  
*(Note: On March 16, 2020, the Governor of California expressly authorized cities to suspend evictions during the crisis.)*
- **Are tenants permitted to stop rent payments?**
  - The temporary moratorium does not waive rent or exempt renters from paying rent, but it suspends evictions of tenants who have lost jobs or wages due to COVID-19, and are unable to pay rent as a result. The moratorium gives tenants additional time to pay the rent.
  - There is no moratorium on lawful evictions for other just causes such as substantial breaches of the lease.
- **What action must be taken by tenants who have been affected?**
  - Affected tenants should immediately contact their landlords and inform the landlords that they are unable to pay rent, due to the impact of COVID-19. **Tenants must demonstrate, in writing, that they are unable to pay rent due to the COVID-19 emergency.** Once a landlord is made aware of the tenant's inability to pay rent, they should not take any further steps toward eviction.

Examples of being impacted by COVID-19 include:

- job loss
- reduction in hours of work
- store, restaurant or office closure,
- unpaid furlough or layoff
- unpaid leave from work to provide care for a child or the elderly
- State or local emergency actions that prevent the tenant from working



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### 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 documentation of inability to pay rent to the landlord before the rent is due, the landlord is prohibited from serving the tenant with an eviction notice.
  
  - Tenants are encouraged to make arrangement with their landlords to pay a portion of their rent. The rent due is not waived, just deferred. Tenant are required to pay past due rent that was not paid during the moratorium within six months after the end of the moratorium.
- **How long is the temporary moratorium on evictions in place?**
    - The City's declaration of a local emergency is effective for 60 days from adoption, unless extended.
  
  - **When did the temporary moratorium go into effect?**
    - The Order went into effect on March 18, 2020.
  
  - **Who does the temporary moratorium apply to?**
    - The eviction moratorium applies to residential and commercial tenants who can demonstrate inability to pay their rent due to the impacts of the COVID-19 emergency.
  
  - **How does the eviction moratorium protect landlords?**
    - Landlords may continue to collect rent from tenants; the moratorium limits landlords from taking action against those tenants who cannot pay rent and can demonstrate inability to pay rent due to COVID-19. The Order requires tenants to, in writing, communicate and demonstrate their inability to pay rent 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.



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- If the tenant fails to pay their past due rent within the six-month period after the Order expires, the landlord may begin eviction proceedings.
- **Can a landlord assess late fees or interest on overdue rent?**
  - No, landlords may not charge late fees or interest on the unpaid rent, because the rents are deferred. Tenants are encouraged to make arrangement with their landlords to pay a portion of their rent if they are unable to pay the full amount.
- **How will the moratorium be enforced?**

If a tenant complies with the requirements, a landlord cannot serve an eviction notice, file or prosecute an unlawful detainer action based on a three-day pay or quit notice, or otherwise endeavor to evict the tenant for nonpayment of rent. A tenant may use this ordinance as an affirmative defense in an unlawful detainer or other action brought by landlord to recover possession of the rental unit.
- **What if a tenant was late paying rent before the moratorium was adopted?**
  - The moratorium does not prevent a landlord from evicting a tenant who failed to pay rent when due before the moratorium was adopted or for any other lease violation. The moratorium does not apply to preexisting back rent the tenant may have owed prior to the moratorium.
- **Who do I contact if my landlord or tenant does not comply?**
  - The Housing Right Center (HRC) provides fair housing services to South Pasadena landlords and tenants, including counseling and mediation services.
  - Landlords and tenants are encouraged to make good faith efforts in establishing payment plans or similar arrangements for payment of rent.

**[Housing Rights Center](#)**

Free Fair Housing Counseling available for Landlord-Tenant

**Monday - Friday**

**8:30am - 5:00pm**

**Toll Free: 1 (800) 477-5977**

**TTY: 213-201-0867**

**[www.housingrightscenter.org](http://www.housingrightscenter.org)**

**Pasadena HRC**

**1020 N. Fair Oaks**

**Pasadena, CA**

**(626) 791-0211**