



**U.S. DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT**  
WASHINGTON, DC 20410-5000

January 29, 2021

Dear Tribal Leader:

On January 29, 2021, the Centers for Disease Control and Prevention (CDC) issued an Order **extending the eviction moratorium to March 31, 2021**. The updated Order is available [here](#). The Order continues to ban evictions for certain renters under Section 361 of the Public Health Service Act (42 U.S.C. § 264) and 42 CFR § 70.2. As described in the Order, tenants qualifying as a “Covered Person” cannot be evicted for nonpayment of rent when a declaration under the penalty of perjury is provided to their landlord. **Residents who previously submitted a declaration should not be asked to resubmit and should have continued protections until March 31, 2021.**

Much of the content of the original September 4, 2020 Order has been incorporated into the updated Order. In addition to extending the effective period of the September 4, 2020 Order, the updated Order also includes newly available modeling projections and observational data from COVID-19 incidence comparisons across states that have implemented and lifted eviction moratoria, which demonstrates the ongoing public health rationale need for the extension. The Order also now applies to American Samoa because cases of COVID-19 have now been reported there.

The Order does not relieve the tenants’ obligation to pay rent, and tenants must continue to comply with terms under the lease. Nothing in the updated Order precludes the landlords from charging or collecting fees, penalties, or interest as a result of the tenants’ inability to pay rent on a timely basis. Evictions unrelated to nonpayment of rent can still take place. Any State, local, Tribal, or territorial area with a moratorium on residential evictions that provides the same or greater level of public health protection can supersede the updated CDC Order. To the extent any provision of the Order conflicts with prior Orders, the updated [Order](#) is controlling.

Thank you for all your efforts to promote housing stability during these unprecedented times. If you have related questions, please send them to: [codetalk@hud.gov](mailto:codetalk@hud.gov).

Many thanks,

A handwritten signature in black ink that reads "Dominique Blom".

Dominique Blom  
General Deputy Assistant Secretary

[www.hud.gov/codetalk](http://www.hud.gov/codetalk)

[espanol.hud.gov](http://espanol.hud.gov)