



COVID-19: New Federal Eviction Moratorium

CDC Announces New COVID-19 Eviction Moratorium

- Effective from 08/03/21 to 10/03/21
- Covers counties with “substantial” or “high” levels of COVID-19
 - No need to file a new CDC Tenant Declaration form if you already filed one. If you have not, please download the one at the bottom of the page.
- Does not apply to evictions COMPLETED before 08/03/21, but does apply to evictions FILED before 08/03/21
- To be eligible, you must meet the following conditions:
 - You have applied for available government rental and housing assistance
 - You had no more than \$99,000 in income for 2020, (\$198,000 if filing jointly), you are not required to report income, or you received a stimulus check
 - You have paid partial rent if you were able to do so
 - You cannot pay rent in full due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary out-of-pocket medical expenses
 - If evicted, you would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because you have no other available housing options

if you meet the following conditions and send your land lord a **signed declaration** ([Click HERE to download](#)).

(Source material: [Nat'l Housing Law Project](#))

Rental Assistance Programs in Indiana:

State of Indiana: indianahousingnow.org.

Elkhart County: elkhartcounty.com/rentalassistance

Hamilton County: HCTAIndiana.com

Lake County: LakeCountyIN.care

Marion County: indyrent.org

St. Joseph County: sjcindiana.com

City of Fort Wayne: fwcares.org

HOW DO I KNOW IF I AM COVERED BY THE MORATORIUM? To be eligible, renters must meet the following qualifications:

- You have used your “best efforts” to obtain government rental assistance;
- You do not expect to earn more than \$99,000 in 2020 (or \$198,000 if you are married and filed a joint tax return), or you did not need to report income to the federal government in 2019, or you received an Economic Impact Payment this year;
- You have been experiencing a “substantial” loss of household income because of a layoff or reduced work hours, or you have “extraordinary” out-of-pocket medical expenses (defined as an unreimbursed medical expense that exceeds 7.5% of your adjusted gross income for the year);
- You have been making your best effort to make partial rent payments as close to the full amount due as possible; and
- Being evicted would cause you to become homeless or you would have to move in with a friend or family member (live “doubled up”).

WHAT MUST I DO TO BE PROTECTED BY?

- If you meet all of the above criteria, you must send a **signed declaration** (under penalty of perjury) to your landlord. We have included a fillable draft to this page. You should send this by e-mail to your landlord. If you have access to a printer, you should print a copy, and mail it to your landlord by certified mail, return receipt requested. Keep copies of all documents you send to your land lord.

DO I NEED TO PROVIDE PROOF OF FINANCIAL HARDSHIP, “BEST EFFORTS” TO OBTAIN ASSISTANCE, OR OTHER CRITERIA FOR COVERAGE?

- The CDC’s order does not require you to provide any proof with the declaration. However, you may want to have documents on hand in case your landlord attempts to challenges the declaration.

DO I NEED TO PROVE MY FINANCIAL HARDSHIP IS RELATED TO COVID-19?

- No. The CDC’s order does not require that a renter’s financial hardship be COVID-related.

WHO IN MY HOUESHOLD NEEDS TO SIGN A DECLARATION?

- Yes. The CDC’s order specifies that every adult on the lease should sign and send their

own declaration. This would also include roommates.

WHAT IF MY LANDLORD IGNORES THE DECLARATION AND MOVES FORWARD WITH EVICTION?

- Contact our office immediately. Depending on eligibility, we may be able to provide legal assistance. [Find out how to apply here.](#)
- Landlords who violate the CDC's order may be fined up to \$100,000, face up to a year in jail, or both if the evicted person contracts coronavirus as a result of the eviction. If an evicted tenant dies of coronavirus, the landlord could be fined up to \$250,000, face up to a year in jail, or both.

WHAT IF I AM IN THE PROCESS OF BEING EVICTED?

- Because the order blocks all phases of the eviction process, if you are going through an eviction the process should be halted until the moratorium expires on December 31, 2020.
- You should notify the court in which you are being evicted that you have sent a declaration to your land lord.

SHOULD I STILL PAY MY RENT?

- Yes! If you are able, you should still pay as much of your rent as possible in order to continue meeting the qualifications for the moratorium. The declaration also requires you to agree that you will make partial payments to your landlord to the extent your circumstances allow it. All back rent will have to be paid once the moratorium expires on December 31, 2020.

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<http://www.indianalegalservices.org/node/1028/covid-19-new-federal-eviction-moratorium>

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