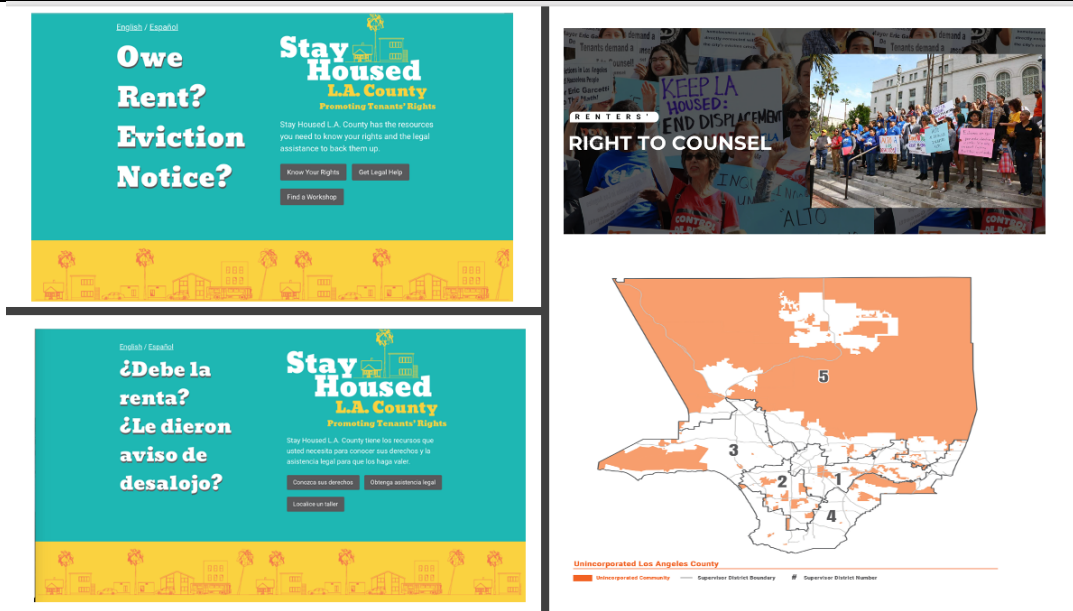


COVID-19 TENANT SURVIVAL GUIDE¹

(For California with an LA County Bias²)

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¹ This Survival Guide is made possible by the generous contributions of the Aids Healthcare Foundation, Castelblanco Law Group, APLC, The Change Reaction through a donation by Greg and Jodi Perlman, L.A. Care Health Plan and the South Bay Center for Counseling.

² If you live outside of LA County this guide can still be useful to you. When reading please be attentive to when we are talking about Statewide Protections and when we are focused specifically on LA County or a City within LA County

STAY HOUSED

Don't move! Don't Sign! Don't Panic! Stay Safe! Stay Housed!

Emergency Laws Protect You: Tenants are living in their cars or doubling up with family and friends because of fear of rent debt or harassment by landlords. This spreads the virus.

The following laws protect you. Find links to these laws at pages 7 and 8. For legal help see page 4.

Law	Protects who	Against What	Requirements
AB3088 passed 8/31/2020 Expires 1/31/2021. We expect the legislature to replace it with something better.	All Tenants in CA. Some protection for homeowners and small landlords	Eviction for: 1. Nonpayment of COVID-19 related rent; 2. No cause evictions. If you follow the steps converts your rent debt to regular consumer debt. Some credit protection.	Must send a declaration for rent owed between 3/1/2020 and 8/31/2020. Must send a declaration each month for rent between 9/1/2020 and 1/31/2020. Must pay 25% of the rent from 9/1/2020 through 1/31/2020 by 1/31/2020.
Local Emergency Tenant Protection Measures or Tenant Protection Act	Eligible units depending on each law.	It depends on the law: 1. nonpayment of COVID-19 rent; 2. no cause and no-fault evictions; 3. unauthorized pets and extra occupants.	You need to look at your law. See the trackers at page 7 You still owe the rent.
Center for Disease Control 9/4/2020 Order. Expires. 12/31/2020	All Tenants in the US	Eviction for: 1. Nonpayment of rent; 2. No cause evictions; 3. No fault evictions.	Must send a declaration to the owner. You still owe the rent.
You may be protected by more than one of these laws. For an analysis of how these protections interact with each other to provide YOU protection, please see Get Legal Help at page 4 below.			
Local Rent Stabilization Laws.	For a list of cities and counties with local laws go to page 8.	1. Large rent increases; 2. Evictions without a stated reason per the law; 3. Loss of amenities.	You need to look at each law.
Breach of Warranty of Habitability	All California renters.	Landlord failure to repairs	Document the bad conditions.
Discrimination	All California renters	Discrimination	
Retaliation	All California renters	Actions against tenants that exercise their rights.	
Rent Gauging	All California renters	Increases >10% during State of Emergency.	
Lease	You	Depends on what it says.	Let's look at the lease.

STOP LANDLORD HARASSMENT

Landlords are coercing tenants into signing agreements that waive their rights and put their housing and health at risk.

The best cure for landlord harassment is to join a tenant rights organization:

ACCE Action: <https://actionnetwork.org/groups/acce-action>

Tenants Together: <https://www.tenants-together.org>

Autonomous Tenants Union: <https://docs.google.com/forms/d/e/1FAIpQLScMIICldgs8kpAddMinmFdFrVmiM8mxPxIGrGv2e3Co-O4clg/viewform>

For a list of organizations see page 13.

These tenant groups meet via Zoom and create communities of tenants that protect each other and mobilize for stronger laws.

Don't engage with the landlord: If the landlord harasses you, don't engage. We are seeing tenants respond with anything from equally rude comments to long pleas for forgiveness. Both are inappropriate and fruitless.

Keep your relationship with the landlord professional: Don't engage in bad behavior. And if you are friendly with your landlord, remember that this is a business relationship. No cash. Get receipts. Document everything. Keep emotion out of it. Don't escalate an argument even if the landlord is escalating.

Don't sign anything without consulting a lawyer. See Get Legal Help at page 4.

Know the laws that protect you: Comply with the COVID-19 Emergency Tenant Protection Measures (ETPM) that protect you³ and then don't get sucked into your landlord's harassment:

1. Put an autoreply on your landlord's emails and read them once a week;
2. Block your landlord's phone from calling or texting and read the texts once a week;
3. Join a tenant rights organization and put their sign on your door. Sample signs:

ACCE: <https://drive.google.com/file/d/16boZi3SVNb1JXfTOPMOjPr09fXs3lRaT/view?usp=sharing>

LA Tenants Union: https://drive.google.com/file/d/1eNhnQX8rhULJO8xn22Sx_mJew1JB7a_J/view
<https://drive.google.com/file/d/1c7onKuU8NQwvvhx6FDYU676vBpXAIU6k4/view>

Pasadena Tenants Union: <https://docs.google.com/document/d/1bgFy53avwRDcMWZHyGRrRK7HPvkvq8vqRYAqICqymE/edit?usp=sharing>

Get educated. Stay informed. Attend one of our webinar/legal clinics.

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>

Every Thursday 5PM <https://us02web.zoom.us/j/86747724443>

Every Saturday 1PM. <https://us02web.zoom.us/j/81158846345>

Get help from a tenant's rights organization: The tenant rights organizations are defending tenants that are being harassed by landlords with great success. Get connected! Join! Stay Connected! Be protected!

³ Many refer to these laws as eviction moratoria. Because evictions can be filed, we prefer the term Emergency Tenant Protection Measure (ETPM).

GET LEGAL HELP!

Legal help is available. In Los Angeles County StayHousedLA.org connects you with all 10 agencies that provide free and low cost legal assistance to tenants in the County.

Where do you live?	Get a free lawyer	Can't read/no computer	24-hour Immediate lock outs/rapid response
Los Angeles County	www:StayHousedLA.org	Call: 213/357-5473 Monday through Friday 9AM to 12PM	Eviction Defense Network 213/340-4714 ACCE: 888/964-8086 LA Tenants Union: https://latenantsunion.org/en/locals/ Find your local and call the number
California NOT LA County	askanattorney@edn.la (counseling only) https://www.laaonline.org/lawhelpca/		Autonomous Tenants Union: https://docs.google.com/forms/d/e/1FAIpQLScMIIcIdgs8kpAddMinnFdFrVmiM8mxPxIGrGv2e-o-O4clg/viewform
Outside of California	https://www.lsc.gov/grants-grantee-resources/our-grantees		Autonomous Tenants Union: https://docs.google.com/forms/d/e/1FAIpQLScMIIcIdgs8kpAddMinnFdFrVmiM8mxPxIGrGv2e-o-O4clg/viewform

Get Educated! Stay Informed! Tenants in California can attend any of these webinars

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>
Every Thursday 5PM <https://us02web.zoom.us/j/86747724443>
Every Saturday 1PM. <https://us02web.zoom.us/j/81158846345>

Rental Assistance Programs; Call 211 for the status of any rental assistance program. 24 hour service. They are less busy in the early morning hours.

COVID-19 Data:

CDC: https://covid.cdc.gov/covid-data-tracker/#cases_totalcases

State: <https://www.gov.ca.gov/2020/06/25/governor-newsom-unveils-california-covid-assessment-tool-an-open-source-model-of-models-that-will-allow-scientists-researchers-and-public-to-access-the-most-current-covid-19-data/>

LA County: <http://publichealth.lacounty.gov/media/coronavirus/data/index.htm>

LA City: <https://corona-virus.la/data>

Know Your Tenants Rights in General:

LA List: <https://laist.com/2020/02/14/renters-guide-housing-apartment-rules-los-angeles.php>

NOLO: <https://www.nolo.com/legal-encyclopedia/overview-landlord-tenant-laws-california.html>

Find the COVID Related laws that protect you at page 7.

FREQUENTLY ASKED QUESTIONS

My landlord is harassing me: See page 11.

I have a notice from my landlord: For legal help and a list of webinars, see page 4.

I have a notice from the court: Get legal help immediately. See page 4.

I have a notice to vacate in 5 days from the Sheriff: Get legal help immediately. See page 4.

Do I have to pay my rent? The rent is not canceled. Emergency laws protect from eviction and credit impact.

What are the laws that protect me if I have not paid my rent? It depends on where you live and other factors including what type of housing, how long you have been living in the unit, and the age of the building. The chart at page 2 describes those laws. The charts at page 8 and 9 provide you summaries of each law and links to the language. Attend a webinar. For legal help and a list of webinars, see page 4.

What if I have the rent or part of the rent but I am afraid that later on I will not have enough to eat? Make a 4-month budget. What is your anticipated income? What are your anticipated expenses prioritized as follows: 1) food⁴; 2) medical expense; 3) rent; 4) other debt. Make frugal decisions based on your needs. Ultimately a judge or jury will decide if your decisions complied with the law.

I can't pay my utilities? Many of the local emergency orders contain provisions to keep the utilities on and give extensions parking tickets. Please look at page 8 for the law in your City or County.

Will the rents be canceled? Be the grain of sand that tips the scales in our favor. **Tweet while you eat.** Every day ... at every meal go on @Gavinnewsom on Twitter and respond to each of his tweets with our hashtags. #NoEvictions #Newsomeville2020 #CancelRent #CancelMortgages #OnEveryFridge.⁵ Join ACCE, Tenants Together or the Autonomous Tenants Union.

