

UPDATED: EXECUTIVE ORDER N-28-20 ON EVICTIONS, FORECLOSURES, AND COURT CLOSURES DURING THE COVID-19 PANDEMIC

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During these rapidly changing times, Trainor Fairbrook is committed to providing you with the most updated information. If you have any questions with regard the effect of the emergency orders on a particular pending matter or county, please contact our office.

UPDATED March 19, 2020

The City of Sacramento has amended the Sacramento City Code to establish an emergency temporary moratorium on evicting residential tenants, and outlines several guidelines for tenants seeking such relief. A similar action with regard to commercial evictions may be forthcoming and other local jurisdictions are likely to follow similar suit. We will monitor these actions.

California Chief Justice Tani G. Cantil-Sakauye has signed emergency orders for several counties, including Sacramento, El Dorado, Placer, Yolo, several Bay Area counties, and others, to adjust or suspend operations due to the coronavirus pandemic. The emergency orders allow the local courts to seek relief measures, including declaring holidays to recalculate filing deadlines, extending temporary restraining orders, holding sessions elsewhere in the county, extending time for trials and others. Each county has individually declared the dates deemed to be holidays during the emergency for purposes of filing deadlines and any further orders deferring

or continuing civil matters.



On Monday, March 16, 2020, California Governor Gavin Newsom issued an Executive Order which allows local governments to impose limitations on commercial and residential evictions through at least May 31, 2020. The Executive Order specifies that eviction limitations can be imposed where the basis for the eviction is the nonpayment of rent arising out of a substantial decrease in household or business income, including income loss caused by a reduction in operating hours or consumer demand or where the loss of business income was caused by the Covid-19 pandemic or any government response to it.

Importantly, the Governor's Executive Order specifies that "[n]othing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due."

At this point, we are aware that some cities and counties in Northern California are working on implementing eviction limitations. ***See Update Above*** The Sacramento Bee and Capital Public Radio have both reported that the City of Sacramento is contemplating taking measures to limit or prohibit evictions.

See Update Above We are also aware that many courts in California are restricting court services and the ability to proceed with civil matters. Effective today, the Sacramento Superior Court has closed the entirety of the Carol Miller Justice Center which handles unlawful detainer matters where the amount in controversy is under \$25,000.00. Civil trials are being continued unless exceptional circumstances exist that require the trial to proceed without delay. The Sacramento County Sheriff's Department will be notified to suspend any eviction activity until

the Court's services are fully restored. Placer County Superior Court has postponed all unlawful detainer hearings set through April 10, 2020 for 60 days and postponed all civil jury trials. Many other counties in our region are limiting court operations including El Dorado, Yolo and San Joaquin counties as well as those within the Bay Area.

Sheriff's Department to suspend any eviction activity until the Court's services are fully restored. Placer County Superior Court has postponed all unlawful detainer hearings set through April 10, 2020 for 60 days and postponed all civil jury trials. Many other counties in our region are limiting court operations including El Dorado, Yolo and San Joaquin counties as well as those within the Bay Area.

The societal response to the Covid-19 pandemic will likely affect many pending unlawful detainer matters and other pending civil litigation.

Despite this anticipated temporary disruption of our eviction laws and the availability of our judicial system, we remain able to assist you using alternative approaches to dealing with delinquent rent or other landlord/tenant issues, as well as continuing to work on pending matters.

From all of us at Trainor Fairbrook, we extend our best wishes to you, and for the health of your family, your business and our community.