City of Hayward Eviction Moratorium

The City of Hayward’s ordinance prohibits eviction of any tenant for non-payment who can demonstrate that the failure to pay is related to COVID-19 and prohibits all “no fault” evictions except where necessary for health and safety.

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

**Effective Date:** The ordinance takes effect March 24.

**Duration:** The ordinance will remain in effect for 90 days.

**Definition of Inability to Pay:** The tenant must demonstrate a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or inability to work because their children were out of school, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand) or substantial out-of-pocket medical expenses and the decrease in household or business income or out-of-pocket medical expenses were caused by the COVID0-19 pandemic.

**Deadline for Tenant to Provide Notice of Inability to Pay to Landlord:** No deadline is specified. Once the tenant has provided notice and documentation, the landlord may not take any action toward eviction. The City has provided an optional notice form for tenants to use.

**Form of Notice/Type of Documentation:** Written notice is encouraged, but not required. Acceptable documentation includes, but is not limited to, a statement signed under penalty of perjury that the inability to pay is due to a “covered reason”; medical bills or reports; documents showing reduced income such as pay stubs or unemployment benefit documents; correspondence from an employer citing COVID-19 as a basis for reduction in work hours or termination of employment.

**Deadline for Payment of Rent Subject to Moratorium:** The tenant is required to pay the deferred rent within 90 days after expiration of the moratorium. The City of Hayward Rent Review office will assist with negotiation of reduced rents during the moratorium and enforceable repayment schedules for unpaid rent during the moratorium.

**Prohibition on No-Fault Evictions:** During the moratorium, all “no fault” evictions are prohibited unless necessary for the imminent health and safety of tenants, neighbor, or the landlord. “No fault” means any eviction from which the notice to terminated is not based on alleged fault by the tenant, including, but not limited to, the grounds listed in Hayward’s just cause ordinance.

City of Hayward Eviction Moratorium Ordinance
www.hayward-ca.gov/sites/default/files/documents/ORD%2020-06.pdf

City of Hayward Additional Information (includes tenant notice form, mediation request form)
www.hayward-ca.gov/your-government/programs/temporary-moratorium-evictions