



2021 TENANT COVID RECOVERY PROPOSAL – SB 282 Dash One

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1. **Extension of Grace Period and Notice Through February, 2022** – The eviction moratorium expires on July 1, and tenants will owe all of their back rent, plus current month’s rent from that day forward. At the same time, millions of dollars in federal rent assistance will be available but not yet distributed. To ensure that tenants and landlords can avail themselves of the rent assistance available, and to protect against an eviction cliff in July, the bill proposes to extend the grace period for repayment of back rent.
 - **Extend the grace period for all tenants for repayment of back-rent to February, 2022.** *This ensures that tenants have sufficient time to pay back their accumulated debt during the pandemic, and time for the uptake of rent assistance dollars to landlords.* Section One (1)
 - **Continue the temporary 10 day non-payment termination notice through February, 2022.** *The extra time would allow tenants the possibility of finding rent assistance to avoid eviction. Notice to include information about rights and resources.* Section One (5) and (8), and Section Four (2)

2. **Protection from Collateral Consequences of COVID-Era FED Records: Screening and sealing protections**

Many tenants who have not been able to pay and are protected from eviction for non-payment are getting evicted for minor violations. And once the moratorium ends, we are worried that many tenants who have not been able to catch up will face non-payment evictions. The impact of an eviction record can have lasting devastation on a person’s access to credit, access to housing, and more. To prevent the COVID pandemic from having lasting housing impacts, the bill will protect against use of FED records from the COVID pandemic period:

 - **Prohibit landlords from considering FEDs during the COVID period in screening applicants.** Section Eight (1)
 - **Expand the current FED expungement process to include FEDs during the COVID period.** Section Nine

3. **Credit History: Prohibit credit history reports for the COVID period.** To ensure that non-payment and late rent payments protected during the moratorium or grace period do not end up following a tenant into the future, the bill proposes two things:
 - **Permanently continue the prohibition on credit reports for rent debt protected by the moratorium or grace period.** Section Seven
 - **Prohibit landlords from screening tenants based on nonpayment during the eviction moratorium and grace period.** Section Eight (5)

4. **Prohibit eviction for doubling-up/occupancy limit violations during the COVID period.** This is a growing concern. Due to the pandemic and the wildfires, more people have had to double-up to save funds and/or to care for family members, only to suffer eviction for violation of landlord occupancy policies. To address this, the bill will:
 - **Temporarily prevent the use of landlord-imposed occupancy/guest standards as a means for eviction (unless otherwise required by law).** Landlords could still regulate conduct violations. Section 14

5. Protect Against Retaliation and Trumped up For-Cause Notices – Tenant advocates have reported an increase in for-cause notices, and report fear of retaliation for use of the moratorium and grace period protections. The bill would address this concern by:

- **Extending the HB 4401 increased damages provision for retaliation violations.** Section One
- **Ensure that retaliation protections apply to tenants who used the moratorium or grace period provisions.** Creates rebuttable presumption that termination of a tenant with back debt owed between 4/1/20 and 2/28/22 is retaliatory. Landlord can rebut. Section One (7)