Do I have to send a letter? To take advantage of AB3088 you have to send a very specific declaration. For a copy and instructions, see page 19-20. Send as instructed even if you have sent a letter each month.

Do I have to send the proof with my declaration? In some jurisdictions you do. Send basic proof (copy letter of termination or EDD letter, copies of receipts). Gather and save other proof. See list at page 17.

Do I tell my landlord if someone in my household is sick: Absolutely NOT. Medical information is private. Keep it private. Avoid irrational fear and harassment.

Should I rent strike? If you have a COVID-19 reason for not paying your rent join one of these campaigns. Connect with others in your situation, find support and fight for stronger laws.

https://www.rentstrikemovement.org/?fbclid=IwAR34cC5J18IZxbvxyeolVcbTGUdd4htFSbp7N_D7E13JvIkUO9px06tGM8
<https://www.tenantsaltogether.org/campaigns/cancelrent-california> <https://foodnotrent.org>.

Solidarity Strikers: If you do not have a COVID-19 related reason for not paying the rent and you want to strike in solidarity, consult an attorney. The decision comes with risks. Send an email to askanattorney@edn.la Subject line: Your name. Your address. Solidarity Striker. See also page 14.

Should I negotiate with my landlord? Wait to be securely re-employed before negotiating. Do not agree to move. Do not sign a repayment agreement. Do not agree to future payments. Do not be frightened by threats to file an eviction. Do not sign anything without approval from a lawyer that is an expert in the field. For legal help and a list of webinars, see page 4.

⁴ Now is the time to become an environmentalist. Don't buy paper towels – use wash cloths once and then wash them. Don't buy bottled water or single use plastic bottles – filter or boil and filter your water.

⁵ In recognition of the fact that we are not all on the internet and that there is a prevalent digital divided problem, help us get tenant rights information and legal resources #OnEveryFridge so that ALL tenants can find help when they need it.

Can the landlord still file an eviction action against me? Yes. In spite of all the so-called moratoria, evictions are being filed. For legal help and a list of webinars, see page 4.

If there are so many moratoria, why am I getting hassled for the rent? There are no true moratoria. There are laws that offer protection. See the Table at page 2. The charts at pages 7- 9 provide links to the language and to summaries. For legal help and a list of webinars, see page 4.

If there are moratoria, why is the Sheriff locking people out: On July 31, 2020 the Los Angeles County Sheriff began to lock out tenants that already had eviction judgments against them before the crisis. We are having some success stopping and delaying these lock outs. If you were already in eviction court get legal help immediately. For legal help and a list of webinars, see page 4.

What about the Governor's Moratorium? The Governor did not issue a moratorium. His Orders can be found at this link: <https://www.gov.ca.gov/category/executive-orders/> and on page 9.

What is AB3088? Enacted by the legislature, and signed by the Governor on 8/31/2020, it stops evictions for nonpayment of rent until October 5, 2020. You still owe the rent. If you follow specific steps, the landlord won't be able to evict you for that rent debt. It will become regular consumer debt. For a copy of the declaration and instructions for how to use it see page 19-21. For legal help and a list of webinars, see page 4.

There is a lot of confusion on how AB3088 interacts with local protections. Stay up to date:

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>

Every Thursday 5PM <https://us02web.zoom.us/j/86747724443>

Every Saturday 1PM. <https://us02web.zoom.us/j/81158846345>

Am I protected by the federal "moratorium" on eviction? All tenants in California are protected by the new CDC Moratorium. The CARES Act only applies to housing subsidized by the Federal Government (public housing, tax credit housing, Section 8 vouchers) or the landlord has a particular kind of federally insured loan. For a list of such housing: <https://www.nhlp.org/wp-content/uploads/2020.03.27-NHLP-CARES-Act-Eviction-Moratorium-Summary.pdf> To find out if this applies to you: <https://www.consumerfinance.gov/about-us/blog/guide-coronavirus-mortgage-relief-options/> For updates: [https://nlihc.org/?ct=t\(update_041720\)](https://nlihc.org/?ct=t(update_041720))

My landlord is increasing my rent? That may or not be legal depending on where you live, the age of your unit and how many units are on the lot. We need to determine if you are protected by a local rent stabilization law (see page 8-9) or by the State Tenant Protection Act (see page 9) or one of the local emergency measures (see page 7-9). Attend a webinar – for a list see page 4.

My rent has gone up more than 10%: Rent increases of 10% or more also violate the State Anti-gauging law. You can save this as a defense in your eviction action or you can file a complaint. <https://www.tenants-together.org/resources/tenants-affected-california-state-emergency-info-price-gouging-ban>

My landlord wants to inspect: A good summary of landlord/tenant rights including the right to enter can be found at this link <https://www.nolo.com/legal-encyclopedia/overview-landlord-tenant-laws-california.html>. You should allow entry if the owner has a legitimate reason to enter (e.g. To repair a leak that is affecting a downstairs neighbor). Some jurisdictions (example Los Angeles) has added protections against landlord entry requests. You can also make a reasonable accommodation to deny entry if you are a high-risk individual. Legal help? Page 4.

What else can I do to protect myself? See Evidence Check at pages 17-18. Start gathering evidence. Document with photographs and video. Keep notes on a large wall calendar and/or a journal. Include date, time, facts and witnesses. Bad conditions? Call code enforcement. City of Los Angeles - 311 ask for Housing Department Code Enforcement <http://hcidapp.lacity.org/ReportViolation/Pages/ReportViolation>. LA County Department of Health Services 888/700-9995 <http://publichealth.lacounty.gov/eh/>.

FIND THE LAWS THAT PROTECT YOU

Some cities and counties have passed local Emergency Tenant Protection Measures (ETPM) that:

- 1) Provide a defense to eviction for COVID-19 related rent;
- 2) Provide an extension of 3-12 months to pay the rent depending on the jurisdiction;
- 3) Set standards on the proof that has to be provided; and
- 4) In some cases, provide additional protections against displacement.
- 5) Some of these ETPMs include protection from utility termination and parking tickets.

All tenants in the State are also protected by AB3088 and the CDC Order. Figuring out how these laws interact with each other requires legal help. Attend a seminar.

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>

Every Thursday 5PM <https://us02web.zoom.us/j/86747724443>

Every Saturday 1PM. <https://us02web.zoom.us/j/81158846345>

See what Matthew Desmond (author of Evicted) and the National Low Income Housing Coalition think about the laws our elected officials have passed. <https://evictionlab.org/covid-policy-scorecard/>

Applies to:	Summary and links to longer summaries and to actual language
AB3088 (CA Statewide) All tenants. Some homeowner Protections. Enacted: 8/31/2020 In effect until: 1/31/2021	<p>What it does?</p> <ol style="list-style-type: none"> 1. If tenant follows specific steps, converts rent debt to consumer debt; eliminates eviction risk. 2. Expands state Tenant Protection Act eviction protections to all tenants; 3. Closes some Tenant Protection Act loopholes; (eg. Substantial remodel); 4. Increases penalties for illegal actions by landlords. <p>Stay Housed LA Summary: StayHousedLA.org Click on: "Know Your Rights"</p> <p>NOLO Press: https://www.nolo.com/legal-updates/california-s-foreclosure-protections-under-the-homeowner-bill-of-rights-extended-to-small-landlords.html</p> <p>California Department of Real Estate Summary AB3088: https://landlordtenant.dre.ca.gov/tenant/protection_guidelines.html</p> <p>Western Center on Law and Poverty https://wclp.org/wp-content/uploads/2020/09/CA-Tenants-KYR-Kit.pdf</p> <p>Housing Now! https://www.housingnowca.org/ab3088knowyourrights</p> <p>Judicial Council Declaration https://www.courts.ca.gov/documents/sp20-06.pdf</p> <p>AB3088 bill language: https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB3088</p>
CDC Order (National)	<p>What it does?</p> <ol style="list-style-type: none"> 1. Prohibits evictions for any NON-payment (not limited to COVID-19 rent debt); 2. Prohibits evictions without cause against tenants that don't have rent stabilization or rent control protections. We don't need this in California because the Tenant Protection Act was expanded to all unprotected units. 3. Prohibits "no fault" evictions. For e.g. No eviction for owner occupied move in.

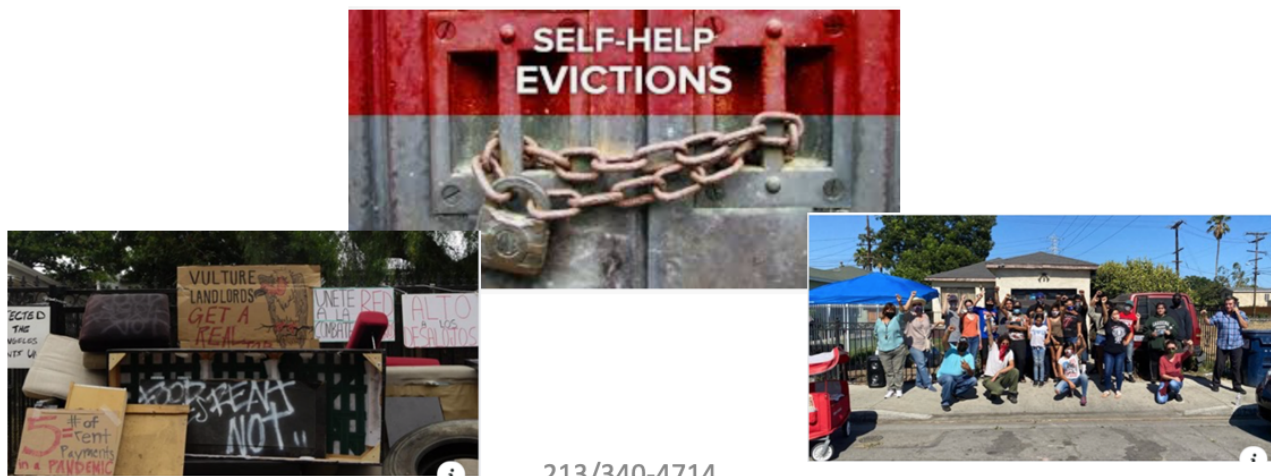
Un-Incorporated Los Angeles County AND Any city not Protected by a Local Emergency Tenant Protection Measure.	<p>Explanation of the County Protections: https://dcba.lacounty.gov/noevictions/</p> <p>How to figure out if you are in LA County: http://rentcontrol.ownit.la/?fbclid=IwAR1Qj5S3R45SYqMf22NCYMXFYIqJPuZFSDJp6wcRpxOyPf3eTxZmh-gW1Dg#17/34.076557/-118.207594</p> <p>https://dcba.lacounty.gov/coronavirus/</p> <p>https://kathrynbarger.lacounty.gov/wp-content/uploads/2020/03/19032020HP_MFP_M577143825.pdf http://file.lacounty.gov/SDSInter/bos/supdocs/145198.pdf</p>
City of Los Angeles	<p>COVID-19 Eviction Protections: http://clkrep.lacity.org/onlinedocs/2020/20-0147-S19_ORD_186606_05-12-2020.pdf</p> <p>Los Angeles City Attorney Analysis of AB3088 and the City of LA Protections: https://www.lacityattorney.org/tenant-protections</p>
Other Cities and Counties In the State of California	<p>Housing Rights Center: https://docs.google.com/spreadsheets/d/1nqZo8nlnVL_auqe2dKHGezvBgcOlyOrHGsqUowufSwl/edit#gid=0</p> <p>Tenants Together/National Lawyer's Guild: https://docs.google.com/spreadsheets/d/1UNuiCJgZHpkDmAU9g_w4JYdb4FKxC7od8l09fqUyDbA/edit#gid=345329747</p> <p>NOLO PRESS: https://www.nolo.com/legal-encyclopedia/coronavirus-covid-19-california-eviction-bans-and-tenant-protections.html</p> <p>Healthy LA/Inner City Law Center https://docs.google.com/spreadsheets/d/1ZSxwkoTXftRDQrz_CphsuPcqHnrwfKhiuVuemidEEp4/edit#gid=0 https://docs.google.com/document/d/17uALLBrvI8bjpX3UAvjCBD0sZ2p6tMtrfBDcDbGmqYY/eit?usp=sharing</p> <p>Anti-Eviction Mapping Project: https://www.antievictionmap.com/blog/2020/3/19/covid-19-emergency-tenant-protections-map</p>
<p>CARES Act</p> <p>Applies to Public Housing, Federal Tax credit buildings Section 8 and other Federally funded Housing or if your owner has a Federally insured mortgage</p>	<p>National Housing Law Protect Summary: https://www.nhlp.org/wp-content/uploads/2020.03.27-NHLP-CARES-Act-Eviction-Moratorium-Summary.pdf</p> <p>National Housing Law Protect Summary: https://www.nhlp.org/campaign/protecting-renter-and-homeowner-rights-during-our-national-health-crisis-2/</p> <p>National Low Income Housing Coalition Summary: https://nlihc.org/federal-moratoriums</p> <p>To find out if this applies to you: https://www.consumerfinance.gov/about-us/blog/guide-coronavirus-mortgage-relief-options/</p>
<p>Rent Control Rent Stabilization And Other Tenant Protection Laws in the Los Angeles Area</p>	<p>Baldwin Park: https://www.baldwinpark.com/online-documents/public-notices/ordinances/1919-urgency-ordinance-1444-regulating-rent</p> <p>Beverly Hills: https://www.beverlyhills.org/cbhfiles/storage/files/19657303021117647146/TenantLandlordRightsResponsibilitiesHandbook.pdf</p> <p>City of Commerce: Could not find a guide.</p>

