

Notice for Tenants in Tribal Housing Regarding the CDC Eviction Moratorium

May 2021 (Updated)



The Centers for Disease Control and Prevention (CDC) extended the Order banning evictions for certain renters until June 30, 2021. The CDC Order is a temporary eviction moratorium to protect public health and prevent the further spread of COVID-19.

Please keep in mind:

- 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 on June 30, 2021!
- You are still required to follow all the other terms of your lease and rules of the place where you live. Tenants can still be evicted for criminal acts or other lease violations.
- The CDC Eviction Moratorium 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. Therefore, it is extremely important that you submit a completed and signed declaration to your landlord as soon as possible. Once the Eviction Moratorium ends on June 30, 2021 you can be evicted if you have not paid your rent or entered into a repayment agreement.

If you or your family are having problems paying your rent or have gotten behind on your rent, please review the following steps that you can take to avoid eviction during the eviction moratorium period.

Take Action to Avoid Eviction

Step 1. Take advantage of free housing help - You can get help from a local expert with the steps below. Contact the Department of Housing and Urban Development (HUD)'s housing counseling program. Call [\(800\) 569-4287](tel:8005694287) or [find a housing counselor](#).

Step 2. See if you qualify - If you can check at least one box in each list below ("Income" and "Financial Hardship"), you qualify for CDC protection.

Income: Do you meet one or more of the Income items below?

- I received a stimulus check (Economic Impact Payment) in 2020 or 2021
- I was not required to report any income to the IRS in 2020
- In 2020 or 2021, I earned (or expect to earn) less than \$99,000 as an individual or less than \$198,000 as a joint tax return filer

You are likely to have earned under this amount if you receive any of the following benefits:

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Social Security Disability Insurance (SSDI)

Financial hardship: Do you meet one or more of the Income items below?

I cannot pay my full rent payment because:

- My household income has gone down substantially
- I have been laid off from work
- My work hours or wages have been cut
- I have extraordinary out-of-pocket medical expenses, defined as 7.4% of my adjusted gross income for the year

Step 3. Read and sign the declaration. Read the statements below. Make sure they are true. If they are true, download and sign the declaration.

- My income level qualifies for the reasons explained above
- I have done my best to make timely partial payments that are as close as possible to the full payment and to get government assistance in making my rent or housing payments
- If evicted, I would have no other available housing options, so I would:
 - Probably become homeless, or
 - Have to move to a homeless shelter, or
 - Have to move in with others who live in close quarters
- I understand that after I sign:
 - Unless I come to an agreement with my landlord, I am still responsible for rent, back rent, and any fees, penalties or interest under my lease
 - I must still follow the conditions of my lease
 - Unless I come to an agreement with my landlord, if I fail to make my required payments, I could be evicted when this temporary halt of evictions ends
 - I can still be evicted for reasons other than not paying rent or not making a housing payment
- **I sign this declaration under penalty of perjury. I promise that the statements above are the truth. I understand that I can be criminally punished for lying.**

Step 4. Give the signed declaration to your landlord

- ✓ Make sure you sign and date the Declaration before sending it. You can do this by mail, email, fax, or in person.
- ✓ Keep a copy of the Declaration for your records.
- ✓ If you gave your landlord a signed Declaration before the CDC extended its order, you do not need to give them a new one.

After the CDC Eviction Moratorium Expires

NOTE: If you provided a signed CDC Declaration to your Tribe, Tribally Designated Housing Entity (TDHE) or landlord, you could get evicted for nonpayment of rent **after** June 30, 2021.

Unless a longer eviction moratorium is in effect under state or local law, beginning on July 1, 2021, your Tribe, TDHE, or landlord can evict you if you have not paid your rent or entered into a repayment agreement.

Federal law under the CARES Act requires that an eviction notice for nonpayment of rent must provide at least 30 days notice to vacate the property, but a longer notice period may be required by state or local law. If you feel you are being wrongfully evicted, contact your local legal aid organization or social service agencies.

Other protections may be available to you if your State, local, territorial, or Tribal authority has imposed a longer or more stringent suspension on evictions that provide the same or greater level of public-health protection than the requirements listed in the CDC Order.

Resources for Tenants Facing Eviction

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/>)

Rental Assistance Programs

If you owe back rent and are at-risk of eviction you may qualify for newly available rental assistance. To learn more about these resources check out the following links:

- **National List of COVID-19 Emergency Rental Assistance Programs:** <https://bit.ly/3n3mSyV>
- **Tribal Contact Listing:** www.hud.gov/codetalk
- **National List of Emergency Rental Assistance Programs (ERA):** <https://tabsoft.co/3xfa9Om>

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 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. All calls are confidential, can be made anonymously, and callers can request translations services for 180 languages.
- **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.

National Resources

- **Unemployment Insurance** 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. Plus, states are allowed to provide new unemployment benefits related to COVID-19, such as when a person leaves employment due to a risk of exposure or infection or to care for a family member; an employer temporarily stops operations due to COVID-19, which means employees can't go to work; or a person is quarantined but expects to return to work after the quarantine is over.
- **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. A

new federal law has increased child tax credits to up to \$3,000 for each child age 6 or over and \$3,600 for each child under age 6. Periodic **payments may be sent as early as this summer, but families must file a tax return in order to receive the funds.**

- **Help with Bills** – www.usa.gov/help-with-bills
Learn about government programs to help pay for phone service, energy bills and other expenses.
- **Benefits Eligibility** – www.benefits.gov
Find out what government benefits you might be eligible for, such as Temporary Assistance for Needy Families (TANF), food assistance, and healthcare.
- **National Domestic Violence Hotline** <https://www.thehotline.org> or 1 (800) 799-7233 or TTY 1 (800) 787-3224
This is a confidential hotline for anyone experiencing domestic violence, looking for information, or questioning unhealthy aspects of their relationship. If you can't speak safely on the phone, text LOVEIS to 1 (866) 331-9474 or visit the website to start an online chat.
- **The Disaster Distress Helpline**– 1 (800) 985-5990 (call or text)
This is a national hotline dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any natural or human-caused disaster, including COVID-19.
- **COVID-19 Vaccine Information** - <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/>
Learn about the COVID-19 Vaccine, including how effective it is, whether it is safe, and how you can get one.
- **Education Resources** - <https://bealearninghero.org/parentstrong-2/>
Find education resources and support for parents who are helping their children learn at home or just want additional educational resources for their child.

This document was prepared by HUD's Office of Native American Programs. Frequently asked questions about the CDC Eviction Moratorium are posted at: www.hud.gov/codetalk.

Questions regarding this document or the CDC's Eviction Moratorium can be sent via email to: codetalk@hud.gov