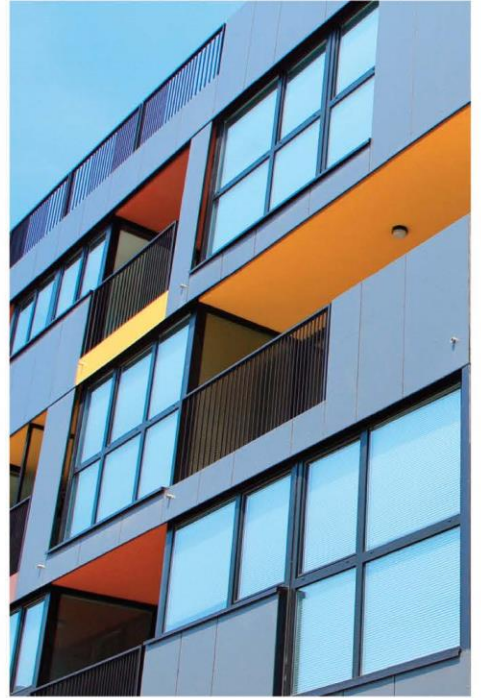


COVID-19 STATE AND LOCAL EVICTION MORATORIUM REPORT



Last Updated January 13, 2021



The purpose of this document is to provide apartment industry professionals with an overview of eviction restrictions across the country with regard to the COVID-19 pandemic. The document is intended for informational purposes only and does not constitute, and should not be construed as, legal advice. This resource is not intended to provide a mandatory standard of care for the industry.

****Please remember to use your state or local apartment association as the primary resource for the most up-to-date information on your responsibilities: <https://www.naahq.org/join/find-naa-affiliate>.**

Please click on your state or locality to go directly to that information.

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ALABAMA

Status: Evictions Can Resume

[Ninth Supplemental State of Emergency \(Expired\)](#)

- **Action:** Governor Ivey amended the [Sixth Supplemental State of Emergency](#) to specify eviction protections only apply to evictions based off nonpayment of rent. Enforcement of any order that would result in the displacement of a person from his or her residence
- **Duration:** Through July 8, 2020.
- **Notification:** Not required.
- **COVID-19 Related Impact Requirement:** No.
- **Supporting Documentation:** Not Required.
- **Residents Responsible for Rent:** Yes.

[Supreme Court Order 031320](#)

- **Action:** The Supreme Court has suspended in-person civil cases throughout the state. Remote proceedings are allowed for cases that do not involve in-person contact and the order does not affect court's consideration of matters that can be resolved without in-person proceedings.
- **Expiration Date:** In person proceedings resumed May 15, 2020 via [Supreme Court Order No 7](#).

ALASKA

Status: Evictions Cases can Resume (Remote or In-Person)

[AK SB241](#)

- **Action:** On April 10, 2020, the legislature suspended any statute that would give a cause of action for evictions or foreclosures for nonpayment of rent effective through June 30, 2020, or until the Governor's determination, whichever is earlier.
- **Notification:** Residents seeking protection under this legislation must, before June 30, 2020, provide their housing provider with a signed statement, under penalty of perjury, that they are experiencing financial hardship related to COVID-19.
- **COVID-19 Related Impact Requirement:** Yes. A resident's "liquid assets from any source when combined must be insufficient to pay the reasonable cost of food, housing, health care, and other goods and services vital to the health and wellness of the person and the person's spouse and dependents."
- **Supporting Documentation:** Not Required.
- **Resident Responsible for Rent:** Yes.

ARIZONA

Status: Eviction Cases Can Resume

Executive Order 2020-12

- **Action:** Governor Ducey issued Executive Order 2020-12 on March 23, 2020, establishing an eviction moratorium statewide through July 22, 2020. On July 16, 2020, the Governor extended this order through October 31, 2020.
- **Restrictions:** The order temporarily delays the execution of writs of possession by law enforcement when the following circumstances exist and are documented to the housing provider or property owner:
 - A resident is required to be quarantined because they have been diagnosed with COVID-19;
 - A resident is ordered by a licensed medical professional to self-quarantine based on demonstration of symptoms as defined by the CDC;
 - A Resident is required to be quarantined based on someone in the home being diagnosed with COVID-19;
 - A resident demonstrates they have a health condition, as defined by the CDC, that makes them more at risk for COVID-19 than the average person; or
 - The individual suffered a substantial loss of income from COVID-19. This includes job loss, income reduction, closure of place of employment, inability to work due to caring for home-bound school-age child, or other pertinent circumstances.
- **Residents Responsible for Rent:** Yes

ARKANSAS

As of May 18, 2020, eviction proceedings can [resume remotely](#) in the state. Plaintiffs must certify that the property at issue is not covered by the CARES Act moratorium.

Little Rock

The Metropolitan Housing Alliance has [announced](#) that public housing residents and Section 8 tenants in Little Rock will not be evicted during this time period. The housing agency will work with property management companies on rent forbearance.

CALIFORNIA

Status: Eviction Cases and Enforcement for Nonpayment of Rent Suspended

AB 3088 – The COVID-19 Tenant Relief Act (CTRA)

- **Actions:** On August 31, 2020 Governor Newsom signed AB 3088 into law. Effective September 1, 2020, the bill addresses nonpayment of rent and eviction. The provisions of the bill expire February 1, 2021.
- **Restrictions:** The CTRA prohibits housing providers from filing unlawful detainer actions until October 5, 2020. Prohibits evicting a resident for non-payment of rent or other charges due between March 1, 2020 and August 31, 2020. Residents must provide their housing provider with a declaration stating their finances have been negatively affected by COVID-19 to receive protection under the bill. For rent due between September 1, 2020 and January 2, 2021, residents are protected from

eviction if they provide the declaration explained above and, by January 31, 2021, and pay 25 percent of rental payments that are missed during this period. This means residents may pay that percentage of outstanding rent in one lump sum on January 31, 2020 and avoid eviction actions. Housing providers may not file an unlawful detainer actions against resident who attest to COVID-19 financial impacts until February 1, 2021.

- **Notice Requirements:** Housing providers must give an informational notice about the new law to any resident who has missed one or more payments due between March 1, 2020 and August 31, 2020. A 15-day notice is required before seeking to evict for any unpaid rent or other charges between March 1, 2020 and January 31, 2021. The 15-day period does not include Saturdays, Sundays, or judicial holidays.
- **Extension of AB 1482 Just Cause Protections:** Extends just cause protections under [AB 1482](#) to all residents until February 1, 2021, with limited exceptions. See § 8 of AB 3088 for more details.
- **Effect on Local Eviction Moratoria:** Local moratoria adopted in response to the COVID pandemic set to expire before January 31, 2021 may remain in place but cannot be extended or renewed with an effective date prior to February 1, 2021. If a local moratorium provides for repayment of back rent beginning after March 1, 2021, or ties repayment to the end of the state of emergency or local emergency, that repayment period is required to start on or before March 1, 2021 and end by March 31, 2022.

[California Judicial Council Emergency Rule 1 \(Expired\)](#)

- **Action:** On April 9, 2020, the California Judicial Council issued an order restricting evictions. On August 14th, the council announced this order would expire September 1, 2020.
- **Restrictions:** Suspends the issuance of summons and entry of default and default judgments on unlawful detainer complaints, and to allow courts to set trials on any unlawful detainer actions in which a defendant has appeared more than 60 days after the request for such a trial, unless the court finds that earlier action is needed to protect public health and safety. Adopts emergency rule 2 to stay all actions for judicial foreclosures on mortgages and deeds of trust and extend all deadlines related to such actions. Provides for remote hearings.
- **Residents Responsible for Rent:** Yes
- **COVID-19 Related Impact Requirement:** No

[Executive Order N-37-20 \(Expired\)](#)

- **Action:** On March 27, 2020, Governor Newsom issued an executive order implementing a statewide eviction moratorium on evictions for nonpayment of rent through May 31, 2020.
- **Restrictions:** The order extends the time residents are required to respond to an eviction notice for nonpayment of rent, detailed in Code of Civil Procedure section 1167, to 60 days. Residents must have kept current on rent payments prior to March 27, 2020 and are required to notify their housing provider of the need to defer rent due to a COVID-19 related impact and provide supporting documentation.
- **Notification:** Residents must notify the landlord in writing before the rent is due or within a 7-day timeframe requesting a deferral of some or all of the rent, due to a COVID-19 related impact.
- **COVID-19 Related Impact:** The inability to work due to being sick with a suspected or confirmed case of COVID-19 or caring for a household or family member with a

suspected or confirmed case; being laid off, losing hours, or experiencing reduced income resulting from COVID-19, the state of emergency, or related government response; or missing work to care for a child whose school was closed in response to COVID-19.

- **Supporting Documentation:** The resident must show documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor, supporting the resident's assertion of an inability to pay. *This documentation must be provided to the housing provider no later than the time payment of back rent is due.*
- **Residents Responsible for Rent:** Yes.

[Executive Order N-28-20 \(Extended through 9/30/20\)](#)

- **Action:** The order sets guidelines for local level eviction moratoriums. Evictions for nonpayment of rent or foreclosure may be prohibited if they arise due to a COVID-19 related impact or COVID-19 related government action, such as substantial decrease in household or business income caused by layoffs or a reduction in work hours, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand. Residents are still be responsible for rent.
- **Duration:** Through September 30, 2020, unless extended.
- **Public Housing Authorities:** Public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent those deadlines are within the discretion of the housing authority.

Due to the sheer number of local moratoria in California, NAA has produced a standalone report. For local actions, please refer to that report.

COLORADO

Status: Evictions of Residents Who Attest to COVID-19 Hardship Prohibited.

[Executive Order D 2020 307](#)

- **Action:** On December 31, 2020, Governor Polis issued an executive order making the CDC eviction moratorium order extended under HR 113 Sec. 502 (Consolidated Appropriations Act of 2021) the law of the state.
- **Duration:** Expires on January 31, 2021.

[Executive Order D 2020 227](#)

- **Action:** On October 21, 2020, Governor Polis issued an executive order amending previous orders on eviction. The order implements an eviction moratorium in the state for a second time.
- **Description:** No housing provider may file, or initiate eviction actions based solely on nonpayment of rent, nor may courts issue a judgement for possession if the renter demonstrates financial hardship due to COVID-19. Eviction in the case of holder cases is also prohibited. Exceptions are made for cases where a resident poses an imminent and serious threat to another individual or causes significant damage to the rental property. The bill's requirements for renters to qualify for protection mirror those in the CDC's eviction moratorium order. Renter's must use their best efforts to obtain government assistance for rent or housing, expect to earn no more than \$99,000 in 2020 or \$198,000 for joint filers, be unable to pay full rent due to substantial loss of

income, hours of work or wages, layoffs, or extraordinary out-of-pocket medical expenses, be paying as much rent as they can, and would likely be homeless or move into and live in close quarters with others if evicted. The order directs the Department of Local Affairs to create its own declaration form.

- **Duration:** Through December 31, 2020, unless extended by further executive order.

[Executive Order D 2020-202](#)

- **Action:** Extends Executive Order 101 and amends it to prohibit filing or initiating actions for eviction, including any demand for rent, unless housing providers notify renters in writing of the federal protections provided under the CDC Eviction Moratorium.
- **Description:** Renters must be provided a copy of the CDC's order, including the declaration that must be submitted to housing providers in order to qualify for eviction protection.
- **Duration:** The notice requirements of this order remain in effect until October 22, 2020, unless extended.

[Executive Order B 2020 006](#)

- **Action:** Issued on August 26, 2020, the order creates a special eviction prevention task force.
- **Description:** The task force will consider the causes of and propose solutions to housing instability arising from COVID-19 economic impacts. It will work within the Department of Local Affairs and develop recommendations and report them to the Governor within 30 days of the date of its first meeting. Membership will consist of up to 11 members appointed by the Governor and will include members of local governments, real estate development, banking, housing providers, and housing advocates.
- **Duration:** The order expires on October 11, 2020 unless extended further by executive order.

