



THE METROPOLITAN ORGANIZATION

# CDC Eviction Moratorium

**A Quick Guide for Tenants and People Advising Them**

# Overview

- Issued by Centers for Disease Control (CDC) to prevent spreading COVID when people are evicted and forced into homelessness or doubling up.
- Started September 4 and lasts to December 31, unless modified.
- All rent, late fees and interest will still be due December 31, unless modified.

We must insist Senate to pass a stimulus bill with federal rent assistance fund so:     qualifying tenants can pay off their back rent; and  
                  property owners can pay their mortgages/expenses.

# Who It Covers

- Residential Rental Properties only
- Anywhere in United States
- Renter must sign AND deliver a sworn Declaration to Landlord/Manager
- Once Declaration is delivered to the Landlord, it can stop eviction process.
- But if Landlord files an eviction case BEFORE tenant delivers the Declaration, tenant can still sign Declaration but now must deliver it to Landlord AND “file” it with the Justice of Peace court.

# Do I Qualify?

1. Did you use “best efforts” to seek rent or housing help from government sources?
  - In Harris County, go to [www.bakerrippleyrenthelp.org](http://www.bakerrippleyrenthelp.org) and apply for rent help. This will be sign of “best efforts” even if you don’t get help.
  - City of Houston has begun to allow tenants to apply even if owner did not agree to be part of program.
  - Fort Bend County, Beaumont, Hidalgo Co and others have rent assistance programs so tenant should make “best effort”
  - Call 211 to inquire and make note when you called; response
2. Is your 2020 income going to be less than \$99,000 for 1; \$198,000 for family? Or did you receive \$1,200 Stimulus check this year? OR not have to pay income tax in 2019 due to low income?

**Note: No Renter IS EXCLUDED due to Immigration status!**

# Do I Qualify?

3. You can't pay full rent due to loss of wages/hours or because of big increase in medical expenses (7.5% or more of Adjusted Gross Income)
4. Doing your best to make timely partial payments of rent.
  - You should make some partial payment each month, if possible
5. If Evicted, you would be homeless or have to move in with others

**Note: No Renter IS EXCLUDED due to Immigration status!**

# Do I Qualify & Warnings

6. You understand you are still required to pay rent and follow all the other terms of your lease and rules of the place where you live.
7. You understand you may also still be evicted for reasons other than not paying rent or making a housing payment. So be careful not to violate other terms of lease because landlords can use those to evict you.

**The declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.**

# What You Must Do

1. Each person who signed the lease must sign a Declaration.
2. Take a picture of the signed Declaration and keep it.
3. Turn the signed Declaration into your landlord/property mgr:
  - Email or fax and keep a copy of your sending
  - Hand deliver/drop in rent box
  - If you mail, send certified mail
  - Take photo and make audio recording on your phone as you deliver it and state what and when you are doing

# If Landlord Starts Eviction Process

1. If Tenant gets a “**Notice to Vacate**”—immediately complete the Declaration and Deliver it to Landlord and immediately apply for rent help at [bakerripleyrenthelp.org](http://bakerripleyrenthelp.org). Contact Houston Volunteer Lawyers at 713-228-0735 or go to [www.makejusticehappen.org/eviction-help](http://www.makejusticehappen.org/eviction-help)
2. If Constable delivers a **Citation to Appear** at Eviction Hearing, the Justice of the Peace will provide a copy of the Declaration and information about your rights. Tenant should complete the Declaration and deliver it to Landlord **AND file a copy with the Justice of the Peace Court**. Contact Houston Volunteer Lawyers or **Lone Star Legal Aid (713) 652-0077** or **(800) 733-8394** for help. **Call the Justice of Peace Court and ask them how you can “file.”**
3. If Tenant receives a copy of an **Order requiring them to leave**, contact Houston Volunteer Lawyers or Lone Star Legal Aid but don't Self Evict.



# Landlord may challenge your Declaration

1. The Declaration is a sworn statement—don't sign unless you believe ALL the statements are true.
2. Landlord can question the truth of any statements sworn to in the Declaration at the Justice of Peace Court. If Landlord challenges, Tenant can provide their proof statements were true.
3. Justice of Peace will make a decision about whether to let the Eviction continue based on whether he/she believes all statements in Declaration were true.

# For More Information from TMO

Go to TMO website at [www.tmohouston.org](http://www.tmohouston.org) for

- Bilingual Declaration form to sign
- Guide on Completing the Declaration
- FAQ about the CDC Eviction Moratorium
- For questions or to schedule a 30 min Zoom on this, contact TMO at
  - [email.tmohouston@gmail.com](mailto:email.tmohouston@gmail.com)
  - 713-807-1429