	<p>Culver City: Nothing on their website and the Guide I found I have not read. Will update later.</p> <p>Gardena: https://www.cityofgardena.org/fair-housing-foundation/</p> <p>Inglewood: https://www.cityofinglewood.org/1264/Housing-Protection-Initiative</p> <p>Glendale (Just Cause): https://www.glendaleca.gov/government/departments/community-development/housing/rent/just-cause-eviction-ordinance</p> <p>Los Angeles: https://la.curbed.com/2018/6/4/17302800/rent-control-los-angeles-rules-guide Find out if you live in an RSO property. It's easy! Text to 1-855-880-7368. https://hcidla2.lacity.org/What-is-Covered-under-the-RSO</p> <p>Santa Monica: https://www.smgov.net/Overview.aspx</p> <p>Thousand Oaks: https://www.toaks.org/departments/community-development/housing/affordable-housing-program/rental-assistance-programs</p> <p>Unincorporated LA County: https://dcba.lacounty.gov/rentstabilization-ordinance/</p> <p>WeHo: https://www.weho.org/home/showdocument?id=15066 Guide: https://www.weho.org/home/showdocument?id=15066 Ordinance Link: https://www.weho.org/city-government/rent-stabilization-housing/rent-stabilization/evictions-and-relocations</p>
State Tenant Protection Act	<p>If you are not protected by a stronger law, you are protected by this law:</p> <ol style="list-style-type: none"> 1. If your unit is less than 15 years old; 2. Except if your unit is a single family home or condominium (unless corporate owned); 3. Except if you live in a duplex and the owner lives in one of the units; <p>NOLO PRESS: https://www.nolo.com/legal-encyclopedia/statewide-rent-control-has-arrived-california-s-tenant-protection-act-of-2019.html</p>
Governor (Statewide) History of the Governor's Orders	<p>https://www.gov.ca.gov/category/executive-orders/</p> <p>Order N-28-20 (March 16, 2020): Authorized local government to pass laws to protect prevent evictions. https://www.gov.ca.gov/wp-content/uploads/2020/03/3.16.20-Executive-Order.pdf</p> <p>Order N-37-20 (March 27, 2020): Gives a tenant with a COVID-19 reason to not pay rent an extra 55 days to respond to the court IF the landlord files an eviction action and IF the tenant sent a letter to the landlord within 7 days of the rent due date. That Order expired May 31, 2020.: https://www.gov.ca.gov/wp-content/uploads/2020/03/3.27.20-EO-N-37-20-text.pdf</p> <p>Order N-66-20 (March 29, 2020): Extended prior orders by 60 days from May 29, 2020 including N-28-20. https://www.gov.ca.gov/wp-content/uploads/2020/05/5.29.20-EO-N-66-20-text.pdf. There were further extensions. AB3088 limited this power effective 8/18/2020.</p>
State Judicial Council Rule 1 (Statewide)	<p>Effective Rule that stopped evictions between 4/6/2020 and 9/2/2020. No longer in effect.</p> <p>https://newsroom.courts.ca.gov/news/court-emergency-orders-6794321</p> <p>https://wclp.org/summary-california-courts-emergency-rule-on-evictions-and-foreclosures/</p>
LA Superior Court County-wide	<p>http://www.lacourt.org/newsmedia/ui/covid19NewsCenter.aspx This links you to court orders for the County of Los Angeles. Primarily deals with extended court deadlines.</p>

Link to our Power Point Presentation.

<https://docs.google.com/presentation/d/1nKlmPhnj3X1REs1f3fG6kmLH7BAzaoKt/edit#slide=id.p1>

STOP ILLEGAL. LOCK OUTS!
ALTO HA DESALOJOS ILEGALES!



213/340-4714

Emergency Illegal Lock Out Hotline

Línea de emergencia para desalojos inmediatos ilegales

Penal Code Section 418 makes it a crime to evict you without a court order. It is also illegal to turn off utilities. Civil Code Section 789.3 allows you to sue a landlord that tries to lock you out, or locks you out, or turns off the utilities.

Most police departments don't enforce Penal Code Section 418. In general, if a tenant is locked out, police officers incorrectly say it is a "civil matter" and you have to sue the landlord to get back in.

We are seeing an increase in harassment, utility terminations and illegal lock outs. To activate an emergency Rapid Response team that will come to your house to stop the lock out call 213/340-4714.

If you have been locked out and you do not want to get back in or if your utilities have been turned off for legal help and a list of webinars, see page 4.

Document the situation. Keep a journal that sets out the facts in detail and clearly and un-emotionally. Take pictures. Take video. Emails and texts must be factual and level and clear. Do not be argumentative or hostile.

Call all your elected representatives including your City Councilmember, your Board of Supervisors representative, your State Assembly member and your Congressperson to let them know what happened.

<https://www.commoncause.org/find-your-representative/addr/>

<https://www.usa.gov/elected-officials>

Google: How do I find my city council member

STOP LANDLORD HARASSMENT

Block the text – check weekly
Bloquear los textos – revisen semanal

Auto-reply the email
Auto-respuesta correo electrónico

Block the calls
Bloquear llamadas

Put sign on door or window
Letrero en la puerta o ventana



LANDLORD/PROCESS SERVER:

THIS APARTMENT IS
 PROTECTED BY THE TENANTS
 RIGHTS MOVEMENT.
 PLEASE DO NOT KNOCK.
 IF I OPEN MY DOOR,
 OUR CONVERSATION WILL
 BE RECORDED.
 PLEASE PUT YOUR REQUEST IN
 WRITING SO THAT I CAN TAKE
 IT TO MY TENANT UNION AND
 MY LAWYER.



**I AM A MEMBER OF ACCE,
 THE STATEWIDE TENANT & HOUSING
 RIGHTS ORGANIZATION.
 WE HAVE BEEN INFORMED OF OUR
 TENANTS' RIGHTS.**

Landlord/ Property Manager, please put any request
 or questions in writing so I can discuss it with my
 tenant rights organizer and solidarity attorney.
 Please ensure written reasonable notice of at least 24
 hours before asking to enter premises.
 And if you decide to continue to enter this premises you
 will be recorded for transparency.



WWW.ACCEACTION.ORG
 INFO@CALORGANIZE.ORG

**Your actions violate
 state and/or local
 emergency tenant
 protection measures.
 Please stop, texting,
 calling, emailing,
 knocking on the door.
 Put all requests into a
 proper notice so that I
 can take it to my tenant
 union, tenant rights
 organization and our
 solidarity attorney.**



**Sus acciones violan las medidas de
 protección de inquilinos de emergencia
 estatales y / o locales. Por favor deje de
 enviar mensajes de texto, llamar, enviar
 correos electrónicos, llamar a la puerta.
 Ponga todas las solicitudes en un aviso
 adecuado para que pueda llevarlo a mi
 sindicato de inquilinos, organización de
 derechos de inquilinos y nuestro abogado
 solidario.**

Also:

1. Keep a journal that sets out the facts in detail and clearly and un-emotionally. Take pictures. Take video. Emails and texts must be factual not argumentative or hostile
2. Attend one of these webinar/clinics:
 Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>
 Every Thursday at 5PM <https://us02web.zoom.us/j/86747724443>
 Every Saturday at 1PM. <https://us02web.zoom.us/j/81158846345>
3. Call all your elected representatives including your City Councilmember, your Board of Supervisors representative, your State Assembly member and your Congressperson.
<https://www.commoncause.org/find-your-representative/addr/>
<https://www.usa.gov/elected-officials>
 Google: How do I find my city council member?
4. Get involved! See page 13 for a complete list of groups you can join.

WHAT IS RENT CONTROL AND AM I PROTECTED?

Rent Control laws protect tenants from large rent increases, from the loss of amenities (parking space, laundry room, recreation room etc.) and from evictions without cause.

What is a rent control law? A law that restricts when and how much rent can go up to the present tenant and to the next tenant i.e. has the same controls if there is a change in tenant. This is called vacancy control.

What is vacancy control? A provision in a rent control law that states that if a tenant vacates the unit (moves out) for any reason, the rent for the new tenant is what it would have been for the previous tenant.

What is a rent stabilization law? Restricts when and how much rent can go up but NO vacancy control.

What is just cause protection? Rent can go up without restriction BUT restricts the reasons for eviction.

Are there any rent control laws in the State? No. In 1996, a state law called Costa Hawkins converted rent control laws into rent stabilization laws. Proposition 21 on the November 2020 will return some of that control back to local government.

How do I know if I am protected by a rent stabilization law?

STEP 1: Is there a local law in your City or County?

<https://www.tenants-together.org/resources/list-rent-control-ordinances-city>

<https://www.nolo.com/legal-encyclopedia/california-rent-control-law.html>

<https://antievictionmap.maps.arcgis.com/apps/MapSeries/index.html?appid=9648a716c1514755b7e633837610dcb5>

STEP 2: Is your unit protected by that local law? Each jurisdiction has its own requirements. The trackers above summarize local laws and link you to your jurisdiction's website.

