

Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19

The Centers for Disease Control and Prevention (CDC), located within the Department of Health and Human Services (HHS) announced the issuance of an Order under Section 361 of the Public Health Service Act to temporarily halt residential evictions to prevent the further spread of COVID-19. This Order is effective September 4, 2020 through December 31, 2020. This Order does not relieve any individual of any obligation to pay rent, make a housing payment, or comply with any other obligation that the individual may have under a lease. Nothing in this Order rules out the charging or collecting of fees, penalties, or interest as a result of the failure to pay rent or other housing payment on a timely basis.

The CDC has provided a Declaration form that residents may use. To invoke the CDC's order these persons must return the Declaration form (or a similar declaration under penalty of perjury) to their landlord. Each adult listed on the lease should complete and provide a declaration. Unless the CDC order is extended, changed, or ended, the order prevents these persons from being evicted or removed from where they are living through December 31, 2020. These persons are still required to pay rent and follow all the other terms of their lease and rules of the place where they live. These persons may also still be evicted for reasons other than not paying rent or making a housing payment.

A declaration under penalty of perjury indicating that:

- (1) The individual has used best efforts to obtain all available government assistance for rent or housing;
- (2) The individual either (i) expects to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), (ii) was not required to report any income in 2019 to the U.S. Internal Revenue Service, or (iii) received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- (3) the individual is unable to pay the full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses;
- (4) the individual is using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses; and
- (5) eviction would likely render the individual homeless—or force the individual to move into and live in close quarters in a new congregate or shared living setting—because the individual has no other available housing options.

You may call your local rental office to get a copy of this declaration. For more information on this subject, please go to <http://www.cdc.gov/>