

## HOUSING RESOURCES

# Template Forms for Rental Assistance

Below are template forms letters for both residential and commercial tenants seeking to participate in the City's eviction moratorium.

- [English Version](#)
- [Spanish Version](#)

## FAQs on Costa Mesa Moratorium on Evictions

The Governor of the State of California issued an executive order on March 27, 2020 imposing a restriction on the eviction of residential tenants who are unable to pay rent as a result of the COVID-19 crisis. The moratorium is currently in effect through May 31, 2020. The rules in the state's orders are stringent and differ in certain respects from the temporary moratorium put in place by the City of Costa Mesa. Both landlords and tenants should review the **State's order** as well as the **City's emergency regulation**.

The City of Costa Mesa has issued an **emergency regulation** to place a temporary moratorium on the eviction of residential or commercial tenants who are unable to pay rent as a result of the COVID-19 crisis. The moratorium is in effect throughout the duration of the State-declared emergency. Please note that this regulation provides protections beyond those included in the state's order.

Under the moratorium, landlords are prohibited from initiating proceedings or otherwise taking steps to evict a tenant for nonpayment of rent from any residential dwelling or commercial space in Costa Mesa, if the tenant demonstrates that the inability to pay rent is due to substantial financial impacts arising from COVID-19. However, qualifying tenants are not off the hook from paying rent; any deferred rent must be fully paid to the landlord within 120 days of the end of the State-declared emergency.

City staff has prepared answers to a number of questions related to the moratorium. The following FAQs are aimed toward both tenants and landlords. Ultimately, early dialogue between tenants and landlords and mutual cooperation to address short-term financial hardships is the recommended approach to mutually bridge these difficult and unprecedented times.

CITY OF COSTA MESA RENT MORATORIUM		CUIDAD DE COSTA MESA MORATORIA DE DESALOJO	
<p><b>✗ MYTH</b></p> <p>The moratorium is a windfall or "rent vacation."</p> <p>I don't need to give my landlord notice or documentation.</p> <p>The moratorium means I don't have to pay my rent.</p>	<p><b>✓ FACT</b></p> <p>The moratorium provides a critical safety net for tenants during this unprecedented time.</p> <p>Tenants must provide documentation of inability to pay rent due to COVID-19 related impacts within 30 days after rent is due.</p> <p>Tenants must pay their landlords all back rent within 120 days after the end of the emergency, unless otherwise agreed upon.</p>	<p><b>✗ MITO</b></p> <p>La moratoria es un descanso del pago de alquiler.</p> <p>No le tengo que avisar al propietario o proveerle documentación.</p> <p>La moratoria significa que no tengo que pagar mi alquiler.</p>	<p><b>✓ VERDAD</b></p> <p>La moratoria provee una red de seguridad vital para inquilinos durante este periodo extraordinario.</p> <p>Dentro de 30 días de la fecha límite de entregar alquiler, inquilinos deben de proveer documentación por escrito de la incapacidad de pagar alquiler por impactos relacionados con COVID-19.</p> <p>Inquilinos deben de pagar todo el alquiler atrasado dentro de 120 días después de que termine la pandemia, o bien que se llegue a otro acuerdo con el propietario.</p>
<a href="http://costamesaca.gov/eviction-moratorium">costamesaca.gov/eviction-moratorium</a>		<a href="http://costamesaca.gov/eviction-moratorium">costamesaca.gov/eviction-moratorium</a>	

## For Tenants

### What is a moratorium? What does it entail?

The moratorium is intended to provide a critical safety net for tenants during this difficult and unprecedented time. It is not intended as a windfall or "rent vacation" for tenants. Tenants will be required to demonstrate in writing that they have had a substantial loss of income specifically related to COVID-19 and pay all back rents within 120 days of the end of the State-declared emergency.

As always, the best approach, if you find yourself unable to pay all or a portion of your rent as a result of COVID-19, is to contact your landlord and discuss the issue and potential solutions. To lessen the impacts of having to pay back rents within 120 days of the end of the emergency, it is advisable to pay as much of your rent as you can to your landlord. Should your circumstances change (e.g. you begin to receive unemployment payments or other sources of income), we recommend you discuss this with your landlord and increase rent payments accordingly.

**REMEMBER:** You will be required to pay all back rent within 120 days of the end of the State-declared emergency.

### What steps do I need to take in order to apply this to my rent?

First, a tenant must provide information to the landlord that s/he cannot pay all or part of the rent due to COVID-19 related substantial financial impacts (See Section 1.C. of the **Regulation**). The tenant must provide this in writing to the landlord within 30 days of the rent being due. However, such notice should be given as soon as possible.

A tenant must provide the landlord with written documentation establishing substantial COVID-19 related financial impacts (See Section 1.D. of the **Regulation**).

