



## **CITY OF PASADENA**

### **MORATORIUM ON EVICTION FOR NON-PAYMENT OF RENT BY TENANTS IMPACTED BY THE COVID-19 PANDEMIC**

#### **FREQUENTLY ASKED QUESTIONS (“FAQ”) (updated as of April 8, 2020)**

In March 2020, the Pasadena City Council approved a moratorium on eviction for non-payment of rent by tenants experiencing financial impacts from the COVID-19 pandemic.

#### **WHEN DOES THE MORATORIUM GO INTO EFFECT AND WHEN WILL IT END?**

The moratorium went into effect on March 17, 2020 as a second supplement to the City Manager’s declaration of a local emergency, and now exists as an uncodified ordinance. This moratorium will end upon the termination of the later of any local emergency or local public health emergency that relates to the COVID-19 pandemic.

#### **WHAT DOES THE MORATORIUM DO?**

The moratorium prohibits landlords from evicting residential tenants for (a) non-payment of rent if the tenant is unable to pay rent due to the financial impacts of COVID-19, or (b) a no-fault eviction, unless necessary for health and safety reasons. The moratorium also prohibits landlords from evicting business tenants for non-payment of rent if the tenant is unable to pay rent due to the financial impacts of COVID-19. Tenants are required to repay any back rent within six (6) months of the expiration of the emergency period. A landlord may not seek to recover late fees for rent that is delayed due to the financial impacts of the COVID-19 pandemic.

#### **WHO IS PROTECTED?**

The moratorium applies to all residential and commercial tenants, regardless of the type of lease or rental agreement (e.g., month-to-month, annual, long-term). All types of units rented for more than 30 days are covered, including, but not limited to, multi-family units, duplex units, room rentals, single-family residences, and condominiums, regardless as to when the rental unit was built. Guests of hotels and short-term rentals are not covered by the moratorium.

#### **WHAT IS THE TENANT REQUIRED TO DO?**

A tenant experiencing an inability to pay rent due to financial impacts of COVID-19 should contact their landlord, and provide documentation to support their claim. Tenants should also pay the remaining portion of rent owed that the tenant is able to pay, based on the amount of income received.

### **WHEN MUST TENANT PAY BACK RENT?**

Tenants who were afforded eviction protection through the moratorium will have up to six (6) months after the termination of the later of any local emergency or local public health emergency that relates to the COVID-19 pandemic.

### **IS RENT FORGIVEN FOR AFFECTED TENANTS?**

No. The tenant has six months after expiration of the moratorium to pay the landlord unpaid rents that qualified under this moratorium to be deferred.

### **WHAT HAPPENS IF THE LANDLORD DOES NOT COMPLY WITH THE MORATORIUM AND MOVES FORWARD WITH AN EVICTION?**

If a Pasadena tenant notifies their landlord of an inability to pay rent due to financial impacts of COVID-19, the 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 the Pasadena moratorium as an affirmative defense in an unlawful detainer or other action brought by landlord to recover possession of the rental unit.

### **HOW DOES THE GOVERNOR'S MARCH 27 EXECUTIVE ORDER LIMIT EVICTIONS?**

On March 27, the Governor issued an Executive Order ([link](#)) that, among other things, bans the enforcement of evictions of residential tenants, through May 31, where a tenant who needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19. The provisions of this Executive Order, and how it is interpreted, may also apply to a tenant's circumstances, separate and apart from Pasadena's moratorium.

### **HOW DOES THE CALIFORNIA JUDICIAL COUNCIL'S EMERGENCY RULE, ISSUED ON APRIL 6, LIMIT EVICTIONS?**

On April 6, the California Judicial Council issued an Emergency Rule ([link](#)) delaying eviction cases from moving forward in court. The Emergency Rule remains in place for up to 90 days after the Governor lifts the state of emergency related to the COVID-19 pandemic. The provisions of the Emergency Rule, and how it is interpreted, may also apply to a tenant's circumstances, separate and apart from Pasadena's moratorium.

### **HOW DOES THE FEDERAL CARES ACT, SIGNED BY THE PRESIDENT ON MARCH 27, LIMIT EVICTIONS?**

On March 27, the President signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) ([link](#)). Among other things, for properties whose owners have federally backed mortgages, the CARES Act provides a 120-day moratorium on evictions of tenants who cannot pay rent. The provisions of the CARES Act, and how it is interpreted, may also apply to a tenant's circumstances, separate and apart from Pasadena's moratorium.

## **ADDITIONAL RESOURCES**

- If you are a residential tenant: Housing Rights Center, (626) 791-0211
- If you are a business tenant:  
<https://www.cityofpasadena.net/economicdevelopment/covid-19-business-resources/>