

## LEGISLATIVE DIGEST

[Administrative Code - COVID-19 Tenant Protections For SRO Residents]

**Ordinance amending the Administrative Code to prohibit landlords of residential hotel units (SROs) from evicting tenants for non-payment of rent that was not paid due to the COVID-19 pandemic, and from imposing late fees, penalties, or similar charges on such tenants; to establish a COVID-19 SRO Relief Fund to cover such rent payments; and making findings as required by the California Tenant Protection Act of 2019.**

### Existing Law

A landlord can usually evict their tenant for not paying the rent, but the Mayor has imposed a six-month moratorium on evictions for non-payment, in response to the COVID-19 pandemic. But, if a tenant has not paid their past due rent by the end of the moratorium period, the landlord may proceed with the eviction for non-payment at that time. The moratorium also prohibits a landlord from charging late fees or interest arising out of rent payments missed due to COVID-19.

### Amendments to Current Law

The ordinance would prohibit a landlord from evicting a tenant in a SRO unit for non-payment of rent, if the tenant was unable to pay due to the COVID-19 pandemic, even if the tenant has not paid by the end of the Mayor's moratorium period. The ordinance only limits evictions and does not waive the tenant's obligation to pay the rent.

The tenant's inability to pay would need to be documented, and non-payment evictions would be prohibited only with respect to rent that became due while the Governor's Executive Order on evictions is in effect (N-28-20, ¶2). The Executive Order was adopted on March 16, 2020, and is currently set to expire on May 31, 2020, so the ordinance currently covers the April and May rent only. The ordinance will not prohibit evictions due to payments missed after May 31, unless the Executive Order is extended. The ordinance states that landlords may not charge late fees or interest due to such missed payments, or evict due to the non-payment of such charges.

The ordinance would also establish a SRO Relief Fund, and would direct the Mayor's Office of Housing and Community Development to adopt rules for landlords and tenants of SRO units to apply for monies from the fund, which would be subject to future appropriations, to cover missed rent payments.

### Background

The ordinance is not intended to conflict with the ordinance in File No. 200375.

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