


# El Monte Landlords Housing Rights Workshop

COVID-19 AND BEYOND



Join  
online

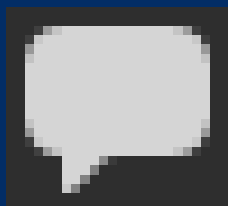



Chat

To: Everyone ▾

More ▾

Type message here...



Q&A

**You asked:**  
What happens when I raise my hand?

18:03

Molly Parker answered:  
I can take you off of mute.

18:04

**You asked:**  
Oh, thank you for answering. What if I don't want to go off of mute?

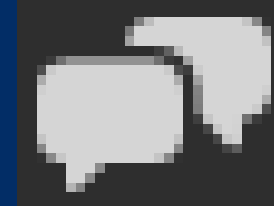
18:08

Molly Parker is going to answer this question live.

Please input your question

☐ Send Anonymously

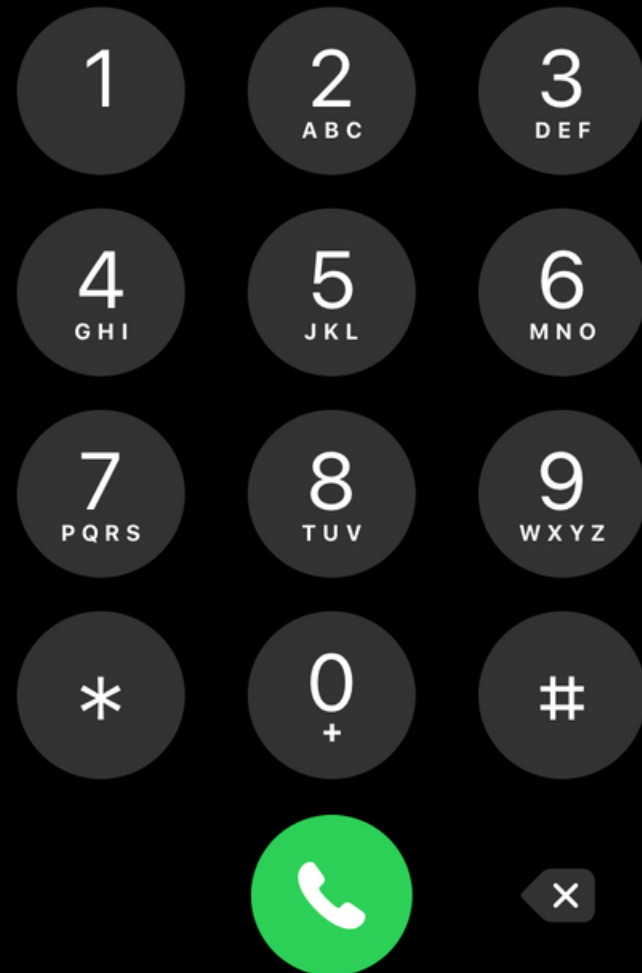
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Join by  
phone

1 (669) 900-9128

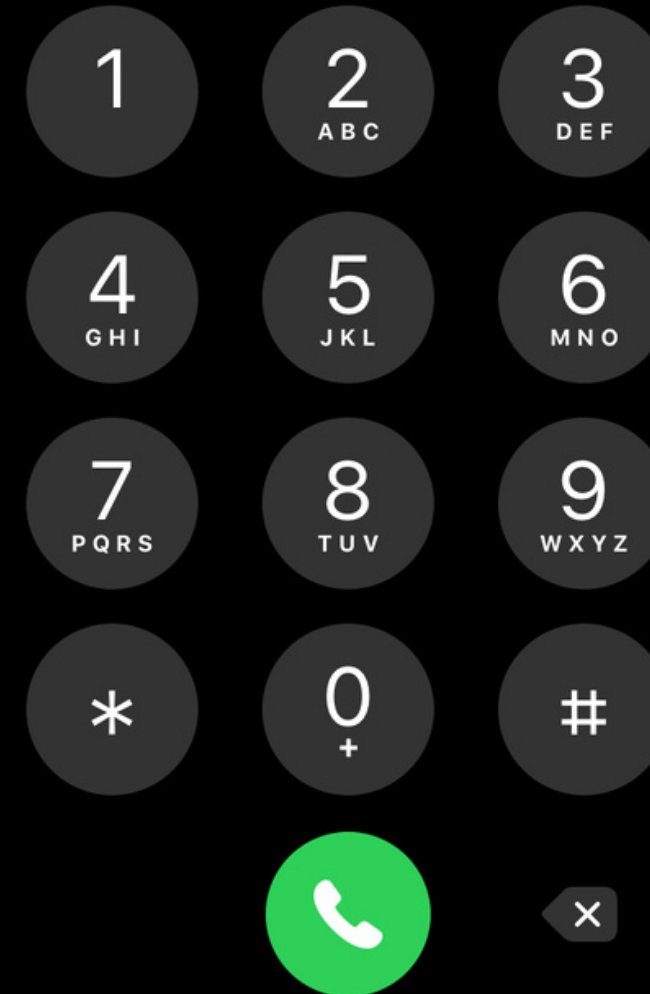
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Phone number

