



# **CDC Eviction Moratorium: Resources to Support Renters**

---

**JUNE 2021**

# Office of Native American Programs (ONAP)

---



## **Heidi J. Frechette**

Deputy Assistant Secretary  
Office of Native American Programs  
Department of Housing and Urban Development

## **Office of Native American Programs**

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

Mailbox: [Codetalk@hud.gov](mailto:Codetalk@hud.gov)

# Today's Speakers

---

- **Jad Atallah**  
Director, ONAP's Office of Performance and Planning
- **Scott Crain**  
Statewide Advocacy Counsel,  
Northwest Justice Project
- **Denise DeVaan**  
Consumer Financial Protection  
Bureau
- **Ama Tuato'o**  
Executive Director, Muckleshoot  
Housing Authority

# Overview

---

- Overview of the Eviction Moratorium
- Eviction Prevention Resources – Legal Services
- Eviction Prevention Resources – Consumer Financial Protection Bureau
- Federal Resources – IHBG/ICDBG CARES & ERA
- Tribal ERA Program
- Discussion Session

# COVID-19

---

- In March of 2020, COVID-19 not only impacted our health, families, and community – it significantly impacted our economies
- Tribes were especially impacted by closures, increased COVID-19 cases, and lack of resources
- Families were impacted by shelter in place requirements and employment loss

# FUNDING RESOURCES

---

- The CARES Act, which passed in March 2020, provided funding for Tribes and TDHEs under the Indian Housing Block Grant (IHBG) and the Indian Community Development Block Grant (ICDBG) programs.
- The Cares Act included \$200 million for the IHBG program and \$100 million for the ICDBG program.
- Both programs help support families economically impacted by COVID-19.
- For example, both programs allow Tribes and TDHES to provide rental assistance and utility payments to help families.

# CDC EVICTION MORATORIUM

---

- On September 4, 2020, the CDC issued an Eviction Moratorium Order in effect through December 31, 2020
- Section 502 of the Division N of the Consolidated Appropriations Act extended the moratorium until January 31, 2021
- On March 29, 2021, the moratorium was further extended until June 30, 2021
- It is not clear that the moratorium will be extended again

# WHAT IS COVERED?

---

- It does not relieve any individual of the obligation to pay rent or comply with other lease obligations.
- If you are able to pay your rent or make partial rent payments, you still need to do so. Your outstanding rent balance will continue to accrue and will be owed to the owner of the residential property once the CDC Order expires
- It does not forgive your rent. Unless you come to an agreement with your landlord, you are still responsible for rent, back rent, and any fees, penalties or interest under your lease due failure to pay rent
- Evictions are still allowable for those engaging in criminal activity; threatening the health and safety of other residents; damaging property; violating building codes or health ordinances; or violating contractual obligations. Tenants can still be evicted for criminal acts or other lease violations.
- In order to qualify for the protections of this moratorium, the tenant must provide a completed and signed declaration form to their landlord.
- Once the moratorium ends, you can be evicted if you have not paid your rent or entered into a repayment agreement.



# IMPACTS ON RENTERS

---

- A recent CFPB report found that over 11 million families are behind on their rent or mortgage payments:
  - 2.1 million families are behind on their mortgage (at least three months)
  - 8.8 million families are behind on rent
- While the CDC Eviction Moratorium currently expires on June 30, 2021, your State or Tribe may have additional protections in place that extend the moratorium or provide additional relief
- Check with your State commerce or housing finance agency to find out if they have provided additional eviction protections
- Eviction Lab is tracking additional eviction protections by state on their webpage at: <https://evictionlab.org/covid-eviction-policies/>
- HUD is working diligently with our federal and national partners to ensure that families have access to resources to keep them stably housed

# EVICTIION PREVENTION RESOURCES

---

SCOTT CRAIN, STATEWIDE ADVOCACY COUNSEL  
NORTHWEST JUSTICE PROJECT

# Legal aid for low-income people: where to find it?

WEBSITES WITH SELF-HELP MATERIAL

[HTTPS://WWW.LAWHELP.ORG/](https://www.lawhelp.org/)