[Executive Order D 2020 134](#)

- **Action:** Amends Executive Order D 2020 101. Requires the special 30-day notice to vacate to be provided for any default for nonpayment that occurred on or after March 10, 2020 before filing for eviction.
- **Duration:** Originally set to expire on August 12, 2020, the order was extended through September 10, 2020 by [Executive Order D 2020 162](#).

[Executive Order D 2020 101](#)

- **Action:** On June 13, 2020, Governor Polis issues an executive order requiring housing providers to issue a 30-day notice to vacate for any default due to nonpayment of rent. The standard notice requirement is 10 days. During this 30-day period, renters will have the opportunity to cure the default. The notice may extend beyond the expiration of the order.
- **Residents Responsible for Rent:** Yes.
- **Late Fees:** Prohibited on nonpayment of rent from May 1, 2020 through June 13, 2020.

[Executive Order D 2020 051](#)

- **Action:** On April 30, 2020, Governor Polis amended previous Executive Orders 2020 012 and 2020 031, by establishing a moratorium on residential and commercial evictions until June 13, 2020.
- **Description:** A housing provider may not file for eviction or have an individual removed from their unit through a writ of restitution or possession judgement. Exceptions are made for circumstances where a resident “poses an imminent and serious threat to another individual or causes significant damage to property.” Further, the order directs the Executive Directors of the Department of Local Affairs (DOLA), Department of Labor and Employment (CDLE), and Department of Regulatory Agencies (DORA) to work with property owners and operators to create model repayment agreements that allow tenants additional time to repay rent.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Late Fees:** Prohibited.

Denver

Sheriff Enforcement

The Denver Sheriff Department has [temporarily redeployed sheriff](#) deputies away from evictions to other areas of need within the department.

CONNECTICUT

Executive Order NO. 9T

- **Action:** On December 23, 2021, Governor Ned Lamont extended the eviction moratorium provisions of Executive Order No. 9E
- **Duration:** Expires February 9, 2020.

Executive Order No. 9E

- **Action:** Extends the provisions of Executive Order No. 7X as modified by Executive Order Nos. 7NN, Section 4, 7DDD, Section 1, and 7000 Section 3 until January 1, 2021 with some modifications.
- **Description:** Prevents notices to quit or service of summary process before January 1, 2021. Exceptions include “nonpayment of rent due on or before February 29, 2020, serious nonpayment of rent, for serious nuisance as defined in [section 47a-15](#) of the Connecticut General Statutes, or, provided the notice to quit is not delivered during the term of any existing rental agreement, for a bona fide intention by the landlord to use such dwelling unit as such landlord’s principal residence.”
- **Notice Requirements:** All notices to quit issued before January 1, 2021 must include a copy of the CDC declaration form attached to the CDC Eviction Moratorium Order in both English and Spanish. If the declaration is delivered to the housing provider, all action to evict must cease. Additionally, “all notices to quit and all complaints in summary process actions for serious nonpayment of rent that are issued before January 1, 2021 shall specify and recite the amount of the rent arrearage due on or after March 1, 2020, the months for which rent has not been paid, and in what amounts.”
- **Definition of Serious Nonpayment of Rent:** A rent arrearage equal to or greater than six months’ worth of rent due on or after March 1, 2020, excluding all other costs, fees, attorney fees, and other charges arising from the tenancy.

Executive Order No. 7X / Executive Order No. 7DDD

- **Action:** Issued on April 10, 2020, the order implements protections for residential renters impacted by COVID-19 through August 22, 2020. On August 21, 2020, Governor Lamont extended the order to October 1, 2020.
- **Description:** Prevents the issuance of any notice to quit or service of summary process before August 22, 2020 for any reason outlined in [CT Gen. Stat. § 47a-23, with the exception of nonpayment of rent due on or prior to February 29, 2020 or for serious nuisance as defined in CT Gen. Stat. § 21-80 et seq.](#) The order provides an automatic 60-day grace period for April rent and a 60-day grace period for May rent upon request.
- **COVID-19 Related Impact Requirement:** Yes, but only for requests to defer May rent for 60 days. “Notwithstanding the provisions of this section, if rent due in May 2020 is unpaid when due and paid within sixty days thereafter by a tenant who, on or before the 9th day after such rent is due, notifies the landlord or landlord’s representative in writing, including but not limited to in written electronic communication, that the tenant needs to delay all or some payment of rent because he or she has become fully or partially unemployed or otherwise sustained a significant loss in revenue or increase in expenses as a result of the COVID-19 pandemic, the tenant of a dwelling unit shall not be in default or violation of the rental agreement and the landlord of such unit may not deliver or cause to be delivered a notice to quit or serve or file a summary process action for nonpayment of such rent; impose late fees, interest, or penalties; report such rent as late to any credit bureau or tenant screening service; or otherwise retaliate against the tenant.”
- **Extended Opportunity to Apply Additional Security Deposit to Rent:** Upon written request from a resident not enrolled in the security deposit guarantee program pursuant to CT Gen. Stat. § 9-339, who has paid a security deposit that exceeds one month’s rent, and who provides written notice, including but not limited to written electronic communication, that he or she has suffered financially from COVID-19 through job loss, significant loss of income, or increased expenses, the housing provider will withdraw an amount from the resident’s security deposit in excess of one month’s rent and apply it toward rent due in April, May, June, July, or August 2020.
- **Residents Responsible for Rent:** Yes.
- **Late Fees:** Prohibited.

State Superior Court Order

- **Action:** Suspension of the service of all issued executions on evictions and ejectments through July 1, 2020.
- **Scope:** The order covers all lease violations.
- **Exceptions:** Not addressed.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

DELAWARE

Status: Evictions Can Resume

Delaware Justice of the Peace Administrative Order 2020-1

- **Action:** The order, released on September 11, 2020, addresses case processing, evictions, and the effect of the CDC eviction moratorium. Court is proceeding on a “oldest cases first” principle. “Processes that would have been occurring concurrently

have had to be re-initiated in a more methodical and time-intensive manner... every case will need to be individually scheduled for a discrete hearing time, whether it is held virtually or in person.”

- **Cases Filed Before March 13, 2020:** All cases will be set for a virtual pretrial conference and then a subsequent virtual trial. All notices for pretrial conferences and trials will provide information regarding accessing the hearing via Zoom as well as notice that if one or more parties cannot participate virtually, they must contact the court immediately to be scheduled for an alternate hearing venue. Virtual pretrial conferences will be scheduled as soon as is practicable. The purpose of these conferences is triage. During the pretrial conference, the judge will assess the case for potential resolution, amenability to mediation, narrowing legal or factual issues in preparation for trial, determining technological availability for the next event and informing parties of how they will receive notice for their next event.
- **Cases Filed On or After July 1, 2020:** To meet the requirements of the Governor’s 23rd modification order with regard to mediation, all cases initiated after July 1, 2020 will be referred directly to the Justice of the Peace Court online dispute resolution (ODR) system. If a case is unable to be resolved, mediation may take place immediately after the pre-trial conference if a mediator is available. The judge conducting the pretrial conference should not conduct the mediation in order to eliminate any confusion of the roles of judicial officer and mediator. Cases will be scheduled based upon the order in which they were received. All notices for trials will provide information regarding accessing the hearing via Zoom as well as notice that if one or more parties cannot participate virtually, they must contact the court immediately to be scheduled for an alternative hearing. Trial dates for cases initiated after July 1, 2020 will not be scheduled prior to late October 2020, at the earliest.
- **Eviction Process:** The Governor’s 23rd modification of the declaration of a state of emergency allows for filing of landlord-tenant cases, but requires that in order for an eviction to proceed, the Court must be satisfied that allowing an eviction is “in the interest of justice.” As a result, the court will require housing providers to show that *“something more than the normal legal right to possession granted under the Residential Landlord-Tenant Code is required.”* The order goes on to distinguish different processes for cases where a judgment was entered or pending prior March 13, 2020 and cases that were not heard prior to March 13, 2020.
- **Effect of CDC Order on Evictions:** The court will supplement this order with additional processes and information related to the CDC order on evictions as soon as possible. However, the court specifically states that “the protections of the order do not preclude a landlord from taking actions that preserve the landlord’s rights to future possession, including but not limited to, providing statutory notices or filing an action for possession.” Any new action for possession however must be accompanied by information indicating whether or not the tenant has invoked or attempted to invoke the protections of the order.

[Delaware Justice of the Peace Standing Order 3 / Standing Order 4 \(Expired\)](#)

- **Action:** Suspension of eviction proceedings and ejectments ordered and scheduled.
- **Scope:** All lease violations.
- **Exceptions:** “Forthwith summons applications in landlord-tenant matters involving essential services and/or harm to person or property will be accepted and ruled upon” – “Case by case exceptions to these guidelines may be ordered at the discretion of the Court and with proper notice to all parties.”

- **Duration:** Until further notice. A comprehensive standing order related to residential eviction filings will be issued at the expiration of the Governors Executive Order implementing an eviction moratorium.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** The Justice of the Peace Court has also ordered that all landlord/tenant cases and ordered/scheduled evictions between March 17, 2020 and April 16, 2020 be delayed until after June 1, 2020, with exceptions for "landlord-tenant matters involving essential services and/or harm to persons or property."

[Twenty-Third Modification of the Declaration of a State of Emergency](#)

- **Action:** Actions for summary possession may be filed with respect to any residential unit in the state, but are stayed to permit the Justice of the Peace Court to determine whether the parties would benefit from participating in court supervised mediation or alternative dispute resolution, which may include appropriate housing support services, as determined by the Delaware State Housing Authority, if requested by either party of the court. Sheriffs, constables, court officers, and their agents shall refrain from acting to remove individuals from residential properties through the eviction process during the time this Order is in effect, unless the court determines on its own motion or motion of the parties that enforcement is necessary in the interest of justice. Any action for summary possession filed before the State of emergency for which no final judgment had been entered shall be further stayed as defined above.
- **Exceptions:** Summary possession actions based on claims of irreparable harm to person or property.
- **Duration:** Through the end of the state of emergency.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

DISTRICT OF COLUMBIA

Status: Evictions Suspended During the Public Health Emergency

[COVID-19 Response Emergency Amendment Act of 2020 \(§ 308\)](#)

- **Action:** Revises the District of Columbia Public Emergency Act of 1980. Prevents evictions during such a declaration.
- **Scope:** All lease violations.
- **Duration:** Until the Public Health Emergency is lifted.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** It is important to note that this is a statutory change and therefore is permanent. For the duration of a Declaration of Public Emergency, no DC residents may be evicted.

FLORIDA

Status: Evictions Can Resume (Remote)

[State Supreme Court Order \(Expired\)](#)

- **Action:** Suspension of non-essential proceedings, including the issuance of writs of possession.
- **Scope:** All lease violations.

- **Duration:** Until July 2, 2020.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

[Executive Order 20-211 \(Expired\)](#)

- **Action:** Extends [Executive Order 20-180](#), which prohibits the issuance of writs of possession for cases of nonpayment of rent where the resident has experienced a financial impact due to COVID-19 through October 1, 2020.
- **COVID-19 Related Financial Impact Requirement:** Yes. “Adversely affected by the COVID-19 emergency means loss of employment, diminished wages or business income, or other monetary loss realized during the Florida State of Emergency directly impacting the ability of a residential tenant to make rent payments.”

Miami-Dade County

[Sheriff / Police Suspension of Enforcement](#)

The Miami-Dade Police Department announced on September 17, 2020 that Mayor Gimenez had directed the department to proceed with enforcing evictions that were ordered on or before March 12, 2020. The Department said it would “remain cognizant of any bans or moratoriums applicable on a case by case basis.”

However, the Mayor backtracked hours later in a series of [tweets](#), saying he’s issuing a temporary stop order on his directive to ensure the application of the Florida’s revised restrictions on evictions due to COVID-19 economic hardship are fair to both tenant’s and property owners.

