

# Evictions are halted: Here's what you need to know

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 [cnn.com/2020/09/02/success/cdc-control-eviction-moratorium/index.html](https://www.cnn.com/2020/09/02/success/cdc-control-eviction-moratorium/index.html)

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A temporary halt on evictions covering most renters across the US has been introduced as a public health measure.

The Department of Health and Human Services and the Centers for Disease Control and Prevention issued an order to temporarily halt evictions through the end of the year. The CDC said evictions threaten to increase the spread of coronavirus because they force people to move -- sometimes from one state to another -- or go into shared living situations or group settings like shelters.

"The ability of these settings to adhere to best practices, such as social distancing and other infection control measures, decreases as populations increase," the CDC wrote in the order. The new moratorium protects eligible renters from eviction through December 31.

Previously, Congress had halted evictions for tenants who receive federal assistance or who live in rental properties with federally backed financing. But that covered only a fraction of renters and expired in July. Separately, some eviction stays and rent freezes were put in place at a state or local level, many of which have also expired.

But the requirements for this eviction moratorium are vague and enforcing the order may be complicated, said John Pollock, an attorney and coordinator of the National Coalition for a Civil Right to Counsel.

"There will be a lot of confusion," he said. "Tenants will have confusion about how to answer questions of eligibility. Landlords may try to preempt it or get tenants to agree to something worse."

Here's how to find out if you are eligible and how you can invoke your right to stay in your home.

## Am I protected?

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If you are a renter -- in an apartment, house or mobile home -- you are protected by the eviction moratorium through the end of the year, as long as you meet the following requirements:

- You are unable to pay your rent due to a coronavirus-related job loss or income reduction.
- You qualified for a direct stimulus payment under the CARES Act or expect to earn less than \$99,000 in 2020, or \$198,000 if filing a joint tax return.
- You have made an effort to get available government assistance to cover rent, available to you or a household member
- You can demonstrate that your inability to pay is because of financial hardship due to Covid-19, that you have made your best efforts to make timely partial payments and that you would likely become homeless if you were evicted.

## How do I apply?

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Here's the tricky part. You won't be "approved" for the moratorium. The order puts the responsibility on the renter to ensure they meet the criteria and to provide a signed written statement to their landlord in order to invoke the protection.

Each adult on the lease must provide a statement. The CDC provides a statement form in the order, which is expected to be published in the Federal Register on Friday.

Fannie and Freddie extend freeze on foreclosures and some evictions

It's important to understand that the statement is a sworn testimony. This means you can be prosecuted, go to jail, or pay a fine if you lie or leave out important information.

Even after you've presented the statement to your landlord, they could deny they received it or say it doesn't meet one of the requirements. Keep a copy of the statement and any documentation you have that you presented it to your landlord.

## Does this provide money for rent?

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The CDC's order does not provide any rent relief payments for tenants or landlords. Many tenants' rights advocates and landlords fear that, without assistance to pay the back rent, it does not go far enough.

"While an eviction moratorium is an essential step, it is a half-measure that extends a financial cliff for renters to fall off of when the moratorium expires and back rent is owed," said Diane Yentel, president of the National Low Income Housing Coalition. "This action delays but does not prevent evictions."

## Is my rent canceled?

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No. Your rent is not canceled or forgiven. The order does not freeze your rent or relieve you from your obligation to pay back rent. In addition, the moratorium doesn't keep landlords from collecting fees, penalties or interest resulting from a failure to pay rent.

The example statement provided by the CDC includes confirming that you understand you will be required to pay the back rent and that your landlord may opt to collect rent in one lump sum.

'It's a lose-lose battle.' She's been waiting four weeks for the sheriff to evict her

The order allows your landlord to collect all of your back rent at once at the conclusion of the eviction moratorium. It also allows them to evict you after the moratorium ends if you are not able to repay your back rent as they require.

"This underscores the point that there is no solution without rent relief," said Pollock. "This order doesn't alter rent obligation, but what are we expecting is going to happen when all that back rent is due in January?"

In some jurisdictions, existing tenant protections might be greater than what is offered in the CDC's moratorium.

If you are struggling with rent or concerned you may be evicted, Pollock suggests contacting a local legal aid organization that can help you understand how you may best be protected.