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AB 3088 – Passes Eviction Restrictions

Assembly Bill 3088 - Governor Gavin Newsom signed this new measure into law late Monday.

The “compromise” measure staves off evictions through Jan. 31, 2021, as long as tenants pay 25% of their rent from September 1 onward. Landlords will not be able to evict tenants for unpaid rent from March through August 2020, though they can sue tenants in small claims court for the debt starting March 1, 2021. Tenants will have to swear to pandemic-related financial distress under penalty of perjury, and “high-income” renters making at least 130% of a county’s median income will have to submit actual proof they lost their job or income. While AB 3088 does not immunize landlords from foreclosures or force banks to offer mortgage forbearance, it extends protections embodied in the California Homeowner Bill of Rights to some owners of rental properties with four units or less.

The new law, dubbed the **Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020**, preempts tenant-protection ordinances passed by cities throughout California. Though the bill grandfathers in municipal ordinances already enacted, it does not allow cities to extend them after they expire. Hart King is planning a 30 minute webinar to address this new statutory scheme.

If you have any questions about this bill and how it may affect your Park, please contact one of the Hart King attorneys below. *Experience matters. We can help.*

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