GRANT-FUNDED NONPROFIT LEGAL SERVICES

[HTTPS://LSC.GOV/](https://lsc.gov/)



# Legal aid for low-income people: who is eligible?

Generally under 200 percent FPL, around \$50,000 for a four-person household

Immigration eligibility requirements may exist

Programs may have dedicated resources for Native American communities

---



# Rental Assistance

---

Obligated to pay rent on a residential dwelling

One member has COVID hardship

Risk of homelessness

Below 80 percent AMI

No more than 15 months of assistance

States may also create their own priorities

<https://nlihc.org/rental-assistance>



# Rental Assistance

---

## ERA1 and ERA2

### Programs now can:

- Serve renters directly
- Fund legal services to preserve housing

### Programs must:

- Prioritize those who've been unemployed for more than 90 days
- Prohibit eviction for months in which assistance is received
- Serve people even if they live in federally assisted housing

<https://home.treasury.gov/system/files/136/ERA2FAQs%205-6-21.pdf>



# **CONSUMER FINANCIAL PROTECTION BUREAU**

---

EVICITION PROTECTION RESOURCES

# COVID-19 FEDERAL FUNDS

---

TRIBAL RESOURCES TO SUPPORT RENTERS





# IHBG-CARES

---

Eligible activities: things that prevent, prepare for, and respond to COVID-19, such as:

- Activities that would prevent individuals from becoming homeless and rapidly rehousing homeless individuals;
- Constructing structures that can serve as temporary emergency shelters, or converting existing facilities for this purpose, to ensure homeless persons are provided safe shelter and to minimize the risk of community spread;
- Providing short-term rental assistance to homeless persons in hotel/motels to minimize infection;
- Temporary payment of tenant and homebuyer utilities;
- Rental assistance to families

# ICDBG-CARES

---

## Public Services

ICDBG-CARES funds are not subject to the 15% cap on public services that normally applies to ICDBG grant funds.

Examples include:

- Up to 6 months of emergency payments in the form of rental assistance, utility assistance (including internet access to allow children to engage in distance learning), food assistance, clothing, medical, and other emergency assistance.
- Placement of homeless persons in hotel/motels, and other non-congregate sheltering, to minimize infection.
- Job training to expand the pool of health care workers and technicians that are available to treat disease within a community.

# **EMERGENCY RENTAL ASSISTANCE (ERA)**

---

DEPARTMENT OF TREASURY PROGRAM

# ABOUT ERA

---

- ERA1 provided up to \$25 billion under the Consolidated Appropriations Act, 2021, which was enacted on December 27, 2020 and included \$800 million in funds to Tribes and TDHEs to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic.
- Grantees can use the funds to provide assistance to eligible households through existing or newly created rental assistance programs.
- ERA payments to Tribes and TDHEs can be found here: <https://home.treasury.gov/system/files/136/Payments-to-Tribes-and-TDHEs.pdf>

# ELIGIBLE ACTIVITIES

---

## Emergency Rental Assistance

- ERA funds may be used for “utilities and home energy costs” and “utilities and home energy costs arrears.”
- An eligible household may receive up to twelve (12) months of assistance (plus an additional three (3) months if necessary to ensure housing stability for the household, subject to the availability of funds).
- Prospective rent payments are limited to three (3) months per application, except that a household may receive assistance for prospective rent payments for additional months subject to availability of funds.
- Federally subsidized rental units may receive ERA assistance if ERA funds are not applied to costs that have been or will be reimbursed under any other federal assistance, and to the extent not subsidized.

# LOCATING EMERGENCY RENTAL ASSISTANCE

---

- Treasury has published websites on Emergency Rental Assistance (ERA) programs to help tenants and landlords find rental assistance programs in their local areas.
- Visit <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/program-index>
- Grantees are encouraged to notify Treasury of updates to ERA tenant/landlord access information to ensure that the page is updated with the most current information.