88695980853

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Meeting code

Raise hand

\*9

Mute / Unmute

\*6

# Agenda

 **Who are we?**

 **Rent and Evictions**

 **Fair Housing**

 **Questions?**

# Who are we?

- Founded in 1968, when Congress passed the Fair Housing Act
- Nation's largest non-profit civil rights organization dedicated to fair housing
- Serve Los Angeles County and Ventura County

# HRC Services

- Housing Rights Hotline: 1(800)477-5977  
TTY: 1(213)201-0867
- Investigate Discrimination
- Litigation
- Outreach & Education
- Project Place

# Virtual Events



Live Housing Rights Q&A  
Mondays @ 1 PM - Facebook Live



Housing Rights Workshops  
Tuesdays @ 2 PM (English) - Zoom  
Thursdays @ 6 PM (Spanish) - Zoom



Counseling by Appointment  
Tuesdays - Fridays 11 AM - 2 PM  
RSVP: [www.housingrightscenter.org/help](http://www.housingrightscenter.org/help)



Special Topic Webinar: COVID-19 Updates and More  
Fridays @ 2 PM - Zoom

# Rent and Evictions



► COVID-19 Updates



# California

## Anti-Price Gouging (Penal Code 396)

- During a state of emergency:
  - Landlords cannot increase rent more than 10%
  - Landlords cannot evict then increase rent more than 10%
  - Landlords can be charged with a misdemeanor for breaking this law
- The state of emergency in California will last until it is lifted by the Governor or the State Legislature.

# California

## Tenant Protection Act (AB 1482)

- **Covered**

- Apartments over 15 years old
- Single-family homes or condos owned by corporations
- Duplexes (not occupied by owner)

- **Rent caps**

- 5% + change in cost of living, up to 10%
- LA metropolitan area: 5.7%

- **Not covered**

- Local rent control
- Affordable housing
- Dormitories

- **Rent increases**

- 90 days' notice of increase over 10%
- Civil Code 827

# California

## AB 1482 and AB 3088

- Just-cause evictions
  - All tenants for 12 months  
OR
  - One tenant for 24 months
- Relocation assistance
  - Equal to one month's rent
  - For no-fault evictions



*for ALL tenants until  
February 1, 2021...*

*...then, for properties  
covered by AB 1482*

# ► El Monte (LA County)

Evictions can be defended against until **01/31/2021**

- No-fault evictions
- Unauthorized occupants, pets, or nuisance

# ► El Monte (LA County)

## No-Fault Evictions

Examples:

- Owner is moving in or moving their family in
- Owner is taking the unit off the rental market
- Owner was ordered by the government to vacate the unit

# ► El Monte (LA County)

## Unauthorized Occupants & Pets

- People not on the lease
- Pets not on the lease or not normally allowed
- Nuisance (e.g. noise)

- *Related to COVID-19*

# California

## Evictions for Non-Payment of Rent

To defer rent, tenants must:

- Have a COVID-related reason
- Give landlord a signed *Declaration of COVID-19 Related Financial Distress*
- Repay deferred rent over time

NEW

NEW

# Non-payment of Rent

Example reasons to defer rent

- Lost income due to COVID-19
  - workplace closures, reduced hours, layoffs
- Childcare expenses due to COVID-19
  - school or daycare closures
- Medical expenses from COVID-19
  - self or caring for a family member with COVID-19
- Other impacts of COVID-19