Orange County

[Sheriff Suspension of Enforcement](#)

The Orange County Sheriff’s Office suspended evictions on March 16, 2020 during the moratorium period established by Governor DeSantis via executive order. Officers will not be serving eviction notices or carrying out physical evictions for defaults due to nonpayment of rent.

Seminole County

[Court Order](#)

Per Chief Judge Lisa Davidson of the 18th District, eviction and foreclosure proceedings in both Seminole and Brevard County are paused through April 15, 2020. There has been no additional guidance provided specifically for eviction cases. On June 1, 2020, small claims pretrial conferences may move forward via videoconferencing according to an [amended order](#).

GEORGIA

Status: Eviction Cases Can Resume at Local Discretion

[Supreme Court Temporary Rule 11.1 \(5/21/20\)](#)

- **Action:** Announces that court will be reinstating deadlines (that were tolled under the judicial emergency) in almost all pending cases (from prior to 5/28). Effective 5/28, parties in pending cases will have the same amount of time to submit their filings as they had remaining at the time the emergency order first went into effect. This

reinstatement does not revoke the extension of deadlines for initially filing new proceedings in the Court. In almost all new cases docketed in the Court on or after 5/28, the normal deadlines under the Court's rules will be in effect and will not be subject to tolling or extension under the emergency order, although parties may seek extensions of time for good cause (related to COVID-19 or otherwise).

- **Duration:** Through November 21, 2020.

Atlanta

Executive Order

- **Action:** On Tuesday, March 17, 2020, Mayor Keisha Lance Bottoms issued an executive order implementing an eviction moratorium for the next 60 days (May 17, 2020). No updated order has been released.
- **Scope:** Prohibits the termination of tenancies for nonpayment of rent only.
- **Additional Commentary:** Applies to properties sponsored or funded by the following organizations: Atlanta Housing Authority, Atlanta Beltline Inc., Fulton County/City of Atlanta Land Bank Authority, Invest Atlanta, Partners for Home, and the City of Atlanta's Department of Grants and Community Development
- **Late Fees and Other Charges:** Prohibited.

HAWAII

Status: Eviction Cases & Eviction Enforcement Suspended

State Supreme Court Order

Suspension of all trials in civil, criminal, and family courts until after Friday, May 29, 2020 or the termination of the state of emergency by the Governor, whichever is sooner.

Executive Order

- **Action:** On May 5, 2020, Governor David Ige issued a proclamation implementing a statewide eviction moratorium. That order has been [extended](#) through February 14, 2021.
- **Scope:** Suspends civil cases and eviction enforcement for nonpayment of rent.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

IDAHO

Status: Eviction Cases Can Resume (Remote)

State Supreme Court

- **Action:** Requires landlord affidavit of compliance with the Federal CARES Act Eviction Moratorium (Sec. 40224).
- **Scope:** Each eviction action initiated between May 4, 2020 and July 25, 2020.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** Idaho had a statewide order directing that eviction cases be continued except for emergencies. However, on April 22, 2020, the Idaho Supreme Court issued an order resuming all hearings remotely, effective May 1, 2020. Some counties have moved to reduced operations in the court system and are therefore hearing a limited number of cases that don't include eviction cases.

ILLINOIS

Status: Eviction Filings & Enforcement Suspended

[Executive Order 2020-74](#)

- **Action:** Order amends and extends the state's residential eviction moratorium. Section 7 is a new addition and states that evictions for reasons other than nonpayment of rent may not be commenced unless the resident poses a direct threat to health and safety of other residents or an immediate and severe risk to property. Protections from these types of eviction actions are automatically granted to residential renters. This means housing providers may not evict for holdover tenancy, unauthorized occupancy, or other lease violation outside of health and safety reasons.
- **Duration:** Extended Through February 6, 2021 by [Executive Order 2021-01](#).

[Executive Order 2020-72](#)

- **Action:** Governor Pritzker issued an executive order on November 13, 2020 modifying the state's moratorium on eviction to align with the CDC's Eviction Moratorium Order. Housing providers are now allowed to file an eviction against residents who do not qualify as a covered person under the order. The enforcement of orders of eviction continues to be restricted. However, a resident may still be evicted for health and safety reasons regardless of whether they qualify for protection under the order.
- **Duration:** Through December 13, 2020.

[Executive Order 2020-30](#)

- **Action:** Governor Pritzker issued an executive order on March 21, 2020 prohibiting the commencement of eviction actions and pausing enforcement of residential evictions by law enforcement through June 26, 2020. That order was extended via [Executive Order 2020-48](#) through August 22, 2020 and subsequently extended again on August 21, 2020 via [Executive Order 2020-52](#) through September 19, 2020. The current expiration date is November 14, 2020.
- **COVID-19 Related Impact Requirement:** No.
- **Exceptions:** Health and Safety.
- **Residents Responsible for Rent:** Yes.

Chicago

[COVID-19 Eviction Protection Ordinance](#)

- **Action:** Signed by Mayor Lightfoot in June, the city's COVID-19 Eviction Protection Ordinance creates requirements for eviction notices due to nonpayment of rent through 60 days after the expiration of Executive Order 2020-30 or General Administrative Order of the Circuit Court of Cook County.
- **Description:** If a landlord issues a 5-day notice to vacate due to nonpayment of rent, the renter in question may respond with a Tenant Notice of COVID-19 Impact. Upon receipt, the housing provider must wait an additional seven days after the expiration of the five-day period before filing an eviction action. The notice to vacate must state that the resident has this option available. The Department of Housing will post an example of the form on its website.
- **Seven-Day Negotiating Period:** During the additional 7-day period, the housing provider must make reasonable attempts to contact and engage in good faith negotiations with the resident to reach a repayment agreement for unpaid rent. "The

terms and conditions of any such agreement may include an offer by the landlord to: (1) accept a repayment plan that amortizes each missed rent payment over not less than 60 days; (2) submit the matter to mediation or to binding arbitration; (3) apply the tenant's security deposit and/or interest on the security deposit toward the unpaid rent to reduce the amount of the rent owed; (4) provide the tenant with an opportunity to move out of the dwelling unit, in a reasonable time that takes into account any delays caused by COVID-19 to either party or to the rental market, in exchange for a complete or partial waiver of any unpaid back rent; or (5) enter into a lawful agreement containing other mutually acceptable terms and conditions to otherwise compensate the landlord for the unpaid rent. Any such agreement shall be written in plain language and shall clearly describe its material terms, including, in the case of a repayment plan, the applicable payment amounts, interest rates and payment due dates." A housing provider may not reject an agreement because repayment depends on outside funds, such as rental assistance.

- **Additional Commentary:** Renters may raise an affirmative defense to eviction if all of the following are true: "(1) the tenant did experience a COVID-19 Impact that materially or substantially affected his or her ability to pay rent; (2) the tenant did file with the landlord a timely Tenant Notice of COVID-19 Impact; and (3) the landlord failed to make reasonable attempts to contact the tenant or to engage in good faith negotiations with the tenant to reach a mutually satisfactory agreement pertaining to the unpaid rent." Interest and late fees are capped, while security deposits may be applied toward rent if mutually agreed by the housing provider and resident.
- See the Chicago Department of Housing [website](#) for more information.

Cook County

[Sheriff Suspension of Enforcement](#)

The Cook County Sheriff's Office has suspended the execution of all writs of possession and jail visits.

INDIANA

Status: Eviction Cases Can Resume

[Indiana Supreme Court CDC Implementation Guidance](#)

- **Action:** The Supreme Court released a Frequently Asked Questions guidance document about the implementation of the CDC Eviction Moratorium Order.
- **Description:** The document states that if a person completes a declaration, a pending case against them will be continued and reset for a hearing date after the moratorium is lifted in order to help courts manage their dockets. This is described as best practice. Any scheduled move out entered prior to September 4, 2020 will still take place. The document also asserts that evidentiary hearings are available to resolve disputes of the declaration's accuracy and truthfulness. Either party can request such a hearing before the court.

[Executive Order 20-02 \(Expired\)](#)

- **Action:** On March 19, 2020, Governor Holcomb signed a [supplement](#) to Executive Order 20-02, implementing a moratorium on evictions through August 14, 2020
- **Scope:** No eviction actions or judicial proceedings may be initiated during this period.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

- **Additional Commentary:** Tenant Legal Assistance Clinic is a new program created by Indiana Legal Services, brightpoint and the local volunteer lawyer program as a way to assist landlords and tenants in reaching settlements. Tenants who think they may be evicted can also call the program and get information. Also being developed is a program called the Facilitated Settlement Conference Program, which will allow landlords and tenants to have a neutral third-party facilitator to arbitrate disputes and help develop a resolution.

IOWA

Status: Evictions Can Resume Remote

Supreme Court Order on CDC Eviction Moratorium Implementation

- **Action:** On October 2, 2020 the state Supreme Court issued guidance on the implementation of the CDC Eviction Moratorium Order.
- **Description:** Any eviction action for nonpayment of rent where a tenant provides the housing provider a signed Eviction Declaration form will be continued until after December 31, 2020, or if necessary, dismissed without prejudice. If a judgement has already been entered, enforcement of the judgment shall be stayed through December 31, 2020.

Supreme Court: COVID-19 Impact on Court Services

- **Action:** Requires any plaintiff bringing an eviction action for nonpayment to submit a CARES Act verification form to the court until further order of the court.

Executive Order (Expired)

- **Action:** Suspension of evictions in certain situations.
- **Scope:** Nonpayment of rent and holding over after termination of the lease ([See Iowa Code 648.1 \(2\)-\(6\) Grounds](#)).
- **Duration:** Through May 27, 2020.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** The State Supreme Court has [directed](#) that forcible entry and detainer proceedings should either be continued to a date after June 15, 2020, or conducted by phone at a local court's discretion.

KANSAS

Status: COVID-19 Hardship Eviction Cases Suspended

Executive Order 20-64

- **Action:** Extends EO 20-61, among others through January 26, 2021

Executive Order 20-61 (Expired)

- **Action:** On August 31, 2020, Governor Laura Kelly signed an executive order implementing a new eviction moratorium through September 15, 2020.
- **Scope:** Prohibits evictions when all defaults or violations of the rental agreement are substantially caused by a financial hardship resulting from the COVID-19 pandemic. The order does not prohibit the continuation of any judicial foreclosure or judicial eviction proceedings filed before the effective date of the order.

- **COVID-19 Related Impact Requirement:** Yes. “As used in this order, a financial hardship resulting from the COVID-19 pandemic occurs when (1) an individual or family suffers a significant loss of income, significant increase in necessary expenses, or inability to work as a direct or indirect result of the COVID-19 pandemic, and (2) the individual’s or family’s financial resources are depleted to the extent that making mortgage or rent payments would leave them unable to purchase food, medicine, or other goods, supplies, or services necessary to their health and safety.”
- **Residents Responsible for Rent:** Yes.

Executive Order (Expired)

- **Action:** Governor Laura Kelly signed an executive order on March 17, 2020, halting residential eviction proceedings statewide through May 31, 2020.
- **Scope:** All filings.
- **COVID-19 Related Impact Requirement:** Yes. Significant income loss, increase in expenses, or inability to work due to COVID-19, or household’s resources depleted to the extent that paying rent or mortgage would leave them unable to purchase food, medicine, or other goods, supplies, or services necessary to their health and safety.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** The Kansas Supreme Court has [directed](#) that forcible entry and detainer proceedings should either be continued to a date after June 15, 2020, or conducted by phone at a local court's discretion.

KENTUCKY

Status: Evictions Can Resume (In Person) w/ 30 Day Notice to Vacate

Executive Order 2020-1055

- **Action:** Extends the CDC eviction moratorium protections and requirements through January 31, 2020.

Executive Order 2020-751

- **Action:** Rescinds the notice to vacate requirements in Executive Order 2020-200. Establishes the CDC eviction moratorium protections and requirements as temporary law in the state through December 31, 2020.

