



FAQs: End of Eviction Moratorium

The statewide eviction moratorium ends September 30, 2021. What does that mean for Marin tenants?

The pandemic eviction moratorium ends September 30, 2021¹. The moratorium protected tenants from eviction if they were unable to pay rent due to the pandemic. The moratorium also expanded eviction protections, enacted in 2019, to ALL tenants. With these protections ending, it is more important than ever to understand your rights as a tenant going forward.

My income is still impacted by the pandemic. What happens if I cannot pay full rent on October 1, 2021?

Starting October 1, 2021, tenants must pay full rent or risk eviction. A landlord can serve you a 3 Day Notice to pay your rent or leave the unit. If the 3 Day Notice expires (does not include weekends, holidays), and you haven't paid your rent, your landlord/master tenant can file an eviction ("Unlawful Detainer") in court. It's important to avoid an eviction in court. While the court process may give you more time to come up with overdue rent, you may also be charged additional fees. Many social service organizations can help pay your rent but you must act quickly because the process could take time. Also consider reaching out to your landlord/manager to request an extension. It will cost them money to go to court – money they could save if you are able to give them an honest timeline of when you expect to be able to pay. If you do not feel comfortable approaching your manager/landlord about your financial situation, Legal Aid of Marin may be able to help.

The Marin County Rental Assistance Program may also be able to help. Qualifying applicants can receive future rent, in 3 month increments, for up to 18 months. If you have not done so already, apply for the rental assistance program, even if you don't think you will qualify or if you borrowed money to stay current on rent. Information can be found on the Marin County website or call 415-473-2223.

I applied for rental assistance but my application is still pending. Will I be evicted?

You will not be evicted if you were unable to pay rent between April 1, 2020 and September 30, 2021 as long as you 1) submitted a COVID Declaration of Inability to Pay to your landlord, and 2) paid 25% of any rent owed from September 1, 2020 to September 30, 2021. Remember: you do not have to pay 25% of rent owed from April 1, 2020 to August 31, 2020 in order to be protected from eviction. Use the enclosed worksheet to calculate the 25% of rent owed. If you applied for rental assistance and your application is **pending**, a court eviction will be paused. If the application is **approved**, the court eviction will be dismissed and your landlord will receive 100% of rent owed.

¹ The Town of San Anselmo has enacted an [eviction moratorium through December 31, 2021](#) for nonpayment of rent due to COVID-19 financial impact. Use the County's [jurisdiction look-up tool](#) to determine which Marin jurisdiction an address is in.

If the application is **denied**, the court eviction will be dismissed as long as you 1) submitted a COVID Declaration of Inability to Pay to your landlord, and 2) payed 25% of any rent owed from September 1, 2020 to September 30, 2021. If your application was denied, your landlord will be able to go to court to collect the debt. You will not be evicted, but you may have a judgement against you for the unpaid rent. Contact Legal Aid of Marin for a free and confidential consultation.

With the end of the eviction moratorium, do I have any rights as a tenant?

Yes – California and some local jurisdictions (San Rafael, Fairfax, and Unincorporated Marin) have laws that protect tenants, even if you are undocumented. Many tenants – but not all – are protected from large increases in rent, just cause protections from eviction, harassment, threats of deportation, and retaliation for asserting your rights. Your landlord must also provide a clean and safe unit. You are urged to find out more about how to protect yourself as a tenant or subtenant and know your rights. Tenants Together (tenantstogether.org) has excellent resources for tenants in multiple languages. You can also contact Legal Aid of Marin for a free and confidential consultation and additional resources. **If you receive a notice of eviction, contact Legal Aid of Marin immediately to determine what your options are.**