City of Los Angeles Eviction Moratorium & Rent Freeze

The City of Los Angeles’ eviction moratorium prohibits landlords from terminating tenancies based on (1) non-payment of rent due to COVID-19 related inability to pay; (2) any “no fault” reason for termination; (3) certain lease violations related to unauthorized occupants, unauthorized pets, and nuisance; and (4) the City’s Ellis Act provisions. Landlords are required to provide notice of the ordinance’s tenant protections to tenants within 30 days of the ordinance effective date. The ordinance also has an extended repayment schedule – allowing tenants 12 months after the end of the Local Emergency to repay the delayed rent.

On March 30, 2020, the Mayor of the City ordered a rent freeze, prohibiting owners from increasing rents on occupied rental units that are subject to the City’s rent control provisions beginning on the date of the order and extending through 60 days after the expiration of the Local Emergency period.

Both the eviction moratorium and rent freeze are discussed separately in more detail below.

Note: CAA recommends that an attorney be used for preparation of any termination notices or eviction filings during the current state of emergency.

Eviction Moratorium

Ordinance and Resolution Enacted by City Council: March 27

Effective Date: March 27. However, the ordinance is retroactive. It applies to “non-payment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after March 4, 2020.”

Duration: The ordinance expires at the end of the Local Emergency period. That period started March 4, 2020 and will end upon declaration by the Mayor.

Mandatory Notice from Landlord: Landlords are required to give tenants notice of the protections afforded by the ordinance within 30 days of its effective date. The City is preparing a notice for this purpose (see hcidla.lacity.org/covid-19-eviction-moratorium for updates regarding that notice).

Definition of Inability to Pay: The ordinance protects tenants who are unable to pay rent due to circumstances related to the COVID-19 pandemic. These circumstances include “loss of income due to a COVID-19 related workplace closure, children care expenditures due to school closures, health-care expenses related to being ill with COVID-19 or caring for a member of the tenant’s household or family who is ill with COVID-19, or reasonable expenditures that stem from government-ordered emergency measures.”

Deadline for Tenant to Provide Notice of Inability to Pay to Landlord: The ordinance does not require tenants to provide notice of COVID-19 related inability to pay to the landlord or to provide
documentation to the landlord. It provides that qualifying inability to pay serves as an affirmative
defense to eviction for non-payment.

**Deadline for Payment of Rent Subject to Moratorium:** The tenant has 12 months after the end of
the Local Emergency period to pay the rent. Prior to the end of the Local Emergency period or within
90 days of the first missed rent payment, the landlord and tenant may agreement to a payment plan
from options developed by the City.

**Prohibition on No Fault Evictions:** No fault evictions, meaning “any eviction for which the notice
terminate tenancy is not based on an alleged fault of the tenant” are prohibited during the Local
Emergency period.

**Prohibition on Eviction for Certain Lease Violations:** The ordinance prohibits “eviction during the
Local Emergency period based on the presence of unauthorized occupants, pets or nuisance related
to COVID-19.”

**Prohibition on Ellis Act Evictions:** The ordinance also prohibits landlords from removing any
occupied units from the rental market as would otherwise be allowed by the Ellis Act.

**Limitations on other Charges:** The ordinance prohibits an owner from charging interest or a late fee
on rent not paid under its provisions.

**City of Los Angeles Eviction Moratorium Information:**
hcidla.lacity.org/covid-19-eviction-moratorium

**City of Los Angeles Eviction Moratorium Ordinance:**

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**Rent Freeze**

**Order Issued:** March 30.

**Duration:** March 30 through 60 days after expiration of Local Emergency period. That period started
March 4, 2020 and will end upon declaration by the Mayor.

**Details of Freeze:** Property owners cannot increase rents on occupied rental units.

**Properties Subject to Freeze:** Occupied units subject to the Los Angeles Rent Stabilization
Ordinance. The order does not apply to single-family homes or condominiums exempt from local rent
control under Costa-Hawkins or to units build on or after October 2, 1978 (those units remain subject
to the state’s anti-price gouging law and may also be subject to rent caps under AB 1482).

**Mayor of Los Angeles Rent Freeze Order:**
www.lamayor.org/sites/g/files/wph446/f/page/file/20200330MayorPublicOrderSuspendingRSORentInc
reasesLA.pdf