Executive Order 2020-700

- **Action:** Effective August 25, 2020, Governor Beshear replaced the state’s eviction moratorium with a 30-day notice to vacate requirement. Housing providers will be allowed to initiate the eviction process but must serve a tenant with a 30-day notice to vacate. The notice must request the resident meet with the housing provider to attempt to come to a payment plan agreement. Also announces that \$15 million in Federal Coronavirus Relief Funds will be dedicated to an eviction relief fund. These requirements will be in effect through September 3, 2020 and is subject to renewal.
- **COVID-19 Related Impact Requirement:** No.
- **Late Fees and Other Charges:** Prohibited.

Supreme Court Amended Order 2020-64

- **Action:** This order became effective on September 21, 2020. Section B address civil matters, including eviction. All eviction filings must be accompanied by a form certifying compliance with the CARES Act. The Clerk will reject any filing that does not have this form attached.

- **Covered Dwellings:** For covered dwellings as defined in section 4024 of the CARES Act, 30-day notice to vacate is required prior to filing an action for eviction. Fees penalties and other charges are prohibited.
- **Exceptions:** Actions filed prior to March 27, 2020 are exempted.
- **Additional Requirements:** “Parties must be verbally informed that funding agencies may be able to assist tenants with payment for some or all of the rent that is owed and assist landlords with recouping missed or late rent payments. Parties should also be informed that a judgment is not necessary to receive assistance. Nothing in this Order shall be interpreted to suspend or otherwise excuse an individual’s duty to pay rent or to comply with any other obligation under tenancy.”

[Executive Order 2020-257 \(Expired August 25, 2020\)](#)

- **Action:** Suspension of evictions statewide through the end of the public health emergency. All law enforcement officers are directed to cease enforcement orders of residential evictions.
- **Scope:** Nonpayment of rent.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** The governor has added a [Landlord Eviction Waiver](#) to his website. Housing providers can now fill this out and get a waiver to evict a resident for reasons other than nonpayment of rent.

[Supreme Court Order \(Expired\)](#)

- **Action:** Under the State Supreme Court's order, except for emergency and statutorily required proceedings, evictions are continued, and new evictions cannot be filed until 30 days after the expiration of the order.
- **Duration:** Through May 31, 2020.

LOUISIANA

Status: Eviction Cases Can Resume

[Executive Order \(Expired\)](#)

- **Action:** On March 17th Governor John Bel Edwards signed an executive order suspending deadlines in all legal proceedings. That order has been extended until June 15, 2020.
- **Scope:** Applies to all civil cases, including evictions.
- **COVID-19 Related Financial Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

MAINE

Status: Evictions Can Resume (In Person)

[Executive Order No. 40 \(Expired\)](#)

- **Action:** On April 16, 2020, Governor Mills issued an executive order implementing an eviction moratorium through August 3, 2020.
- **Scope:** The order specifically suspends the issuance of a writ of possession. The suspension includes exceptions for cases where residents:
 - Posed an imminent risk of harm by threatening or assaulting behavior towards property management staff, another resident, neighbor, or other person;

- Posed an imminent risk of harm to the property itself, or the property of another resident, neighbor, or other person;
- Violated health, sanitation, fire, housing or safety laws;
- Engaged in an illegal or prohibited trade or activity on the property;
- Posed a significant nuisance to property management, another resident, or a neighbor; or
- Caused substantial unrepaired damage to the premises.
- Section C extends notice periods for lease violations to 60-days from 30-days and notice periods for nonpayment of rent from 7-days to 30-days.
- **COVID-19 Related Financial Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

[ME Judicial Branch Order \(Expired\)](#)

Maine's Judicial Branch ordered that effective on March 18, 2020 through May 30, 2020, all evictions and foreclosures are suspended; previously scheduled cases will not be heard, and new cases will not be scheduled for a hearing until May 1, 2020.

MARYLAND

Status: Eviction Cases Can Resume (Remote or in Person)

[Executive Order 20-12-17-02](#)

- **Action:** On December 17, 2020, Governor Hogan issued an executive order implementing an eviction moratorium.
- **Duration:** Through the termination of the state of emergency and catastrophic health emergency.
- **Scope:** Prohibits courts of jurisdiction from promulgating an eviction judgement for nonpayment of rent or other lease violation if the renter in question can demonstrate, through documentation or other objectively verifiable means, they suffered a substantial loss of income. Exceptions include behavior that constitutes a clear and imminent danger under [MD Real Prop Code § 8-402.1\(a\)\(1\)\(i\)2.B](#).
- **Definition of Substantial Loss of Income:** (i) with respect to an individual, a substantial loss of income resulting from COVID-19 or the related proclamation of a state of emergency and catastrophic health emergency, including, without limitation, due to job loss, reduction in compensated hours of work, closure of place of employment, or the need to miss work to care for a home-bound school-age child; and (ii) with respect to an entity, a substantial loss of income resulting from COVID-19 or the related proclamation of a state of emergency and catastrophic health emergency, including, without limitation, due to lost or reduced business, required closure, or temporary or permanent loss of employees.

[Court Guidance on Housing Cases and COVID-19](#)

- **Description:** Includes guidance on how cases will move forward, and the requirements placed on housing providers by the CARES Act and the CDC Eviction Moratorium Order.
- **Notice Requirements:** Housing providers must provide renters with 30-day notices to vacate per CARES Act requirement. They must also comply with the CDC restrictions on evictions if the tenant provides the required declaration that they meet the conditions for eviction protection.

- **Additional Commentary:** “A tenant can raise the conditions stated in the CDC Order as a defense to a Failure to Pay Rent case until December 31, 2020, unless the Order is extended. If a tenant is successful in raising this defense, the court will determine the amount due for possession, but may reserve entry of judgment until the judgment is not prohibited by the CDC Order. Once the CDC Order expires, the court, without a request from any party, may enter judgment for possession. Landlords must continue to inform the court if payments are made while the case is pending, or judgment is reserved.”

Executive Order (Expired)

- **Action:** On April 3, 2020, Governor Hogan issued an updated executive order, prohibiting evictions of residents suffering from substantial loss of income due to COVID-19. This order expired on July 25, 2020.
- **Scope:** Nonpayment of rent and lease violations.
- **COVID-19 Related Financial Impact Requirement:** A substantial loss of income resulting from COVID-19 or the related proclamation of a state of emergency. This includes job loss, reduction in hours of work, closure of place of employment, or the need to miss work to care for a home-bound school age child.
- **Supporting Documentation:** Required but not defined.
- **Residents Responsible for Rent:** Yes.

MASSACHUSETTS

Status: Eviction Cases and Enforcement Suspended

H. 4647 (Expired)

- **Action:** Limits the rights of property owners to access the Courts to resolve disputes. On July 21, 2020, the Governor extended these restrictions for an additional 60 days to October 17, 2020.
- **Scope:** Prohibition on terminating tenancies or sending any notices, including notices to quit, for non-essential eviction actions. Non-essential eviction actions include nonpayment of rent, foreclosure, for no fault or no cause, or for a cause which does not involve or include allegations of criminal activity or lease violations that may impact the health or safety of other tenants, health care workers, emergency personnel, persons lawfully on the property or the general public.
- **Duration:** 120 days or 45 days after the state emergency declaration is lifted, whichever is sooner. The Governor may postpone the expiration of the bill for a period of time, which cannot go past 45 days after the emergency declaration is lifted.
- **COVID-19 Related Financial Impact Requirement:** Yes, for the prohibition on charging late fees. Residents must provide notice and documentation no later than 30 days after a rent payment is missed.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** Allows property owners to utilize last month’s rent (security deposit) to pay for expenses if the housing provider notifies the tenant in writing. However, owners and operators must provide tenants with the same interest that would have accrued if the housing provider had not utilized last month’s rent and prohibits housing providers from deducting money from the last month’s rent for any non-payment of rent. See [Greater Boston Real Estate Board’s \(GBREB\) summary](#) for more details.

Boston

Status: Moratorium Has Expired.

Boston Mayor Martin Walsh, the Massachusetts Apartment Association, and the Massachusetts Association of Community Development Corporation, a trade group for nonprofit affordable housing operators, joined Saturday (March 14th) in instructing apartment management staff to suspend eviction actions for [90-days](#).

Greg Vasil, CEO of the Greater Boston Real Estate Board (GBREB), said the moratorium could extend further. GBREB is urging smaller landlords to join in the effort.

MICHIGAN

Status: Eviction Cases Can Resume

[Michigan Supreme Court Memorandum: FAQ Regarding CDC Order Halting Evictions](#)

- **Actions:** Addresses frequently asked questions related to the Center for Disease Control's Eviction Moratorium Order.
- **Additional Commentary:** The answers provided to questions number four and five in the memorandum address the declaration and the restrictions of the order. Most importantly, residents are required to provide the declaration to housing providers and not the other way around, and prohibition on any action against covered persons to remove or cause their removal is up to judicial interpretation.
 - "A4: The order states, "To invoke the CDC's order these persons must provide an executed copy of the Declaration form (or a similar declaration under penalty of perjury) to their landlord, owner of the residential property where they live, or other person who has a right to have them evicted or removed from where they live." Michigan Legal Help is creating a sample declaration document and will make it available on their website as soon as it is completed."
 - "A5: The order defines "evict" and "eviction" as "any action by a landlord, owner of a residential property, or other person with a legal right to pursue eviction or a possessory action, to remove or cause the removal of a covered person from a residential property." The language in the order — "any action . . . to remove or cause the removal of" — is a matter of judicial interpretation."

[Executive Order No. 2020-134 \(Expired\)](#)

- **Action:** Extends eviction restrictions through July 15, 2020.
- **Additional Commentary:** The moratorium will be replaced by an Eviction Diversion Program (i.e. rental assistance) established by [MI SB 690](#) upon expiration.

[Executive Order No. 2020-54 \(Expired\)](#)

- **Action:** Places a moratorium on evictions until June 11, 2020. Statutory limits on the Michigan Supreme Court to adjourn any proceedings, toll any redemption periods or limitations periods, or extend any deadlines are extended until 30 days after the restrictions on eviction expire. Suspends the process and execution of eviction orders.
- **Scope:** Applies to all cases except those where a resident poses a substantial risk to another person or an imminent and severe risk to property.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

Detroit

36th District Court Chief Judge William McConico [issued an eviction moratorium](#) effective immediately on March 16, 2020. This order was [extended](#) through August 15, 2020, after the Governor Whitmer's Executive Order establishing an eviction moratorium expired July 15, 2020. The order expired August 16, 2020.

Lansing

[The Lansing Housing Commission](#), which manages more than 800 public housing units in the city of Lansing, has instituted a moratorium on new evictions "indefinitely."

MINNESOTA

Status: Eviction Cases & Enforcement Suspended

[Executive Order 20-79](#)

- **Action:** Rescinds Emergency Executive Orders 20-14 and 20-73. This order is in effect for the duration of the state of emergency through extensions in 30-day increments. The current expiration date is January 14, 2021, established via [Executive Order 20-100](#).
- **Scope:** Provides exceptions to the eviction moratorium for lease violations where health and safety of other residents is endangered, significant property damage occurs, or a resident engages in criminal activity defined in [chapter 504B.171](#) Minnesota Landlord-Tenant Law. The issuance of notices of lease termination or nonrenewal is prohibited unless for the above reasons. In such cases a 7-day notice is required to be given to the tenant in question before filing an eviction action in court.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

[Executive Order 20-14 \(Expired\)](#)

- **Action:** Governor Tim Walz has issued an eviction moratorium for the duration of the state of emergency or until rescinded.
- **Scope:** Prohibits filing of an eviction notice for nonpayment, lease violations, and lease holdovers.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.
- **Additional Commentary:** Eviction actions based on cases where a resident seriously endangers the safety of other residents or engages in criminal activity defined in [chapter 504B.171](#) of the Minnesota Landlord-Tenant Law are allowed.

