



COVID-19

QUESTIONS FROM A RENTER DURING THE COVID-19 PANDEMIC

Please be advised that due to the U.S. being in a state of emergency, government directives and orders, and associated enforcement procedures are rapidly changing. The contents of this document do not have the force and effect of law. This document is intended only to provide clarity for the public regarding existing requirements under the law or agency policies. This Fact Sheet is intended to provide accurate, general information regarding legal rights relating to housing in California. Yet because laws and legal procedures are subject to frequent change and differing interpretations, Inland Counties Legal Services, cannot ensure the information in this Fact Sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation. Please do not hesitate to call us to obtain the most up to date information regarding your situation.

1. **Q: If I live in California, do I still owe rent this month?**

A: Yes. Rent should continue to be paid if possible. You can still potentially be evicted for failure to pay rent. The best way to protect yourself is to pay your rent on time if you are able to do so.

2. **Q: When do I owe my next rent check?**

A: If your next rent payment is due April 1, you are required to pay on time, unless you can provide your landlord with documentation that evidences you have been impacted or affected by the coronavirus pandemic.

3. **Q: What should I do if I receive a 3 day notice to pay rent from my landlord?**

A: You should immediately contact Inland Counties Legal Services (888-245-4257). If possible, you should continue to pay your rent on or before the day it is due. If you cannot pay your rent because you have been impacted or affected by the coronavirus pandemic, Governor Newsom's executive order discussed below allows you to notify your landlord of inability to pay in writing.

4. **Q: What can I do if I can't afford to pay my rent because I have been impacted or affected by the coronavirus pandemic?**

A: Governor Newsom's executive order allows you to notify your landlord in writing before your rent is due or within a reasonable period afterwards not to exceed 7 days, that you need to delay all or some payment of rent due to reasons related to COVID-19. In addition, you should keep verifiable documentation such as termination notices, payroll checks, pay stubs, bank statements, medical bills to support your assertion of inability to pay. This documentation should be included in the notice that you give your landlord if possible, but it must be given before payment of back-due rent.

5. **Q: My financial situation hasn't changed, but I'm worried it might. Can I make a partial rent payment when it's due and save money for an emergency?**

A: Unless your financial situation has changed due to COVID-19, you must pay rent in full when it is due. The state notes nothing should prevent tenants from paying rent in a timely manner or relieve a tenant of liability for unpaid rent.



COVID-19

QUESTIONS FROM A RENTER DURING THE COVID-19 PANDEMIC PT. 2

6. Q: How do I know if I have been impacted or affected by the coronavirus pandemic?

A: The following list includes recognized cases in which you will be deemed impacted or affected by the coronavirus pandemic. This is not an exhaustive list as there may be other acceptable instances.

- You were unavailable to work because you were sick with a suspected or confirmed case of COVID-19 or you were caring for a household or family member who was sick with a suspected or confirmed case of COVID-19.
- You experienced a lay-off, loss of hours, or other income reduction resulting from COVID -19.
- You needed to miss work to care for your child whose school was closed in response to COVID-19.

7. Q: What is back-due rent? Do I need to pay it? When is it due by?

A: Tenants who are unable to pay rent on time must eventually pay landlords the remainder of payments they did not make. The executive order lasts through May 31, 2020, to help avoid eviction, you should pay all back-due rent on or before May 31, 2020.

8. Q: Can I still be evicted?

A: Depending on local county and city laws, it is possible for a landlord to still issue notices to quit and file unlawful detainer evictions. In some instances, it is possible for landlord's to acquire default judgments and judgment in unlawful detainer evictions and have them enforced by the sheriff. However, if proper and timely notice and documentation is provided to your landlord as discussed above, you can use this as an affirmative defense to an unlawful detainer eviction. This protection will exist until May 31, 2020. You will still be responsible for paying the unpaid rent by May 31, 2020.

9. Q: What should I do if I am served an unlawful detainer eviction?

A: You should immediately contact Inland Counties Legal Services. Pursuant to Judicial Council Amendments to California Rules of Court made on 4/6/2020, many landlords will not be able to acquire a summons from the court. If there is no summons issued from the court, you may have additional time to respond. Some tenants may be entitled to up to 60 extra days to respond to an unlawful detainer pursuant to Governor Newsom's executive order. However, you should speak with ICLS, immediately upon receipt of the unlawful detainer eviction to discuss whether or not you should file an answer sooner. Not all tenants are entitled to the protections discussed in this FAQ. If you are not entitled to these protections, you may only have 5 days to respond. Failure to respond in time will likely result in a default judgment being issued against you and subsequent eviction to take place.

**If you need assistance with any of the issues
described above, please call our intake line at 1- (888) 245-4257,
or apply online at inlandlegal.org/apply**