## Does this mean I don't have to pay my rent?

No. The moratorium prohibits new evictions under the terms called out in the moratorium. Tenants must pay their landlords all back rent within 120 days for the end of the State-declared emergency, unless the landlord and tenant agree otherwise in writing.

## When does this take effect?

The moratorium took effect immediately upon issuance of the Regulation on April 1, 2020.

## What if my landlord tries to evict me?

First, to protect yourself should you qualify, provide written notice and documentation to your landlord that you qualify for relief under the moratorium as soon as you can. (See Sections 1.C. and 1.D. of the **Regulation**).

Second, provided you qualify and have followed the steps in Section 1.D. of the Regulation, if you have to go to Court, you can provide the **Regulation** and your evidence that you followed the necessary notification and documentation steps to the judge in your defense.

 <p><b>CITY OF COSTA MESA</b> <b>RENT MORATORIUM</b></p> <p><b>TIPS FOR RENTERS</b> 🏠</p> <ul style="list-style-type: none"> <li>✓ <b>KNOW YOUR RIGHTS</b> The City of Costa Mesa, the State of California, and the federal "CARES" Act all established temporary rent moratoriums related to the COVID-19 pandemic. Make sure to know the differences between each of these.</li> <li>✓ <b>TAKE PROACTIVE STEPS</b> If you find yourself unable to pay all or a portion of your rent as a result of COVID-19, the best approach is to contact your landlord and discuss the issue and potential solutions. To lessen the negative impacts of future rent payments, pay as much rent as possible.</li> <li>✓ <b>PROVIDE DOCUMENTATION</b> If you qualify, provide documentation in writing of decreased income or increased medical expenses due to the COVID-19 pandemic to your landlord within 30 days after rent is due.</li> <li>✓ <b>STAY INFORMED</b> Stay informed by utilizing credible government resources, including: <a href="http://costamesaca.gov/covid19">costamesaca.gov/covid19</a> <a href="http://covid19.ca.gov">covid19.ca.gov</a></li> </ul> <p><a href="http://costamesaca.gov/eviction-moratorium">costamesaca.gov/eviction-moratorium</a></p>	 <p><b>CIUDAD DE COSTA MESA</b> <b>MORATORIA DE DESALOJO</b></p> <p><b>SUGERENCIAS PARA INQUILINOS</b> 🏠</p> <ul style="list-style-type: none"> <li>✓ <b>CONOZCA SUS DERECHOS</b> La ciudad de Costa Mesa, el estado de California, y la legislación federal "The CARES Act" todos establecieron moratorias temporales del desalojo con respecto a la pandemia de COVID-19. Asegúrese conocer las diferencias entre las condiciones de cada legislación.</li> <li>✓ <b>TOME MEDIDAS PROACTIVAS</b> Si se encuentra en la posición de no poder pagar todo o parte de su alquiler por la pandemia de COVID-19, contacte al propietario para dialogar sobre posibles soluciones. Para reducir los impactos negativos de sus futuros pagos, pague el máximo alquiler posible.</li> <li>✓ <b>PROVEA DOCUMENTACIÓN</b> Si usted califica, dentro de 30 días de la fecha límite de entregar alquiler provea documentación por escrito de la disminución de sus ingresos o el incremento de gastos médicos debido a la pandemia de COVID-19.</li> <li>✓ <b>MANTÉNGASE ACTUALIZADO</b> Manténgase actualizado e informado utilizando recursos fiables, como los siguientes: <a href="http://costamesaca.gov/covid19">costamesaca.gov/covid19</a> <a href="http://covid19.ca.gov">covid19.ca.gov</a></li> </ul> <p><a href="http://costamesaca.gov/eviction-moratorium">costamesaca.gov/eviction-moratorium</a></p>
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## **For Landlords**

What are the rights of a landlord to evict a tenant who is not affected financially but wants to use the ordinance and refuse to pay?

The moratorium does not ultimately relieve a tenant of the requirement to pay all required rents. It does stop landlords from proceeding with evictions against qualifying tenants (see Section 1.C and 1.D of the **Regulation**) during the term of the State-declared emergency and allows tenants 120 days after the end of the emergency to pay back rent.

**Can residents be required to make partial payments if they are receiving unemployment? What if a tenant's financial circumstances change during the term of the moratorium?**

The Regulation does not require tenants to make partial payments. However, tenants are required to pay any qualifying deferred rent to the landlord within 120 days of the end of the State-declared emergency. As such, tenants are **STRONGLY** encouraged to make partial payments to the extent their circumstances allow to avoid extensive costs after the emergency.

