

GOVERNOR PERMITS CONTINUATION OF THE BAN ON COMMERCIAL EVICTIONS

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There was cause for celebration when Governor Newsom moved California “Beyond the Blueprint” on June 11. The one thing we did not move beyond was providing local authorities with a basis to uphold commercial eviction moratoriums. Local governments within California can now maintain eviction restrictions within their jurisdictions until September 30, 2021. This is the fifth time that Governor Newsom has extended his executive order which many local governments have relied upon to halt commercial evictions.

It is important to note that Governor Newsom’s executive order does not automatically provide eviction protection throughout the state of California. It merely authorizes local governments to pass or extend previously implemented eviction moratoriums. While many cities and counties have enacted commercial eviction controls, not all have. For instance, the City of Sacramento still bans commercial evictions, but the County of Sacramento does not.

This extension is disappointing news for commercial property owners and managers who have been struggling with uncooperative and unresponsive tenants throughout the COVID-19 pandemic. Thankfully, proposed legislation that would have provided relief or additional defenses to commercial tenants statewide has failed. It is unlikely that there will be any further changes before September 20. Let us hope that the Governor will lift the ban once and for all on September 30.

Alison Geddes and the attorneys at Trainor Fairbrook remain committed to providing guidance and assistance to our commercial real estate clients in navigating the web of local and state regulations on evictions. If you have questions regarding what local rules may apply to the commercial real estate you own or manage, please contact Alison Geddes of Trainor Fairbrook.