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In Riverside County, New Eviction Actions Remain Essentially On Hold, While Older Actions Have Resumed

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The COVID-19 situation continues to evolve. On March 4, 2020, Governor Gavin Newsom declared a state of emergency in California over the COVID-19 public health pandemic. Later that month, Governor Newsom issued various eviction-related orders, including an executive order authorizing local governments to halt eviction proceedings (old and new) for renters affected by COVID-19. This executive order has now been extended through July 28.

In addition, the Judicial Council of California (the policymaking body of the California courts) went a step beyond Governor Newsom's order and issued an emergency rule restricting the circumstances in which default judgment can be entered against renters in current eviction actions **and** suspending the initiation of new eviction actions, "unless the court finds . . . that [an] action is necessary to protect public health and safety." This rule applies until 90 days after Governor Newsom lifts the state of emergency or the Judicial Council amends or repeals the rule (neither of which has happened as of today).

Following these orders and rules (among others), Riverside County significantly reduced its court services in mid-March, and eviction lawsuits for the non-payment of rent were effectively put on hold.

Although some court restrictions are being lifted, eviction actions in Riverside County remain significantly restricted. According to the Riverside County court website:

- "All unlawful detainer [eviction] matters are postponed for 60 days, except for ex parte applications and stipulations."
- "The Court Clerk's Offices for unlawful detainer [eviction] matters are closed. Court Clerk's Office staff are only processing unlawful detainer filings (documents) related to the limited emergency matters being heard by the Court."

What does all this mean for renters and landlords?

As the court website states, the processing of new eviction lawsuits is essentially on hold in Riverside County. Inland Counties Legal Services (ICLS) – a nonprofit legal aid agency serving the Inland Empire (Riverside and San Bernardino Counties) – has been closely monitoring how COVID-19 has impacted eviction proceedings. As of today, ICLS’s Tenant Landlord Assistance Program (TLAP) has seen only limited eviction activity in Riverside County courts since the court closures began in March.

In a recent conversation with court personnel, ICLS received further confirmation that Riverside County courts are not processing new eviction filings now (unless the action is proven necessary to protect public health and safety) and will not process them “until further notice.” In fact, ICLS believes that such new eviction proceedings in Riverside will remain on hold for at least the next several weeks.

Eviction proceedings that had already been set for trial at the time of the various COVID-19-related emergency orders, however, have resumed in Riverside County. Consistent with the Judicial Council’s emergency rules (as set forth in amendments to the California Rules of Court), courts may process eviction proceedings if a renter had already appeared in an action (i.e., for eviction actions filed before COVID-19-related court closures). But even in that limited circumstance, most eviction proceedings are moving slower than usual. Under the new rule, “the court may not set a trial date earlier than 60 days after a request for trial is made unless the court finds that an earlier trial date is necessary to protect public health and safety.”

These new rules have effectively halted the filing of most new eviction lawsuits and have relaxed the ordinarily quick pace of proceedings in previously filed, older lawsuits. Nothing is guaranteed, however. The current state and court directives are subject to change and the courts continue to refine their strategy for handling evictions to balance the respective rights and interests of tenants and landlords.

Moreover, ICLS is seeing increasing eviction activity in neighboring counties. In recent weeks, ICLS attorneys report that in nearby counties, including San Bernardino and Los Angeles counties, landlords have been filing new eviction lawsuits on an “emergency” basis in an effort to evict tenants who the landlords claim are threatening the safety and health of themselves and/or other residents. Although this really hasn’t been happening in Riverside County, the approach may be viable here, which, according to the Riverside County court website, expressly allows for “limited emergency” eviction matters.

Does this mean that COVID-19 relieves renters from paying rent?

No. According to Governor Newsom’s orders (and other state and county guidance), COVID-19 does not alone relieve renters from their rental obligations. At some point, the state of emergency will be lifted, orders halting evictions will expire, and eviction proceedings will proceed. Renters may then be on the hook for payments that were missed before and during the COVID-19 state of emergency.

Financial assistance for renters may be available. For one, the Fair Housing Council of Riverside County offers an Emergency Rental Assistance Program providing rental assistance grants to renters who meet certain requirements and are in danger of eviction due to loss of income related to the COVID-19 pandemic. For more information on this program, please visit: <https://fairhousing.net/covid19-resources/rental-assistance/>.

These orders are confusing; what else can I do if I need assistance?

Inland Counties Legal Services may be able to assist. ICLS has been closely monitoring the widespread impact of COVID-19 on eviction proceedings and provides free legal services to renters and landlords in the Inland Empire who meet certain requirements.

For more information about ICLS's services and eligibility requirements, please visit ICLS's website at <https://www.inlandlegal.org/node/21/housing-practice-group> or call ICLS's intake hotline at **1-888-245-4257**. Due to unusually high call volume, you may encounter longer wait times.

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