

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF SANTA BARBARA

3
4 **GENERAL ORDER STAYING EVICTIONS IN CONSIDERATION OF STATE OF**
5 **EMERGENCY**
6

7 WHEREAS on March 4, 2020, Governor Newsom proclaimed a State of Emergency
8 due to the threat of COVID-19;

9 WHEREAS on March 17, 2020, the Santa Barbara Board of Supervisors ratified the
10 local emergency proclaimed on March 12, 2020 by the Santa Barbara Director of Emergency
11 Services related to COVID-19 pursuant to Government Code section 8550 et. seq. and Chapter
12 12, Section 12-5(a) of the Santa Barbara County Code;

13 WHEREAS on March 16, 2020 and March 27, 2020, Governor Newsom issued
14 Executive Orders N-28-20 and N-37-20, respectively, “suspending state law limitations on
15 local jurisdictions that impose restrictions on evictions”;

16 WHEREAS on March 19, 2020, Governor Newsom issued Executive Order N-33-20,
17 ordering all residents, unless exempted, to stay home or at their place of residence to preserve
18 the public health and safety;

19 WHEREAS Executive Order N-28-20 permits local jurisdictions to “determine that
20 additional measures to promote housing security and stability are necessary to protect public
21 health or to mitigate the economic impacts of COVID-19”;

22 WHEREAS Executive Order N-37-20 directed that “minimizing evictions during this
23 period is critical to reducing the spread of COVID-19 in vulnerable populations by allowing all
24 residents to stay home or at their place of residence in compliance with Executive Order N-33-
25 20”;

26 WHEREAS on March 24, 2020, the Santa Barbara County Board of Supervisors
27 approved and adopted Urgency Ordinance No. 5099 to temporarily prohibit and suspend
28 evictions related to the COVID-19 pandemic;

1 WHEREAS on March 16, 2020 Chief Justice Tani Cantil-Sakauye determined that
2 because of the COVID-19 pandemic and the national and state proclamations of emergency, the
3 conditions described in section 68115 of the Government Code were met with regard to the
4 Superior Court of Santa Barbara County (Court);

5 WHEREAS on March 16, 2020, March 18, 2020, and March 27, 2020, Chief Justice
6 Tani Cantil-Sakauye issued Orders authorizing the Court to implement various forms of relief
7 authorized by section 68114 of the Government Code;

8 WHEREAS superior courts retain local authority to establish and maintain its court
9 operations as authorized by section 68070 and 77001 of the Government Code;

10 WHEREAS present enforcement of writs of possession, except where necessary to
11 protect public health and safety, requires scarce resources now immediately needed for
12 necessary and crucial work related to the COVID-19 pandemic;

13
14 THIS COURT HEREBY FINDS AND ORDERS:

- 15 1. Except where the Court finds in a specific case that an eviction is necessary to protect
16 public health and safety, no writs of possession shall be issued by the Court in any
17 unlawful detainer action, and enforcement of all writs of possession issued but not yet
18 effectuated in any unlawful detainer action is hereby stayed, until the March 19, 2020
19 Executive Order N-33-20 shelter in place order is lifted, or until the Santa Barbara
20 County local health emergency proclamation is terminated, whichever is earlier.
- 21 2. This order does not relieve a tenant's obligation to pay rent or restrict a landlord's ability
22 to recover rent due.

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24 THIS ORDER IS EFFECTIVE IMMEDIATELY UNTIL FURTHER NOTICE.

25
26 Dated: April 23, 2020

Michael J. Carozzo

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Michael J. Carozzo, Presiding Judge