

Assembly Bill 828 – Stop Evictions & Foreclosures for those Affected by COVID-19

SBRPA President Betty Jeppesen's Letter to Members



Dear SBRPA Members,

I bring you good news about Assembly Bill 828. It has **not** passed yet. It is going to be considered in the next legislative session when the Legislature returns. So, unless and until it does, you do **not** need to comply with its provisions.

IF PASSED, WHAT WOULD AB 828 REQUIRE?

AB 828 would NOT require you provide a "blanket reduction" of 25% rent to **all** tenants. AB 828 proposes that after the Eviction Moratorium expires, if an owner files a UD (unlawful detainer eviction action) against a tenant, and that particular tenant successfully demonstrates he or she has not paid rent because of COVID-19, the owner must allow that tenant a 25% reduction in rent owed.

SBRPA has joined with other members of our state association, CalRHA, to help fight against AB 828's enactment. Please support this effort by writing in opposition to AB 828 to the sponsor of the bill, Congressman Ting. (assemblymember.ting@asm.ca.gov) As you are able, please continue to make donations to SBRPA so our Government Relations Committee can continue our fight against this unjust and ill-advised bill.

NEW: APRIL 6, 2020 EMERGENCY RULES BY CALIFORNIA'S JUDICIAL COUNCIL

In addition, I wanted to write you immediately to let you know that late yesterday afternoon, the Judicial Council of California adopted **11** emergency rules. Basically, the new rules state that effective immediately and until 90 days after the governor declares the pandemic to be lifted, no evictions -can be pursued in Court unless the Court determines that the eviction is necessary "to protect public health and safety". In legal verbiage:

No Summons may be issued for an Unlawful Detainer action unless that UD is necessary to protect the health and safety of the public (so the action cannot be served on the tenant). If an action was already filed, an entry of default may not be made unless the action is necessary to protect public health and safety; and the defendant has not appeared within the time prescribed. The time for trial if the defendant has appeared in the action may not be set until 60 days after the request unless the court determines that it is necessary to have an earlier trial to protect public health and safety. Sunset of these emergency rules is 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council."

Please know that I am continually monitoring what is happening both on a state and local level. It is an extremely challenging fight, but I am using all aspects of my legal expertise in volunteering my time to continue to fight for you.

Your SBRPA Board President,

Betty L. Jeppesen