To determine if your unit is protected in LA County (any jurisdiction)

<http://rentcontrol.ownit.la/?fbclid=IwAR1Qj5S3R45SYqMf22NCYmxFYIqJPuZFSdJp6wcRpxOyPf3eTxZmh-gW1Dg#17/34.076557/-118.207594>

STEP 3: If not protected by a local rent stabilization law, are you protected by the Tenant Protection Act of 2019? The TPA protects: 1) all units that are 15 years old or older; 2) except units protected by a local law and 3) duplexes if the owner lives in one of the units; and except 3) single family homes unless the owner is a corporation or a limited liability company with a corporate member.

<https://www.nolo.com/legal-encyclopedia/statewide-rent-control-has-arrived-california-s-tenant-protection-act-of-2019.html>

<https://www.acceaction.org>

<https://www.tenants-together.org/resources/1482>

Where can I learn more about tenant protection laws? If your city not listed, google it.

History of Rent Control: https://en.wikipedia.org/wiki/Rent_control_in_the_United_States

History (incomplete) of Rent Stabilization in So Cal: <http://projects.scp.org/timelines/rent-stablization-in-southern-california/>

NOLO: <https://www.nolo.com/legal-encyclopedia/california-rent-control-law.html>

NOLO: Excellent resource for a general explanation but not updated <https://www.nolo.com/sites/default/files/California-Rent-Control-Laws.pdf>

Take Action for stronger rent control Now!!! <https://yeson21ca.org>

Attend one of our webinar clinics

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>

Every Thursday at 5PM <https://us02web.zoom.us/j/86747724443>

Every Saturday at 1PM. <https://us02web.zoom.us/j/81158846345>

DO YOU WANT STRONGER LAWS? GET INVOLVED - RESPOND TO ACTION ALERTS

Step 1: If you are having an issue, in addition to seeking help, call your elected officials. City Councilmember, your Board of Supervisors representative, your State Assembly member and your Congressperson. They need to know what you are going through so they will pass stronger laws next time they are in session.

Step 2: Make a 60 second video sharing your story. Post your video on social media and tag your elected officials. Use the hashtags #NoEvictions #CancelRent #Newsomeville2020 #OnEveryFridge⁶

To find your elected officials:

<https://www.commoncause.org/find-your-representative/addr/>

<https://www.usa.gov/elected-officials>

Google: How do I find my city council member?

Step 3: FB Group: COVID 19 Tenant Rights #OnEveryFridge to stay informed

Step 4: Join your Tenants Union or a Community Based Organization that Organizes Tenants

Burbank: <https://www.burbanktenants.com>

Glendale: <https://www.glendaletenants.org>

Inglewood: <https://www.facebook.com/InglewoodTenantsUnion/>

Los Angeles City: <https://latenantsunion.org/en>

Los Angeles – County: <https://www.facebook.com/UnincorporatedTenantsUnited/>

Pasadena: <http://pasadenatenantsunion.org/en/>

Pomona: <https://pomonadaylabor.org/blog/2019/06/10/pomona-united-for-stable-housing/>

South Pasadena: <http://www.tenantstogether.org/resources/south-pasadena-tenants-union>

Other Area: Autonomous Tenants Union Network atuntenants@gmail.com

Alliance of Californians for Community Empowerment (ACCE) <https://www.acceaction.org>

Coalition for Economic Survival (CES) <http://www.cesinaction.org>

Inquilinos Unidos <http://www.tenantstogether.org>

Los Angeles Community Action Network (LA-CAN) <https://cangress.org>

People Organized for Community Empowerment (POWER) <https://www.power-la.org>

Strategic Actions for a New Economy (SAJE)

Union de Vecinos <http://www.uniondevecinos.org>

Join a statewide tenants rights organization;

Alliance of Californians for Community Empowerment (ACCE) <https://www.acceaction.org>

Tenants Together <http://www.tenantstogether.org>

Join a coalition making changes in the law

City and County of Los Angeles: HealthyLA.org

State of California – Housing Now!: <https://www.housingnowca.org>

State of California - Tenants Together: <http://www.tenantstogether.org>

Affordable Housing Act: <https://www.housinghumanright.org/about/>

Federal: HealthyLA.org Federal Protections Committee or <https://www.groundgamela.org>

Step 5: Find out about the rent strikes

https://www.rentstrikemovement.org/?fbclid=IwAR34cC5J18IZxbvxyeolVcbTGUdd4htFSbp7N_D7E13JvIktoO9px06tGM8.

<https://www.tenantstogether.org/campaigns/cancelrent-california>

<https://foodnotrent.org>.

Step 6: Attend one of our webinar/Clinics:

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>

Every Thursday at 5PM <https://us02web.zoom.us/j/86747724443>

Every Saturday at 1PM. <https://us02web.zoom.us/j/81158846345>

⁶ In recognition of the fact that we are not all on the internet and that there is a prevalent digital divided problem, help us get tenant rights information and legal resources #OnEveryFridge so that ALL tenants can find help when they need it.

SPECIAL ADVICE FOR SOLIDARITY STRIKERS

What is a Solidarity Striker? Someone who does not have a COVID-19 reduction in income or increased expenses but wants to strike in solidarity with their neighbors in order to make a political statement to our elected officials about the need to #CancelRents and #CancelMortgages.

What should Solidarity Strikers Consider?

1. You are making a statement by breaking the law (in this case a civil law);
2. If the case moves forward to trial, unless the owner makes an error in the notice and/or violates a local rent control law (if there is one) and/or there is a substantial breach of the warranty of habitability (i.e. very bad conditions), you will have no defense to the eviction action and you will likely lose the case;
3. Unless we win #VacancyControl, if you are in a below market rate rent stabilized/rent controlled unit, the owner will be very motivated to kick you out.
4. It is safer to strike in solidarity if you are part of a building-wide tenant association with specific strike demands such as repairs, rent roll backs, reduced COVID-19 re-payments and/or extended payment plans.
5. It is safer to strike in solidarity if you are part of a Tenant Union or other membership-based group.
6. It is safer to strike in solidarity if you identify an attorney that can work with you to identify other possible defenses to the eviction action and commits to represent you.
7. Consider very carefully that if you publicly say that you are a solidarity striker it could be used against you in court. This includes social media and zoom webinars.
8. Do not sign an AB3088 or CDC declaration. These declarations are under penalty of perjury and solidarity strikers do not meet the criteria for these declarations.

What are the consequences of losing an eviction?

1. Loss of home;
2. Eviction on record;
3. Debt to landlord that accumulates 10% interest per year and large collection penalties.

Can I strike in solidarity and then change my mind? If you do not pay the rent within the period of a notice to pay rent or quit, the tenancy officially ends. You can continue to live in the unit until the court decides the case, but you are in fact living in the unit unlawfully. That is why the lawsuit to eviction is called an “unlawful detainer.” There are two ways to re-instate your right to stay in the unit: 1) persuade the owner to make an agreement with you; or 2) win the case. So, the answer is no, you can’t start to strike and then change your mind. You have to commit within the period of the notice.

What other things should solidarity strikers do?

1. Document everything. Take pictures and video.
2. Keep a journal that sets out the facts in detail and clearly and un-emotionally.
3. Emails and postings must be factual. Not argumentative.
4. Send an email to askanattorney@edn.la. Name. Addresss. Solidarity Striker.
5. Attend our webinars:
Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>
Every Thursday at 5PM <https://us02web.zoom.us/j/86747724443>
Every Saturday at 1PM. <https://us02web.zoom.us/j/81158846345>

WHAT ELSE CAN I DO?

Step 1: Do not panic! Do not spread false information!

Step 2: Apply for benefits you are entitled to receive. See page 16.

Step 3: Spend frugally. Feed your family. Make logical choices in prioritizing other debt. Fight to #CancelRent.

Step 4: Practice Extensive Social Distancing. Stay home.⁷ If you must work, practice Social Distancing. Wash your hands often. Don't touch your face. Disinfect often. Disinfect items coming into our home. Avoid having visitors.

Step 5: Get involved! See page 13 for a list of groups you can join.

Step 6: Keep your spirits up. Get up every day. Shower. Get dressed. Engage in productive activities. Take walks while practicing Social Distancing.

Step 7: Acknowledge that it is okay to be apprehensive and frightened and then move away from it. Count your blessings once a day. Acknowledge one opportunity the crisis gives you every day.

Step 8: After reading this Survival Guide, if you have questions or need help attend one of our seminars or seek legal help as instructed at page 4.

Every Tuesday 6PM <https://us02web.zoom.us/j/88324434157>

Every Thursday at 5PM <https://us02web.zoom.us/j/86747724443>

Every Saturday at 1PM. <https://us02web.zoom.us/j/81158846345>

Step 9: Stay positive and strong and thank you for staying informed.

Step 10: Get legal help at the first sign of trouble. See page 4.

How to get help or get connected?
¿Cómo obtener ayuda o conectarse?

Step 1:
www.stayhousedla.org

Step 2: Know your rights or Get legal help

Step 3: Answer questions about your notice.

Step 4: Complete referral form and an attorney or organizer will get in touch with you.

⁷ We support the Black Lives Matter protests and anti-eviction protests. Please wear a mask and gloves and be safe.

WORKERS RIGHTS

Bet Tzedek Workers Rights Legal Clinic: <https://www.bettzedek.org/>

California Employment Attorneys Association, at this link: <https://cela.org/index.cfm?pg=FindAMember>
<http://celavoice.org/2020/04/23/how-to-access-paid-time-off-when-caring-for-loved-ones-with-covid-19/>

EDD overview: https://www.edd.ca.gov/Unemployment/After_You_Filed.htm

Information about relief funds: <https://legalaidatwork.org/blog/relief-funds/>

Also Call 211 for rent relief programs.