## **What to do if your tribe is not listed:**

- Send an email to: [ERAGrantWebResources@treasury.gov](mailto:ERAGrantWebResources@treasury.gov); Provide a link to your webpage or facebook page

# NAVIGATING THE ERA LIST

---

## Tribes and Tribally Designated Housing Entities (TDHEs)

If you are tribal member or a member of a tribal community, please contact your tribe of affiliation for more information.

 

**Akwesasne Housing Authority**

**Alabama Quassarte Tribal Town**

# **MUCKLESHOOT HOUSING AUTHORITY**

---

EMERGENCY RENTAL ASSISTANCE PROGRAM



# Muckleshoot Housing Authority Emergency Rental Assistance Program

---

- ERA Service Area
- Staffing
- Application Process
- Issues/challenges
- Lessons Learned

**QUESTIONS?**

# LOCAL RESOURCES

---

- Check with your Tribe, state, city, or county to find out about other resources to help with rent, utilities and other basic needs.
- 211 - Dial 211 from any phone or visit [211.org](https://211.org) and search by zip code. This is a hotline that can connect you to emergency assistance, such as rental and utility assistance, and other supportive services in your community.
- Community Action Agency - <https://communityactionpartnership.com/find-a-cap/> – Contact your local Community Action Agency to find out what services they might offer, such as emergency payment assistance for rent or utilities.
- Tenant Rights and Wrongful Evictions - If you feel you are being wrongfully evicted, contact your local legal aid organization or social service agencies. Additional information on legal assistance available in your area is available at:
  - Legal Services Corporation (<https://www.lsc.gov/what-legal-aid/find-legal-aid>)
  - ACL Elder Care Locator (<https://eldercare.acl.gov/Public/Index.aspx>)
  - LawHelp.org (<https://www.lawhelp.org/>)

# NATIONAL RESOURCES

---

- Unemployment Insurance [www.usa.gov/unemployment](http://www.usa.gov/unemployment)
  - Find out if you are eligible for unemployment benefits and how to apply in your state. New federal laws provide unemployment benefits for self-employed and gig workers, adds an additional \$300 to weekly benefits and extends the number of weeks benefits are available.
- Economic Impact Payments (Stimulus Payments) <https://www.irs.gov/coronavirus/get-my-payment>.
  - Find out if you are eligible for the new Economic Impact Payments of up to \$1,400 and how to claim your payment. If you did not already receive past rounds of stimulus payments (the first and second rounds were issued in 2020 and January 2021), this site also contains information on how you can check eligibility and claim those payments.
- Free Tax Preparation and New Child Tax Credits <https://www.irs.gov/individuals/free-tax-return-preparation-for-qualifying-taxpayers>.
  - Get free help filing your taxes, provided by trained volunteers, or e-file for free online. If you do not normally file a tax return and have children, you should consider filing this year so you can qualify for the new child tax credit.

# WEBSITES

---

**ONAP – CDC Eviction Moratorium webpage:**

[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/ih/CDC Eviction Moratorium Resources](https://www.hud.gov/program_offices/public_indian_housing/ih/CDC_Eviction_Moratorium_Resources)

**Consumer Financial Protection Bureau Eviction Prevention Resources:**

[https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/emergency-rental-assistance-for-renters/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=JuneERAP](https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/emergency-rental-assistance-for-renters/?utm_source=newsletter&utm_medium=email&utm_campaign=JuneERAP)

**Eviction Lab - State Protections:** <https://evictionlab.org/covid-eviction-policies/>

**Just Shelter:** <https://justshelter.org/community-resources/>

**Department of Treasury – Emergency Rental Assistance grantees:**

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/program-index>

# THANK YOU

Please send comments to: [Codetalk@hud.gov](mailto:Codetalk@hud.gov)