



**All Californians deserve a place to call home. It's our priority to keep you in yours.**

A new law protects renters who are unable to pay their rent due to the COVID-19 pandemic. The **COVID-19 Tenant Relief Act** took effect on January 29, 2021 which provided an extension of the statewide eviction protections initially enacted by AB 3088 (Chapter 37, Statutes of 2020).

## Homeowner and Small Landlord Relief

Homeowners or small landlords who have four (4) or fewer properties, whether they are owner occupied or not, and who have had difficulty making mortgage payments because of COVID-19, have protections under the Act. These protections will remain in effect until September 1, 2021.



### Mortgage Forbearance

Homeowner and small landlords should contact their mortgage servicer – the company they send their mortgage payment to – for options that may be available. Financial institutions are required by federal law to know what entity owns the mortgage loans they service. When you contact your servicer to request payment relief, you should ask whether your mortgage is federally-backed (owned or guaranteed by a federal mortgage agency such as Fannie Mae, Freddie Mac, the Federal Housing Administration, or the Veterans Administration) or non-federally-backed.

If you have a federally-backed mortgage, you can request forbearance pursuant to the federal CARES Act (Coronavirus Aid, Relief, and Economic Security) to help you avoid becoming delinquent on your mortgage.

If you have a non-federally-backed mortgage, you can also contact your servicer requesting forbearance along with other options that may be available to you.

For all mortgages, whether federally-backed or not, your servicer must provide you with a detailed description explaining why the forbearance request was denied, stating the exact reasons for the denial.

If the servicer's explanation identifies missing information or errors in the request, you then have 21 days to update and correct these issues.

Additional homeowner protections and lender requirements before a bank can file a notice of default on your mortgage include:

- The ability for you to contest either the 30-day contact or the forbearance denial notice. (The 30-day contact refers to the minimum 30 days a lender must wait after contacting a borrower to seek payment before filing a Notice of Default.)
- A requirement for lenders to file the forbearance denial notice along with the required declaration of borrower contact when recording a notice of default.
- The right for homeowners or small landlords to file a cause of action (lawsuit) if their lender harms them by violating the law.