Information about essential workers: <https://www.dir.ca.gov/dlse/Essential-and-Non-essential-Workers.htm>

LA Jobs portal: <https://lajobsportal.org>

Wage replacement and how to apply:

- https://www.edd.ca.gov/about_edd/coronavirus-2019/workers.htm
- <https://www.labor.ca.gov/coronavirus2019/#chart>
- <https://www.labor.ca.gov/pandemic-unemployment-assistance-pua-program/>
<https://legalaidatwork.org/blog/relief-funds/>

IMMIGRANTS RIGHTS

Guide for Immigrant Californians concerning COVID-19: <https://covid19.ca.gov/guide-immigrant-californians/>

Multi-language Summary: <https://docs.google.com/document/d/1IsPLuHoYK6ec7Gzxaw0i7On-NT1Z9IEj/preview?fbclid=IwAR1xvCnGaV2VLjYM-zPE4F5FVUoPlqiY0tkudvG-somr7j1LfCIXYXF5ciw>

California Department of Social Services https://www.cdss.ca.gov/home/fbclid/iwar12shiztdlxcqa5gv-lxwrgyut3jzbrxljmf9u_eyxbccpswmwgqxnvd0

Protestor Rights: <https://www.nilc.org/get-involved/community-education-resources/know-your-rights/protests-what-every-worker-should-know>

OTHER GOVERNMENT BENEFIT RESOURCES

California Department of Social Services
https://www.cdss.ca.gov/home/fbclid/iwar12shiztdlxcqa5gv-lxwrgyut3jzbrxljmf9u_eyxbccpswmwgqxnvd0

Covered California: <https://www.coveredca.com>

Hunger Action LA: <https://www.hungeractionla.org>

LA County is: <http://dpss.lacounty.gov/wps/portal/dpss/main/home/news>

FAQ that addresses reporting issues for CalFresh, CalWORKs, GR, Medi-Cal and immigrant benefit issues too:
<http://dpss.lacounty.gov/wps/portal/dpss/main/home/news?1dmy&page=dept.dpss.home.news.detailhidden&urile=wcmm%3apath%3a/dpss+content/dpss+site/home/news/b5c4d7d2-999f-4b75-8d7b-7bf1cb8b0aa2>

Spanish Know Your Rights regarding benefits: <https://youtu.be/JQ6bWCHP-goSEP>

English Know Your Rights regarding benefits: <https://youtu.be/ta5CD9BQtWM>

City of Los Angeles Links to food and other resources: <https://hcidla2.lacity.org/family-source-centers?fbclid=IwAR1mzJ6nGpoA7xNiXh8ImGkTy32YE4oSv4aexnPoRB18ryPgYoK5ChBVvto>

GENERAL RESOURCE GUIDES

Alliance of Californians for Community Empowerment: https://www.acceaction.org/covid_19_recurros

Tenants Together: https://docs.google.com/document/d/1G-n_wK1jXUNHc2drqFq3JdY-8ILG343zvbM5q8Ykx8/edit#

Nolo Pres: <https://www.nolo.com/legal-encyclopedia/coronavirus-covid-19-california-eviction-bans-and-tenant-protections.html?fbclid=IwAR0HIfQ-LsKARfW95XdjQrW5nBcuGrCLWY77YPJBVMYRKfY5GYaaxZfqY>

PROVING YOUR CASE - EVIDENCE NEEDED: DO YOU WANT TO WIN?

<p style="text-align: center;">BACKGROUND AND RENT LEVEL</p> <p>[X] All rental agreements with all landlords [X] All proof of rent payment from the beginning [X] All notices and letters to and from all landlords [] Proof that you pay utilities</p> <p>STAFF: Verify there are no illegal rent increases. Initial here that it is done: _____</p>	<p style="text-align: center;">DISCRIMINATION/REASONABLE ACCOMODATION</p> <p>If there is a connection between your case and a disability ask for a Reasonable Accommodation.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Housing Rights Center 800/477-5977 <input type="checkbox"/> Fair Housing Foundation 800/466-3247 <input type="checkbox"/> Fair Housing Council San Fernando 818/373-1185
<p style="text-align: center;">IF YOU PAID THE RENT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Copy of the front and back to show it was cashed (send immediately for proof; it takes time) <input type="checkbox"/> Copy of the money order stub or receipt, <input type="checkbox"/> Carbon of check (do not remove from register) <input type="checkbox"/> Proof you mailed the rent payment <input type="checkbox"/> Evidence of agreement to pay after notice period 	<p style="text-align: center;">OWNER/FAMILY/MANAGER MOVE-IN</p> <ul style="list-style-type: none"> <input type="checkbox"/> Evidence of empty units in the building <input type="checkbox"/> Evidence of other units owned by landlord <input type="checkbox"/> Evidence landlord tried to evict you, raise your rent <input type="checkbox"/> Evidence the owner tried to evict another tenant or buy off another tenant <input type="checkbox"/> Evidence/photos of present home of occupant <input type="checkbox"/> Evidence/photos of present neighborhood
<p style="text-align: center;">YOU OWE THE RENT</p> <p>[X] If you want to move we are likely to get you time to move and a forgiveness of the rent. BUT, you do owe the rent until you give up the unit, even if the landlord refuses to accept it and even if you have a judgment in a prior case for \$0 rent.</p> <p>[X] Buy cashier's checks or money orders from your bank, Continental Express or Western Union ONLY.</p> <p>[X] Buy cashier's checks or money orders for every month as it becomes due. Make a copy. Separate the stub/receipt and keep all three in safe place. If you lose both you can't get your money back.</p> <p>To avoid eviction or a new case being filed, pay as instructed in any 3-day notice. If instructed to pay by mail, send priority mail with delivery confirmation/no signature required.</p> <p>Bring your rent in certified funds to court if you want to stay. If your case is dismissed or you win by judgment, you must pay your rent immediately.</p>	<p style="text-align: center;">WASTE/DAMAGE/HOARDING/NUISANCE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Picture of the condition in the notice <input type="checkbox"/> Old pictures of the same condition if you have <input type="checkbox"/> Current picture of the condition <input type="checkbox"/> Receipts of repairs or cleaning supplies <input type="checkbox"/> Receipts for storage unit <input type="checkbox"/> Evidence you were not home when incident happened (see Non-Service) <input type="checkbox"/> Get someone to re-create what the landlord alleges happened and make sure they can testify as witnesses
<p style="text-align: center;">PROOF OF OWNERSHIP</p> <p>[X] Certified copy of the deed for the property. Not needed if the Plaintiff is the owner. If the document is long, only get the page that says who is the owner.</p> <p>Go to the Recorder's office located at:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 12400 Imperial Hwy #227, Norwalk 90650, 562/462-2133 <input type="checkbox"/> 1701 S. La Cienega Blvd. 6th Flr, LA 90045, 310/727-6142 <input type="checkbox"/> 14340 W. Sylvan St, Van Nuys 91401, 818/374-7191 <p>Call for hours. Make sure all pages are stamped.</p>	<p style="text-align: center;">UNREGISTERED/INOPERABLE VEHICLE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Proof the vehicle runs. Eg. Videotape of vehicle being driven with license plate showing <input type="checkbox"/> Current DMV registration <input type="checkbox"/> Proof of any mechanic work recently done to vehicle <p style="text-align: center;">COVID-19 RELATED LOSS OF INCOME</p> <ul style="list-style-type: none"> <input type="checkbox"/> Discharge letter <input type="checkbox"/> EDD documents <input type="checkbox"/> Receipts for expenses <input type="checkbox"/> Proof children not in school <input type="checkbox"/> Statements from co-workers
<p style="text-align: center;">PROOF OF OWNERSHIP</p> <p>[X] Certified copy of the deed for the property. Not needed if the Plaintiff is the owner. If the document is long, only get the page that says who is the owner.</p> <p>Go to the Recorder's office located at:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 12400 Imperial Hwy #227, Norwalk 90650, 562/462-2133 <input type="checkbox"/> 1701 S. La Cienega Blvd. 6th Flr, LA 90045, 310/727-6142 <input type="checkbox"/> 14340 W. Sylvan St, Van Nuys 91401, 818/374-7191 <p>Call for hours. Make sure all pages are stamped.</p>	<p style="text-align: center;">UNAUTHORIZED PET</p> <ul style="list-style-type: none"> <input type="checkbox"/> Written permission to have the pet <input type="checkbox"/> Proof you had the pet from the start of the tenancy <input type="checkbox"/> Proof the owner knew you had the pet <input type="checkbox"/> Old and recent pictures of the pet in the unit that can be tied to a time <input type="checkbox"/> Letters you gave landlord about the pet <input type="checkbox"/> Proof your pet is licensed <input type="checkbox"/> Veterinarian bills and/or proof of immunization <input type="checkbox"/> Proof pet was removed or given away

<p style="text-align: center;">CONDITION OF YOUR UNIT</p> <p><input type="checkbox"/> Request an inspection of your unit</p> <ul style="list-style-type: none"> <input type="checkbox"/> LA Housing Department: Call 311 <input type="checkbox"/> LA Building & Safety: Call 311 201 N. Figueroa St., 1st Floor <input type="checkbox"/> Your City's Code Enforcement Agency: 211/411 <input type="checkbox"/> Health Department: 888/700-9995 <input type="checkbox"/> Get the inspector's card <p><input type="checkbox"/> [X] CERTIFIED copies of all reports with stamp on all pages</p> <p><input type="checkbox"/> Certified copy of Certificate of Occupancy with stamp on all pages (illegal units)</p> <p>[X] Pictures: Take at least weekly from now on. Make sure you know the date it was taken. Print the best one of each shot for each day preferably on 8.5 x 11 paper. Your home must look clean and neat.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Of repairs needed in your unit <input type="checkbox"/> Of outside (failure to maintain common areas) <input type="checkbox"/> To show configuration (illegal unit). <input type="checkbox"/> To show only one electric meter (illegal unit). <input type="checkbox"/> Of all walls of laundryroom, common areas and mail box area (absence of required notices) <input type="checkbox"/> Lay roach motel or rodent trap and photograph daily until full. Replace to show frequency that animals fall. <input type="checkbox"/> Receipts: Receipts for all repairs you made. 	<p style="text-align: center;">PROOF SOMEONE LIVES SOMEWHERE (Unauthorized Occupants and Pre Judgment Claims)</p> <p>If you are trying to prove someone lives in the unit or lives somewhere else you need lots of examples dating from the date you are trying to prove to the present with the person's name and the address.</p> <ul style="list-style-type: none"> <input type="checkbox"/> A lease with the person's name on it <input type="checkbox"/> Notices from the landlord with the person's name <input type="checkbox"/> Letters to and from the person about the person <input type="checkbox"/> Utility bills in the person's name <input type="checkbox"/> Voter registration for the person <input type="checkbox"/> Driver's License or ID with the address on it <input type="checkbox"/> Tax records with the address on them <input type="checkbox"/> Car registration with this address <input type="checkbox"/> Car insurance person owes at this address <input type="checkbox"/> Bank statements and other bills with the address <input type="checkbox"/> School records proving child lived in the house <input type="checkbox"/> Lots of letters with postmarks and the address <input type="checkbox"/> Photos of the person in the unit (eg. birthdays) <input type="checkbox"/> Birth certificate <input type="checkbox"/> Marriage certificate <input type="checkbox"/> Pictures of where people sleep <input type="checkbox"/> Pay stubs with the address <input type="checkbox"/> Medical records with the address <input type="checkbox"/> Immigration documents with the address <input type="checkbox"/> Hotel bill to prove they moved out within 3 days 																											
<p style="text-align: center;">RENT CONTROL</p> <p><input type="checkbox"/> CERTIFIED copy of "Declaration of Registration status and payment of SCEP fees." M-F 9-4PM:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 3550 Wilshire Blvd, 15th Fl, LA, 90010 <input type="checkbox"/> 690 Knox St #125, Torrance 90502 <input type="checkbox"/> 6640 Van Nuys Blvd, Van Nuys 91405 <input type="checkbox"/> 2215 North Broadway, LA 90032 <input type="checkbox"/> WeHo City Hall 8300 Santa Monica Blvd. <input type="checkbox"/> Santa Monica 1685 Main Street, Room 202 <p>Give lowest address on property. Tell us right away if your property is not in their database.</p> <p><input type="checkbox"/> Complain to Rent Control Agency:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Los Angeles: 311 <input type="checkbox"/> West Hollywood: 323/848-6450 <input type="checkbox"/> Santa Monica: 310/458-8411 	<p style="text-align: center;">WITNESSES</p> <p>We need the names and phone numbers of everyone who has personal knowledge of your side of the story. Personal knowledge means that they saw it with their own eyes or heard it with their own ears.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Name</th> <th style="width: 33%;">Phone</th> <th style="width: 33%;">Defense</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Name	Phone	Defense																								
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<p style="text-align: center;">NON-SERVICE</p> <p><input type="checkbox"/> Evidence that you were not home when landlord says you were served the [] notice or []summons</p> <ul style="list-style-type: none"> <input type="checkbox"/> If at work: pay stubs, timesheets, witnesses <input type="checkbox"/> If shopping: receipts, witnesses <input type="checkbox"/> If traveling: boarding pass, receipts, hotel 	<p>Please acknowledge receipt of this form. Acknowledge that you understand.</p> <p>Date: _____</p> <p>Signature: _____</p>																											

Declaration of COVID-19 Related Financial Distress

Compliant with Section 20 of the COVID-19 Tenant Relief Act of 2020, AB 3088

California Tenants ONLY

TO: Landlord Name: _____
Address: _____

FROM: Tenant Name(s): _____
Address: _____

Re: Rent for (*check one box only*)

- March 2020 – August 2020
- September 2020
- October 2020
- November 2020
- December 2020
- January 2021

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.

