

Revised January 28, 2021



NOTICE TO LANDLORD FOR EVICTION PROTECTION FOR NONPAYMENT OF RENT DUE TO COVID-19

The City of Santa Monica enacted a temporary moratorium on evictions for nonpayment of rent by residential and some commercial tenants whose income has been negatively impacted by the COVID-19 pandemic. During the period of the moratorium, a landlord cannot evict a tenant for nonpayment of rent if the tenant is unable to pay rent due to loss of income related to COVID-19. Once the tenant gives the landlord “notice” as described below, the landlord may not then serve the tenant with a notice to pay rent or quit, or file an unlawful detainer action against the tenant. The landlord also may not charge a late fee or interest for rent that is delayed for this reason. The moratorium was initially issued on March 14, 2020, and it has been revised since then. The moratorium for non-payment of rent for residential tenants is in effect from March 14 to September 30, 2020 and from February 1, 2021 to March 31, 2021. The moratorium for certain commercial tenants is in effect through March 31, 2021.

A tenant seeking protection from eviction under the moratorium must notify the landlord that:

- (1) The tenant is unable to pay the rent; and
- (2) The tenant has suffered a loss in income due to financial impacts related to COVID-19.

The tenant must provide documentation to support the claim. The City’s Moratorium requires the tenant notify the landlord within 30 days after rent is due. **If the tenant can notify the landlord before rent is due, the tenant should do so, as soon as possible.** The tenant must notify the landlord, or the landlord’s representative (such as a manager), in writing; “in writing” includes email or text. A tenant should keep copies of all notifications to the landlord.

WHAT TENANT IS REQUIRED TO GIVE TO LANDLORD:

- (1) A “notice” to the landlord indicating that the tenant is unable to pay rent due to loss of income related to COVID-19. An example of such “notice” is as follows:

My name is [tenant’s name], and I am a tenant at your property located at [apartment address], [unit number] in the City of Santa Monica. I am temporarily unable to pay rent due to financial impacts related to COVID-19. I am seeking protection against eviction for nonpayment of rent under the Santa Monica eviction moratorium. Attached are documents that support my claim.

- (2) Documents supporting the tenant’s claim of inability to pay rent. The documentation described on the next page are examples only. Not every tenant can provide every type of documentation. The tenant should complete, sign, and attach documents to “Documents in Support of Protection under Eviction Moratorium.”

See the next page for a sample Notice of Protection under Eviction Moratorium.

The City Attorney’s Office cannot provide legal advice or represent private parties in court. The City Attorney represents the City of Santa Monica, and the People of the State of California. If you have any questions concerning your private legal rights, remedies, or responsibilities, please contact an attorney.

Notice of Protection under Eviction Moratorium

This notice is from the tenant to the landlord.

Tenant Information

First Name

Last Name

Santa Monica

CA

Street Address

City

State

Zip code

Unit #

I am temporarily unable to pay rent due to financial impacts related to COVID-19. I am seeking protection against eviction for nonpayment of rent under the City of Santa Monica's eviction moratorium.

COVID-19 IMPACT: My income has been impacted by COVID-19 due to the following (select one):

- Job loss
- Missing work to care for a child due to school closure
- Reduction of work hours
- State or local emergency action that prevents me from working
- Extraordinary out of pocket costs, such as medical costs (including doctor or hospital bills)
- Missing work due to being sick with COVID-19 or caring for a household or family member who is sick with COVID-19
- Other: _____

DOCUMENTATION: I am providing the following documentation of my loss of income (select all that apply):

- Letter from employer citing COVID-19 as a reason for reduced work hours or termination
- Paycheck stubs from before and after the COVID-19 outbreak
- Bank statements showing financial situation before and after the COVID-19 outbreak
- Other proof of loss of income related to COVID-19: _____

Documentation for items selected above is attached.

Tenant Signature: _____ **Date:** _____