

REPORT TO
BERKELEY
RENT
STABILIZATION
BOARD

UPDATE ON COVID-19 EVICTION PROTECTIONS

Brian Augusta – Legislative Advocate

AB 832

EXTENDED COVID-19 PROTECTIONS

- Extends protections enacted in AB 3088 and SB 91 until September 30, 2021.
- State eviction protections for non-payment extended until September 30, 2021.
- Civil actions for COVID-19 rental debt may not begin before November 1, 2021.

AB 832

EXTENDED
COVID-19
PROTECTIONS

Most other sunset dates in SB 91 will also be extended by 3 months with two exceptions:

- The sunset on masking of unlawful detainer and debt collection actions will be deleted, making those provisions permanent.
- Local preemption provision will be extended through 3/31/2022.

NEW EVICTION PROTECTIONS AFTER SEPTEMBER

- From October 1, 2021, through March 31, 2022, landlord cannot commence eviction case unless the landlord can show that they applied for rental assistance and the application was denied.
- Tenants can seek a stay of eviction case if application for rental assistance is pending.
- Case will be dismissed if receipt of rental assistance resolves the case.

NEW RULES ON RENTAL ASSISTANCE PAYMENTS

- Tenants and landlords eligible for 100% of rental arrears accrued since April 1, 2020.
- Tenants may apply directly on their own if their landlord does not apply for rental assistance.
- Eligible tenants can get 100% of prospective rent up to a maximum of 18 months of total rental assistance to the tenant.
- Relief is available where tenant has already moved out, but payments can only go directly to landlords.

STATE RENTAL ASSISTANCE PROGRAM

- Application process has reportedly been simplified.
- To date, funding has been slow to reach landlords and tenants.
- General agreement that dollars must get out more quickly.

CONCLUSION

Questions?