



COVID-19 Affected Tenant Eviction Protections Extended through June 30

On March 31, 2022, Acting California Governor Eleni Kounalakis signed Assembly Bill (AB 2179) into law, which: (i) extends statewide eviction protections for tenants who have applied for the state-administered Emergency Rental Assistance Program (ERAP) but their applications have not yet been processed; and (ii) preempts certain local government eviction ordinances. As an urgency measure, the bill became effectively immediately.

Pursuant to the COVID-19 Tenant Relief Act of 2020 (Tenant Act), servicers must comply with certain procedural requirements to pursue an action for nonpayment of rent due to COVID-19. AB 2179 amends the Tenant Act and requires payment demands for accumulated COVID-19 rental debt that are served on or after April 1, 2022, and before July 1, 2022, to include certain text that is set forth in California Code of Civil Procedure Section 1179.03. Pursuant to the "COVID-19 Rental Housing Recovery Act," the state requires that a plaintiff's payment demand under an unlawful detainer action include, among other things, a statement that the plaintiff applied for emergency rental assistance under the ERAP. AB 2179 modified this text for notices served after April 1, 2022, and before July 1, 2022.

In addition, AB 2179 declares that any local government eviction ordinance that is adopted between August 19, 2020, and June 30, 2022, has no effect before July 1, 2022. Local governments are also prohibited from enacting an ordinance that would permit any tenant to pay accumulated COVID-19 rental debt after August 31, 2023. Because of the myriad of requirements adopted by the state during the COVID-19 pandemic, the law firm recommends that a financial institution hires experienced legal counsel in the event it needs to file an unlawful detainer action against a tenant. Contact the law firm with questions.