



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES
SINCE 1966

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Documentation of Inability to Pay due to COVID-19 **(Re: Sonoma County COVID-19 Eviction Defense Ordinance)**

DISCLAIMER

California Rural Legal Assistance (CRLA) is providing you with the attached information and form(s) as a service to you.

- (Sample) Letter to Landlord - Documentation of Inability to Pay due to COVID-19
- Questions and Answers (Q&A) regarding Sonoma County COVID-19 Eviction Defense Ordinance

CRLA **has not** specifically endorsed the use of these forms for your legal situation, nor can CRLA take responsibility for your completion of the accompanying form(s) if they are completed outside of our direct supervision.

Please further note that CRLA **has not** agreed to assist you with your legal situation, nor with assistance in completing this form, or to represent you as your attorney on any related legal matter. You will be responsible for completing and filing all attached forms, or at any court action.

If you desire further assistance with your legal situation or with completing this form, you should contact an attorney.

If you need help in locating an attorney, you can contact the Lawyer Referral Service of the Sonoma County Bar Association at (707) 546-5297 or the Sonoma County Legal Services Foundation at (707) 546-2924.

**NOTICE TO LANDLORD
RE: FINANCIAL IMPACTS OF COVID-19**

Date: _____

Landlord Name: _____

Landlord Address: _____

Sent via: U.S. Mail | E-mail | Personal Delivery (circle all that apply)

I am writing regarding my tenancy at _____. (*Address*)

I hereby provide notice that I am unable to make a rent payment in the amount of _____ (*amount you are behind*) that was due on or around _____ (*date*) due to financial impacts related to COVID-19.

In particular, I am unable to pay my rent at this time because:

_____.

I intend to catch up on my rent as soon as I am able, and no later than the expiration of the Sonoma County COVID-19 Eviction Defense Ordinance.

Please let me know if your mortgage lender requires documentation of my inability to pay rent due to COVID-19.

Sincerely,

Signature: _____

Print Name: _____



Sonoma County COVID-19 Eviction Defense Ordinance Information for Tenants

What is the COVID-19 Eviction Defense Ordinance?

The Eviction Defense Ordinance prohibits evictions based on nonpayment of rent during the locally declared emergency due to the COVID-19 pandemic, as long as the tenant can show that the failure to pay rent was due to a substantial loss of income or substantial out of pocket medical expenses because of COVID -19.

The Ordinance's protections are in effect now and will continue for 60 days after the Local Emergency is declared over. The Ordinance applies to ALL tenants in Sonoma County, including mobilehome park tenants.

What do I need to do to be protected by the Eviction Defense Ordinance?

Put together your documentation. You will need to prove that your monthly income was substantially reduced due to the COVID -19 pandemic, or that you had substantial out-of-pocket medical expenses because of COVID -19. Acceptable reasons for loss of income related to COVID -19 include job loss, layoffs, reductions in work hours, closure of the workplace, reduction in business income or the need to miss work in order to care for others at home.

For help figuring out what type of documentation is appropriate in your situation, contact one of the legal services organizations listed at the bottom of this page.

Communicate with your landlord. To be protected by the Ordinance, you will need to share documentation of your loss of income or medical expenses with your landlord, in order to allow them to apply for available mortgage relief programs. *(Homeowners can contact California Rural Legal Assistance at the number below for more information on these programs.)*

If you provide the necessary documentation to your landlord, and your landlord still files an eviction lawsuit against you, you can raise the Ordinance as a defense. If you receive ANY eviction notice, seek legal assistance immediately.

Does this mean I don't have to pay my rent for April?

NO! If you CAN pay your rent, you still have to. The Ordinance ONLY protects tenants who are truly unable to pay their rent due to a loss of income and can prove that the COVID -19 pandemic is the reason for this. In addition, even if you are unable to pay your rent while the Ordinance is in effect, and you do what the Ordinance requires you to do to be protected, you will still have to eventually pay back the rent you owe.

If I am protected by the Ordinance, how long do I have to pay back my rent?

Until 60 days after the Local Emergency is over. The Local Emergency declaration will remain in effect until terminated by the Board of Supervisors. In addition, the Board of Supervisors will review the Eviction Defense Ordinance on June 2, 2020 and changes could be made at that time.

While the Ordinance is in effect, can my landlord evict me for any other reason besides nonpayment of rent?

YES. The Eviction Defense Ordinance only restricts evictions based on nonpayment of rent. So, if your landlord wants to evict you for another reason—for example, you violated an important provision of your lease not related to the payment of rent—they can still do so, as long as they comply with all other California laws regarding eviction. With that said, the Sonoma County Court is closed through April 6, so no eviction lawsuits can move forward until after the court reopens. If you receive ANY eviction notice, seek legal assistance immediately.

Who can I call if I have more questions or need legal assistance?

- California Rural Legal Assistance, (707) 528-9941
- Legal Aid of Sonoma County, (707) 843-4432



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