

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 4/3/2023)

[Administrative Code - COVID-19 Tenant Protections]

Ordinance amending the Administrative Code to extend by 60 days the restrictions on evicting or imposing late fees on residential tenants who could not pay rent that came due during the COVID-19 emergency; and including within those restrictions units where the rent is controlled or regulated by the City.

Existing Law

City law prohibits landlords from evicting or imposing late fees on residential tenants who could not pay their rent based on the financial impacts of COVID-19, if the rent originally came due while Paragraph 2 of Governor's Executive Order No. N-28-20 was in effect (i.e., between March 16, 2020 and September 30, 2020); or between July 1, 2022 and the end of the Mayor's COVID-19 emergency proclamation (which has not yet occurred). A tenant who could not pay their rent due to the financial impacts of COVID-19 is permanently protected from eviction and late fees due to missed rent from these time periods. But this law does not apply to rent that will come due after the emergency proclamation ends.

Amendments to Current Law

The proposed ordinance would extend the moratorium period to apply to rent that comes due within 60 days after the emergency proclamation ends. Also, the ordinance would apply the moratorium to units that are otherwise exempt from the Rent Ordinance due to the rent due being controlled or regulated by the City.

Background

Administrative Code Section 37.9(a)(1)(E) states that these eviction protections apply to rent that comes due between April 1, 2022 until the end of the emergency proclamation. But after the City enacted this language, the State of California amended State law to state that a local enactment on evictions for non-payment may only address the post-July 1, 2022 rent.

On April 3, 2023, the ordinance was amended to include units where the rent is controlled or regulated by the City. These units were covered by the original eviction moratorium that the Mayor adopted. The April 3 amendments also include a non-substantive clarification as to the specific period when Paragraph 2 of Governor's Executive Order No. N-28-20 was in effect.

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