



Emergency Moratorium on Rent Increases and Evictions Frequently Asked Questions (FAQ)

What are the dates when the moratorium is in effect?

The Oakland City Council passed this moratorium on Friday, March 27, 2020, effective immediately. The moratorium will be in effect until the City Council lifts the local declaration of emergency due to COVID-19.

Are tenants required to notify the property owner in writing that they can't pay rent due to COVID-19?

No. While there is no requirement that tenants notify the Owner that they cannot pay rent due to COVID-19, the Rent Adjustment Program (RAP) encourages tenants to be as communicative as possible about an inability to pay rent due, and to keep accurate records and notes of the communication.

Are tenants required to provide proof to the property owner that their income was reduced because of COVID-19?

No. Under Oakland's Emergency Ordinance, a property owner cannot require a tenant to provide proof that their income is reduced because of COVID-19. However, there may be additional requirements from the State. RAP encourages property owners and tenants to work together during the moratorium.

Are tenants still required to pay rent during the moratorium?

Yes. While the tenant cannot be evicted for non-payment of rent due to loss of income related to the coronavirus pandemic, the emergency ordinance does not relieve a tenant of the obligation to pay back rent that was due during the moratorium.

What happens if the tenant's lease expires during the moratorium?

Termination of a lease is never just cause to evict a tenant. A diagnosis of coronavirus, the sale of a property, and foreclosure are also not grounds for evictions under the Just Cause for Eviction Ordinance.

What happens when the moratorium is over?

When the moratorium is over, Oakland laws on evictions and rent control still apply. Rent that has not been paid, is still due. While a property owner may not evict for unpaid rent due to a loss of income because of the coronavirus pandemic, a property owner may file a small claims action to recover the back rent owed.

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CITY OF OAKLAND

Rent Adjustment Program

Department of Housing and Community Development



How does the new state COVID-19 tenant relief law affect the moratorium?

The COVID-19 Tenant Relief Act of 2020 (AB 3088) will not significantly affect the moratorium. Oakland's eviction moratorium will continue to protect Oakland renters from evictions during the COVID-19 emergency. However, tenants living in units not covered by the eviction moratorium, i.e. non-Just Cause units, will have additional protections under AB 3088.

How does the CDC order affect the moratorium?

The CDC order does not apply in state or local areas with the same or greater level of protections. Because the Oakland's eviction moratorium provides more protections to tenants, the local moratorium will continue to protect Oakland renters from evictions during the COVID-19 emergency.

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