



Tenant Rights During COVID 19 and Homeowner Options

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Overview

- CARECEN
- Schedule an appointment
- General tenant rights
- Rights during COVID 19
- Small claims court
- Housing is Key Grants to tenants/landlords
- Golden State Stimulus
- Ownership overview
- Financing your home



Disclaimer

- This presentation is not intended to be legal advice. The information presented is general tenancy and housing information.
- If you have any questions about tenancy and housing issues, please contact an attorney/ non-profit agency that specializes in these areas of law.

**IMPORTANT
NOTICE**



CARECEN

- **CARECEN:** Founded in 1983 by Salvadoran refugees and other human rights activists who worked to secure legal status for Central Americans fleeing civil war.
- **CARECEN Legal Department:** The legal department provides direct legal representation to thousands of clients each year.
- **CARECEN CSU Project:** CSU Chancellor's Office/CA contracted CARECEN to provide legal services at eight CSUs, including Fullerton.



Schedule an Appointment

- Free immigration law help for: students, family members of students and staff.
- Services include: DACA, family petitions, naturalization, SIJS, etc.

Book your appointment here:

<https://carecenla.simplybook.me>



Tenant Rights

COVID 19 has not changed the law

- Right of quiet enjoyment:
 - a. Left alone
 - b. Be provided notices for repairs
- Right to be given 24 hr. notice before entry
- Right to live in a habitable unit
- No self-help eviction-requires court order



COVID 19 Laws

- Tenant Relief Act (AB 3088):
- No rent forgiveness
- 2 Steps:
 1. Rent owed between March 1, 2020 to August 31, 2020
 - a. No eviction if tenant provides COVID declaration*
 - b. Evictions for “safety and health reasons allowed”
 2. Rent owed after September 1, 2020 to June 30, 2021
 - a. No eviction with COVID declaration, but must pay 25% of owed rent*
 - b. Evictions for “safety and health reasons allowed”

* Small claims judgment and no credit report issues



Small Claims Court

- The “People’s Court” –No attorneys
- Small claims advisors free for litigants
- Orange County www.ocsmallclaims.org
- Tenants can sue for deposit and damages
- Landlords rarely use, but AB3088 authorizes use*
- Landlords cannot arbitrarily deny rental relief and sue
- No immigration status to file



Housing is Key



- Federal CARES Act distributed funds to states
- Allocates up to \$10,000 to landlords in a tenant's back rent
- Rent owed must cover the dates of April 1, 2020, to March 1, 2021
- A landlord must agree to accept 80% of the rent due
- If landlord refuses, the tenant will receive up to 25%
- Future rent payment of 25%* and utility assistance



Housing is Key



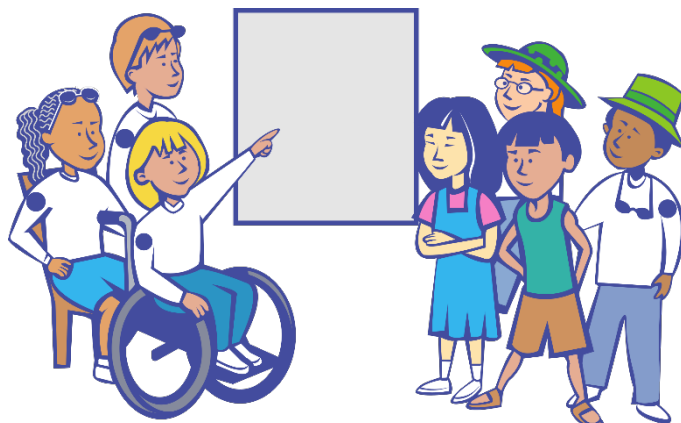
- Qualifications:
 - a. Qualified for unemployment or
 - b. Reduction in household income or
 - c. Experience risk of homelessness or housing instability-ex. Eviction notice, past due rent notices or
 - d. Household income that is not more than 80% of median income
- No Immigration Status Requirement to apply
- Not a Public Charge



Housing is Key



- California: www.housing.ca.gov
- Programs are administered by the County or selected cities
- Orange County administers the program for all cities except:
 - Anaheim: www.Anaheim.net
 - Santa Ana: www.santa-ana.org/cares-for-tenants
 - Irvine: www.cityofirvine.org
 - Orange County: www.ERA.211OC.org
- * All Cities and the County have different deadlines



Golden State Stimulus

- Franchise Tax Board

<https://www.ftb.ca.gov>

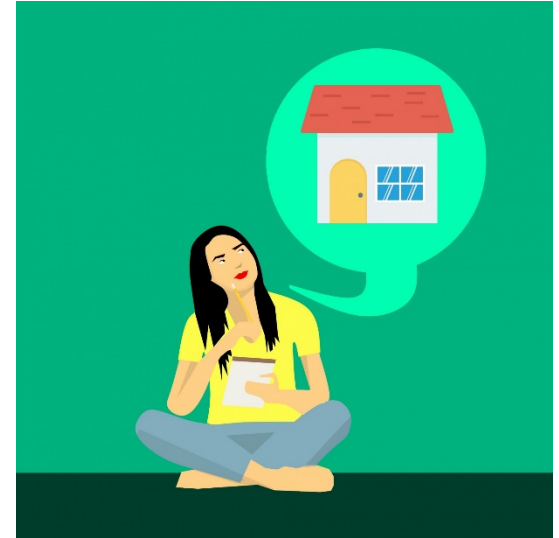
- \$600 for residents that have:
 - California Earned Income Tax Credit (CALEITC) up to \$30,000
 - ITIN filers (up to \$75,000), can obtain up to \$1,200
 - CAPI
 - Calworks
- Requires filing 2021 taxes



Ownership Overview

- Common Homeowners **Myth**:

1. You Need to have legal status to buy a home
2. You need to be wealthy to buy a home
3. You need 20% down payment to buy
 - a. HUD non-profit counselors:
www.hud.gov
 - b. OC-Affordable Housing Clearinghouse:
www.affordable-housing.org
4. Only banks give out loans
5. You need to have legal status to obtain loans



Financing the Home

- Decide what you can afford for only one mortgage
- Remember that 20% down payment is a myth
- What's the catch? PMI vs. interest vs. second mortgage
- FHA Loans- LPR/mixed status families
- Banks vs. Mortgage Broker-varies, no status require in many cases
- Legal status is not a barrier to obtaining financing



Resources

- **Orange County Small Claims Advisors**

www.ocsmallclaims.org

- **Community Legal Aid SoCal**

www.communitylegalsocal.org

- **Public Law Center**

www.publiclawcenter.org

- **California Housing Finance Agency**

www.calhfa.ca.gov



Questions?



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