



Petaluma People Services Center

1500 Petaluma Boulevard South
Petaluma, California 94952
Tel: (707) 765-8488 FAX: (707) 765-8482
www.petalumapeople.org

About the Sonoma County COVID-19 Tenant Eviction Defense Ordinance

The Sonoma County Eviction Defense Ordinance prohibits evictions based on nonpayment of rent during the Sonoma County declared emergency due to the COVID-19 pandemic, as long as you can show that your failure to pay rent was due to a substantial loss of income or substantial out of pocket medical expenses because of COVID -19. It is important to understand this is an eviction moratorium and not a rent moratorium; sooner or later tenants are expected to pay back their rent.

The Ordinance has been in effect since March 24, 2020 it continues for 60 days after the counties local Emergency is declared over. The Ordinance applies to ALL tenants in Sonoma County including mobilehome park tenants.

This Ordinance ONLY protects tenants who are truly unable to pay their rent due to a loss of income and can prove that the epidemic was the cause while the Ordinance was in effect. Providing you do what the Ordinance requires you will be covered, however eventually you will have to pay back the rent you owe within 60 days of the local emergency being declared over.

Put together your documentation. You will need to prove that your monthly income was substantially reduced due to the COVID -19 pandemic, or that you had substantial out-of-pocket medical expenses because of COVID -19. Acceptable reasons for loss of income related to COVID -19 include job loss, layoffs, reductions in work hours, closure of the workplace, reduction in business income or the need to miss work in order to care for others at home. In order to be protected by the Ordinance you may need to share documentation of your loss of income or medical expenses with your landlord, to allow them to apply for available mortgage relief programs.

Communicate with your Landlord. We recommend you inform your landlord in writing via e-mail or sending a letter in the mail preferably before when rent is due (or as soon as possible) that you can't pay some or all of the rent. In writing" generally includes emails or texts to your landlord or the landlord's representative when you have previously communicated via those methods. Petaluma People Services has a sample letter we can provide upon your request.

If you provide the necessary documentation to your landlord, and your landlord still files an eviction lawsuit against you, you can raise the ordinance as an affirmative defense. If you get served with any court documents, contact an attorney, legal aid society or tenants' rights organization immediately.

Although Sonoma County's Eviction Defense Ordinance restricts evictions based on nonpayment of rent your landlord can evict you for other reasons—for example, you violated an important provision of your lease not related to the payment of rent—they can still do so, as long as they comply with all other California laws regarding eviction. With that said, the

Sonoma County Court is closed but for health and safety issues no eviction lawsuits can move forward until after the court reopens. In addition, the California Judicial Council, which guides California courts, issued a new rule on April 6, 2020 further restricting evictions. **Unless it is necessary to protect public health and safety, an eviction case (residential or commercial) can not proceed either during California's state of emergency or 90 days after the emergency ends-it doesn't matter if the eviction is COVID-19 related.** During this period of time the courts aren't allowed to issue a summons (which, once served on a tenant starts the eviction clock ticking) or enter a default judgment against a tenant who doesn't respond to a summons. In summation although the Judicial Councils order does not prevent landlords from filing new evictions when the court reopens it puts a temporary freeze on eviction cases both during the state of emergency and after extending it an additional 90 days from when the health crises is declared over by the state of California.

This document was last updated on 7/16/20 the information herein is subject to change please check with us for any updates.

Any questions call our fair housing department (707) 765-8488 Ext 120 or email fairhousing@petalumapeople.org