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.

OR

Signed under penalty of perjury.

Dated: _____ Tenant Signature: _____

Printed Name: _____

You can use this declaration to proactively alert your landlord if the landlord has not sent you a declaration. See instructions. If the landlord sends you a declaration, the highlighted section must be written out exactly this way. We have already seen one landlord add language that is not required. See a clean copy of the declaration at page 21. For a fillable version go to StayHousedLA.org Click on Know Your Rights.

INSTRUCTIONS FOR USE

1. March through August 2020 Rent: If you did not pay rent for any month between March 2020 and August 2020 AND you have a COVID-19 related reason for not paying AND your landlord has not sent you a notice to pay or quit and/or a declaration that looks like the previous page, please read this declaration and if true for you, print it, mark the correct box for the months (one box only), date it, sign it and send it. See below for how to send. **Result:** The owner will not be able to evict you for these months. The owner can take you to small claims court to collect this rent debt.

2. September 2020 through January 2021 Rent: If you are unable to pay any months between September 2020 and January 2021, AND you have a COVID-19 related reason for not paying, for each and please read this declaration and if true, print it, mark the month (one box only), date it, sign it and send it. See below for sending instructions.

In order to stay out of eviction court for the months of September 2020 through January 2021, you also have to pay 25% of the rent for each of those months. You can pay it month by month or you can wait until January 30, 2021 to pay all 5 x 25% at once. **Result:** If, after consulting with a StayHousedLA attorney, you determine that you do not want to be in eviction court, pay the 25%. Tenants with severe bad conditions or living in illegal units should talk with a StayHousedLA County attorney before deciding whether to pay.

3. Landlord Sends You a Notice: If the owner sends you a notice to pay rent with a declaration, read it, if it is the same, date, sign and send it exactly as instructed in the notice. Note that sometimes owners change the address or the way to pay. Follow the instructions in the notice to pay rent or quit for where and how to send the rent or the declaration.

4. Follow these instructions even if you have sent a letter to your landlord each month that you have not paid

5. How to send: Make a video of yourself doing these steps. Get a “proof of mailing” at the post office. Certified mail is not required. Email the video to yourself to avoid losing the evidence. Keep the copy of the declaration and your proof of mailing in a safe place. You could also mail a copy of your Declaration to yourself at your own address at the same time and keep the envelope when it comes – do not open it. Also Keep evidence of any partial payments that you make.

REASONING BEHIND THESE INSTRUCTIONS

1. Using the Declaration does two things:

- a. It provides a defense to an eviction case based on nonpayment of rent; and
 - b. It converts your rent to “civil debt.” This means that the landlord can file a small claims case for the unpaid rent. If a landlord gets a judgment for the unpaid rent in small claims court, the landlord can collect that judgment by garnishing the your paycheck, levying the your bank account.
2. Proof of financial distress. You are not required to provide proof of financial distress unless the landlord demands it AND you annual household income is more than: (a) \$100,000; and (b) at or above 130% of median income in your county.

3. However, a landlord who doubts the truth of your Declaration could still try to evict you. In that case, you would have to provide proof to a court. Be prepared in advance by gathering all relevant evidence related to your loss of income and inability to pay. Eg. letter of termination, proof of unemployment, receipts for increased expense. Do not send bank statements to your landlord but we might want you to have them for court.

4. Using this declaration satisfies any local requirements to notify your landlord. Send the declaration by your rent due date and no later than 7 days from your due date. If your local city requires that you also provide proof, provide it.

The above information does not substitute for direct legal advice for your specific situation. If you have received a Notice to Pay Rent or Quit or any other type of eviction notice, sign up for a workshop and/or get legal help at StayHousedla.org. **Los Angeles County:** <https://www.StayHousedLA.org>.

Declaration of COVID-19 Related Financial Distress

Compliant with Section 20 of the COVID-19 Tenant Relief Act of 2020, AB 3088

California Tenants ONLY

TO: Landlord Name: _____
Address: _____

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Address: _____

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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.

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.

Dated: _____ Tenant Signature: _____

Printed Name: _____

City of Los Angeles Only

Private Right of Action Letter

Instructions to Tenants:

You should send a copy of this letter every time one of these things happens, and describe the specific event. If possible, include copies of the notice and any prior conversations with your landlord about the issue (do not send back the original notice). You should also make and keep a copy of any letter you send (taking a picture on your phone is OK). Also keep any communication with your landlord, including text messages or emails.

1. You receive any of the following notices:
 - a. Notice to Pay or Quit
 - b. Notice to Terminate a Tenancy
 - c. Notice to Perform Covenant or Quit
 - d. Any eviction notice
2. Your landlord tries to impose or charge a late fee
3. You get any of these notices and the official HCIDLA “Protections Notice” is not attached to it (note: this is in addition to receiving one of these notices)
 - a. Notice to Pay or Quit
 - b. Notice to Terminate a Tenancy
 - c. Notice to Perform Covenant or Quit
 - d. Any eviction notice
4. Your landlord attaches the official HCIDLA “Protections Notice” in a language other than your predominant language
5. Your landlord asks for your government stimulus check
6. Your landlord demands that you sign something promising them your government stimulus check

SEE LETTER THAT FOLLOWS

[Tenant name]
[Tenant address]
[Tenant City, State, ZIP]

[Date]

[Landlord name]
[Landlord address]
[Landlord City, State, ZIP]

Dear [Landlord]:

I am writing to demand you cure a violation of my rights under Article 14.6 of the Los Angeles Municipal Code. Under LAMC § 44.99.7, you have 15 days from when you receive this letter to cure each violation. Please notify me in writing that you have rescinded or withdrawn any notices or demands described below. If these violations are not cured within 15 days, I may bring a civil lawsuit against you, for each separate violation, for any or all of the following: injunctive relief to get you to stop your violations of my rights; direct money damages; a civil penalty of \$10,000 per violation (plus an additional \$5,000 if I or anyone in my household are over 65 or disabled); attorney's fees and costs, if applicable; and any other relief the Court deems appropriate.

Each item described here is a separate violation of my rights.

On [Date], you:

- ☐ Served me the Notice to Pay or Quit / Notice to Terminate Tenancy / Notice to Perform Covenant or Quit / other eviction notice described here because I did not pay my rent, even though the reason I did not pay my rent is due to COVID-19 (*circle which applies and describe here*):

(LAMC § 49.99.2.A).

- ☐ Served me the Notice to Terminate Tenancy / Notice to Quit / other eviction notice described here with a no-fault reason for eviction (*circle which applies and describe here*):

(LAMC § 49.99.2.B).

- ☐ Served me the Notice to Terminate Tenancy / Notice to Perform Covenant or Quit / other eviction notice described here because of unauthorized occupants or pets (*circle which applies and describe here*):

(LAMC § 49.99.2.C).

- ☐ Served me the Notice to Terminate Tenancy / Notice to Perform Covenant or Quit / other eviction notice described here because of alleged nuisance, even though the alleged nuisance is due to COVID-19 (*circle which applies and describe here*):

(LAMC § 49.99.2.C).

- ☐ Served me a notice for not paying my rent which includes late fees (*describe here*)

(LAMC § 49.99.2.D).

- ☐ Served me the Notice to Pay or Quit / Notice to Terminate Tenancy / Notice to Perform Covenant or Quit / other eviction notice described here and did not attach the HCIDLA Protections Notice (*circle which applies and describe here*):

(LAMC § 49.99.2.E).

- ☐ Served me the Notice to Pay or Quit / Notice to Terminate Tenancy / Notice to Perform Covenant or Quit / other eviction notice described here and attached the HCIDLA Protections Notice, but it was not in [language], which you are aware is my predominant language (*circle which applies and describe here*):

(LAMC § 49.99.2.E).

- ☐ Influenced me to transfer, pay, promise to pay, or signed a contract agreeing to pay you my government relief money (*describe what happened here*):

(LAMC § 49.99.2.F).

- ☐ Tried to influence me to transfer, pay, promise to pay, or sign a contract agreeing to pay you my government relief money (*describe what happened here*):

(LAMC § 49.99.2.F).

Please feel free to contact with me with any rescission or withdrawal of the above violations within 15 days of this letter.

Thank you.

Sincerely,

[Tenant name]



Ensuring Access to Justice
and protecting the right to healthy housing
for the 70K households that face eviction in Los Angeles County each year.

Unlawful Detainer

Dear Potential Client:

This letter explains our services and the eviction process.

What is an Unlawful Detainer? A law suit. The landlord is evicting you.

What services do you offer? Full representation.

1. Answer/Amended Answer to the Eviction complaint (\$125).
2. Motion to fix errors in your Answer done by someone else (\$150).
3. Full representation based on your income (\$700-\$2500). Base fee: Generally one months rent; no less than \$700. During the eviction you do not pay rent. Use the saved rent to pay the fee. Because you need your rent to stay (or to move) save your rent including replacing that amount.
4. Jury trial demand because tenants do better in front of a jury (free).
5. Settlement from a place of power based on your goals (included in the representation fee).
6. Representation in a trial if we are unable to settle. (\$150 per appearance).

What are my settlement options?

Move out Option	Pay and Stay Option
Time to move ¹ We will get you more time if you have a strong case and you bring us the evidence to prove it. We will get you more time if you hire us early so that we have time to prepare.	Tenant pays all the rent. If there are bad conditions we may be able to get a reduced rent.
Some or all of the rent is forgiven.	You have to have the rent. Landlords rarely agree to payment plans for the rent. If rent is low and you want to stay you can offer to move in 30-60 days with forgiven rent and a clean record + the possibility of staying (reinstating the tenancy) if you pay what you owe by a specific date.
Record sealed.	Record sealed.
Sometimes the landlord will pay you to move.	

What is your success rate? 98% defined as:

1. Won at trial; or
2. Dismissed (case canceled; landlord gave up); or
3. Settled with Time to Move + Forgiven Rent + Clean Record.

There are no guarantees. Success depends on all the factors in your case + preparation.

Should I Stay or Should I Move Out?

STAY	GO
Low rent. Rent Controlled or subsidized	Market Rent Not rent controlled or subsidized
Strong Case Strong Defenses Strong Evidence Strong Witnesses	Weak Case No Defenses/Weak Defenses Weak Evidence Weak Witnesses

¹ Averages from date of filing the Answer to the eviction complaint: 2014: 3 months to move with 3.5 months of saved rent. 2015: 4.72 months to move with 5.89 months saved. 2016: 4.87 months to move with 2.92 months saved. 2017: 7.8 months to move with 8.2 months saved. 2018 and 2019: 8.1 months with 8.2 months saved. You cannot rely on these figures. Every case is different. Much depends on the strength of the case, whether you have the evidence to prove your defenses and the personality of your landlord and their lawyer. Before the fall 2016 a few months to move with saved rent was enough to help you get stable and move out. Today, because rents have skyrocketed, even eight months is not enough unless you plan to move out of LA County. Prepare to fight to stay!!!