MISSISSIPPI

Status: Evictions Cases Can Resume (Remote)

[Executive Action](#) (Expired)

- **Action:** Implemented an eviction moratorium statewide attached to the State's Shelter in Place Order through June 1, 2020
- **Scope:** Execution of Writs of Possession.
- **COVID-19 Related Impact Requirement:** No.

- **Residents Responsible for Rent:** Yes.

MISSOURI

No statewide eviction moratorium for Missouri.

St. Louis

[Twenty-Second Judicial Circuit \(City of St. Louis\) COVID-19 Order 35](#)

- **Action:** Suspends evictions through December 31, 2020.
- **Scope:** The Order includes numerous exceptions, allow for evictions for when a tenant, lessee, or resident:
 - Engages in criminal activity while on the premises;
 - Threatens the health or safety of other residents;
 - Damages or poses an immediate and significant risk of damage to property;
 - Violates any applicable building code, health ordinance, or similar regulation relating to health and safety; or
 - Violates any other contractual obligation, other than the timely payment of rent or similar housing-related payment (including non-payment or late payment of fees, penalties, or interest).
- **Additional Commentary:** Expedited evictions are allowed for plaintiffs who have received judgments for possession when the grounds for eviction were established for drug or other activity as provided in [Sections 441.710 through 441.880](#) of the Missouri Revised Statutes.

MONTANA

Status: COVID-19 Evictions Prohibited for Individuals Sheltering in Place

[Executive Order](#)

- **Action:** Prohibits evictions of members of a vulnerable population suffering significant financial hardship due to COVID-19, and who, pursuant to the EO, remain sheltered at home.
- **Duration:** Protections expire on a case by case basis 30 days after the individual ceases to shelter at home or the end of the emergency, whichever is sooner.
- **COVID-19 Related Impact Requirement:** An individual who seeks the protection of these provisions to prevent a foreclosure, eviction, or disconnection after June 1 must make a basic showing to their bank, landlord, or utility that they are (1) sheltering in place under this order, are (2) a member of a vulnerable population, and (3) have been financially impacted as a result of the COVID-19 outbreak.
- **Notice Requirement:** Before moving forward with an eviction, foreclosure, or disconnection against an individual who is a member of a vulnerable population, the entity initiating the eviction, foreclosure, or disconnection must provide adequate notice of the opportunity to seek the protection of this Directive by making the showing described above.
- **Additional Commentary:** The rent and mortgage assistance program established in the April 13 Directive remains in effect for the duration of the emergency. Interested individuals may apply at covidrelief.mt.gov. See NAA's Rental Assistance Report for more information.

NEBRASKA

Status: Eviction Can Resume (In Person)

Executive Order 20-07 (Expired)

- **Action:** Governor Ricketts issued an executive order on March 25, 2020, implementing an eviction moratorium until May 31, 2020.
- **Scope:** Suspends the right of housing providers to proceed with an eviction action to terminate a rental agreement for unpaid rent that accrues on or after March 13, 2020.
- **COVID-19 Related Impact Requirement:** Yes. The resident must demonstrate to the property owner that he or she suffered substantial loss of income resulting from COVID-19 or the related state of emergency, such as job loss, reduction in compensated hours of work, closure of a place of employment; or missed work to care for a relative or a child due to notice from a school or a childcare facility that the child may not attend due to closure or attendance limitations related to COVID-19.
- **Residents Responsible for Rent:** Yes.

NEVADA

Status: Eviction Cases Can Resume

Emergency Directive 036

- **Action:** Governor Sissolak issued a new eviction moratorium on December 14, 2020 that mirrors the CDC eviction moratorium.
- **Scope:** The directive suspends the eviction process for any renter who submits a sworn declaration. Such declarations can be challenged in court. Makes exceptions for evictions for health and safety, along with holdover tenancies.
- **Duration:** Through March 31, 2021.

Emergency Directive 031 (Expired)

- **Action:** Terminated Emergency Directive 025 and prohibits the initiation of a nonpayment of rent summary eviction action through service of a pay or quit notice through October 14, 2020.

Emergency Directive 025 (Terminated by Emergency Directive 031)

- **Action:** On June 25, 2020, Governor Sisolak issued a new order modifying the state's eviction restrictions. Beginning August 1, 2020, housing providers may file for lease violations outside of nonpayment using a 5-day notice to cure followed by a 5-day unlawful detainer. Additionally, filings for nonpayment will be allowed in cases where residents default on payment plan arrangements, provided the governor's form or other acceptable form is used and is an addendum to the lease agreement. Starting September 1, 2020, filings for any nonpayment of rent can be filed and late fees may be charged on future rent. Any evictions currently stayed will need to be re-served unless the resident in question responded to the initial notice.

Executive Order (Expired)

- **Action:** On March 24, 2020, Governor Sisolak issued an order establishing a statewide eviction moratorium through June 30, 2020
- **Scope:** No lockout, notice to vacate, notice to pay or quit, eviction, foreclosure action, or other proceeding involving residential or commercial real estate based upon a

tenant or mortgagee's default of any contractual obligations imposed by a rental agreement or mortgage may be initiated under any provision of Nevada law.

- **Exceptions:** Excludes evictions that predate the March 12 State of Emergency declaration.
- **Additional Commentary:** The State Supreme Court has issued an [order](#) in response to the Governor's action conforming court operations to the order. The Court's order "makes provision for the justice courts to reject certain filings—a provision deemed necessary for them to efficiently implement Directive 008."

NEW HAMPSHIRE

Status: Evictions Can Resume Remote

[Supreme Court Order](#)

- **Action:** Order requiring compliance with the CARES Act and CDC Eviction Order.
- **Description:** Housing providers must file an affidavit of compliance with or exemption from the CARES Act and the CDC order. This must be filed prior to service of an eviction filing. See bullet point 7 of the linked document above for more information.

[Executive Order #24 \(Expired\)](#) & [Emergency Order #4 \(Expired\)](#)

- **Action:** Executive Order #4 implemented a moratorium on evictions until the state of emergency is lifted. Executive Order #24 modified Executive Order #4.
- **Scope:** Applies to all eviction proceedings and foreclosures. Makes an exception for proceedings initiated against individuals for lease violations or criminal activity that result in either substantial damage to the premises by the individual or members of the individual's household, substantial adverse impact on the health or safety of other residents, or proceedings initiated against an individual in cases of abandonment of the rental unit.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

NEW JERSEY

Status: Eviction Cases & Enforcement Suspended

[Emergency Directive #20-20](#)

- **Action:** On July 28, 2020, Acting Administrative Director of the Courts Glenn Grant, J.A.D. released Directive #20-20. The Directive sets the requirements for the newly implemented landlord-tenant case management steps, procedures, and forms for: (1) service of complaints and pretrial settlement conferences; (2) CARES Act certification and compliance; and (3) Order to Show Cause process for landlord-tenant trials in limited circumstances. Lease violations listed on page 4 pursuant to the Anti Eviction Act (N.J.S.A. 2A:18-61.1), and the Summary Dispossession Act (N.J.S.A. 2A:18- 53) are circumstances where a court may grant a trial in "the interest of justice."
- **CARES Act Certification:** Requires certification of CARES Act compliance for all nonpayment of rent cases filed during the CARES Act moratorium (March 27, 2020 through July 24, 2020). The certification must be filed before any pretrial/settlement conferences or trials are scheduled.

[Executive Order No. 106](#)

- **Action:** On March 20, 2020, the Governor signed [A-3859](#) into law, which explicitly provides authority to the Governor to issue an executive order declaring a moratorium on removing individuals from their homes pursuant to an eviction or foreclosure proceeding. The Governor then immediately signed [Executive Order No. 106](#), which imposes such a moratorium.
- **Duration:** Expires two months after the end of the state of emergency.
- **Scope:** While eviction and foreclosure proceedings may be initiated or continued during the time this order is in effect, enforcement of all judgments for possession, warrants of removal, and writs of possession shall be stayed, unless the court determines on its own motion or motion of the parties that enforcement is necessary in the interest of justice. The order does not affect any schedule of rent that is due. Sheriffs, court officers, and their agents shall refrain from acting to remove individuals from residential properties through the eviction or foreclosure processes during the time the order is in effect, unless the court determines on its own motion or motion of the parties that enforcement is necessary in the interest of justice.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

Newark

Mayor Ras Baraka announced a 60-day [moratorium on the eviction of renters](#) directly or indirectly affected by a quarantine order for non-payment of rent on March 15, 2020, meaning the individual has either been quarantined or is [caring for people who are quarantined](#).

Union City

[Ordinance No. 877-20](#)

- **Action:** On March 24, 2020, the City Council enacted a temporary suspension of evictions for qualifying renters through the expiration of the local emergency or the Governor's State of Emergency order, whichever occurs last.
- **Description:** Residents must show an inability to pay rent due to COVID-19 economic hardship, defined as a substantial decrease in household or business income or out-of-pocket medical expenses caused by the COVID-19 pandemic or government response. This hardship must be documented. Examples of such hardship include the following: 1) having or caring for a household or family member with COVID-19, 2) Work closures, layoffs, job loss, or a reduction in work hours, or 3) missing work due to a minor child's school closure, compliance with government health authority orders, or other similarly caused reasons.
- **Payment of Deferred Rent:** Residents have 90 days from the end of the moratorium period to pay any back-due rent.
- **Additional Commentary:** Renters have 10 days after rent is due to notify their housing provider of an inability to pay due to COVID-19. Meeting the requirements of the ordinance provides an affirmative defense in an eviction proceeding. See the City's Housing Resources [webpage](#) for more information.

NEW MEXICO

Status: Eviction Enforcement Suspended for Nonpayment of Rent

[Supreme Court Order](#)

- **Action:** Stays the execution of writs of restitution issued for non-payment of rent for residents who have demonstrated by a preponderance of the evidence a current inability to pay the monthly rent. Issued on March 24, 2020.
- **Duration:** Open-ended.

Albuquerque

The City of Albuquerque has [stopped evictions on all public housing](#) for nonpayment. Judges hearing cases have the discretion to grant continuances.

NEW YORK

Status: Eviction Cases & Enforcement Suspended

[COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 \(S.9114/A.11181\)](#)

- **Action:** On December 28, 2020 Governor Cuomo signed legislation that prevents residential evictions, foreclosure proceedings, credit discrimination and negative credit reporting related to the COVID-19 pandemic.
- **Scope:** The Act places a moratorium on residential evictions for residents who have endured COVID-related hardship. Renters must submit a hardship declaration, or a document explaining the source of the hardship, to qualify for protections. An absence of a declaration does not create a presumption that a renter has not experienced COVID-related hardship. Evictions are allowed for health and safety reasons and against renters who do not submit declarations.
- **Duration:** Restrictions in effect through May 1, 2021.
- **Additional Commentary:** The Act requires a copy of the hardship declaration to be provided to residents who are served with eviction notices. Housing providers must submit an affidavit with any eviction filing attesting under penalty of perjury that a copy of the declaration was shared with the renter in question and that a completed form was not submitted. Pending proceedings are stayed for at least 60 days, and potentially longer at the discretion of the chief administrative judge to ensure the court systems ability to conduct proceedings in compliance with this act. Moreover, default judgements are prohibited.

[Executive Order No. 202.72](#)

- **Action:** Temporary modification of section 732 and 743 of New York's Real Property Actions and Proceedings Law to provide a 60-day window for defendants (renters) to respond to any eviction filing for nonpayment of rent.
- **Duration:** November 3, 2020 through December 3, 2020.

[Revised Procedure for Addressing Residential Eviction Proceedings](#)

- **Action:** Supreme Court Chief Administrative Judge Lawrence Marks released revised guidance for addressing evictions effective October 12, 2020.
- **Description:** Suspends statutory time limits of for commencement, filing, and service of any legal action, notice, motion, or other process, or proceedings. So long as the suspension of time limits continues, no default judgment may be entered due to a failure to respond to a petition by a renter in an eviction matter. Further hearing of an eviction proceeding remains subject to local court circumstances and health/safety assessments for courthouse use.

