



# Temporary Moratorium on Residential and Commercial Evictions

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# Agenda

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- Moratorium Definition & Background
- Moratorium Applicability
- Requirements & Best Practices
- Rental Housing Relief Program
- Mediation Services
- Resources
- Q & A

# What is the Temporary Moratorium on Evictions?

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- Prohibits, through September 30, 2020:
  - Evictions related to non-payment of rent or mortgage payments caused by the COVID-19 pandemic & associated late fees
  - **No-fault evictions** unless necessary for the health and safety of the tenant or landlord
  - Retaliation against tenants and homeowners
- For 180 days after the moratorium expires, there may be no eviction for non-payment of rent and landlords and tenants must meet & confer before initiating any action
- Provides mediation services to negotiate payment agreements for residential tenants and landlords

## No fault evictions include:

- Necessary and substantial repairs requiring the tenant to vacate
- Demolition of the unit (after obtaining permits)
- Owner or owner's family move-in
- Owner seeks to recover possession of the unit for their principal residence

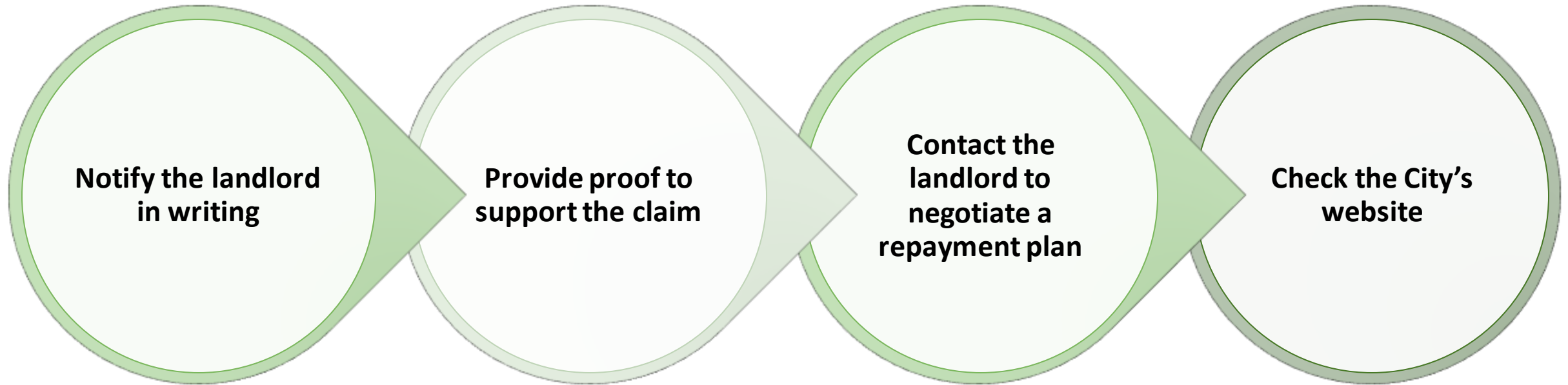
# Who is covered by the Temporary Moratorium on Evictions?

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- Tenants in residential properties (regardless of whether they are covered under the rent increase threshold), including mobile homes and shared housing
- Tenants in Commercial Properties
- Homeowners facing eviction after a foreclosure (**NOTE: it does not protect against foreclosure**)

Tenants are still liable for any unpaid rent. While the moratorium is in place, it is important that tenants continue to pay rent to ensure housing stability for the community.

# What is required of tenants?



## **Notify the landlord in writing**

- State that the reason for non-payment of rent is related to the COVID-19 pandemic.
- The City has created a form to assist tenants with this process.

## **Provide proof to support the claim**

- Letter from an employer citing COVID-19 as a reason for reduced work hours or termination
- Paycheck stubs from before/ after outbreak
- Bank statements showing financial situation before/ after outbreak

## **Contact the landlord to negotiate a repayment plan**

- Tenants can also request the City's assistance to mediate a repayment agreement.

## **Check the City's website**

- The Housing Division's website has more information about the moratorium and rent relief options
- The City's COVID-19 resource page has many other resources to help residents experiencing hardship

# Landlords and Tenant's Best Practices

## TENANTS

- Document and save your efforts to comply with the moratorium requirements in the event of a dispute.
- Consider making a partial payment as a good faith gesture if your reduced income allows.
- Pursue any financial resources that may be available to you (unemployment or rental assistance).
- If you need assistance talking to your landlord about a repayment plan use the City's mediation services.
- Proactively address past due rent. Don't wait until you are required to pay to try to figure out a plan.

## LANDLORDS

- Work with tenants during the moratorium period and communicate with them about their ability to pay.
- Do not ignore the temporary eviction moratorium. Reach out to the Housing Division if you have questions about what it covers and what your rights and responsibilities are.
- Take advantage of the City's free expanded mediation services to develop repayment plans with tenants who are unable to pay due to COVID-19.
- Check the City's website regularly for more information about mediation services and financial assistance.

