



COVID-19 Eviction Moratorium Factsheet

In response to the novel coronavirus (COVID-19), the City Manager declared a local State of Emergency on March 3, 2020, which the City Council ratified on March 10, 2020. The City of Berkeley Public Health Officer issued a shelter-in-place order on March 16, 2020, due to the COVID-19 pandemic.

In the interests of protecting the public health and preventing transmission of COVID-19 by avoiding unnecessary displacement and homelessness, the Berkeley City Council passed the COVID-19 Emergency Response Ordinance (Berkeley Municipal Code 13.110) on March 17, 2020.

Effective immediately, the Ordinance places a moratorium on residential evictions for failure to pay rent due to financial impacts related to COVID-19 for the period of the local state of emergency, and on no-fault evictions other than Ellis Act evictions. Landlords can request a complete or partial waiver of the requirements of this Ordinance.

NOTE: This moratorium applies to evictions for non-payment of rent due to financial impact/hardship related to COVID-19 and most no-fault evictions during the local emergency.

WHAT AFFECTED TENANTS MUST DO:

1. Notify landlords **in writing** before the rent is due, but **NO LATER THAN 7 DAYS AFTER THE RENT IS DUE**, that they are unable to pay their full rent as a result of impacts from COVID-19. You may use the accompanying form letter, but an email is also acceptable.
2. Tenants also must notify the landlord of any changes in their financial situation if it affects the amount they are able to pay in future months.

WHAT AFFECTED TENANTS SHOULD DO AS SOON AS POSSIBLE:

State the ways in which they have been financially impacted by COVID-19 or any local, state, or federal government response to COVID-19. This can include:

- Decrease in household income due to layoffs or reduction of hours
- Decrease in household income due to caregiving responsibilities, including child care needs arising from school closures
- Substantial material out-of-pocket medical expenses

Provide documentation, which can include:

- Termination notices, payroll checks, pay stubs, bank statements, letters, emails, or texts from an employer or supervisor explaining the tenant's changed financial circumstances
- Documentation of caregiving responsibilities, including those related to school closures
- Medical bills

RENT REPAYMENT

The Ordinance does not relieve the tenant from paying rent; the tenant must pay unpaid rent that accrued during the local state of emergency within six months after the expiration of the local emergency. The landlord may not charge a late fee on the rent. The Ordinance is intended to be narrow and no other legal remedies are affected by this Ordinance.

HOUSING RETENTION GRANTS

The Mayor and City Council have established a tenant relief fund that will distribute grants to qualifying tenants to help them keep their housing. Information about these Housing Retention Grants is available at cityofberkeley.info/covid19-housing-retention. You may also email berkeleyhrp@ebcl.org or call (510) 548-4040 ext. 629.