

**PPMA**

**STATE OF THE LAW:  
COLLECTING RESIDENTIAL RENT**

**May 2020**

- State Laws

  - Governor's Orders

- Local Laws

  - Mayor's Proclamations

  - BOS Rent Freeze

  - Rent Board Notice

- Court Rules

  - Presiding Judge General Order

# Governor's Orders

Declaration of State of Emergency, March 4, 2020

Executive Order N-28-20, March 16, 2020

Waives PC 396 (f), "May not evict and re-rent at a profit" through May 31, 2020"

Suspends Pre-emption of regulation of evictions under exercise of local Police Power

Executive Order N-37-20, March 27, 2020

Additional Protections for COVID tenants:

Extended time for Answer to UD Complaint from 5 to 60 days

Precludes writs of possession before May 31, 2020

# Mayoral Proclamations

Mayoral Proclamation Declaring Emergency, February 25, 2020

Second Supplement to Mayoral Proclamation, March 13, 2020

Eviction Moratorium. No evictions for rent due after March 13, 2020 if tenant gives notice of COVID caused financial inability and provides objectively verifiable proof.

Tenant can not be evicted for non payment of that rent until 6 months after expiration of order, originally scheduled for April 12. Currently extended to May 31. Alameda 12 months

Rent is due and collectable, just no evictions.

# Board of Supervisors

Rent Freeze Ordinance 68-20 file #200362

Signed by Mayor, April 24, 2020 Rent Rollback to April 7

“After this moratorium ends, the landlord's right to impose rent increases on tenants in occupancy under Section 37.3(a) shall immediately resume. The landlord may reinstate any rent increase that was deferred as a result of this moratorium by serving a new written notice on the tenant pursuant to Civil Code Section 827. Rent increases shall apply prospectively from the date of the notice, without further allowance for additional amounts that the landlord could have demanded earlier had the moratorium not applied.”

# Rent Board Notice

New Notice must accompany Notices to Tenant

# MOHCD Guidelines

Recommended tool for Owners

# Presiding Judge General Order

Presiding Judge General Order, April 30, 2020

All UD filings except for violence/safety are stayed until June 19.  
No response by tenant required.

Hearings on existing cases continued 90 days.

Court to catch up on a “rolling basis”