



eUpdate - April 22, 2020

Board of Supervisors Passes Eviction Protection and Rent Freeze Emergency Law

Protections apply in all 19 cities and unincorporated areas of Contra Costa

The Contra Costa Board of Supervisors used its emergency powers under state law to pass a comprehensive eviction protection ordinance and temporary rent freeze for all residential and commercial properties in the County.

This law applies to properties in all 19 cities in the County and in all unincorporated areas. If a city has a law that is more protective of tenants, then their more protective provision would apply in their city.

I advocated for this law because so many County residents are experiencing losses of income as a result of the COVID-19 pandemic, which impacts their ability to pay rent and leaves them vulnerable to eviction.

Without the protection of this law, eviction notices are likely to surge as residents and businesses are unable to earn income due to this health and economic crisis.

Protections granted to residential and commercial renters include:

- **Prohibition on Evictions Due to Unpaid Rent** - A property owner cannot evict a tenant for failure to pay rent if a tenant demonstrates loss of income or out-of-pocket medical expenses related to COVID-19. This prohibition lasts through May 31, 2020 unless extended by the Board of Supervisors based on the continuation of the local emergency.
- **Ban on No-Fault Evictions** - A property owner cannot evict a tenant for any "no-fault" reason except to protect the health and safety of the owner or another tenant, or to allow the owner or their immediate family to move into the residential unit. This ban lasts through May 31, 2020 unless extended by the Board of Supervisors.
- **Moratorium on Rent Increases** - Temporary freeze on rent increases through May 31, 2020 (this date may be extended if the local emergency lasts longer). State law prevents this freeze from applying to residences built within the last 15 years; single family homes, townhouses/condos unless owned by a corporation, investment trust, or LLC; owner-occupied duplexes; hotels; care facilities for adults/elderly; school dorms; group housing.
- **Grace Period to Pay Back Rent** - Tenants who demonstrate loss of income or out-of-pocket medical expenses related to COVID-19 have 120 days after May 31, 2020 (or any extension of this emergency law) to pay all past due rent. This does not relieve a tenant of their obligation to pay rent.
- **No Late Fees** - Property owner may not charge or collect late fees for unpaid rent from a tenant who demonstrates loss of income or out-of-pocket medical expenses related to COVID-19. This ban on late fees extends until 120 days after May 31, 2020 (or any extension of this emergency law).
- **Retroactivity of Eviction Protections** - These protections apply to eviction notices and lawsuits served or filed after March 15, 2020.
- **Tenant's Right to Recover Damages** - An owner who violates this new law by attempting to evict a tenant or retaliating against the tenant can face a civil action by the tenant for injunctive relief and/or money damages.

Here is a [link to the full ordinance](#).

These are extraordinary times and I believe it is important to provide residential and business tenants an ability to be protected from evictions and to have the time to recover in making payments on their rent.

We're in this together, and we're stronger together!

"Stay in place, maintain your space, cover your face!"

Sincerely,

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