

The Order prohibits evictions during the term of the proclamation of emergency adopted by the City Council in Resolution No. 20-026, that are based on non-payment of rent, where the tenant can document a substantial decrease in household income that was caused by the COVID-19 pandemic or the governmental response to it.

You may notify your Landlord of your intention to assert this defense by filling out and returning the attached form.

Dated:

By: _____

Name:

Landlord/ Agent

Attachment 1: Notification to Landlord of Eviction Protection Due to COVID-19

THIS NOTICE SUPERSEDES ALL PREVIOUSLY SERVED NOTICES TO PAY OR QUIT

This form is provided to Landlords free of charge by

The Law Offices of Todd Rothbard

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Please feel free to call or email with any questions.

INSTRUCTIONS (DO NOT SERVE THIS PAGE OR THE PROOF OF SERVICE THAT FOLLOWS):

CA, Commercial - Three day notice to pay rent or quit – COVID-19

- Fill the notice out FULLY
 - Tenants: Write in the name of each tenant listed on the lease, and of each known adult occupant
 - Rent: Write the total amount of rent that is past due.
 - Do NOT include any other fees or charges (late fees, utilities)
 - Do NOT include any rent that came due more than ONE YEAR ago
 - You do not have to itemize (give the amount due by month), the law only requires a total
 - Pay to: You must list all the information indicated, or the notice will be defective
 - Name: this is the name of the person who will receive the rent. If rent is received at a management office, list the name of the person who will most likely be present and a general statement: i.e. "Jane Smith, or any other staff member"
 - Address and Phone Number: legally required to be included
 - Check Payment to: The Name of the person or entity who should be on the rent check
 - Payment Methods: You must select AT LEAST ONE, and for each method you do select, you must fill out every blank space fully
 - In Person: you must include the hours and days when your office will be open and staffed
 - Deposit to Bank: The bank account and address must be given, and the bank must be within five miles of the property (use Google maps to confirm)
 - Name: After Signing, (including digitally), print or type your name
- Serve this notice on your tenant (including all attachments and all pages prior to this page), as REQUIRED BY YOUR LEASE:
 - Commercial Landlords must comply with the service requirements of the lease. If you would like us to review and advise you, please email us and we will do so.
 - If the lease contains no service instructions, you can serve by one of the following statutory methods.
 - Personally handing the notice to your tenant
 - Handing the notice to some else at the property and mailing the notice to the tenants.
 - By Posting on the door and also mailing a copy to the tenants

- You must have first KNOCKED on the door, and the tenant did not answer.
 - The posting must be UNFOLDED, taped to all 4 corners, do not post in an envelope.
- Once you have served your tenant, please fill out and sign the attached Proof.
 - You must accept a tendered full payment during the three days (court days), and may accept a partial payment. You are not required to accept a payment after the three court days expires. If you do accept a payment in full after the notice or eviction case, it will waive the case and you will need to start over.
 - After three court days, if your tenant has not paid, you can get your eviction started by emailing the following documents to Office@ToddRothbardLaw.com:
 - A copy of the filled out three day notice
 - A copy of the filled out and signed proof of service
 - A copy of the lease and any addendums
 - If there is no lease, include it the email, the name of all tenants, when the tenants started living in the unit, their initial rent, the current monthly rent
 - Also send us in the email:
 - The name of the owner of the property (individual or entity)
 - What county the owner lives in, or is headquartered in if an entity
 - Contact persons, including emails and phone numbers
 - The current Rent Ledger
 - Confirm the current rental rate and include the most recent rental adjustment letter
 - Confirmation that the amount in the notice is only rent and is the correct amount past due
 - Whether there are any adults residing in the unit that are not listed on the notice, and whether any person included on the lease have moved out and given you confirmation

DECLARATION OF SERVICE OF NOTICE TO RESIDENT

I, the undersigned declare that at the time of service of the papers herein referred to, I was at least eighteen (18) years of age, and that I served the following notice:

Three Day Notice to Pay Rent or Quit

On the following resident(s): _____, and
all tenants in possession

on the _____ day of _____, 20__.

BY DELIVERING a copy for each of the above-named resident(s) PERSONALLY

OR

BY LEAVING a copy for each of the above-named resident(s) with a person of suitable age and discretion at the residence or usual place of business of the resident(s), said resident(s) being absent thereof;

AND MAILING by first class mail on said date a copy to each resident(s) by depositing said copies in the United States Mail, in a sealed envelope, with postage fully prepaid, addressed to the above-named resident(s) at their place of residence.

OR

BY POSTING a copy for each of the above-named resident(s) in a conspicuous place on the property therein described there being no person of suitable age or discretion to be found at the residence or any known usual place of business of said resident(s);

AND MAILING by first class mail on said date a copy to each resident(s) by depositing said copies in the United States Mail, in a sealed envelope, with postage fully prepaid, addressed to the above-named resident(s) at their place of residence.

I declare, under penalty of perjury, that the foregoing is true and correct and if called as a witness to testify thereto, I could do so competently.

Executed this _____ day of _____, 20__ at _____ California.

Declarant