

CDC Issues Order Halting Evictions through December 31, 2020

The Centers for Disease Control and Prevention (CDC) has [issued](#) an order temporarily halting residential evictions of any consumers for failure to pay rent until December 31, 2020. This action is in response to President Trump's August 8, 2020, "[Executive Order on Fighting the Spread of COVID-19 by Providing Assistance to Renters and Homeowners](#)", which instructed the CDC to "consider" whether temporarily banning residential evictions is "reasonably necessary" to prevent further spread of COVID-19. This order will become effective upon publication in the Federal Register which is scheduled for September 4, 2020.

According to the order, renters must file sworn declarations stating they are eligible for the relief because:

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.

This order does not relieve any individual of any obligation to pay rent nor does it prevent 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." Further, landlords and property managers still have the ability to evict for health and safety reasons.