

C.D.C. Eviction Moratorium Fact Sheet

On August 3, 2021, the Centers for Disease Control (C.D.C) announced a new national eviction moratorium for many tenants in the U.S to help prevent the spread of COVID-19. The order is in effect from August 3, 2021 through October 3, 2021 for tenants living in counties experiencing high or substantial rates of COVID-19 transmission. Tenants who have filed a declaration under the previous CDC moratorium that expired July 31st do not need to resubmit. The order does not replace or override stronger state or local eviction protections in place and tenants and advocates should continue to work for strong local, state, and federal protections. **Congress has made over \$40 billion in rent and utility assistance available through states and counties. Go to <https://bit.ly/CFPBERAP> to find out how to apply in your area.**

What You Need to Know

- The order covers virtually all rental properties, including single-family homes, mobile homes and apartments in counties experiencing high or substantial rates of COVID-19. Tenants and landlords can check if they are in the covered areas at <https://covid.cdc.gov/covid-data-tracker/#county-view>
- The order bans landlords from evicting tenants in eligible areas for non-payment of rent through October 3, 2021 if the tenants have submitted the CDC's declaration to their landlord (see declaration below).
- Once a tenant has sent the declaration to their landlord, the landlord cannot take any action to remove or cause the removal of that tenant for non-payment of rent before October 3, 2021 — including such actions as evicting the tenant through a judicial lawsuit or harassing or intimidating a tenant to vacate.
- It does NOT cancel or stop the rent from being owed, or stop the build up of owed rent, which would be due after the order expires.
- The order does allow an eligible tenant to be evicted before October 3, 2021 for certain reasons other than nonpayment of rent, which include (unless state or local law provides stronger “just cause eviction” protections): engaging in criminal activity while on the premises; threatening the health or safety of other residents; damaging or posing an immediate and significant risk of damage to property; violating any applicable building code, health ordinance, or similar regulation relating to health and safety; or violating any other contractual obligation, other than the timely payment of rent or similar housing-related payment (including non-payment or late payment of fees, penalties, or interest).

Am I Eligible?

Tenants are eligible for protection if they:

- Live in a county designated by the CDC as having high or substantial transmission rates: <https://covid.cdc.gov/covid-data-tracker/#county-view>
- Are unable to pay the rent due to income loss or medical expenses
- Either expect to make less in 2020 or 2021 than \$99,000 individually or \$198,000 as a family, or received a stimulus check or did not have to file a 2020 tax return
- Try, or have tried, to access any government rental assistance funds that may be available
- Understand they are obligated to pay rent if possible, including partial rent payments based on what they can afford
- If evicted the tenants would be homeless or would have to move into a crowded or substandard living situation

To get these protections, the tenant — and all adults living in the household — have to submit a signed declaration (see below) to their landlord stating they are eligible and that they are telling the truth, under legal penalty. Tenants should keep a copy of the declaration and all correspondence with the landlord.

Contact your local legal services organization or local community organizing group to be connected to legal assistance for help with the declaration or if you are facing eviction.

PolicyLink

nhlp NATIONAL HOUSING LAW PROJECT

PARTNERSHIP
for
Working Families

PUBLIC ADVOCATES
MAKING RIGHTS REAL



PEOPLE'S ACTION
INSTITUTE

Alliance for
Housing
Justice

THE CENTER FOR
POPULAR
DEMOCRACY

MHAction
Manufactured Housing Action

PRRAC
Poverty & Race
Research Action Council

NATIONAL LOW INCOME HOUSING COALITION



Eviction Protection Declaration

The Centers for Disease Control and Prevention (CDC) has issued an order that may protect you from being evicted or removed from where you are living. **This means that you may be able to stay at the place where you live through October 3, 2021, if you qualify.**

How to use this form

1. See if you qualify for eviction protection under the CDC order. If you'd like help from an expert, contact the US Department of Housing and Urban Development (HUD) at (800) 569-4287 or go to <https://www.hudexchange.info/programs/housing-counseling/rental-eviction/> to get contact information for a local housing counselor.
2. Sign the declaration that you qualify, on the next page.
3. Give the signed declaration page to the individual or company you rent from (for example, building management, landlord, etc.). Keep a picture or copy for your records and call your expert back if there's a problem.

If your landlord violates the CDC order, they could be subject to criminal penalties, including fines or a term of imprisonment.

1. Do I qualify?

If you can check at least one box in each column, you qualify.

Column A

I received a stimulus check (Economic Impact Payment) in 2020 or 2021

I was not required to report any income to the IRS in 2020

I am receiving **any** of the following benefits:

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Supplemental Security Disability Income (SSDI)

In 2020 or 2021, I earned (or expect to earn) **less than** \$99,000 as an individual or **less than** \$198,000 as a joint filer

None of the above — You do not qualify.

AND

Column B

I cannot pay my full rent or make a full housing payment because:

My household income has gone down substantially

I have been laid off from work

My work hours or wages have been cut

I have extraordinary out-of-pocket medical expenses¹

None of the above — You do not qualify.

You checked at least one item in each column? Your income level qualifies.

[Check the first box on the next page]

¹Defined as 7.5% or more of my adjusted gross income for the year

2. My Declaration that I qualify

By checking the boxes below, I declare that each statement is true.

My income level qualifies for the reasons explained above.

I live in a U.S. county experiencing substantial or high² rates of community transmission levels of SARS-CoV-2.

I have done my best to make timely partial payments that are as close as possible to the full payment and to get government assistance in making my rent or housing payments.³

If I were evicted, I have no other available housing options, so I would:

- Probably become homeless, **or**
- Have to move to a homeless shelter, **or**
- Have to move in with others who live in close quarters.

I understand that after I sign:

- Unless I come to an agreement with my landlord, I am still responsible for rent, back rent, and any fees, penalties or interest under my lease.
- I must still follow the conditions of my lease.
- Unless I come to an agreement with my landlord, if I fail to make my required payments, I could be evicted when this temporary halt of evictions ends.
- I can still be evicted for reasons other than not paying rent or not making a housing payment.

I sign this declaration⁴ under penalty of perjury. That means I promise that the statements above are the truth and that I understand that I can be criminally punished for lying.

You sign here:

X _____

Date: _____

3. Give this signed page to the individual or company you rent from.

ATTN LANDLORDS: Thank you for your compliance. If you violate the CDC's Eviction Order, you and/ or your business may be subject to criminal penalties, including fines and a term of imprisonment.

Troubleshooting tools for tenants

Find emergency rental financial assistance

Call (800) 569-4287 to find a listing for local HUD-approved housing counselors

Report problems with debt collection

Submit a complaint to CFPB cfpb.gov/complaint

Report discrimination

Submit a complaint. Call HUD at (800) 669-9777

² See COVID-19 Integrated County View: <https://covid.cdc.gov/covid-data-tracker/#county-view/>

³ Calling a local expert is the best way to figure out all the help that is available to you. Find a listing for a local HUD-approved housing counselor by calling (800) 569-4287.

⁴ If you have already signed an eviction moratorium declaration, you do not need to submit another one.