# Non-payment of Rent

NEW

Dear HRC TEST,

This declaration letter is in regards to rent payment for the following months:

- October 2020

I am currently unable to pay my rent or other financial obligations under the lease in full because of one or more of the following:

1. Loss of income caused by the COVID-19 pandemic.
2. Increased out-of-pocket expenses directly related to performing essential work during the COVID-19 pandemic.
3. Increased expenses directly related to health impacts of the COVID-19 pandemic.
4. Childcare responsibilities or responsibilities to care for an elderly, disabled, or sick family member directly related to the COVID-19 pandemic that limit my ability to earn income.
5. Increased costs for childcare or attending to an elderly, disabled, or sick family member directly related to the COVID-19 pandemic.
6. Other circumstances related to the COVID-19 pandemic that have reduced my income or increased my expenses.
7. Any public assistance, including unemployment insurance, pandemic unemployment assistance, state disability insurance (SDI), or paid family leave, that I have received since the start of the COVID-19 pandemic does not fully make up for my loss of income and/or increased expenses.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed,

Elana Eden

# California

NEW

## Tenant, Homeowner, and Small Landlord Relief and Stabilization Act (AB 3088)

- 1 Provide a Declaration of COVID-19 Related Financial Distress
  - No documentation required for tenants earning ~\$100,000 or less
  - Landlords may request documentation from tenants earning more
- 2 Pay at least 25% of the rent due from September 1, 2020 to January 31, 2021

Reclassifies rental debt as consumer debt

# California

NEW

## Tenant, Homeowner, and Small Landlord Relief and Stabilization Act (AB 3088)

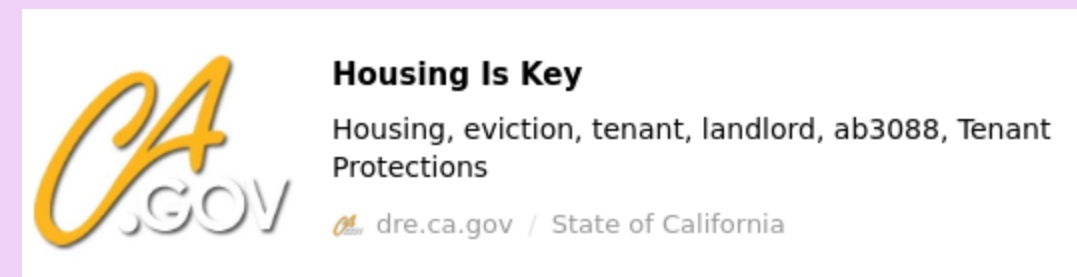
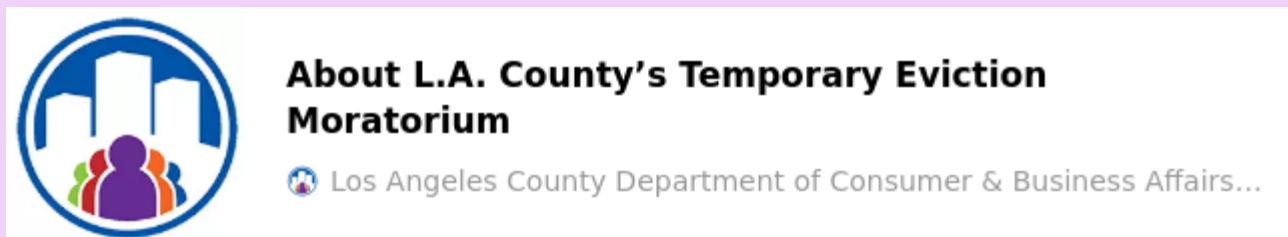
- All deferred rent must be paid back by March 1, 2022 (El Monte / LA County)
- Landlords can seek debt in small claims court
  - No cases before March 1, 2021
  - Tenant can appeal
- COVID-19 protections end February 1, 2021
  - Monthly rental payments resume
  - Eviction laws resume

