

City Council Eviction Moratorium

COVID-19 Outbreak: In late December 2019, the COVID-19 virus emerged in Northern Asia. The virus, which was previously unknown, rapidly spread through the region and eventually to the rest of the world. Responding to the developing crisis, California Governor Gavin Newsom declared a state of Emergency on March 4th. This allowed the state to better mobilize resources to curb the spread of the virus. This was followed by Stockton City Manager, Harry Black, declaring a local emergency, which encouraged the postponement or cancellation of large gatherings.

Bay Area counties have taken broader measures, which include the cancellation of large events, temporary closures of non-essential businesses, and a shelter-in-place order, which mandates that residents shelter in their homes until further notice. These orders will have economic repercussions for Stockton and neighboring communities, particularly for those that work in the Bay Area. While some companies have allowed their employees to work remotely, others are unable to do so, due to the nature of their work.

Local Action: In order to curb the negative economic impacts of the COVID-19 outbreak, the Stockton City Council passed Ordinance 2020-03-18-0302-02. This resolution places a temporary moratorium on evictions of certain vulnerable residents, where the failure to pay rent results from hardships endured because of the COVID-19 virus.

The ordinances will last two months, unless extended by ordinance. To be eligible for the eviction moratorium, one must meet the following qualifications:

- Must be a rental tenant, mobilehome resident, or mobilehome owner AND
- Must be over the age of 65 or have a compromised immune system, heart disease, diabetes, or other serious and chronic medical condition OR
- Suffered a loss in income due to any of the following: 1) job loss; 2) a reduction of compensated work hours; 3) employer's business closure; 4) missing work due to a minor child's school closure; or 5) similarly-caused reason resulting in a loss of income due to COVID-19 and who is unable to pay rent as a result

Throughout the duration of the moratorium, a Landlord may not terminate the tenancy of an affected tenant unless the Landlord can demonstrate the termination is for a cause other than the non-payment of rent.

For a affected tenant to demonstrate that they have met the criteria set forth, they must provide their Landlord with documentation of one of the following:

- Letter from employer citing COVID-19 as a reason for reduced work hours
- Employer paycheck stubs
- Notification from school declaring a school closure related to COVID-19
- California Drivers License or other documentation of birth (if over 65)
- A letter or other document provided by a physician that documents a relevant medical condition.

Landlords who do not comply with the ordinance may be subject to civil proceedings for displacement of affected tenants.