



CITY OF NEWARK

37101 Newark Boulevard, Newark, CA 94560

PRESS RELEASE

Contact:

Laurie Gebhard
Assistant to the City Manager
City of Newark
(510) 578-4392
laurie.gebhard@newark.org

FOR IMMEDIATE RELEASE

March 27, 2020

City of Newark Adopts an Urgency Ordinance Enacting a Temporary Moratorium on Evictions in Response to COVID-19 (Coronavirus)

Newark, CA – On March 26, the City of Newark City Council adopted an urgency ordinance enacting a temporary moratorium on evictions for non-payment of rent by residential and commercial tenants impacted by the loss of income resulting from Novel Coronavirus (COVID-19).

The intent of the ordinance is to avoid unnecessary housing and commercial displacement, mitigate economic effects on small and medium sized businesses, and to prevent housed individuals from falling into homelessness and prevent further transmission of COVID-19.

The ordinance takes effect immediately and applies to all eviction proceedings, such as notices to quit or pay rent or unlawful detainer actions served on or after the effective date of the ordinance.

A tenant must demonstrate that they suffered a substantial loss of income due to the COVID-19 pandemic in order to establish a substantive eviction defense under the ordinance. This can be accomplished by providing supporting documentation that the landlord must keep in confidence. The ordinance does not waive the payment of rent, but rather delays an impacted tenant's obligation to make rent payments during the period of the temporary moratorium.

The moratorium applies to residential tenants under these circumstances:

- COVID-19 illness or caring for a household or family member with COVID-19 illness
- Work closures, layoffs, job loss, a reduction in the number of compensable hours or other economic or employer impacts
- Missing work due to a minor child's school closure, compliance with government health authority orders, or other similarly cased reason

The moratorium applies to commercial tenants who can demonstrate income loss caused by the COVID-19 pandemic under any of the following circumstances:

- Work closures
- Reduction in staff reporting to work
- Modification in opening hours
- Reduction in consumer demand
- Compliance with government health authority orders; or
- Other similarly caused reason resulting in loss of business income

Tenants are required to pay back unpaid rent in 25% increments within forty-five (45) days, ninety (90), one hundred thirty-five (135) days, and one hundred eighty (180) days of the date of expiration of the Eviction Moratorium.

The ordinance takes effect immediately and will remain in effect until May 31, 2020, the expiration of the City's local emergency, or the expiration of the Governor's proclamation of a state of emergency, whichever is later.

Additionally, State law (Penal Code Section 396(f) prohibits any residential evictions during the first thirty (30) days of a State of Emergency. Governor Newsom declared an emergency on March 4, 2020, so no residential eviction should take place between March 4 and April 3, 2020.

For questions regarding the City of Newark's ordinance, please contact Mr. Steven Turner, Community Development Director at steven.turner@newark.org or (510) 578-4208.

Visit the City's website at www.newark.org or City of Newark, CA Facebook page for updated information regarding COVID-19 and how it is impacting our community. The website also provides many resources for residents and businesses.

Attachment: Ordinance

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