

Memorandum Providing Information about the September 1, 2020  
Order of the Centers for Disease Control and Prevention Titled  
“Temporary Halt in Residential Eviction to Prevent the Further Spread of COVID-19”

The Centers for Disease Control and Prevention (“CDC”) issued an Order that halts the eviction from September 4, 2020 through December 31, 2020 of a tenants, lessees, and residents of a residential property (“tenants”) who complete a Declaration and provide the completed Declaration 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 (“landlords”). Tenants who complete and provide an executed Declaration are still required to pay rent and follow all of the other terms of their lease and rules of the place where they live. Additionally, tenants may still be evicted for reasons other than not paying rent or making a housing payment.

A copy of the CDC’s Declaration that may be used by tenants is posted on the court’s website. Tenants must declare, under penalty of perjury, that each statement in the Declaration is accurate. Those statements generally are that tenants (1) have made best efforts to obtain government assistance for rent, (2) meet certain income requirements, (3) are unable to pay the full rent due to loss of household income or work, (4) have made best efforts to make timely partial payments that are as close to full payment as circumstances permit, and (5) would likely be homeless or forced to move into close-quarters housing if evicted.

After the Declaration is completed, tenants must provide the Declaration to their landlord. Any person violating the CDC’s Order is subject to criminal prosecution, which may result in incarceration and the imposition of fines. A landlord who seeks to challenge the veracity of a Declaration may file a generic petition with the court when there is a pending case. Additionally, the court will accept a Declaration from a tenant for filing when there is a pending case, but filing a Declaration with the court does not meet the requirement of the CDC’s Order that the Declaration be provided to the landlord. The CDC’s Order may be found by going to [www.cdc.gov](http://www.cdc.gov), which is the CDC’s website.