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To: HOPWA-L@HUDLIST.HUD.GOV
Subject: HUD Evictions Guidance

In the wake of the Supreme Court's decision that invalidated the CDC's eviction moratorium, the U.S. Department of Housing and Urban Development (HUD) is using every tool at our disposal to help safeguard the millions of Americans now in danger of losing their homes.

Our programs and resources protect HUD-assisted households from eviction and should be sought out by all Americans who are seeking assistance in avoiding eviction, relocating to new homes in the event an eviction moves forward, and fighting unfair evictions. Through our Office of Fair Housing and Equal Opportunity, we are ready to protect people of color, families with children, people with disabilities, LGBTQ people, and others who may disproportionately face eviction through discriminatory policies and practices.

HUD also has a responsibility to assist landlords, owners, public housing authorities, and all our stakeholders in weathering this public health crisis.

HUD and our partners are taking a broad range of actions to help prevent evictions. They include:

Fighting unfair evictions – HUD is making over \$19 million available to fair housing partners to help them respond to possible fair housing violations, many of which relate to the pandemic and evictions. The funds will enable private fair housing enforcement organizations to respond to fair housing inquiries and complaints, conduct fair housing testing, and implement education and outreach activities related to the COVID-19 pandemic. The funds will also be used to address fair housing issues affecting individuals and families experiencing housing instability, including those who may face displacement due to discriminatory evictions and foreclosures. HUD is also ramping up funding and education for HUD-approved housing counseling agencies to work with clients to understand their options if they are facing eviction.

Providing legal assistance – HUD is making \$20 million available to non-profit or governmental entities to improve the availability of legal assistance at no cost to low-income tenants at risk of or subject to eviction. These funds will provide services in areas with high rates of evictions or prospective evictions, including rural areas. This grant program plays an integral role in helping individuals and families—including people of color, people with limited English proficiency, and people with disabilities—avoid eviction or minimize the disruption and damage caused by the eviction process.

Keeping people housed – HUD has instituted an eviction moratorium to protect borrowers with HUD-supported or FHA-insured mortgages. This includes people living on Tribal lands with HUD Indian Housing Loans. HUD will also act to require public housing authorities and owners participating in HUD's project-based rental assistance program to provide tenants facing eviction for non-payment of rent with additional time and other protections to allow them the opportunity to secure emergency rental assistance that may stave off eviction entirely. For the duration of the presidentially-declared national emergency related to the COVID-19 pandemic, HUD will extend the time its programmatic regulations require before a tenant must vacate a unit once a notice of eviction for non-payment has been issued from 14 days to 30 days, consistent with CARES Act protections and the protections already in place for FHA-insured Multifamily mortgages where the borrower is under a forbearance agreement. Additionally, in order to initiate eviction, HUD may require additional steps of covered landlords.

Connecting people with rent relief – HUD is working with the Department of Treasury to help Emergency Rental Assistance Program (ERAP) grantees connect tenants behind on rent or concerned about paying future rent with financial assistance. Throughout this year, HUD has brought our expertise on housing programs to Treasury, providing advice and assistance on program design and implementation, and engaged HUD-approved housing counseling agencies. As part of a whole-of-government approach, we call on state and local ERAP grantees to lean into the flexibilities provided in this program and get assistance out quickly to those who need it the most.

Providing Tools to Help Public Housing Authorities, HUD-assisted Landlords/Tenants, and People Experiencing Homelessness – HUD program offices have delivered webinars, created documents answering frequently asked questions, granted waivers to ease administrative burdens created by the pandemic, and are distributing relief resources such as Emergency Housing Vouchers and additional assistance to people experiencing homelessness as quickly as possible.

HUD is here to help. You can find more information at https://www.hud.gov/rent_relief and you can also reach out to your local [field office](#).



Housing is a structural intervention in ending the AIDS epidemic in the United States.

Each year, HOPWA ensures housing stability for more than 100,000 American households that are low-income and living with HIV.

Want to know more about HOPWA? Go to https://www.hud.gov/program_offices/comm_planning/hopwa

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