- **State Law and Executive Order:** “Evictions of residential tenants who meet criteria set forth in the Tenant Safe Harbor Act (L. 2020, c. 127), as modified by Executive Order 202.66 (Attachment C), are prohibited through January 1, 2021 (the date specified in EO 202.66). This prohibition now bars the execution or enforcement of residential warrants of eviction or judgments of possession without regard to their date of issuance. Two aspects of the Executive Order’s modification of the Act are noteworthy: the scope of the Tenant Safe Harbor Act is limited to nonpayment cases, while EO 202.66 applies to “any residential tenant;” and the Act prohibits issuance of warrants of eviction and judgments of possession, while the EO prohibits “execution or enforcement” of such judgments and warrants. This terminology may require future judicial interpretation.”
- **CDC Order:** “The Centers for Disease Control order of September 4, 2020 (Attachment D) prohibits eviction of any “covered person” from residential property for nonpayment of rent through December 31, 2020. The CDC order defines covered persons as tenants or residents who file a declaration with their landlord affirming that they meet specified income limits and other financial and COVID-related requirements. The order allows eviction for reasons other than nonpayment, including damaging the premises, threatening the health and safety of others, violating building codes, and the like.”

Executive Order No. 202.66

- **Action:** Prevents the execution or enforcement of a judgement for possession or a warrant of possession, including cases where a judgement or warrant was granted prior to March 7, 2020.
- **Duration:** This order will be in effect through January 1, 2021.

Supreme Court Administrative Order 160

- **Action:** Supreme Court Chief Administrative Judge Lawrence Marks issued a memo outlining revised procedure for addressing residential and commercial eviction proceedings in light of The Tenant Safe Harbor Act’s passage and the expiration of the state’s eviction moratorium issued by Governor Cuomo.
- **Procedures:** The court must hold a status or settlement conference before any further action of residential eviction proceedings that commenced prior to March 17, 2020. The conference will address a “a range of subjects related to the case and COVID- 19 concerns, including the availability of relief under the New York Tenant Safe Harbor Act (L. 2020, c. 127) and other state or federal edicts.” After the conference, the court “may take whatever further steps it deems appropriate, including deciding any pending motion, entertaining other applications, or allowing the matter to move forward in the normal course.” No residential eviction may take place prior to October 1, 2020, unless there is a further state or federal moratoriums issued by the state or Congress.
- See the order for additional information.

S8192B – The Tenant Safe Harbor Act (Passed June 20, 2020)

- **Action:** Prohibits the issuance of warrants of eviction or judgments for possession against a residential tenant that has suffered a financial hardship for the non-payment of rent that accrues or becomes due during the COVID-19 covered period.
- **COVID-19 Covered Period:** “March 7, 2020 until the date on which none of the provisions that closed or otherwise restricted public or private businesses or places of public accommodation, or required postponement or cancellation of all non-essential gatherings of individuals of any size for any reason in Executive Orders 202.3,

202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13 or 202.14, as extended by Executive Orders 202.28 and 202.31 and as further extended by any future Executive Order, issued in response to the COVID-19 pandemic continue to apply in the county of the tenant's or lawful occupant's residence.”

- **COVID-19 Financial Hardship:** A lawful occupant may raise financial hardship due to COVID-19 as a defense in a summary proceeding under article 7 of the real property actions and proceedings law. The court shall consider the following factors to determine hardship:
 - The tenant's income prior to COVID-19 covered period;
 - The tenant's income during the covered period;
 - The tenant's liquid assets; and
 - The tenant's eligibility for cash assistance, SNAP, supplemental security income, New York state disability program, the home energy assistance program, or unemployment insurance or benefits under state or federal law.

[Executive Order No. 202.8 \(Expired\)](#)

- **Action:** Prohibits initiating of a civil proceeding or enforcement of residential evictions through August 20th for nonpayment of rent “or renters eligible for unemployment insurance or benefits under state or federal law or otherwise facing financial hardship due to COVID-19. Suspends sections of the Real Property Law to provide that no landlord, lessor, sub-lessor or grantor shall demand or be entitled to any payment, fee or charge for late payment of rent occurring during the time period from March 20, 2020, through August 20, 2020.
- **Scope:** Enforcement of writs of possession and eviction filings prohibited.
- **COVID-19 Related Impact Requirement:** Protections available for those experiencing hardship due to COVID-19, but this is not a requirement for protection under the order.
- **Residents Responsible for Rent:** Yes.

New York City

[Civil Court Directive 213](#)

- **Action:** Directive addressing how courts will handle “pre-pandemic” proceedings. Pending matters filed after March 16, 2020 are subject to the orders of New York Chief Administrative Judge Lawrence Marks.
- **Warrants of Eviction:** “On August 20, 2020, the Court will begin accepting requisitions for warrants of eviction based on judgments of possession that were issued before March 17, 2020. All such requisitions must be presented by motion on notice to the respondent. Such a motion shall suffice to comply with the conference requirement contained in AO 160/20. All such motions shall require the inclusion of a Notice to Respondent Tenant, in the form attached as Exh. A to this directive, to be served by mail as well as email wherever possible. Consistent with AO 160/20, any eviction ordered under this section shall not take place prior to October 1, 2020. It is anticipated that these motions will be heard remotely.”
- **Execution of Warrants:** “Beginning August 20, 2020, a petitioner seeking to enforce a warrant of eviction that was issued before March 17, 2020 must seek leave of court by motion on notice to respondent. Such a motion shall suffice to comply with the conference requirement contained in AO 160/20. All such motions shall require the inclusion of a Notice to Respondent Tenant in the form attached as Exh. A to this

directive, to be served by mail, as well as email wherever possible. Consistent with AO 160/20, any eviction ordered under this section shall not take place prior to October 1, 2020. It is anticipated that these motions will be heard remotely.”

- **Appearance Defaults:** “In all matters where issue has been joined and the Court has jurisdiction over the parties, counsel and/or parties are expected to be present for court noticed appearances. Noticed appearances may include virtual or in-person conferences or trials. If an attorney and/or party fails to appear for a court noticed conference or trial without excuse, the judge presiding over such appearance may exercise his or her discretion to address the unexcused absence. The judge may, among other available remedies, reschedule the appearance with a “final” marking, resolve issues or claims against the non-appearing party, impose sanctions, or issue a judgment of contempt. All applications to be excused from a court ordered appearance must be made on the record before the court or by affidavit/affirmation.
- **Document Defaults:** “Filing of answers in residential eviction proceedings is presently controlled by Administrative Orders 160/20 and 121/20. Moreover, submission of motion documents in pending proceedings is governed by Administrative Order 115/20, which authorized the Electronic Document Delivery System (EDDS). EDDS remains available until further order. Consistent with Administrative Orders 160/20 and 115/20, no adverse action (i.e., no defaults) shall be taken based upon the failure to file an answer in an eviction proceeding, or based upon the failure of a party to submit responsive papers to a motion submitted through EDDS, absent specific order of the Court.”

The New York City Housing Authority has issued a temporary moratorium on evictions for those living in public housing. Mayor Bill de Blasio said at a recent press conference that he wants to “freeze up evictions as much as humanly possible” and offered support [through the city’s Human Resources Administration](#) to those faced with the looming prospect of eviction.

NORTH CAROLINA

Status: Evictions for Nonpayment of Rent Prohibited

[Executive Order No. 171](#)

- **Action:** Governor Cooper issued Executive Order 171 on October 29, 2020, which will become effective at 5pm on Friday, October 30, 2020. This order has been extended via Executive Order 184 through January 31, 2020.
- **Description:** The order clarifies and amends the implementation of the CDC Eviction Moratorium Order as follows:
 - In an action commenced on or after 5pm on October, 30, prior to filing for a summary ejection action the landlord must execute an affidavit and present it to the court certifying that the landlord has provided the residential tenant with a blank copy of the CDC Declaration form.
 - Only 1 declaration is required per home, despite the requirement in the CDC Order.
 - The Executive Order only prevents evictions for nonpayment or late payment if a CDC Declaration is received and not successfully challenged.
 - In the event the landlord believes the action should still proceed despite the filing of the Declaration, the landlord shall submit to the court a response to the Declaration identifying in writing why the landlord believes the action should still proceed despite the protections of the CDC Order. For example, the landlord may respond by indicating that the eviction is for a reason other than

nonpayment or late payment of rent. A hearing to determine whether the action should proceed shall be held according to the timeline for hearings for eviction proceedings, or as otherwise established by the court.

- Upon receiving a Declaration, the landlord shall take no actions to request a writ of possession, and the landlord is not entitled to the writ, but the landlord may submit a response to the Declaration and request a hearing as provided in Section 4 of this summary.
 - If a court determines that the eviction should proceed under Section 4 of this summary, and ultimately enters a judgment against the tenant, nothing in this Executive Order prohibits a landlord from requesting a writ of possession, and the landlord shall be legally entitled to a writ of possession in those circumstances.
 - In actions pending on or commenced after the date of the Executive Order, a landlord who has been provided with a tenant's Declaration pursuant to the CDC Order shall immediately notify the court that such Declaration has been received and shall submit a copy of the Declaration to the court within five (5) days of receipt.
 - The protections from eviction of this Executive Order shall extend to those residential tenants who have applied for the HOPE program and have been notified that they have met the eligibility criteria for participation in the NC HOPE rental assistance program, even if those residential tenants would not qualify for protection from eviction under the CDC Order. Once the landlord has executed the HOPE Landlord-Tenant Agreement, the tenant shall be protected from eviction under the terms of that Agreement, and not under this Executive Order.
- **Duration:** October 30, 2020 – December 31, 2020.

Executive Order (Expired)

- **Action:** On March 31, 2020, Governor Cooper implemented a statewide eviction moratorium through June 21, 2020.
- **Scope:** Nonpayment of rent.

Court Order (Expired)

- **Action:** The Chief Justice of the State Supreme Court has stayed all pending eviction cases, whether for summary ejection or otherwise. Sheriffs are not required to execute pending writs of possession until June 30.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

NORTH DAKOTA

No statewide eviction moratorium for North Dakota.

OHIO

Status: Local Court Discretion

Supreme Court Order (Expired)

- **Action:** The Supreme Court of Ohio tolled all court deadlines until the earlier of the end of the emergency or 7/30/20. The court also issued [guidance](#) (as opposed to an order) to local courts that suggested courts could temporarily continue eviction filings,

pending eviction proceedings, scheduled move-outs, and the execution of foreclosure judgements (except in the instances where allegations of domestic violence are involved). However, the determination of how to restrict access to the court is left to local jurisdiction.

- **Duration:** Through July 30, 2020.

OKLAHOMA

Status: Evictions Can Resume

Supreme Court Order

- **Action:** The Supreme Court of Oklahoma order staying civil cases is ambiguous regarding its application to eviction cases. Many county-level district courts have stayed civil cases, but explicitly exempted forcible detainer and entry proceedings. The Supreme Court has closed all courts to public and extended court deadlines and statute of limitations through 5/15/20 but has stated they will begin to run and courts will begin to schedule non-jury hearings on 5/16. The court has also stated that orders issued from 3/16 to 5/15 are presumptively valid and enforceable, which means that the over 1500 orders of eviction issued since the beginning of the pandemic will be enforceable once law enforcement personnel are available.