Do you have all the rent you owe? You must save the rent. If you want to stay you will need to pay the owner. If you want to move you will need it to move. We also can get a better deal for you if you have the rent because we can negotiate from a place of power knowing that if negotiation fails we can fight and you will have the money to pay if we win. That being said, it is okay to use part of your rent to pay our fee and then work to replace those funds.

What should I do with the rent? Save it in the bank. If you don't have a back account you can buy money orders but keep them in a safe place and separate the money order from the stub. Blank money orders are like cash. AND even if it is filled out, if you lose both the money order and the stub you can't replace it or trace it. Be very careful! And keep extra copies in a location not in your building. Don't be like our client who was robbed or the family whose money orders and stubs went up in flames.

If you want to pay the rent and stay, bring all the money orders to court with you on the day of your trial so that we can make that offer.

Ask the paralegal for the "How to pay like a pro" handout.

Should I start looking for housing? On the Questionnaire we ask you to tell us your goals. During the interview we will go over whether your goals are realistic. Whether you choose the path of staying as a tenant or moving you should look for housing. Looking for housing gives you a better idea of your options. Looking for housing gives us an idea of the market rate for your unit which we can use for trial. If the case is weak, looking for housing helps us do a hardship motion if we lose because we can tell the judge of your search and prove that you will be on the street if the hardship motion is not granted. If you hire us and you find housing let us know and we will negotiate an appropriate move out deal. If you hire us and you can't find housing, let us know so that we can fight to keep you in your home.

What will you charge? Consultations are free (donations appreciated). Representation is based on ability to pay. We quote the fee during the consultation.

If you are a nonprofit, why do you charge? The government won't fund the \$45- 90 million to represent 45K households each year. Legal Aid represents 2,200 for free. Private lawyers charge \$250-550p/hr or \$2900p/case. Ability to pay means representation for everyone.

I can't afford even \$700? Can you afford to move in 14-21 days with an eviction on your record? Can you afford to pay more rent in a new place? Can you afford to pay moving costs? Utility transfer costs? Can you afford a debt to your landlord that accrues 10% interest and huge collection fees? Our highest fee is less than those costs. You can use part of your saved rent and then replace the funds so that you will have them to pay the rent (if you want to stay) or to move (if you want to move). In extreme cases we offer payment plans.

Can I be helped for free? Free Answers at the court your case is filed. Go to the court where your case is filed. Line up at 7:30AM outside the court building. Allow them to prepare your answer. Before leaving ask: "Am I being offered Full Scope Representation?" If the answer is anything but "yes," return to us or if your case is in a court other than downtown LA (111 North Hill), hire someone from the third box on the orange referral list we have given you.

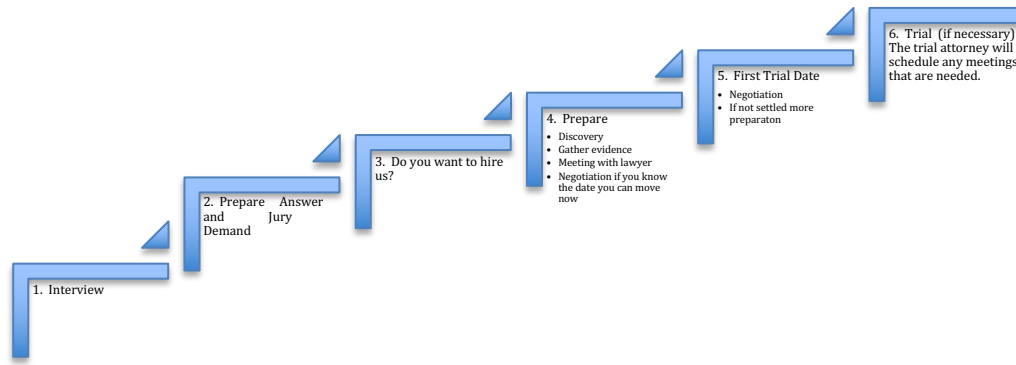
We charge but we are really good at what we do.

Please note that some Self Help Center/Shriver Project staff will tell you either that your case is strong enough and you should not spend money on a lawyer or that your case is too weak and you should not waste your money on a lawyer. Do not listen to that advice. 99% of tenants that go to court alone lose their cases. Non-lawyers don't know how to present evidence, get anxious, make mistakes. Even with the weakest of cases we can, in all likelihood get you a better deal than you can get yourself. And our zealous advocacy preserves tenancies. While there are no guarantees we will fight to preserve our tenancy or get you the best move out deal possible.

Why hire a lawyer? Tenants that represent themselves lose their homes, with an eviction on their record and a debt to the landlord 99% of the time.

Why hire a lawyer quickly? Because Preparation = Success. We ask your landlord to give us all the documents and information they will use against you in trial (called Discovery). We demand a jury trial. Tenants do much better with juries than judges.

What will happen next?



What if I do nothing and just move? Most often the landlord will get a judgment against you. This will create a bad mark on your credit and hurt your ability to rent. You need to resolve this case via a settlement.

Will the eviction affect my record? The eviction is kept sealed/private unless you lose. In over 99% of the cases we handle the record remains sealed. There is always a chance that it will unseal but that chance is minimal. When you look for housing you will be asked if you were ever evicted and telling the truth will affect your ability to rent. If the application is under penalty of perjury you should move on to another landlord.

What are my chances of success: This office helps thousands of tenants each year to successfully resolve their cases. **There are no guarantees.** Some cases are stronger than others. Whether or not we win depends on many factors. **The most important factor is YOU.** Please read this document carefully. Follow our instructions. Gather and bring in your evidence on time. If you don't understand something **ASK US.** If you hire us, in your Retainer Agreement, we give you our opinion of your chances of success.

What kind of evidence will I need? The paralegal will give you an evidence gathering sheet called "Proving your case." Follow the instructions. In most cases we need the following:

<p>BACKGROUND AND RENT LEVEL</p> <ul style="list-style-type: none"> ➤ Copies of all of your rental agreements ➤ All proof of rent payment from the beginning of the tenancy so we can check for any illegal rent increases ➤ All notices and letters to and from all landlords ➤ Buy a spiral notebook and keep a journal of all the interactions with the landlord. Write down date, time, what happened and witnesses. Be calm and neutral and professional in your language. 	<p>DOCUMENT BAD CONDITIONS</p> <ul style="list-style-type: none"> ➤ Request an inspection of your unit <ul style="list-style-type: none"> ○ LA Housing Department: Call 311 ○ LA Building & Safety: Call 311 ○ 201 N. Figueroa St., 1st Floor ○ Your City's Code Enforcement Agency: 211/411 ○ Health Department: 888/700-9995 ○ Get the inspector's card ➤ Code Reports: Get CERTIFIED; certified stamp on all pages ➤ Illegal Unit: Get a CERTIFIED copy of the Certificate of Occupancy ➤ Take pictures of everything that is wrong weekly. If the condition does not change, you can do it once a month. Your home must look clean and neat. ➤ Rodents/Roaches: Lay traps in every room you see them. Take a picture of it empty. Take a picture every morning until it is full or too dusty for anything else to stick. Throw away the trap. Print the pictures with the date stamp that you took it showing. ➤ Bedbugs: Fill an old coffee cup with ten tablespoons of sugar, two tablespoons of yeast, and one and a half quarts of water, and put it in the middle of an upturned dog bowl. To give them a foothold, glue fabric on the outside of the bowl. Put the trap on the bed, take a picture empty and sleep in another room. Take a picture the next day. Flush bedbugs down toilet. ➤ Faulty heaters, water heaters, stoves: Call the Gas Co. ➤ Mold: Hire a private mold inspector. ➤ Bring in receipts for all repairs you made.
<p>REAP CASES</p> <p>If you are in REAP and you want to stay as a tenant, pay your rent to REAP. If you are in REAP the City of Los Angeles sent you a letter.</p>	
<p>WITNESSES</p> <p>We need the names and phone numbers the people who know of the bad conditions.</p>	
<p>IF YOU ARE UNDER RENT CONTROL</p> <p>Get a CERTIFIED copy of "Declaration of Registration status and payment of SCEP fees." M-F 9-4PM:</p> <ul style="list-style-type: none"> ▪ 3550 Wilshire Blvd, 15th Fl, LA, 90010 ▪ 690 Knox St #125, Torrance 90502 ▪ 6640 Van Nuys Blvd, Van Nuys 91405 ▪ 2215 North Broadway, LA 90032 ▪ WeHo City Hall 8300 Santa Monica Blvd. ▪ Santa Monica 1685 Main Street, Room 202 <p>Give lowest address on property. TODAY and once a week take pictures of all the walls of the laundry room, common areas and mail box area to prove the required notices are missing.</p>	

What is the best way to achieve my goals? Hire us. Do the tasks we ask you to do. Bring in the evidence. Cooperate with our requests. Get involved in strengthening laws for tenants.

Can I decide to hire you later? Yes. Remember we do better if you hire us early.

What should I expect on the day of my trial? The paralegal will give you a handout called "Victory Depends on You." Read and understand it. If you hire us in early we will get the notice of trial. If you hire us later, you will get the notice of trial and you must bring it in to your case manager immediately. If you have not brought all your evidence, do so right away.

We hear excuses all the time. I could not get off of work. I could not find the time. I was confused. If you don't have time to gather the evidence, then think about how much time and energy and money it is going to take to find housing in this horrible market. Are you prepared to buy a tent and set it up under a bridge? No! Get the evidence!

On the day of trial arrive by 8:15AM. Go to the Department listed on your notice of trial. Wait for the doors of the courtroom to open. Sit inside with your orange folder showing. Listen to the speeches. Wait for the case to be called. If your lawyer is not there, it's because they are covering two courts. When your name is called say you are present and sit back down. After all the cases are called go out to the hallway and stand in the space right in between Department 91 and Department 97. If you see other people with orange folders, ask them to join you. When the lawyer is available they will come and find you all in the space between Department 91 and 97. They will explain the following:

1. The first day of trial is an opportunity to try to settle.
2. The lawyer will confirm your goals with you.
3. The lawyer will confirm that you have your rent and if not why not and when will you have it.
4. The lawyer may ask you about missing evidence or other issues.
5. The lawyer will then ask you to find a place in the hallway where you will wait all morning.
6. The lawyer will make your settlement offer to the other side. This offer could be: a) my client wants to pay the rent and stay; or 2) my client wants the repairs to be made and to pay a reduced rent of X% after the repairs are made and stay; 3) or my client will move in X days if you forgive the rent, keep the record sealed and give them \$X amount of money. The amount of time and the amount of reduced rent and the amount of money to move depends on how good your evidence is.
7. The lawyer will go back and forth all morning trying to make a settlement. You must stay in the same place all morning. If you get thirsty go to the 2nd floor snack bar or the 9th floor cafeteria and come right back. If you need a bathroom they are across from the elevators; go and come back to the same spot.
8. Do not approach the lawyer. Let the lawyer approach you. The lawyer is balancing a lot of cases and when everyone is approaching it creates confusion.
9. There is a break at 12PM until 1:30PM. You may be able to go home at noon or you may be asked to come back at 1:30PM. The lawyer may ask to meet with you in the cafeteria between noon and 1:30PM.
10. If the case does not settle the first day it will be continued to another day. Because both law firms have a high volume caseload and the courts are also busy, it can take several appearances before the case either settles or is assigned a trial judge.
11. If you have to come back you can ask to be put "on call." You give us your number and we call you if we need you to come down. You will have a few hours to get to court and usually you will have till the next day.
12. Exception: If you get a separate notice called a "Notice to Appear" we cannot put you on call.

