

CDC Eviction Moratorium Extended Through June 30

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On March 28, 2021, the Centers for Disease Control and Prevention (CDC) [extended](#) its temporary halt, or moratorium, on residential evictions through June 30, 2021. The [original moratorium](#), which was due to expire on March 31, 2021, protects individual renters earning less than \$99,000 per year, as well as couples earning less than \$198,000. Income-eligible renters must also submit a declaration to their landlord stating:

- They are unable to afford their rent or housing payments due to substantial loss of income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses;
- They have used their best efforts to obtain government rent or housing assistance;
- They are using best efforts to make timely partial rent or housing payments that are as close to the full amount due as their circumstances permit; and
- That eviction would likely result in the renter(s) becoming homeless or being forced to live in congregate or other shared living spaces.

A standard declaration form can be found [here](#). Tenants who properly submitted a declaration under the original eviction ban are not required to submit a second declaration to qualify for the extension.

This eviction extension modifies the original eviction ban by clarifying the following:

- Evictions for nonpayment of rent started but not completed before September 4, 2020 (the date of the original moratorium) are subject to the extension, while evictions started and completed before that date are not covered;
- While the eviction ban does not prohibit evictions for engaging in criminal activity on the premises, a tenant may not be evicted on the sole basis of allegedly committing the crime of trespass, where the trespass is the covered person(s) staying in their residential property despite nonpayment of rent; and
- Tenants who have or have been exposed to COVID-19 and take reasonable precautions to prevent the spread of the disease should not be evicted on the grounds that they pose a health or safety threat to other residents.

It should be noted that the CDC's authority to implement this eviction moratorium is currently being challenged in several state and federal court cases. While the moratorium extension is still in effect nationally at the time of this writing, the outcomes of these cases may affect the applicability of the extension in local, state, and federal jurisdictions in the future.

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