# COVID-19 Reminders

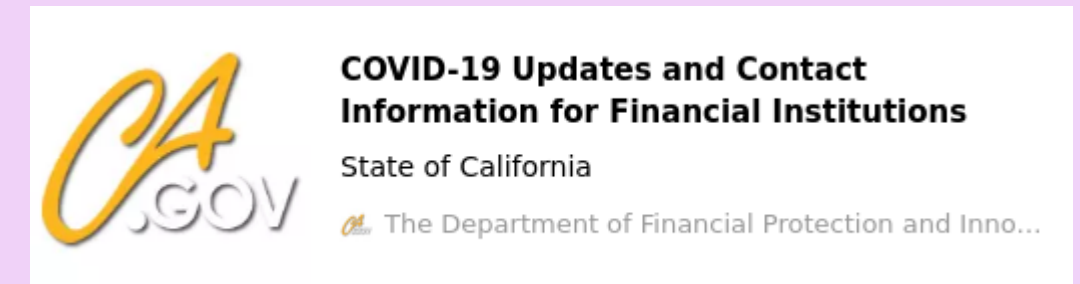
## Legal Evictions

- "Self-help" evictions and landlord lockouts are illegal
- All evictions must go through the courts *after proper notice is served*
- Pay-or-quit notice response time is extended to 15 days
- Pay-or-quit notices must include a copy of the Declaration of COVID-19 Financial

Distress for the tenant to return



# Resources



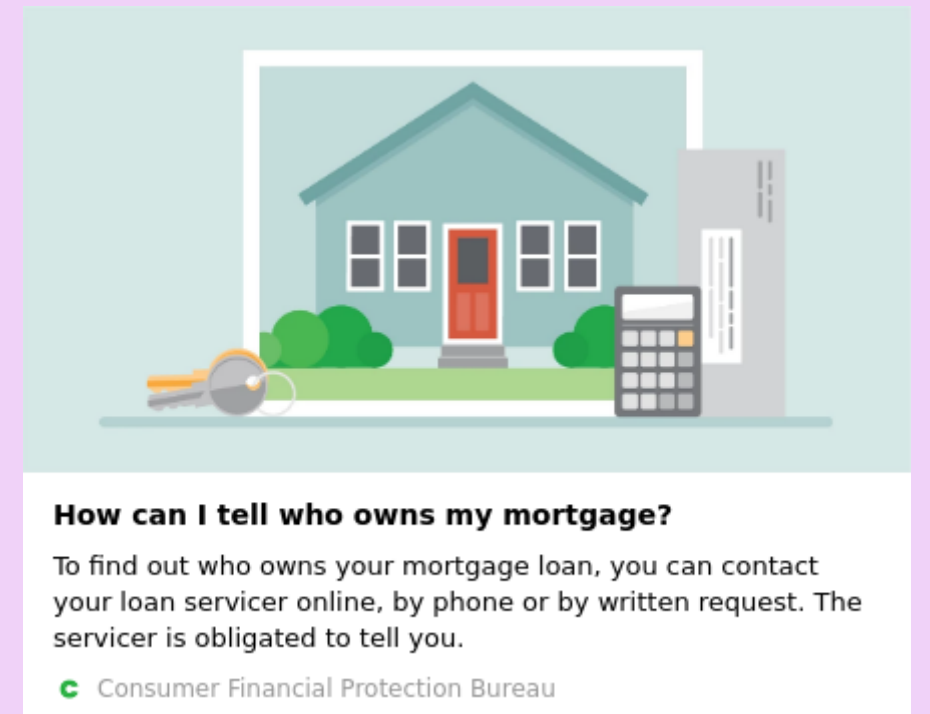
## California Department of Financial Protection & Innovation (DFPI)

- Participating banks: CitiGroup, Chase, Wells Fargo, US Bank, Bank of the West, East West Bank, 1st Reliant, First Republic, Bank of Hope, and more ([link](#))
- 90-day grace period for mortgage payments
- No late fees or other charges (including early withdrawals) for 90 days
- No new foreclosures for 60 days
- Using this relief will not impact your credit score
- Late or missed payments will not be shared with credit reporting agencies

# Resources

## Federally Backed Mortgages

- [How Can I Tell Who Owns My Mortgage?](#)
  - Call your servicer to check if you have a federally backed mortgage.
- Can request a forbearance up to 180 days and an extension up to another 180 days
- No additional fees, penalties or additional interest
- No documentation required to prove a pandemic-related financial hardship



