

## **City of Antioch Passes Temporary Moratorium on Evictions for Residential and Commercial Tenants**

*Ordinance provides tenants six-months to catch up on unpaid rent*

**ANTIOCH, Calif., March 31, 2020** – Tonight, the Antioch City Council adopted an urgency ordinance enacting a temporary moratorium on evictions for residential and commercial tenants financially impacted by the COVID-19 pandemic.

“Never have we experienced a forced shut down of the world economy,” said Ron Bernal, City Manager, City of Antioch. “This global decision has direct implications in our community. Through this ordinance, our goal is to seek to protect Antioch’s economic health when this pandemic is over.”

The issued ordinance applies for nonpayment eviction and unlawful detainer action notices, including expired or canceled leases, served or filed on or after March 16, 2020. The ordinance will remain effective until May 31, 2020, unless a later date is announced as a result of a local emergency or the governor’s proclamation of a state of emergency. The City Council can take further action if the moratorium must be extended.

After landlords are notified of a tenant’s inability to provide a portion of or the complete payment, due to temporary COVID-19 related issues noted in the ordinance, the landlord cannot serve the tenant with a legal notice pursuant to the Civil Code Procedure section 1116; file or prosecute an unlawful detainer based on a three-day pay or quit notice; or evict a tenant due to failure to pay rent.

In order to fully comply with the ordinance, tenants must provide a written notice within 14 days after the payment due date. The notice must disclose the tenant’s inability to pay the full amount of rent, as soon as they become aware of a substantial decrease in household or business income, or if they have been affected by out-of-pocket medical expenses. This ordinance is meant to provide temporary relief for tenants unable to pay rent.

Landlords must be notified in writing of a tenant’s inability to pay the full amount of rent within 14-days after the payment due date. The tenant’s claim must be in accordance to the issued ordinance or any local, state, or federal government response related to the Coronavirus pandemic and must be accompanied with documentation in support of the claim. Landlords’ are accounted for any confidential information provided by their tenants, including medical and financial information, as such information is limited to the tenant’s claim evaluation process.

After the ordinance has expired, landlords may seek the monetary amount of unpaid rent. Tenants are held liable for any unpaid rent and must provide payment within six months after the ordinance expiration date unless state law or an order is amended or adopted to prolong the repayment period. In this case, while the repayment extension must apply, it does not warrant rent forgiveness. Additionally, landlords are prohibited from charging or collecting late fees for delayed rent payments or from seeking delayed rent payment for eviction, as it relates to the previously mentioned reasons.