



City of Ventura Extends Commercial Eviction Protections until February 2021

On October 12, the City Council for the City of Ventura unanimously voted to amend Chapter 6.1020, the City's "Temporary Eviction Moratorium," effective immediately. The amendment removes existing COVID-19 eviction protections for residential tenants (now covered under AB 3088), creates new eviction protections for commercial tenants that experienced a "COVID-19-Related Financial Distress," and provides additional time to pay past due rent owed within two time periods, similar to AB 3088.

A landlord who demands past due rent owed from March 1 to October 31, 2020 (the "Protected Time Period") or from November 1, 2020 to January 31, 2021 (the "Transition Time Period") must provide the tenant with required demand language within a certain time frame, a disclosure explaining the tenant's rights under the new law, and a blank "Declaration of COVID-19-Related Financial Distress" form that the tenant must sign and return to the landlord within 15 days.

Tenants with past due rent during the "Transition Time Period" must be closed due to a government order; open but experienced a combination of decreased revenue and increased expenses of 20% or more compared to past revenue/expenses in a certain period; or were open less than a year and experienced a combination of decreased projected revenue and increased projected expenses of 20% or more compared to pre-COVID-19 projections. Such tenants must also pay each month at least 25% of the rent due for that month.

Tenants must begin making full monthly rent payments and repaying past due rent on February 1, 2021, with 40% of the past due rent to be repaid by July 31, 2021 and the remaining 60% to be paid by January 31, 2022, unless the landlord and tenant make other arrangements.

A landlord cannot bring an unlawful detainer action against a tenant before February 1, 2022 for past due rent during these two periods if the tenant complies with the law's requirements. Landlords may bring an unlawful detainer action if the tenant was guilty of an unlawful detainer prior to March 1, 2020, if the tenant doesn't comply with the law's requirements, certain just cause evictions, for unpaid monthly rent due on February 1, 2021 and after, and a property sale where the buyer intends to occupy the property.

The amended Chapter 6.1020 can be found [here](#).. Landlords and tenants may obtain more information by visiting lawhelpca.org.