How should I dress for court? Business casual. No jeans. No sweats. No T-shirts. Men in dress slacks with long-sleeve dress shirt and tie (no jacket). Women in dress or dress slacks and blouse.

When will I be prepared for court? You will be scheduled for a meeting to bring in your evidence. You can ask questions at the appearances. The real preparation happens once the case is assigned to a judge unless the trial attorney thinks they need an earlier meeting.

What if I have questions? It is best to hold them for the evidence meeting or for the first court appearance.

Please get involved: Tenants have few rights and many obligations. If you want stronger protections for tenants, get involved. Join one of the tenants rights organizations (lower left corner of the Orange flyer). Take copies of our referral flyers and spread them widely. We want to get this information #OnEveryFridge, in LA County so that tenants can get help when they need it.

Homeownership: A few clients have been able to buy homes with the money they saved or the money we got them. If this is a possibility for you ask the paralegal for the appropriate referrals.

Next Step: Follow the instructions above. Come back as needed. Bring all documents including this letter with you. Consultations are free. Donations are welcome. Representation in eviction court is based on ability to pay.

I have read and understood this letter.

Date: _____ Signature: _____

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Compliant with Section 20 of the COVID-19 Tenant Relief Act of 2020, AB 3088

California Tenants ONLY

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Address: _____

FROM: Tenant Name(s): _____
Address: _____

Re: Rent for (*check one box only*)

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> March 2020 – August 2020 | <input type="checkbox"/> September 2020 | <input type="checkbox"/> October 2020 |
| <input type="checkbox"/> November 2020 | <input type="checkbox"/> December 2020 | <input type="checkbox"/> January 2021 |

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.

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.

Dated: _____ Tenant Signature: _____

Printed Name: _____

INSTRUCTIONS FOR USE

1. March through August 2020 Rent: If you did not pay rent for any month between March 2020 and August 2020 AND you have a COVID-19 related reason for not paying AND your landlord has not sent you a notice to pay or quit and/or a declaration that looks like the previous page, please read this declaration and if true for you, print it, mark the correct box for the months (one box only), date it, sign it and send it. See below for how to send. **Result:** The owner will not be able to evict you for these months. The owner can take you to small claims court to collect this rent debt.

2. September 2020 through January 2021 Rent: If you are unable to pay any months between September 2020 and January 2021, AND you have a COVID-19 related reason for not paying, for each and please read this declaration and if true, print it, mark the month (one box only), date it, sign it and send it. See below for sending instructions.

In order to stay out of eviction court for the months of September 2020 through January 2021, you also have to pay 25% of the rent for each of those months. You can pay it month by month or you can wait until January 30, 2021 to pay all 5 x 25% at once. **Result:** If, after consulting with a StayHousedLA attorney, you determine that you do not want to be in eviction court, pay the 25%. Tenants with severe bad conditions or living in illegal units should talk with a StayHousedLA County attorney before deciding whether to pay.

3. Landlord Sends You a Notice: If the owner sends you a notice to pay rent with a declaration, read it, if it is the same, date, sign and send it exactly as instructed in the notice. Note that sometimes owners change the address or the way to pay. Follow the instructions in the notice to pay rent or quit for where and how to send the rent or the declaration.

4. Follow these instructions even if you have sent a letter to your landlord each month that you have not paid.

5. How to send: Make a video of yourself doing these steps. Get a “proof of mailing” at the post office. Certified mail is not required. Email the video to yourself to avoid losing the evidence. Keep the copy of the declaration and your proof of mailing in a safe place. You could also mail a copy of your Declaration to yourself at your own address at the same time and keep the envelope when it comes – do not open it. Also Keep evidence of any partial payments that you make.

REASONING BEHIND THESE INSTRUCTIONS

1. Using the Declaration does two things:

- a. It provides a defense to an eviction case based on nonpayment of rent; and
- b. It converts your rent to “civil debt.” This means that the landlord can file a small claims case for the unpaid rent. If a landlord gets a judgment for the unpaid rent in small claims court, the landlord can collect that judgment by garnishing your paycheck, levying your bank account.

2. Proof of financial distress. You are not required to provide proof of financial distress unless the landlord demands it AND your annual household income is more than: (a) \$100,000; and (b) at or above 130% of median income in your county.

3. However, a landlord who doubts the truth of your Declaration could still try to evict you. In that case, you would have to provide proof to a court. Be prepared in advance by gathering all relevant evidence related to your loss of income and inability to pay. Eg. letter of termination, proof of unemployment, receipts for increased expense. Do not send bank statements to your landlord but we might want you to have them for court.

4. Using this declaration satisfies any local requirements to notify your landlord. Send the declaration by your rent due date and no later than 7 days from your due date. If your local city requires that you also provide proof, provide it.

The above information does not substitute for direct legal advice for your specific situation. If you have received a Notice to Pay Rent or Quit or any other type of eviction notice, sign up for a workshop and/or get legal help at StayHousedla.org. **Los Angeles County:** <https://www.StayHousedLA.org>.

TENANTS TOGETHER

AB 1482

STATEWIDE RENT CAP AND JUST CAUSE PROTECTIONS WHAT CALIFORNIA TENANTS NEED TO KNOW!

WHAT IS AB 1482?

- California Legislators passed, and the Governor is expected to sign, AB 1482, which "caps" how much rent can be increased per year for covered rental units. AB 1482 also requires landlords to provide a "cause" for eviction. **Provisions of AB 1482 are effective 1/1/2020, and sunset in 1/1/2030.**
- Landlords must inform tenants of their rights under AB 1482 via addendum or written notice starting 07/01/2020 for new leases and by 08/01/2020 for existing tenants.

WHAT TYPES OF HOUSING ARE COVERED?

- Units not covered by local rent control or just cause ordinance.
- Multi-unit rental housing built before the last 15 years, with units built in subsequent years added on a rolling basis.
- Duplexes not occupied by the owner.
- Single Family Homes (SFH) owned by a corporation or an LLC with at least one corporate member. Owner must provide tenant written notice if SFH is exempted from AB 1482 because it is owned by a natural person.

RENT INCREASE CAP

- Covered rents are capped at 5% plus regional CPI* or 10%, whichever is lower.
- Rent can be increased up to twice over a 12-month period, but it cannot add up to more than 5% + CPI*.
- Total rent charged by master tenant cannot exceed rent charged by landlord.
- Landlord can establish the initial rent at the start of a tenancy, without limit.
- Rent increases will be based on the "gross rental rate", which does not include discounts from landlord (i.e. first month free). Any discounts or concessions must be listed on the lease.

RECEIVED A RENT INCREASE BETWEEN 3/15/19 AND 1/1/2020?

- If rent was increased over 5% + CPI between 03/15/19 and 1/1/2020, then **on 1/1/2020 the rent will be the amount as of 3/15/19, plus the allowed increase of 5% + CPI.**
- Landlords must still provide a rent increase notice as per state law (30 days if less than 10%, 60 days if 10% or more)
- Landlords do not have to return over payments of rent made between March 15, 2019 to Jan 1, 2020.
- Landlords who raised the rent by less than 5% + CPI* between March 15, 2019 and January 1, 2020, can raise the rent up to 5% + CPI* rent cap by March 2020.

*CPI= Consumer Price Index, also known as the rate of inflation. Under AB 1482, regional CPI is used to calculate the rent cap. If there is no regional CPI for the area where the rental unit is located, then the California CPI will apply. To find out the CPI that applies to your city, please go to, <https://www.dir.ca.gov/OPRL/CAPriceIndex.htm> and use the "Consumer Price Index calculator (1989 - 2019)".

WWW.TENANTSTOGETHER.ORG

JUST CAUSE PROTECTIONS

- Tenants qualify for just cause protections after all tenants (new and subsequent) have lived there for at least 12 months.
- If a new roommate moves in within the first 12 months, then just cause protections are not effective until all occupants have lived there for at least 24 months.
- If all occupants have lived there for 12 months as of 1/1/2020, just cause protections will apply as of 1/1/2020.
- Landlords must provide a chance to cure an alleged violation
- Once just cause is effective, notice to vacate must include reason for eviction, or it will not be a valid notice.

FAULT EVICTIONS

(3-DAY WRITTEN NOTICE, NO RELOCATION ASSISTANCE REQUIRED)

1. Failure to Pay Rent
2. Lease Violation
3. Nuisance
4. Damaging the property
5. Refusal to sign a lease extension or renewal with similar terms as the current lease.
6. Criminal activity on the premises or making threats to the landlord or their agent.
7. Subletting in violation of the lease.
8. Refusal to let the landlord enter as allowed under the law.
9. Using the property for unlawful purposes.
10. Landlord terminates tenant's employment, which is a condition of tenant's occupancy.
11. Tenant remains in rental unit after providing written notice of the tenant's intent to vacate.

NO-FAULT EVICTIONS

(30- OR 60-DAY NOTICE, REQUIRES RELOCATION ASSISTANCE)

1. Owner, or owner's relatives, intend to move into the rental unit. Owner's relatives include: spouse, domestic partner, children, grandchildren, parents, or grandparents.
 - a. For leases entered into after 07/1/2020, owner/relative move-in would only be allowed if tenant agrees to it in writing or if owner includes it in the lease.
 - b. If the owner adds a clause to allow for owner/relative move-in to an existing or renewed lease, it is considered a "similar" provision and not a material change to the lease.
2. The owner withdraws the unit from the rental market (Ellis Act).
3. To comply with a court or government order that requires the tenant to vacate (uninhabitable, local ordinance).
4. Owner intends to substantially remodel the unit, the work cannot be done safely with tenant in place and requires the tenant to vacate the property for at least 30 days.

RELOCATION ASSISTANCE REQUIRED

- For no-fault evictions, the landlord must give one (1) month's rent as relocation assistance, or waive last month of rent.
- Notice to vacate must inform of options for relocation assistance.
- If notice to vacate does not include right to relocation assistance, notice will not be valid.
- If relocation assistance is not provided within 15 days of notice, notice will not be valid.
- Relocation assistance under AB 1482 will be counted as part of any assistance required under local law.

ATTENTION

SHRIVER SELF-HELP CENTER

WILL PROVIDE REMOTE SERVICES UNTIL FURTHER NOTICE

**IF YOU NEED HELP WITH YOUR LANDLORD PLEASE
CONTACT US AT:**

(818) 485-0576

OR

VIA EMAIL: Shrivershpublic@nlsia.org

Hours:

Monday-Thursday 8:30am-12pm & 1pm-4:00pm

Friday: 8:30am-12pm & 1:00 to 2:30pm

We care about your health and safety. Thank you for your understanding.