OREGON

Status: Eviction Cases & Nonpayment Eviction Enforcement Suspended

HB 4401 – Relating to Residential Tenancies (ORS Chapter 90)

- **Action:** On December 21, 2020, the Oregon Legislature passed HB 4401, which established a \$150 billion rental assistance program and extended the state's eviction moratorium until June 30, 2021.
- **Scope:** Housing providers are prohibited from moving to evict a resident unless they provide a copy of both the notice and declaration form under subsection (2) along with any notice required under HB 4213, every termination notice for nonpayment delivered before June 30, 2021, and any summons for eviction based on those termination notices. Additionally, if a resident at any time has delivered a copy of a signed declaration to the housing provider in writing or by other method such as photograph, email, or text message, housing providers may not take any action to interfere with a renter's possession of a rental unit.
- **Ability to Challenge Resident Declaration:** No. Moreover, housing providers are prohibited from requiring additional information from a resident in the declaration or require the delivery of more than one declaration per household.
- **Additional Commentary:** Housing providers must attest under penalty of perjury when they file for eviction that they have complied with the requirements under section 7 of the bill and that they are not aware of any declaration signed or delivered by the resident. Nonpayment under the legislation encompasses any charge related to renting a unit as described in the rental agreement.

Executive Order No. 20-56

- **Action:** On September 28, 2020, Governor Brown issued an executive order extending the eviction moratorium established by HB 4213.

HB 4213

- **Action:** Implements a moratorium on evictions through September 30, 2020.
- **Scope:** Housing providers may not threaten to or act to deliver a termination notice based on nonpayment, file for eviction based on a termination notice for nonpayment, assess a late fee on rent due during the emergency period, or report nonpayment during the emergency period as delinquent to consumer credit reporting agencies. Even after the moratorium expires, housing providers may only evict for unpaid rent in the months that follow.
- **COVID-19 Related Impact Requirement:** No.
- **Payment of Deferred Rent:** Residents are entitled to a six-month repayment period ending on March 31, 2020. Upon receiving a 14-day notice to pay or quit following the moratorium period, residents must notify the housing provider of the desire to pay the balance within the grace period. Resident failure to provide notice in this situation entitles housing providers to recover damages equal to 50 percent of one month's rent following the grace period.
- **Additional Commentary:** Written notices to residents stating that they continue to owe rent are allowed but it must include a statement that eviction for nonpayment is not allowed before September 30, 2020. Moreover, the bill extends lease agreements for residents in the first year of occupancy that would expire during the moratorium period through October 30, 2020.

Executive Order (Expired)

- **Action:** Governor Kate Brown signed an executive order on March 22, 2020, declaring a statewide eviction moratorium through June 30, 2020.
- **Scope:** Prohibits eviction filings or enforcing writs of possession for nonpayment of rent.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

Portland (Multnomah County)

County Moratorium

On March 17, 2020, Multnomah County Board of Supervisors enacted an eviction moratorium. Housing providers will not be able to evict residents who have fallen behind on rental payments as a result of loss of income due to COVID-19. Renters in both jurisdictions (Portland and Multnomah County) will have six months to pay back the payments they have fallen behind on once the crisis is over, similar to San Francisco's moratorium.

Update: This order was [extended](#) on July 2, 2020 through September 30, 2020.

PENNSYLVANIA

Status: Eviction Cases May Resume

Executive Order (Expired)

- **Action:** On May 7, 2020, Governor Tom Wolf and Attorney General Josh Shapiro announced the signing of an executive order that prohibits foreclosures and evictions through August 31, 2020.
- **Scope:** Prohibits the filing of eviction notices for nonpayment of rent. All timelines for ongoing cases must be computed and may only continue after August 31, 2020.

- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

Allegheny County

Evictions (Expired): Allegheny County President Judge Kim Clark declared a [judicial emergency](#) for the Fifth Judicial District of Allegheny County. The order halts almost all criminal and civil proceedings through June 1, 2020, which means a county-wide moratorium on evictions. The stay does not apply to situations in which public health is threatened, said Michelle Sandidge, chief community affairs officer for the city’s Housing Authority.

Philadelphia

[FIRST JUDICIAL DISTRICT OF PENNSYLVANIA ADMINISTRATIVE ORDER No. 65 of 2020 \(Philadelphia Municipal Court\)](#)

- **Action:** The court issued an order in light of the CDC eviction moratorium implementing stronger restrictions on evictions.
- **Scope:** No writs of possession previously issued by the Philadelphia Municipal Court shall be served in any residential case (i.e. no residential evictions) until after December 31, 2020. Exceptions to this restriction exist for good cause via petitioning of the court, including knowledge or good faith belief that the tenant has already vacated the unit/property, breaches of lease terms, or other compelling basis not specifically detailed.

[Bill No. 200295 \(Expired\)](#)

- **Action:** Implements an eviction moratorium through August 31, 2020.
- **Scope:** Prohibits any actions to recover possession of a rental unit, with the exception of actions to “cease or prevent an imminent threat of harm by the person being evicted, including physical harm or harassment.”
- **COVID-19 Financial Hardship Requirement:** Resident or “individual with personal knowledge” must certify hardship due to COVID-19, stating at a minimum that the resident has lost any level of income due to COVID-19 and outlining facts that provide an explanation of the hardship experienced.
- **Residents Responsible for Rent:** Yes.

[FIRST JUDICIAL DISTRICT OF PENNSYLVANIA ADMINISTRATIVE ORDER No. 55 of 2020 \(Philadelphia Municipal Court\)](#)

- **Action:** An order released on September 9, 2020, directing the Court’s landlord-tenant officer not to serve any alias writs of possession in residential cases until September 23, 2020. An alias writ of possession is served at the time of the eviction/lockout.
- **Limitations and Requirements:** “The Philadelphia Municipal Court’s Landlord-Tenant Officer is permitted to serve sixty writs of possession in residential cases between September 8 and 12, 2020, and ninety writs of possession in residential cases between September 14 and 19, 2020. Beginning on September 21, 2020 there shall be no limit as to the number of writs of possession in residential cases that the Landlord-Tenant Officer may serve. Along with a writ of possession, the Landlord-Tenant Officer, shall serve a notice describing the Centers for Disease Control and Prevention’s September 1, 2020 Order and a blank Declaration.”
- **COVID-19 Financial Impact Requirement:** No.

- **Residents Responsible for Rent:** Yes.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA ADMINISTRATIVE ORDER No. 44 of 2020 (Philadelphia Municipal Court)

- **Action:** Order postponing landlord/tenant cases currently scheduled to be heard by the Municipal court from July 6, 2020 to September 2, 2020 until further order from the court. New eviction filings will be accepted beginning on July 10, 2020 but will not be scheduled for a hearing until further order from the court. The issuance and service of writs of possession is stayed until further order.
- **COVID-19 Financial Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

RHODE ISLAND

Status: Evictions Can Resume (Remote) as of June 2

Supreme Court Order (Expired)

- **Action:** The Rhode Island Supreme Court has issued an order stating that evictions may not be filed or heard until after 5/17 and that any eviction order issued prior to 3/17/20, however, can still be executed. However, the court will resume evictions on June 1, 2020.

State District Court Administrative Order 2020-06

- **Action:** Establishes protocol surrounding the CDC's Eviction Moratorium Order.
- **Description:** For pending eviction cases, all will continue to be scheduled and heard until a CDC declaration is provided to a housing provider. Once a declaration is received, the housing provider must immediately advise the court. Upon court receipt the case will be removed from the calendar and placed in a separate queue for reassignment upon the expiration of the moratorium. New eviction filings are allowed unless a CDC declaration has been provided by the resident. "Once the CDC declaration has been provided all further legal process to evict must cease immediately. The Clerk's Office will mail "Need Not Appear" notifications to all parties whose hearing is canceled pursuant to the Order. Be advised that the CDC declaration may be provided at any time during the eviction process, including at the initial hearing, any post-judgment hearing related to issuance of execution, or at any time prior to the completion of service of an execution. Both parties are subject to potential significant penalties, civil and criminal, for wrongful acts and/or false declarations, and therefore all parties should read the Federal Order."
- **Duration:** September 3, 2020 through December 31, 2020.

SOUTH CAROLINA

Status: Evictions Can Resume (Remote)

Court Order

- **Action:** South Carolina Supreme Court Chief Justice Donald Beatty, on March 17, 2020, halted all evictions statewide, with the exception of cases involving "harm to person or property" until May 15, 2020.
- **Scope:** Order delays eviction proceedings.
- **COVID-19 Related Impact Requirement:** No.

- **Residents Responsible for Rent:** Yes.

SOUTH DAKOTA

Status: Local Discretion

Supreme Court Order

- **Action:** The Supreme Court of the State of South Dakota declared a judicial emergency and authorized circuit courts to adopt, modify or suspend court rules to prevent the spread of COVID-19. None of the circuit court orders suspend evictions or civil proceedings generally. The Governor has explicitly stated that she will not consider an eviction or utility shutoff moratorium

TENNESSEE

Status: Evictions Can Resume (Remote)

Court Order (Expired)

- **Action:** Suspension of all in-person hearings until May 31, 2020, with limited exceptions. “No judge may take any action to effectuate an eviction, ejection, or other displacement from a residence during the effective dates of this order based on nonpayment of rent absent extraordinary circumstances as determined by a judge in a court of competent jurisdiction.” The Clerk’s office is still open, so cases can still be filed but hearings are postponed.
- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

TEXAS

Status: Evictions Can Resume (In Person)

Twenty-Fifth Supreme Court Emergency Order Regarding the COVID-19 State of Disaster

- **Action:** On September 17, 2020, the Supreme Court released guidance on the CDC’s Eviction Moratorium order, including what happens when a resident provides the declaration before or after an eviction action is filed. The order expires December 15, 2020.
- **Description:** Housing providers must attest to whether their property is covered under the CARES act and notify tenants in any notice to vacate of the CDC Eviction Moratorium. The guidance includes the statement that must be included. Moreover, the guidance allows for housing providers to contest a resident’s declaration under the CDC order. When that occurs, the judge will hold a hearing to determine whether the action should proceed and then signs a written order detailing the reasoning for proceeding and how the case will proceed.

Court Order

- **Action:** On April 27, 2020, the Supreme Court of Texas issued an emergency order immediately extending its hold on most residential evictions through May 18, 2020, in line with the governor’s order to begin reopening business in the state. The April 27, 2020 order extends the timelines in the court’s [first extension issued April 6, 2020](#).
- **Scope:** Evictions may still be filed but will not be heard until after May 18, 2020. Writs of possession will not be executed until after May 25, 2020. There is a limited

exception for an eviction based on a person posing an imminent threat of physical harm to another resident or the rental property's staff, or for criminal activity. The order applies statewide.

- **COVID-19 Related Impact Requirement:** No.
- **Residents Responsible for Rent:** Yes.

Austin

Status: Eviction Filings and Removals Prohibited

[Mayoral Order 20200724-18](#)

- **Action:** Prohibits the issuance of Notices to Vacate through September 30, 2020, except where there is an imminent threat of physical harm to property management or other residents, criminal activities, property damage, a condition that makes the premises totally unusable. Also prohibits the execution of writs of possession. This order has been extended through [December 31, 2020](#).
- **COVID-19 Related Impact Requirement:** No.

[Mayoral Order 20200507-010](#)

- **Action:** Prohibits the issuance of Notices to Vacate required by Section 24.005 of Texas Property Code prior to filing an eviction suit. Also prohibits the physical removal of residents from residential property.
- **Duration:** May 20, 2020 through July 25, 2020

Dallas

[City Council Ordinance 31521](#)

- **Action:** The City Council [approved](#) an ordinance requiring a COVID Landlord-Tenant Notice Ordinance on April 22, 2020. The ordinance requires residential landlords to issue a "COVID Notice of Possible Eviction" that provides tenants information on rental assistance and allows tenants at least 21 days to negotiate lease payment agreements with landlords. Additionally, if tenants provide proof of financial hardship due to COVID-19, then the proposed ordinance enables tenants to receive up to 60 days prior to facing a Notice to Vacate. The City's notice ordinance takes effect immediately and is applicable

Dallas County

[Dallas County](#) is cancelling all jury trials for criminal, civil and Justice of the Peace (J.P.) Courts until May 8, 2020. This order has not been extended.

Denton County

[Denton County](#) courts are following temporary guidelines through April 1, 2020. This action has not been extended.

