



Rent Stabilization Board

## The Berkeley City Council has placed end dates on the COVID-19 Eviction Moratorium!

The Berkeley City Council has made two important changes to the Eviction Moratorium (BMC Chapter 13.110) that you should know about.

### The “Covered Period” Is Extended Through April 30, 2023

- During this period, landlords may only evict tenants to ensure the health and safety of other residents.
- Unpaid rent that accrues at any point during the Covered Period may not be used as the basis to evict a tenant following the expiration of that period.

### A New “Transition Period” Covers May 1 – August 31, 2023

During the Transition Period, landlords may evict tenant households for three reasons:

1. To ensure the health and safety of other residents at the property.
2. To perform an Owner Move-in eviction if they own only one residential property in Berkeley.
3. For nonpayment of rent that came due May 1 through August 31, 2023, unless the tenant provides documentation of a COVID-related reason for nonpayment.

A COVID-related reason for nonpayment of rent includes at least one of the following:

- A decrease in income caused by COVID-19 or any government response to COVID-19.
- Material decrease in household income due to caregiving responsibilities.
- Material out-of-pocket medical expenses due to COVID-19.
- A reduction in the number of tenants in a residential unit.



After August 31, 2023, a landlord may be able to use any unpaid rent that accrues during the Transition Period to begin an eviction lawsuit. Tenants are strongly encouraged to apply for all available rental assistance as soon as possible if they have a COVID-related reason for nonpayment.

*Starting September 1, 2023, all eviction protections arising from COVID-19 will have expired.* State law and the good cause for eviction provisions of the Rent Stabilization Ordinance will again regulate terminations of tenancy and evictions from that point forward.

Please visit the Rent Board’s COVID-19 webpage for more, including information about rent relief: [www.tinyurl.com/rsbcovidinfo](http://www.tinyurl.com/rsbcovidinfo). See the back side of this mailer for an infographic explaining the Transition Period.

# Eviction Moratorium

## UNDERSTANDING THE 'TRANSITION' PERIOD

**MAY 1, 2023 - AUGUST 31, 2023**



### Some Evictions Permitted

An owner may evict a tenant for the following reasons:

- The eviction is necessary to stop an imminent threat to the health and safety of other occupants.
- A qualifying owner intends to move into a residential unit as their own primary residence.
- The tenant has failed to pay rent that came due on or after May 1, 2023 and did not provide the owner with a documented COVID-related reason for failing to pay.



### A COVID-related reason for failing to pay rent is:

- A decrease in income caused by COVID-19 or any government response to COVID-19.
- Material decrease in household income due to caregiving responsibilities.
- Material out-of-pocket medical expenses due to COVID-19.
- A reduction in the number of tenants in a residential unit due to COVID-19.



### Notice Requirements

Any notice to terminate a tenancy for nonpayment of rent must inform the tenant of their right to submit documentation establishing a COVID-related reason for the failure to pay rent.

Tenant must provide a declaration and/or any documentation regarding their COVID-19 related reason for failing to pay rent before the expiration of any notice to terminate the tenancy.



### Rent Relief

The Eviction Defense Center (EDC) has funding from the City of Berkeley to assist Berkeley tenants with rent relief. Please contact the EDC at (510) 452-4541.

**Housing Retention Grants webpage:** [www.tinyurl.com/housing-grants](http://www.tinyurl.com/housing-grants)



### Speak to a Housing Counselor

Contact us with questions about your rights and responsibilities. Counselors cannot give legal advice.

**Phone:** 510-981-7368 **Email:** [rent@cityofberkeley.info](mailto:rent@cityofberkeley.info)

**Make an Appointment:** [www.tinyurl.com/rsbappointment](http://www.tinyurl.com/rsbappointment)



### More information available online!

**Rent Board COVID-19 Resources webpage:** [www.tinyurl.com/rsbcovidinfo](http://www.tinyurl.com/rsbcovidinfo)