



Tenderloin Housing Clinic Law Office General Information Regarding Evictions and COVID-19 Pandemic

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For tenants seeking general advice regarding evictions during the COVID-19 (Coronavirus) pandemic and San Francisco's Shelter-in-Place orders, the Tenderloin Housing Clinic Law Office is providing the following information to tenants in San Francisco.

Governor Gavin Newsom issued a state-wide shelter-in-place order which mirrors San Francisco's Shelter-in-Place Order ("SPO") requiring residents to stay at home except for essential needs. On March 31, San Francisco extended the SPO from April 7, 2020 to May 3, 2020.

San Francisco Eviction Moratorium:

San Francisco's eviction moratorium provides tenants protection from eviction for non-payment of rent resulting from financial hardship because of COVID-19 through April 23. It only applies to rents that are due after March 13, 2020. If you cannot pay the full rent, you need to notify your landlord within 30 days after the date your rent payment is due, and within 8 days thereafter, provide some proof that you lost income because of COVID-19 and are unable to pay rent. The eviction moratorium also provides protection against all evictions----- **except Ellis Act** or nuisance evictions based on violence, health safety nuisance---- based on termination notices that expire within 60 days after the eviction moratorium order ends. Currently the moratorium ends April 23, so the moratorium extends for 60 days thereafter to June 22. However, the eviction moratorium does not offer protection for termination notices issued before March 16 or expiring before April 23. If you have received a no-fault eviction notice and you wish to have THC represent you, please call THC (415-771-9850 ext. 9) to schedule a telephone appointment and potential representation. If there is no answer, leave your name and telephone number and someone will call you back. Please do so as soon as possible and before the notice expires, as you may have rights that are waived if you fail to assert them within 30 days after service of the notice.

If you cannot pay the rent due to lost income because of COVID-19, you should also obtain some written proof that you lost income because of COVID-19 and are unable to pay rent so you can provide documentation to your landlord. The City's order regarding non-payment of rent cases sets forth a specific procedure for claiming its protections. For instance, tenants must notify their landlords within 30 days of the rent becoming due of the tenant's inability to pay. Moreover, the order does not forgive rent, it merely allows tenants up to 6 months to pay the rent and only if the specific procedure is followed. The following links are to sample letters for your landlord and for your employer to assist you in asserting your rights under the moratorium on non-payment of rent evictions.

For your landlord:

<https://evictiondefense.org/wp-content/uploads/2020/03/covid-19-notice-to-landlord-english.pdf>

<https://evictiondefense.org/wp-content/uploads/2020/03/covid-19-notice-to-landlord-spanish.pdf>

<https://evictiondefense.org/wp-content/uploads/2020/03/covid-19-notice-to-landlord-chinese.pdf>

For your (former) employer:

<https://evictiondefense.org/wp-content/uploads/2020/03/edc-covid19-letter-sample-employer.pdf>

Based on the Tenderloin Housing Clinic's efforts and outreach to City Supervisors and California senators, along with other non-profits' efforts, on March 18th, the San Francisco Superior Court announced that all pending unlawful detainer (evictions) cases, including trials, motions, discovery, and ex parte applications, with the exception of unlawful detainer cases resulting from violence, threats of violence, or health and safety issues, are stayed (on hold) for 90 days (i.e. June 18). Unfortunately, landlords may still unlawful detainer (eviction) lawsuits. If you are served with an unlawful detainer (eviction) lawsuit, you need to promptly contact the Eviction Defense Collaborative (EDC); call (415) 659-9184 or email: legal@evictiondefense.org. EDC coordinates the service providers providing tenants with legal defense in eviction lawsuits. They will assist you in referrals to tenant attorneys, including THC if your case is the type that THC would represent. Please don't be confused based on the news that all evictions are stopped. They are not.

Even though Tenderloin Housing Clinic continues to provide legal service, it is taking all necessary precautions to comply with government instructions regarding containing the spread of COVID-19. The San Francisco Department of Public Health (SFDPH) March 31 Order requires 1) "all individuals currently living within the County are ordered to shelter at their place of residence;" 2) "when people need to leave their place of residence for the limited purposes allowed in this Order, they must strictly comply with Social Distancing Requirements."

Therefore, THC will **not** meet with tenants needing representation in a person-to person interaction. All intake and advice will be conducted by telephone until further notice. If you want to schedule a telephone consultation/intake, call 415-771-9850 ext. 9. If there is no answer, leave your name and telephone number and someone will call you back. Due to a reduction of persons staffing of the office during the SPO, we will not be conducting general tenant counseling. Please call any of the San Francisco tenant counselling organizations if you want general counselling. Two such counselling agencies are Housing Rights Committee of SF 415-703-8644/415-947-9085 and the San Francisco Tenants Union <https://www.sftu.org/drop-in-clinic>.]