# Homeowner's Best Practices

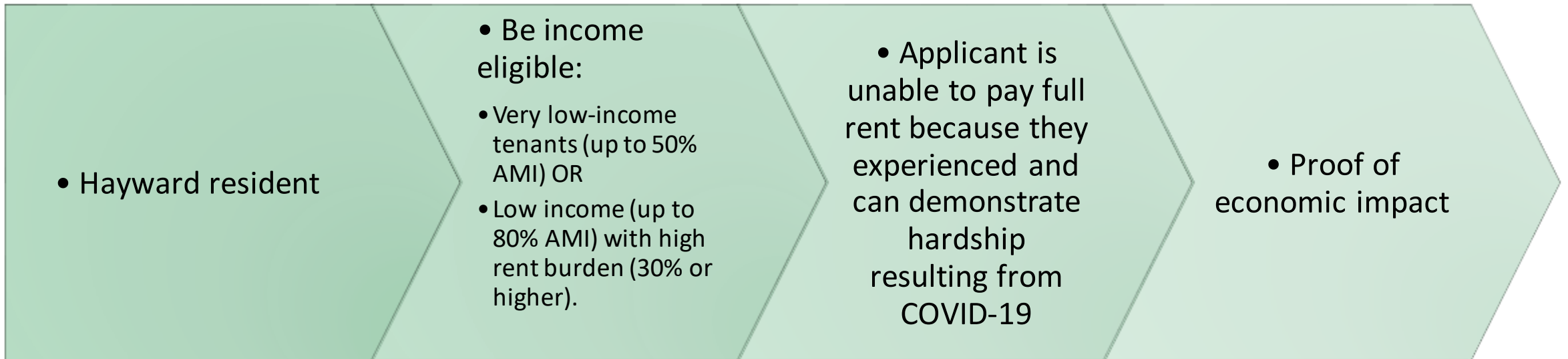
## HOMEOWNERS

- The ordinance does not protect against foreclosure
- The ordinance protects against eviction following foreclosure during the moratorium.
- To avoid foreclosure, homeowners should contact their loan servicer immediately to discuss options to enter into a repayment agreement.
- Contact a HUD-approved counseling agency for support if you need help negotiating a workout plan or you receive a default notice.

# Rental Housing Relief Program

The purpose of Hayward’s Rental Housing Relief Program is to support residents who are at greatest risk of displacement due to non-payment of rent related to the COVID-19 pandemic and to offset corresponding lost revenue that landlords need to provide housing services. The program provides a one time rent relief grant (up to \$2,500) directly to landlords on behalf of low-income tenants. Bay Area Community Services (BACS) will be administering the program on behalf of the City of Hayward. [Online-application: https://housing.bayareacs.org](https://housing.bayareacs.org)

## Program Eligibility:





# HAYWARD RENT CRISIS MEDIATION PROGRAM (HRCMP):

- We are in a global crisis
- Many of us are experiencing loss of financial and emotional security which leads to high anxiety, stress and fear of the unknown
- Conversations about payment of rent are difficult
- A trained 3<sup>rd</sup> party neutral can help with these conversations
- Under contract with the City, Project Sentinel is offering mediation services to help residential tenants and landlords resolve these repayment issues

# HOW DOES THE PROGRAM WORK?

- Mediation is fast, free and confidential!
- All personal information provided is kept confidential and not reported to any funding source or government agency.
- Mediators work with tenants and landlords remotely by phone or video conference to help them negotiate reasonable rent repayment plans
- Mediators are trained on the moratorium and applicable RRSO rules, but they are neutral and do not advocate for either side or make any decisions.
- Tenants or Landlords can sign up for mediation services to help work out rent repayment plans here: <https://form.jotform.com/ProjectSentinel/HaywardRCMP>

*For help with the sign-up form, you can contact the Housing Division – [housing@hayward-ca.gov](mailto:housing@hayward-ca.gov) 510-583-4454 (para Español, 510-909-8971)*

## Q & A:

- 1. Who is covered by the moratorium?** Tenants in residential properties (regardless of whether they are covered under the rent increase threshold) including mobile homes and shared housing. Tenants in Commercial Properties. Homeowners facing eviction after a foreclosure.
- 2. When does the moratorium goes into effect?** The moratorium went into effect on March 24 and was replaced with the current moratorium on July 1, 2020 and expanded to September 30, 2020.
- 3. How do I let my landlord know about my loss/reduction of income?** You must let your landlord know in writing. If you have communicated with your landlord via text message or email in the past, you can provide them notice via text message, email or regular mail.
- 4. Does the moratorium mean that a tenant does not have to pay rent?** No. The tenant is still liable for their rent.
- 5. What if my income was reduced, can I make partial payments?** All tenants are encouraged to reach out to their landlords to make any necessary payment arrangements that may be available at this time as tenants will be liable for payment after moratorium is over.

## Q & A:

- 1.Can my landlord charge for late fees during this order?** No late fees may be charged for late payment related to COVID-19 for the duration of this moratorium.
- 2.Are undocumented tenants protected by the moratorium?** Yes, all tenants are covered by emergency moratorium.
- 3.Does the moratorium apply to businesses?** Yes. The moratorium applies to commercial tenants, regardless of size. However, the mediation services are only available to residential tenants.
- 4.Does the moratorium apply to mortgage payments?** The moratorium prohibits a lender from evicting a homeowner after a foreclosure, but it will not stop a foreclosure
- 5.What happens after the moratorium is over?** For 180 days after the moratorium expires, there may be no eviction for non-payment of rent and landlords and tenants must meet & confer before initiating any action

# Resources:

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## **COVID-19 Testing:**

### **Cal State East Bay:**

(510) 583-44949

25800 Carlos Bee Blvd., in parking lot A on the west side of campus

Hayward, Ca

### **ROOTS Community Health Center:**

(510) 777-1177

9925 International Blvd.

Oakland, Ca

## **LEGAL RESOURCES**

## **Housing:**

### **City of Hayward Rental Housing Relief Program:**

<https://housing.bayareacs.org/>

### **City of Hayward Temporary Evictions Moratorium:**

<https://www.hayward-ca.gov/sites/default/files/ORD%2020-11.pdf>

### **Alameda County Board of Supervisors' Moratorium website**

### **Hayward Rent Crisis Mediation Request**

<http://form.jotform.com/200916523659055>

### **ECHO Housing Rental Assistance Program**

(510) 581-9380

### **A-1 Community Housing Services (Homeownership Counseling)**

(510) 674-9227

# Contact:

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## Housing Division & Rent Review

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