El Paso

[El Paso City Council](#) approved an ordinance that, among other things, prohibits evictions for nonpayment of rent during the duration of the state's declaration of emergency.

Harris County (Houston)

[Jury service](#) is suspended from Friday, March 13, 2020 through March 20, 2020. Effective March 11, 2020, county courts at law will not be calling jury trials. Each court will exercise its discretion on a case-by-case basis regarding the calling of bench trials. This order has not been extended.

Lubbock County

[Lubbock County](#) district courts and county courts at law have cancelled child support cases through March 31, 2020 and jury trials through April 3, 2020. This order has not been extended.

Tarrant County

Effective March 17, 2020, all [scheduled court proceedings](#) (including motion hearings and trials) except for those deemed “essential court proceedings”, such as Emergency Mental Detention Warrants, Writs of Reentry, Writs of Retrieval, and certain Repair and Remedy cases, are suspended until further notice.

As soon as new directives are received, the Justice Court having jurisdiction will contact litigants to notify them of their new court date. The suspension of court proceedings affects the following civil cases: Evictions, Small Claims and Debt Claims.

In Eviction cases, no writs of possession will be issued by the Court until the Court receives a new directive.

Travis County (Austin)

Travis County Justice Courts have suspended all eviction trials and hearings (except for threat to person) until after June 1, 2020. See [Travis County's latest order](#) (April 30, 2020). Additionally, for evictions filed after March 27, 2020, properties must submit a sworn affidavit or unsworn declaration under penalty of perjury verifying the status of whether the property is a “covered dwelling” under the CARES Act.

UTAH

Status: Evictions Can Resume (Remote)

[Executive Order](#) (Expired)

- **Action:** Governor Herbert issued an executive order on April 1, 2020 implementing an eviction moratorium through May 15, 2020.
- **Scope:** The order is effective immediately and temporarily suspends eviction proceedings for nonpayment of rent. It applies only to individuals who have suffered wage or job loss as a result of COVID-19, have undergone self-isolation or quarantine in compliance with an order issued by the Utah Department of Health or a local health department, or have tested positive for COVID-19. The order does not prohibit eviction for reasons outside of non-payment of rent by a resident meeting the above criteria or create, require, or imply rent forgiveness. Residents remain responsible for all rent pursuant to the rental agreement. See the press release [here](#).
- **COVID-19 Related Impact Requirement:** Yes. The order applies only to individuals who have suffered wage or job loss as a result of COVID-19, have undergone self-

isolation or quarantine in compliance with an order issued by the Utah Department of Health or a local health department, or have tested positive for COVID-19.

- **Residents Responsible for Rent:** Residents remain responsible for all rent pursuant to the rental agreement.
- **Additional Commentary:** See the press release [here](#).

VERMONT

Status: Eviction Cases and Enforcement Suspended

[VT S. 333](#)

- **Action:** On May 14, 2020, the Governor signed S. 333 into law. The bill establishes a moratorium on ejection and foreclosure actions during the COVID-19 emergency.
- **Scope:** Suspends the service of notices, suspends hearings, stays judgments and writs of possession, and suspends enforcement of new orders of eviction.
- **Duration:** March 13, 2020 through 30 days after the termination of the state of emergency.
- **Exceptions:** Criminal activity, illegal drug activity, acts of violence, or other circumstances that seriously threaten the health or safety of other residents.
- **Residents Responsible for Rent:** Yes

VIRGINIA

Status: Evictions Can Resume (Remote)

[Supreme Court Order \(Expired\)](#)

- **Action:** Effective August 10, 2020, the Supreme Court of Virginia suspended and continued the issuance of writs of eviction pursuant to unlawful detainer actions related to nonpayment of rent through September 7, 2020.
- **COVID-19 Related Impact Requirement:** No
- **Residents Responsible for Rent:** Yes.

[HB 340: Civil Relief for Furloughed Employees and Contractors](#)

- **Action:** Moratorium on eviction for qualified federal employees or contractors or those affected by COVID19.
- **Scope:** Confers protections on government workers, contractors, or those affected financially by COVID-19 from evictions for nonpayment of rent. These individuals would be granted a 60-day continuance for unlawful detainer actions from the initial court date.
- **Supporting Documentation Requirement:** Examples include:
 - furlough letter;
 - pay stub issued by a federal agency showing zero dollars in earnings for any pay period within the closure of the US government; or
 - a letter from a company under contract with the United States government issued and signed by an officer or owner of the company or by the company's human resources director stating that the employee not receiving payment is directly attributable to a closure of the US government.
 - Documentation showing reduction in income due to COVID-19.
- **Residents Responsible for Rent:** Yes.

WASHINGTON

Status: Eviction Cases and Enforcement Suspended

[Executive Order 20-19.5](#)

- **Action:** On December 31, 2020 Governor Jay Inslee extended the state's moratorium on residential evictions.
- **Duration:** March 18, 2020 – March 31, 2021.
- **Restrictions:** The order prohibits the following:
 - Serving, enforcing, or threatening to serve or enforce any notice to vacate, including "eviction notices, notices to pay or vacate, notices of unlawful detainer, notice of termination of tenancy, or notice to comply or vacate." Also applies to tenancies that have expired or will expire during the state of emergency.
 - This prohibition applies unless the housing provider attaches an affidavit attesting that the action is necessary to respond to a significant and immediate risk to the health or safety of others created by a resident.
 - Seeking or enforcing, or threatening to seek or enforce judicial eviction orders or agreements to vacate unless the housing provider attaches an affidavit attesting that the action is necessary to respond to a significant and immediate risk to the health or safety of others created by a resident.
 - Suing for unpaid rent or other charges where such nonpayment was the result of COVID-19. This only applies if a resident accepts and complies with a payment plan that is reasonable based on the individual financial, health, and other circumstances of that resident.

Auburn

An [Emergency Order](#) went into effect on March 18, 2020

- **Action:** The order prohibits accrual of late fees.
- **Additional Commentary:** Unclear whether this has been extended.

Burien

An [Emergency Order](#) implementing an eviction moratorium went into effect on March 16, 2020 and is set to expire in 30 days.

- **Action:** The order prohibits evictions based on nonpayment of rent and accrual of late fees. It is unclear whether this has been extended.
- **Additional Commentary:** It is unclear whether this has been extended.

Everett

An [Emergency Order](#) went into effect on March 17, 2020 and is set to expire in 30 days.

- **Action:** The order prohibits housing providers from serving a 14-day notice; prohibits charging late fees or other charges due to nonpayment of rent; defense to any pending eviction that the eviction is occurring during the moratorium; and an extension determined by the Mayor based on public health necessity.
- **Additional Commentary:** It is unclear whether this has been extended.

Kenmore

An [Emergency Order](#) (pgs. 47-54), implementing an eviction moratorium, went into effect on March 16, 2020 and is set to expire on April 24, 2020.

- **Action:** The order covers all evictions of residential dwelling units. Additionally, the order states that housing providers shall not issue a notice of termination or initiate an eviction action or otherwise evict a tenant.
- **Exceptions:** The order contains an exception. It does not apply to evictions relating to the protection of life and safety, including, but not limited to, circumstances where a tenant threatens another tenant or other person(s) with a firearm or other deadly weapon, or some other unlawful use of a firearm or other deadly weapon on the rental premises, or for physically assaulting or placing another person in immediate physical danger on the rental premises.
- **Late Fees:** The order also prohibits late fees or other charges due to late payment shall accrue
- **Additional Commentary:** The City Manager shall have authority, in his discretion, to extend the temporary moratorium for additional time periods based on public health necessity. It is unclear whether this order has been extended.

Seattle

Mayor Jenny Durkan has signed an [emergency order](#) temporarily halting residential evictions for non-payment of rent effective March 17, 2020.

- **Action:** [Extended on July 31, 2020 through December 31, 2020](#). The decision to extend further will be evaluated and determined by the Mayor based on public health necessity.
- **Scope:** No housing provider may issue notices of termination or initiate eviction action for nonpayment of rent or act on a termination notice for non-payment of rent during this moratorium. The order applies Initiating an unlawful detainer proceeding, Issuing a notice, or otherwise acting on any termination notice.
- **Late Fees:** The order also prevents late fees or other charges due to late payment of rent.
- **Exceptions** – Actions by the tenant constituting an imminent threat to the health and safety of neighbors, the landlord, or the tenant’s or landlord’s household members.
- **Additional Commentary:** The order also creates defense to eviction, if the eviction will occur during the moratorium, unless actions by the tenant constitute an imminent threat to the health and safety of neighbors, the landlord, or the tenant’s or landlord’s household members

[Ordinance No. 126075](#)

- **Action:** Extends the eviction moratorium established by Mayor Durkin to six months after the end of the State of Civil Emergency declaration in all nonpayment of rent cases, and all eviction for a renter’s habitual late payment. If a renter cannot pay rent during or within six months after the end of the Mayor’s moratorium on evictions, that inability to pay can be raised as a defense to eviction in court.
- **Additional Commentary:** Requires additional language be included in the 14-day Notice to Pay or Vacate. Also prohibits an award of attorney fees related to an eviction

for nonpayment of rent and habitual late payment of rent during and six months after the end of the State of Civil Emergency.

Ordinance No. 126081

- **Action:** Requires a housing provider to offer an installment payment schedule for past due rent owing during and within the six months following the end of the State of Civil Emergency declared by the Mayor of Seattle, according to the following schedule:
 - One-month or less of overdue rent in 3 consecutive, equal monthly installments,
 - One-month and up to two-months in overdue rent in 5 consecutive, equal monthly installments, and
 - Two-months or more in overdue rent in 6 consecutive, equal monthly installments.
- **Late Fees and Other Charges:** No late fees, interest, or other charges may accrue due to any late payment of rent during and within the one year after termination of the State of Civil Emergency declared by the Mayor of Seattle.
- **Additional Commentary:** Requires additional language to be included in the 14-Day Notice to Pay or Vacate – “City law entitles you to pay overdue rent in installments. If your landlord does not accept payment according to the installment schedule, you may raise this as a defense to eviction in court.” Moreover, a housing provider’s failure to accept an installment payment plan or include language in the 14-day Notice to Pay or Vacate prevents an award of attorney fees and costs in an eviction.

Rental Housing Association vs. City of Seattle

- **Action:** On September 18, 2020, the Rental Housing Association of Washington filed suit in King County Superior Court to challenge the City of Seattle’s two eviction-ban ordinances and its ordinance requiring that tenants be offered an installment plan and up to a year to repay back-rent. The suit argues these ordinances conflict with state law. The ordinances are as follows:
 - The winter eviction [ban](#) that passed in [February 2020](#).
 - Ordinance No. 126075 that extended the Mayor’s eviction ban six months beyond the end of the COVID-19 emergency period.
 - Ordinance No. 126081 that created rent payment plan requirements.
- **Additional Commentary:** The lawsuit argues that the city’s eviction bans attempt to rewrite state law and remove protections for housing providers. For example, the city’s eviction ban allows for “non-payment of rent” to be used as an affirmative defense against eviction. However, state law lists nonpayment of rent as a just cause for eviction. This sets up a conflict between city and state statutes on eviction. It further argues that the requirement to offer payment plans conflicts with the rules for repayment of rent and charging interest in state law.

WEST VIRGINIA

No statewide eviction moratorium for West Virginia.

WISCONSIN

Status: Evictions Can Resume (Remote)

[Executive Order \(Expired\)](#)

- **Action:** Establishes a statewide eviction moratorium through May 28, 2020
- **Scope:** Prohibits the serving of termination notices for nonpayment. Prohibits termination notices, civil action of eviction, and the execution of writs of restitution for other lease violations unless the notice is accompanied by an affidavit attesting to the reasonable belief that the failure to commence eviction proceedings will result in an imminent threat of serious physical harm to another person.
- **Residents Responsible for Rent:** Yes.

WYOMING

Status: Hearings Can Resume Remotely

Updated January 13, 2021