

Understanding the Impact of The CDC Eviction Moratorium in California

The state of California, the federal government, and some cities and counties have all passed renter protections in response to COVID-19. Depending on a renter's individual situation they may be protected by one or more of these laws. **A lawyer can help you determine which laws apply to your situation. Go [here](#) or [here](#) to find legal services near you.**

In most situations, California's new eviction protections - [The COVID-19 Tenant Relief Act of 2020 \(AB 3088\)](#)—will provide stronger protections for renters than the [Order from the Centers for Disease Control \(CDC\) that temporarily stops evictions](#) through December 31, 2020. California's law provides long-term protection from eviction for unpaid rent, while the CDC Order simply delays evictions until January 2021.

However, in some situations, the CDC Order may help renters who would not be protected by California law.

Renters in California are entitled to use any provision of either law that will protect them in their particular situation. In some places, a local eviction moratorium may be stronger than either state or federal law. **If you receive an eviction notice from your landlord or have not been able to pay your rent, please contact your local legal services office right away.**

Six Ways the CDC Eviction Moratorium Protections Go Beyond California State Law

1. The CDC order prohibits all no-fault evictions of covered renters—including Ellis Act and Owner Move-In evictions that may be permitted under state law.
2. The CDC order prohibits landlords from taking any actions to evict a renter, once a renter has provided the required declaration—including sending an eviction notice, pursuing an eviction court case, or asking a sheriff to enforce a judgment for eviction.
3. The CDC order allows renters to give a [signed hardship form](#) to their landlord at any time—including before they've received an eviction notice, and after an eviction case has been filed. Submitting the hardship declaration to your landlord is what will stop the eviction.
4. The CDC order covers rent that was owed before March 1, 2020, while California's protections for renters who cannot pay rent apply only to payments due between March 1, 2020, and January 31, 2021.
5. The CDC order and AB 3088 have different eligibility requirements: depending on the renter's situation, one or both may apply. One way the CDC Order may offer protection beyond AB 3088 is that the CDC Order does not require financial hardship to be related to COVID-19, while state law does require a connection to COVID-19 (though that relationship is broadly defined)—federal protections may be available for renters who have had a medical emergency or loss of income unrelated to COVID-19.
6. The CDC order includes more penalties against landlords who violate it—including criminal penalties that may be brought by government authorities.

Before signing either the CDC or California declaration, review the declaration carefully and consult with an attorney if you have concerns about whether or not you meet the requirements.

