

Notice for Tenants in Tribal Housing Regarding the CDC Eviction Suspension

November 2020



The Centers for Disease Control and Prevention (CDC) has temporarily stopped evictions to prevent the further spread of COVID-19 from September 4, 2020 through December 31, 2020.

How do I know if I am protected by the CDC Order that temporarily suspends evictions?

To be eligible, you must meet all seven certifications:

1. You are unable to pay your full rent due to a decrease in household income or extraordinary medical expenses.
2. You are making your best efforts to make timely partial payments that are as close to the full payment as circumstances allow.
3. You have made your best efforts to get all available government assistance.
4. You meet one of the following conditions: (1) you expect to make less than \$99,000 in 2020 (or \$198,000 if filing jointly), or (2) you were not required to report any income to the IRS, or (3) you received a CARES Act stimulus check.
5. If you were evicted, you would likely become homeless, or move into a homeless shelter, or move into new housing shared by other people who will live in close quarters.
6. You understand that you are responsible for paying unpaid rent, you may be charged fees for unpaid rent, and you must continue to comply with the terms of your lease.
7. You understand that when the CDC Order expires on December 31, 2020, you may be subject to eviction if you have unpaid rent or unpaid fees.

If I meet all seven certifications above, what can I do to be protected from being evicted for non-payment of rent?

- If you meet all of the certifications above then you must provide a signed copy of the CDC's Declaration to the owner of the residential property where you live (i.e. your landlord). In certain circumstances, such as individuals filing a joint tax return, it may be appropriate for one adult member of the household to provide an executed declaration on behalf of other adult residents on the lease, rental agreement, or housing contract at issue.
- Keep a copy of your signed Declaration(s) for your records, including the date and time it was sent or delivered to your landlord.

Please keep in mind:

- If you are able to pay your rent or make partial rent payments, you still need to do so.
- You are still required to follow all the other terms of your lease and rules of the place where you live. Tenants can still be evicted for criminal acts, other acts, or lease violations.
- You should reach out to your landlord as soon as possible!
 - Be candid about your situation. If you're impacted by COVID-19 or other difficulties, share how your income has been affected.
 - Consider mentioning any resources and assistance options you've found.
 - Explain how your family would be impacted by a loss of housing.
 - Ask about payment arrangements and document any email and text conversations, phone calls, or in person meetings.
- Other protections may be available to you if your state, local, territorial, or tribal authority has imposed a longer or more stringent suspension on evictions that provide the same or greater level of public-health protection than the requirements listed in the CDC Order.

Additional Resources:

- Tenants are also encouraged to reach out to a HUD-Approved Counseling Agency at www.hud.gov/counseling to develop an action plan for paying any outstanding rent and fees.

This flyer was developed by the Office of Public and Indian Housing (PIH) in the U.S. Department of Housing and Urban Development (HUD) to help you understand what the CDC Order means for HUD-assisted tenants who are renters in a Native American Program. If you are a renter, please contact your landlord, Tribe or Tribally Designated Housing Entity (TDHE) for more information about this flyer or the CDC Order. For more information on the CDC Order that was published in the Federal Register on September 4, 2020 and avoiding evictions for non-payment of rent, visit <https://www.govinfo.gov/content/pkg/FR-2020-09-04/pdf/2020-19654.pdf>.