BREAKING: CDC issues nationwide eviction moratorium, halting non-payment evictions starting Friday

Broad non-payment eviction moratorium aimed at curbing the spread of COVID-19 will keep millions housed but underlying economic issues remain unaddressed and demand immediate action.

Denver, CO - Today the CDC and HHS issued a moratorium on evictions for non-payment of rent through the end of the year. The order goes into effect on September 4th and it applies to all tenants who meet certain requirements and present a declaration to their landlords.

"The national moratorium on evictions, when implemented, is a first step that protects millions of Americans from becoming homeless through the December holidays," said Zach Neumann co-founder and Executive Director of the COVID-19 Eviction Defense Project. "Only federal rental assistance can solve this problem. This moratorium delays the harm but does not solve the root issues that place people at risk of eviction," he added.

This moratorium does not address the underlying economic conditions that brought us to the brink of an eviction crisis. The Senate needs to pass legislation that will help struggling Americans stay housed. We need extended unemployment benefits under the CARES Act to be extended, and renters and homeowners alike need cash assistance to pay rent and mortgages.

"By our estimates, 30-40 million Americans could be at risk of eviction by the end of 2020 if conditions do not change," said Sam Gilman, co-founder of the COVID-19 Eviction Defense Project. "It is devastating that tens of thousands have already been evicted during the last six months of non-action and that we still don't have longterm rent relief, but this moratorium could make a massive difference in 2020 for millions of tenants if it is implemented."

To be eligible, renters must self attest that they: (1) have an individual income of less than $99,000; or (2) did not have to pay taxes in 2019; or (3) received a stimulus check under the CARES ACT. Renters must attest under penalty of perjury that they are unable to pay rent. Qualifying individuals must also attest that they have undertaken their best efforts to obtain all available government assistance for rent and that they are making their best efforts to make partial or full payments where they can.

There are loopholes in the moratorium that may leave some renters at risk of removal, including those renters who are not being evicted for lease violation other than non-payment of rent. "We will need to watch for landlords who exploit loopholes that allow them to find arbitrary reasons to evict tenants who have not paid their rents." said Javier Mabrey, an attorney with the Covid-19

Eviction Defense Project. Nevertheless, this is an important step that will keep millions housed as we fight COVID-19.

This moratorium is the new national floor, states like Colorado that offer fewer protections than this will be covered under these guidelines but states that have implemented stronger protections will be permitted to keep those in place.

The moratorium should be interpreted to cover every step in an eviction proceeding from notice to execution. This moratorium says that an eviction means "any action by a landlord" to "remove or cause a removal of a covered person from a residential property." Courts should interpret this "any action" language as precluding them from hearing eviction cases as normal.

The COVID-19 Eviction Defense Project (CEDP) was founded in March 2020 to respond to and research urgent questions about housing, homelessness, and community recovery during the spread of the coronavirus. Based in Colorado, CEDP is a non-profit community legal project and think tank. The Project pairs volunteer lawyers with tenants who need advice or legal representation, amplifies the experience of our clients with COVID-19 related housing insecurity, and conducts economic and policy analysis. For more information, visit cedproject.org.