**Did the City consider exclusions for landlords with small private holdings?**

The City considered exclusions for small land owners; however, the Regulation does not provide such exclusions. Landlords with mortgages are encouraged to contact their mortgage companies to explore mortgage relief during these difficult times. The Governor has issued a press release indicating that many mortgage lenders in the state have agreed to mortgage accommodations with affected landowners. The Federal Government has also provided mortgage and foreclosure relief for those whose mortgages are backed by Fannie Mae, Freddie Mac and FHA.

**What should I tell my tenants regarding the moratorium?**

Landlords are encouraged to reach out to their tenants proactively to open a dialogue regarding rental issues during these difficult times. Tenants should also be directed to this web page to understand the terms of the moratorium as it applies to renters; particularly that the moratorium does not remove the tenant's obligation to pay all required rents. Nothing in these FAQs should be considered legal advice to either landlords or tenants.

## Other Legislative Actions

Various types of eviction moratoriums have been passed as a result of the impacts of COVID-19. Please check back regularly for more updates.

### **CARES Act (Coronavirus Aid, Relief, and Economic Security Act)**

Section 4024 of H.R. 748 (the CARES Act) established a temporary moratorium on eviction filings for those with home mortgages backed by the Federal Housing Administration. It states:

*(b) During the 120-day period beginning on the date of enactment of this Act, the lessor of a covered dwelling may not—*

*(1) make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent or other fees or charges; or*

*(2) charge fees, penalties, or other charges to the tenant related to such nonpayment of rent. The Act took effect on March 27,*

*2020 and extends for 120 days. The Act also makes emergency supplemental appropriations and other changes to law to help the Nation respond to the coronavirus outbreak.*

*(c) The lessor of a covered dwelling unit—*

*(1) may not require the tenant to vacate the covered dwelling unit before the date that is 30 days after the date on which the lessor provides the tenant with a notice to vacate; and*

*(2) may not issue a notice to vacate under paragraph (1) until after the expiration of the period described in subsection (b).*

The Act took effect on March 27, 2020 and extends for 120 days. The Act also makes emergency supplemental appropriations and other changes to law to help the Nation respond to the coronavirus outbreak.

## **California Executive Order 37-20**

On March 27, 2020 Governor Gavin Newsom issued an executive order banning the enforcement of eviction orders for renters affected by COVID-19 through May 31, 2020. The order prohibits landlords from evicting tenants for nonpayment of rent and prohibits enforcement of evictions by law enforcement or courts. It also requires tenants to declare in writing, no more than seven days after the rent comes due, that the tenant cannot pay all or part of their rent due to COVID-19.

## **Rental Assistance Programs**

- California Department of Social Services offers various programs with housing resources, including CalWORKs. For a complete list of programs, [visit their website](#).
- Family Assistance Ministries offers a variety of resources, including living assistance, case management, and homeless services. For more information, please [visit their website](#).
- Foundation for Women Warriors offer the Warrior Assistance Program that provide short-term, high impact financial assistance to women veterans that helps them obtain or retain their homes. Warrior Assistance grants may be used to cover rent, utilities, car registration, car repairs, or other necessities. For more information, please [visit their website](#).
- Mercy House Living Centers runs the Homeless Prevention Program offers aid to families and individuals who are at risk of becoming homeless due to a financial crisis. Mercy House Staff provide clients with short-term rental assistance as well as on-going case management that includes money management and household budget education to allow households to maintain a level of self-sufficiency and remain housed after financial assistance has been expended. For more information, please [visit their website](#).
- Radiant Health Center offers a range of housing-related services. Eligible clients can receive financial assistance for rent and mortgage payments, help with utilities, rental deposits and emergency and short term supportive housing. For more information, please [visit their website](#).
- The Salvation Army Southern California provides services to low-income families and individuals include emergency food support, lodging, clothing, transportation and rental assistance. For more information, please [visit their website](#).

- Share Our Selves offers direct financial assistance for basic necessities including rent, utilities and transportation. For more information, please visit their website.
- Serving People In Need, Orange County manages the Guided Assistance To Permanent Placement, "GAPP," a housing program that provides financial assistance for housing, including rapid rehousing, transitional housing and rental assistance for families with children. The foundation of GAPP is case management and support services, which are selected to address the underlying issues that led to the client's current situation and may include job development, counseling, budgeting, credit clean-up, etc. For more information, please visit their website.
- Support the Enlisted Project (STEP) provides a variety of emergency financial assistance in order to to stop a family's financial crisis, while giving them the tools, skills, and hope as they begin their journey to financial self-sufficiency. For more information, visit their website.
- Volunteers of America, Los Angeles promotes housing stability to homeless or at-risk-of-becoming homeless Veterans and their families. The goal of the SSVF program is to provide clients with the skills necessary to maintain long term, independent living. SSVF is a short-term crisis intervention program, with services to include case management, housing and financial counseling, and assistance in obtaining benefits and services. For individual Veterans and those with dependents.