



CDC Issues Sweeping Temporary Halt on Evictions

On September 2, 2020, the Centers for Disease Control and Prevention (CDC) issued an [emergency order](#) that protected an estimated 40 million renters nationwide from threat of eviction until the end of the year. The CDC issued a **NEW** eviction moratorium on August 3, 2021, temporarily halting evictions in counties where COVID-19 is spreading rapidly. If you gave your landlord a declaration by July 31, and it's still true, you are still protected from eviction for unpaid rent until October 3rd, 2021. If you need help and have not submitted a declaration, this new CDC moratorium may help you avoid eviction, but you must take action.

Who is eligible?

Individuals who earn less than \$99,000 a year and couples who earn less than \$198,000 annually. If you were not required to pay income taxes in 2019, you could also be eligible. If you received a CARES Act economic stimulus payment, you could also be eligible.

What do you have to do?

You will need to attest on a declaration that you were unable to afford your rent despite seeking rental assistance and due to substantial loss of household income. You will have to declare that if you would be evicted, you would become homeless or have to double up with others to live somewhere else. You will also need to promise to make partial payments to the best of your ability.

What do you do with your declaration?

You provide a signed copy of the declaration to your landlord. The CDC has created a template for the declaration that renters can use which is posted on their website: [cdc.gov/coronavirus/2019-ncov/communication/EvictionProtectDeclare_508.pdf](https://www.cdc.gov/coronavirus/2019-ncov/communication/EvictionProtectDeclare_508.pdf).

What if your landlord ignores your declaration and demands you move?

The CDC suggests you seek immediate legal help. For people with disabilities, the Disability Rights Network has offices providing free legal assistance in your state. To identify your state office, visit: ndrn.org. A violation of this order by a landlord could result in fines and a jail term of up to one year.

What is the justification for the CDC to have the legal authority to put a temporary halt on residential evictions?

According to the CDC, this emergency order, in effect until December 31, 2020, has been made to help prevent the spread of COVID-19 and to better allow individuals and families to practice safe social distancing. The CDC explains that COVID-19 presents a “historic threat to public health.”

How does this ban on residential eviction impact requirements of my state or local governments to stop evictions?

The CDC indicates that if state or local governments have even more protections against evictions then those rules remain in effect.

Will I be relieved of paying rent or penalty fees if I stop paying rent?

Unfortunately, the CDC order does not preclude landlords from charging rent or collecting fees, penalties or interest as a result of a failure to pay rent on a timely basis.

Where do I seek any housing rental assistance?

The U.S. Department of Housing and Urban Development (HUD) has assistance that may be helpful to you. Visit: hudexchange.info/program-support. For additional HUD resources to respond to COVID-19 challenges, visit: hud.gov/coronavirus.

Also, local and state governments have received federal CARES Act funds which may be used for rental assistance. Visit home.treasury.gov/policy-issues/cares/state-and-local-governments for more information.