

# EVICTIION MORATORIUM IN SAN JOSÉ

The San José City Council has enacted a temporary eviction moratorium in response to the COVID-19 pandemic. The moratorium is in effect through April 17, and the City Council may extend it.

[Here is a fact sheet about the moratorium.](#)

The moratorium applies to all residential properties in San José, including single-family homes, rooms rented in single-family homes, duplexes, condominiums, income-restricted apartments (i.e., affordable housing), rent-stabilized apartments, market-rate apartments, and mobilehomes.

Please note the moratorium only applies to residential evictions for nonpayment of rent due to impacts of the COVID-19 outbreak. There is no moratorium on lawful evictions for other just causes.

If you are a renter, you must demonstrate two things to qualify for relief under the eviction moratorium:

**1. You have been impacted by COVID-19.** Examples of being impacted by COVID-19 include:

- job loss
- reduction in hours of work
- store, restaurant or office closure
- furlough or layoff
- the need to miss work to care for a home-bound, school-age child
- State or local emergency actions that prevent you from working

**2. You have suffered a substantial loss of income due to COVID-19 or related emergency declarations by County, State or federal agencies.** You must provide documentation to your landlord showing you have experienced a substantial loss of income. Examples of documentation include:

- letter from an employer citing COVID-19 as a reason for reduced work hours or termination
- paycheck stubs from before and after the COVID-19 outbreak
- bank statements showing your financial situation before and after the outbreak

If your landlord initiates an eviction for nonpayment of rent during the moratorium, **you should notify your landlord that your income has been reduced substantially due to COVID-19**. You should begin collecting documentation as soon as possible.

[Here is a form to help you document your reduced income.](#)

To begin the eviction process while the moratorium is in effect, the landlord must provide you with a written notice of the moratorium, and the amount of rent due, in addition to a notice of termination.

When the moratorium ends, your landlord may seek unpaid rent – i.e., past due rent that was not paid during the moratorium – from you.

Please note the moratorium does not apply to preexisting back rent you may have owed prior to the moratorium. If you already owe back rent, you may still be evicted for failure to pay that rent.

While the moratorium is in effect, tenants living in single-family homes, rooms rented in single-family homes, duplexes, condominiums, income-restricted apartments (i.e., affordable housing) and mobilehomes will be provided with [Just Cause eviction protections](#) that are similar to protections provided to many renters under the Tenant Protection Ordinance.

For more information about the urgency eviction moratorium, please read our list of [frequently asked questions](#). If you have additional questions, please email [RSP@sanjoseca.gov](mailto:RSP@sanjoseca.gov) or call the Rent Stabilization Program at 408-975-4480.

# ADDITIONAL ASSISTANCE FOR RENTERS

If you are at risk of losing your housing or missing a rent payment, please contact the [Homelessness Prevention System](#) to request assistance. The Santa Clara County Homelessness Prevention System provides temporary financial assistance (e.g., rent, deposit, or utility payments) and supportive services to low-income families or individuals who are at risk of losing their housing and becoming homeless.

You can contact the Homelessness Prevention System by calling (408) 926-8885 or emailing [housinginfo@sacredheartcs.org](mailto:housinginfo@sacredheartcs.org). You can also contact any of the participating agencies directly (see the list on page two of this [flier](#)). During this current public health crisis, we recommend calling agencies before going into the office to confirm open hours. If needed, the agency may be able to screen you for assistance over the phone to avoid unnecessary visits.

