

COVID-19/Coronavirus Eviction Update

Dear Valued Clients,

As you may know, the United States and the State of California are implementing certain restrictions to mitigate the spread of COVID-19/Coronavirus and provide economic relief to persons impacted by the Coronavirus. These include the legal restrictions set forth below. Our staff and Click Legal continue our work subject to the restrictions set forth below on evictions. **For example, our office will continue to serve 30-day notices and 60-day notices that are non-rent based if you have a problem tenant. Nothing prevents you from filing an eviction lawsuit based upon these notices at this time.** Here are the new Orders in place impacting your case if it is based on nonpayment of rent. This includes just cause eviction notices based on nonpayment of rent.

STATE OF CALIFORNIA ORDER-

On March 16, 2020, Governor Newsom issued an Executive Order N-28-20 (See attached). This Order allows local governments to halt residential or commercial evictions caused by the COVID-19 pandemic. This Executive Order remains in effect through May 31, 2020, unless extended. **This Order only applies to evictions based on nonpayment of rent and post-foreclosure evictions.** . This means that the local government must enact emergency legislation before there is such a restriction and the restriction is limited to only these two types of evictions. In regards to nonpayment of rent there must ultimately be a documented decrease in household income caused by COVID-19. This of course is an issue for trial.

CITY OF SAN DIEGO ORDER

The City of San Diego enacted a temporary (30-day) moratorium on evictions caused by the coronavirus. Legally, the scope of the local ordinance cannot exceed the parameters of the state law. This means only nonpayment of rent cases and post-foreclosure evictions. Chula Vista has enacted a similar ordinance. It is virtually certain this order will be enacted as an ordinance and therefore can be in place at least until May 31, 2020 per state law.

SAN DIEGO SUPERIOR COURT CLOSED UNTIL April 3, 2020

Courts are now closed until April 3, 2020. Court filings cannot be completed until then. All Trials and pending hearings will be re-scheduled. However, future dates are not designated yet. These include all pending unlawful detainer hearings and trials. At this time, the Court is not processing paperwork. This information is subject to change and our office will make every effort to keep you up to date as more information is available to our office. Please feel free to personally email me at marslawbmw@gmail.com if you have questions or want to serve a 30-day or 60-day non-rent based eviction notice. I am not setting meetings at this time.

Thank you, Daniel Marshall, Attorney at Law