



**Glendale Public Order No. 2020-06**

**Under City of Glendale Emergency Authority**

**Issue Date: April 8, 2020**

**City Measures to Address COVID-19 (Residential Evictions)**

Whereas, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by the Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness caused by a novel (new) coronavirus. Symptoms of the virus include fever, cough, and shortness of breath, and infected individuals have experienced a range of outcomes, from mild sickness to severe illness and death; and

Whereas, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for broader spread of COVID-19; and

Whereas, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

Whereas, on March 16, 2020, the City Council of the City of Glendale, pursuant to Glendale Municipal Code Chapter 2.84, declared the existence of a local emergency and ordered the closure of and limitation of access to certain public establishments; and

Whereas, on March 16, 2020, in Executive Order N-28-20, the Governor suspended any provision of state law that during this local emergency would hinder a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions when the basis for the eviction is nonpayment of rent or a foreclosure due to circumstances presented by the COVID-19 pandemic. It is critically important for people to have shelter and access to running water to maximize our residents' ability to comply with public health directives; and

Whereas on March 18, 2020, the City Manager, in her role as the Director of Emergency Services issued Glendale Emergency Order No 2020-03, placing a temporary moratorium on evictions for non-payment of rent for both residential and commercial tenants, and such order was ratified by the City Council on March 24, 2020; and

Whereas on March 27, 2020, in Executive Order N-37-20, the Governor adopted additional protections for residential tenants allowing for rent deferment for COVID-19 reasons and additional time for responding to an unlawful detainer complaint; and

Whereas on April 6, 2020, the California Judicial Council adopted Emergency Rules that further govern the unlawful detainer process;

Now therefore, by virtue of the authority granted pursuant to Chapter 2.84 of the Glendale Municipal Code, the Director of Emergency Services issues the following orders, effective at 11:59 p.m. tonight, until May 31, 2020 at 12:00 p.m., that:

Section 1. The City of Glendale Director of Emergency Services' Public Order No. 2020-03 is hereby amended and expanded and shall be subject to compliance with the Executive Order No. N-37-20, (relating to residential evictions), dated March 27, 2020, and the California Judicial Council Emergency Rule 1, (relating to unlawful detainers), dated April 6, 2020, which provide:

- a. As it relates to the Executive Order issued by the Governor of the State of California relating to evictions:
  1. The deadline specified in Code of Civil Procedure section 1167 shall be extended for a period of 60 days for any tenant who is served, while the Executive Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent;
  2. The tenant notifies the landlord in writing before the rent is due, or within a reasonable period of time afterwards not to exceed 7 days, that the tenant needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19;
  3. The tenant retains verifiable documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor explaining the tenant's changed financial circumstances, to support the tenant's assertion of an inability to pay. This documentation may be provided to the landlord no later than the time upon payment of back-due rent.
- b. As it relates to the Emergency Order issued by the California Judicial Council relating to evictions:
  1. No complaint for unlawful detainer shall be filed unless in the court's discretion and on the record, the action is necessary to protect public health and safety;
  2. This rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.

Section 2. Nothing in this Order shall prevent a tenant who is able to pay all or some of the rent due from paying that rent in a timely manner or relieve a tenant of liability for unpaid rent. This Public Order amends the prior order and extends the time



for tenants to repay any back due rent to twelve months following the expiration of the local emergency.

Section 3. Tenants may use the protections afforded in this subsection as an affirmative defense in an unlawful detainer action.

Section 4. A landlord is further prohibited from charging or collecting late charges, fees, or interest on unpaid rent, or engaging in any harassing behavior in an attempt to collect deferred rent, when payment of rent is delayed during the period this Public Order is in effect.

Section 5. Any violation of the above Public Order may be referred to the Office of the City Attorney for prosecution under Glendale Municipal Code Chapter 1.20, which provides for fines not to exceed \$1,000 or imprisonment not to exceed six months. Each individual officer should use his/her discretion in enforcing this order and always keep the intent of the order in mind. Violations may also be enforced by the provisions of Glendale Municipal Code Chapter 1.24, which shall provide, along with other enforcement mechanisms set forth therein, for fines of \$400 for the first citation, \$1,000 for the second citation, and \$2,000 for the third citation

Section 6. This order may be extended prior to May 31, 2020.

8th day of April, 2020  
Time: 5:27 P.M.

By: *Yasmin K. Beers*  
Yasmin K. Beers  
Director of Emergency Services

Approved as to Form:  
MICHAEL J. GARCIA, CITY ATTORNEY

By: *Michael J. Garcia*  
Title: city Attorney  
Date: April 8, 2020