

Eviction Moratorium summary - AZ BoS Ending Veterans workgroup

*Per the NLIHC: “Evidence is growing that corporate landlords are trying to rush evictions through court systems before renters learn about their rights under the Center for Disease Control and Prevention’s eviction moratorium.” To be protected by the moratorium, renters facing eviction should immediately provide a signed declaration to their landlords!*

**Getting the word out to renters about these protections is crucial.**

**What is the CDC Moratorium?**

The CDC Moratorium is a Government order that prevents landlords from evicting a tenant if they meet certain eligibility criteria, until December 31st 2020. Tenants have to take certain steps to use the order and must take action to avoid being evicted. The order provides a greater level of protection than the existing State moratorium, which requires more paperwork and is only in effect until October 31st.

**Eligibility:**

• You have used your “best efforts” to obtain government rental assistance;

• You do not expect to earn more than $99,000 in 2020 (or $198,000 if you are married and filed a joint tax return), or you did not need to report income to the federal government in 2019, or you received an Economic Impact Payment this year

• You have been experiencing a “substantial” loss of household income because of a layoff or reduced work hours, or you have “extraordinary” out-of-pocket medical expenses (defined as an unreimbursed medical expense that exceeds 7.5% of your adjusted gross income for the year)

 • You have been making your best effort to make partial rent payments as close to the full amount due as possible; and

 • Being evicted would cause you to become homeless or you would have to move in with a friend or family member (live “doubled up”).

**What do clients have to do to use the order?**

* Provide their landlord with a written declaration (Below)
* Apply for rental assistance
* Make good faith payments

**Written Declaration:** Tenants have to send [this declaration](https://www.cdc.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf) to their landlord.

Tenants can also use the [Moratorium declaration generator for tenants](https://community.lawyer/cl/kyequaljustice/cdc-eviction-declaration) to generate the declaration automatically:

Declaration in non-english versions: [Spanish](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=9c87605a22&e=67fdc6bb74), [Simplified Chinese](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=23ff58fe6e&e=67fdc6bb74), [Traditional Chinese](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=70a9d43a99&e=67fdc6bb74), [Tagalog](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=a55df11ab8&e=67fdc6bb74), [Vietnamese](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=a8b15eeba6&e=67fdc6bb74), and [Arabic](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=c66dce7a7c&e=67fdc6bb74).

***It is recommended that the tenant sends the declaration by certified mail to ensure a receipt.***

Once received, the landlord cannot file for eviction, if the landlord attempts eviction, the landlord can be fined $100k and/or be sentenced to one year in jail. A tenant should seek support/counsel if their landlord tries to evict.

**Rental Assistance:**

*SSVF* - Any veteran who is at risk of eviction should be referred to SSVF for assessment. SSVF received additional funds and waivers to increase Eviction Prevention. No eviction order is needed - only evidence of rental arrears.

For non-veterans or veterans who do not qualify for SSVF, a list of known rental assistance programs in Arizona can be found [here](https://docs.google.com/document/d/1nl6IpMBiDOZ2DWNXzNW9Z-ryKkFa2qAvYH337h3_1qs/edit).

**Other useful resources:**

The National Low Income Housing Coalition has released an FAQ for renters on the new eviction moratorium called “[National Eviction Moratorium: FAQ for Renters](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=efe08e9d1b&e=67fdc6bb74)”. This document is also available in [Spanish](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=6ad5e74487&e=67fdc6bb74).

CLS Eviction moratorium resources - <https://drive.google.com/drive/folders/1HgiMZ5_NvfEA2wS2U6quNwJ1287dK2zx>

A summary of the CDC moratorium for from the Crisis Response Network:<https://docs.google.com/document/d/1WyXkLYN26CzeejvFARbGiCIKz2exT96H0pWhwzNmYCM/edit>