

March 2020 - August 2020 Rent
Has the tenant paid all rent due each month?

NO

Serve tenant with 15 day notice with information on rights under AB 3088 and how to claim hardship using a declaration form

YES

Do nothing

Tenant has 15 business days (not including weekends) to respond
FORM: 15-Day Notice 2020

Did the tenant return the declaration?

NO

Landlord may file an unlawful detainer starting October 5, 2020. Results of these detainers will be masked by the court.

YES

Deferred rent for this time period can be collected after March 1, 2021 in small claims court or as a civil action.



What is AB 3088?

AB 3088 addresses non-payment of rent during the COVID-19 pandemic

NOTICING REQUIREMENTS

If a tenant has unpaid rent between March 1, 2020 and August 31, 2020, the landlord must provide the tenant with a notice regarding their rights under AB 3088 by September 30, 2020.

FORM: Notice of Rights (TRA)



September 2020 - January 2021 Rent
Has the tenant paid all the rent due each month?

NO

Serve tenant with 15 day notice with information on rights under AB 3088 and how to claim hardship using a declaration form

YES

Do nothing

Tenant has 15 business days (not including weekends) to respond
FORM: 15 Day Notice 2021

Did the tenant return the declaration?

NO

Landlord may file an unlawful detainer starting October 5, 2020. Results of these detainers will be masked by the court.

YES

Tenant pays at least 25% of monthly rent (during each month, or in lump sum by January 31, 2021) they cannot be evicted.

Did tenant pay 25% of each month by January 31, 2021?

NO

Landlord can proceed with unlawful detainer starting March 1, 2021

YES

Deferred debt can be collected after March 1, 2021 in small claims court

NOTE: Forms available SBRPA website under "Members Legal Forms"