



FOR IMMEDIATE RELEASE

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Council President Sean Elo-Rivera Proposes Residential “No-Fault” Eviction Moratorium

San Diego – Council President Sean Elo-Rivera proposes a Residential ‘No-Fault’ Eviction Moratorium Due to the Declared State of Emergency from COVID-19. The measure would prohibit ‘No-fault’ evictions until 60 days after the end of the declared state of emergency from COVID-19.

“We must take action to prevent homelessness and avoid lives from being disrupted by the economic and emotional trauma of evictions,” said Council President Sean Elo-Rivera. “This moratorium will prevent renters in good standing from being unnecessarily evicted and forced to relocate during a housing crisis has been compounded to the breaking point by the pandemic.”

The moratorium on ‘No-fault evictions’ would create protections to prohibit landlords from evicting residents from their homes, despite no wrongful behavior from the tenant. Preventing these evictions means preventing more San Diegans from falling into homelessness and providing families the stability they need and deserve while the impacts of the pandemic endures.

The Legal Aid Society of San Diego, which provides free civil legal assistance to low-income clients, including protection against eviction and housing instability, reported ‘no-fault’ evictions as comprising the largest percentage of housing related issues for which San Diego households are requesting assistance.

The proposed moratorium will appear before City Council in its April 4 meeting.

Community members who have been impacted by evictions are available upon request.

Council President Elo-Rivera represents San Diego’s Ninth Council District including communities of City Heights, Rolando, Southcrest, Mt. Hope, Talmadge, Mountain View, Kensington, El Cerrito, and the College Area. He is the Chair of the Rules Committee.

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Eviction Moratorium Fact Sheet – Residential No-Fault Eviction Moratorium

- **On March 31, 2022 the State of California’s eviction protections expires**, which prevents evictions for non-payment of rent if the tenant has a pending rental assistance application.
- **The San Diego City Council passed an eviction moratorium in 2021** which protects tenants against eviction for non-payment of rent associated with a COVID-19 hardship, is still in effect until 60 days after the local state of emergency. Meaning, the City of San Diego’s eviction moratorium for non-payment will still be in effect on April 1, 2022.
- **The State and City moratoriums do not cover no-fault evictions**, only nonpayment, which allow landlords to evict tenants even though they are current on their rent and have followed all provisions in their lease. This may be for a remodel, relative moving in, or to take the homes off the rental market.
- **The Legal Aid Society of San Diego (LASSD)** provides free civil legal assistance to low-income clients, including protection against eviction and housing instability. They reported a significant number of clients experiencing a “no-fault eviction”.
- From July 2021 through January 2022, **LASSD received nearly 1,400 requests for assistance for housing related issue from households in the City of San Diego. About 23% of these households requested assistance with a no-fault eviction**, comprising the largest percentage of housing related issues that San Diego households are requesting assistance for.
- The COVID pandemic has compounded an already dire housing crisis where there are very few homes available, affordable or otherwise.
- **Rent for a 1-bedroom apartment has climbed 29% in the past year. Rent for a 2-bedroom apartment has climbed 27% in the past year.** Eviction of tenants in a market with a housing affordability crisis poses a great risk that more people may become homeless.
- **Over 50% of San Diego homes are occupied by renters.** These are residents living in all parts of our city who make tremendous contributions to our well-being. The City must protect residents and prevent their displacement and potential homelessness amid the COVID-19 emergency.
- **We must ensure that no San Diegan needlessly fall into homelessness. We must prevent unnecessary evictions where the resident has done nothing wrong in order to prevent unnecessary health risks arising from the instability of losing a home.**
- **Council President Sean Elo-Rivera proposes adding “no-fault” evictions, with limited exceptions, to our City’s existing emergency eviction moratorium.** This will provide additional protections and housing stability until 60 days after the local state of emergency has ended.
- **Evictions for non-payment of rent not related to COVID-19, illegal uses or nuisances would still be allowed.**