# Fair Housing



COVID-19 and Beyond

# Fair Housing Act

Federally Protected Classes

**Race**

**Sex**

**Familial  
Status**

**Color**

**Religion**

**National  
Origin**

**Disability**



# California Fair Employment and Housing Act

**Marital  
Status**

**Source of  
Income**

**Genetic  
Information**

**Ancestry**

**Gender  
Identity/  
Expression**

**Medical  
Condition**

**Sexual  
Orientation**

**Military/Veteran  
Status**

# ► California Laws

- Domestic Violence
  - Immigration/Citizenship Status
  - Primary Language
  - Arbitrary Reasons
  - Age
- Ralph Act: Freedom from Violence or Intimidation

# What is Source of Income?

- Landlords, managers, or rental agents cannot deny rental applications, or apply different terms, conditions, restrictions, or privileges, based on a tenant's lawful source of income.
- Includes rental assistance, subsidy, or financial aid whether paid to the tenant or the landlord
  - E.g. Section 8 vouchers, Los Angeles Homeless Services Authority's Rapid Re-Housing, housing subsidies, homeless assistance or prevention programs, or security deposit assistance programs

# Source of Income: Section 8

SB 329

- Housing providers may not reject an applicant because they receive Section 8.
- Advertisements that suggest Section 8 will not be accepted are discriminatory.
- Tenants with Section 8 are entitled to 90 days' notice to vacate.

# Fair Housing Laws Apply to

## Housing Transactions

- Renting
- Buying
- Lending
- Prospective home seeking

## Residential Dwellings

- Apartments
- Condos
- Houses
- Duplexes
- Residential Motels
- Transitional Shelters
- Mobile home Parks
- Vacant Lots
- Short Term Rentals

# Prohibited Practices

- Refusal to sell or rent housing
- Refusal to negotiate for the sale or rental of housing
- Saying that housing is unavailable when it is available
- Applying different terms or rules
- Discrimination based on association
- Threats, intimidation, harassment
- Steering
- Discriminatory statements or advertising
- Refusal to grant a reasonable accommodation or modification

# Allowable Tenant Selection Criteria

- Income Level
- Credit Scores
- References from past landlords
- Smoking status
- Pets
- Criminal history\*

\*case-by-case

# COVID-19 Reminders

 **It is unlawful to discriminate based on race, nationality, or ethnicity.**

COVID-19 doesn't recognize these factors, and social stigma can contribute to the spread of the virus.

 **It is unlawful to discriminate based on disability.**

Housing providers may not:

- kick tenants out because they have COVID-19 or have been exposed to COVID-19.
- segregate people 65+ to specific parts of the building.



# Common Reasonable Accommodations & Modifications

## Accommodations

- Change rent due date
- Service animals
- Parking space
- Transfer units
- Live-in caregiver
- Repair elevator
- End lease early, extend time to vacate, or dismiss eviction

## Modifications

- Wheelchair ramp
- Grab bars in bathroom
- Lowering countertops
- Carpet removal

# Documenting disability

- If disability is not readily apparent, be prepared to show that the request is medically necessary
- Documentation can be provided by reliable third party

During the pandemic, medical professions are extremely busy and it is more difficult for people to obtain documentation for their disabilities. Housing providers should be flexible during this unprecedented time.

# Accommodation & Modification

## Suggestions During COVID-19

### Delay Non-Urgent Entry

- Landlords and managers should grant tenant requests to delay standard maintenance, inspections, viewings, and other non-emergency physical interaction with management until the tenant is no longer vulnerable to COVID-19.

### Facilitate Social Distancing

- Landlords and managers should enable tenants to observe social distancing without blocking access to essential services that could limit the spread of COVID-19.
  - Large apartment complexes can adopt guidelines on the number of people who can use communal laundry areas at one time.

# Contact HRC



Housing Rights Hotline: 1 (800) 477-5977



TTY: 1 (213) 201-0867



[info@housingrightscenter.org](mailto:info@housingrightscenter.org)



[www.housingrightscenter.org](http://www.housingrightscenter.org)

Appointments: [www.housingrightscenter.org/help](http://www.housingrightscenter.org/help)

Online UD Tool: [stayhousedla.org](http://stayhousedla.org)

