

United States Centers for Disease Control and Prevention (CDC) Agency Order for Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 – Information Sheet

IMPORTANT!

This information is provided by the ND Legal Self Help Center for your convenience only. Center staff can't answer questions about the United States Centers for Disease Control and Prevention (CDC) Agency Order.

If you have questions related to the CDC Agency Order contact the CDC directly at wwwn.cdc.gov/dcs/contactus/form or (800) 232-4636.

The United States Centers for Disease Control and Prevention (CDC) issued an Agency Order to temporarily stop residential evictions due to non-payment of rent. The CDC Agency Order is effective from September 4, 2020 through December 31, 2020.

- To read the CDC Agency Order, go to www.federalregister.gov/documents/2020/09/04/2020-19654/temporary-halt-in-residential-evictions-to-prevent-the-further-spread-of-covid-19.

Tenants must meet all of the following requirements:

- Use best efforts to obtain all available government assistance for rent or housing;
- Meet one of the following:
 - Expect 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), or
 - Wasn't required to report any income in 2019 to the I.R.S, or
 - Received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- Unable to pay full rent or a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary out-of-pocket medical expenses;
- Using best efforts to make timely partial payments that are as close to the full payment as circumstances permit; **AND**
- Eviction would likely result in homelessness, or housing shared by people living in close quarters.

Tenants must complete a written declaration showing they meet the CDC Agency Order requirements. Tenants give the written declaration to their landlord, owner of the residential property, or other person who has a right to evict or remove the tenant from where they live.

- The CDC has a written declaration form for tenants to use to claim the protections of the CDC Agency Order.
- The CDC's form is available at www.cdc.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf.

Tenants still owe the unpaid rent or housing payments. Full payment may be required after the CDC Agency Order expires on December 31, 2020.

- The CDC Agency Order doesn't forgive, or eliminate, the unpaid rent or housing payments.
- Tenants may also be charged fees, penalties, or interest as a result of unpaid rent or housing payments.

Tenants may still be evicted for reasons other than non-payment of rent or housing payments.

- The CDC Agency Order doesn't apply to other reasons tenants may be evicted, such as:
 - 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.

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