



Temporary Suspension of Evictions for Nonpayment of Rent and Tenant Concerns



For tenants who live in housing units financed under HUD's Native American loan guarantee programs, evictions for non-payment of rent, and charges/fees for non-payment of rent have been suspended through July 24, 2020. *

What does this mean?

During the moratorium period (March 27, 2020 – July 24, 2020), if you reside in a unit that your Tribe or tribally designated housing entity (TDHE) financed under the HUD Section 184 Indian Home Loan Guarantee (Section 184) program or the Title VI Loan Guarantee (Title VI) program, you should work with your Tribe or TDHE on a plan to address your individual situation.

Your Tribe or TDHE **may not**:

- require you to vacate your unit for nonpayment of rent until 30 days after you receive a notice to vacate.
- issue a notice to vacate during the moratorium period.
- file a new eviction action against you for nonpayment of rent during the moratorium period.
- charge any new late payment fees, penalties, or charges related to the nonpayment of rent during the moratorium period. Fees, penalties, or charges related to nonpayment of rent therefore cannot accrue during this period.

If you are unable to pay your rent or any portion of your rent, you should work with your Tribe or TDHE to establish a plan to address your individual situation. Remember, your rent is **still due** during the moratorium period and will accumulate if unpaid. Ask your Tribe or TDHE if they have established any plan for the forgiveness of the accumulated rent owed. Your Tribe or TDHE can issue a notice to vacate and file for eviction after July 24, 2020 if your outstanding rent remains unpaid, in accordance with tribal, local, or state law, as applicable.

Please note that the temporary suspension of evictions does not prevent you from being evicted for other lease violations if tribal, local, or state laws, allow for such eviction actions and such actions do not violate the non-discrimination requirements at 24 C.F.R. §1000.12, as applicable. However, your Tribe or TDHE must provide at least 30 days-notice to vacate.

This eviction moratorium applies to:

- Tenants living in a housing unit that has a mortgage loan guaranteed under the Section 184 program or the Title VI program.

This eviction moratorium does NOT apply to:

- Housing solely assisted or financed by the Indian Housing Block Grant program or the Indian Community Development Block Grant program.

Having trouble making rent? Contact your Tribe TDHE, or property manager to see if this moratorium applies to you. If you or any members of your household receive an eviction notice from your Tribe or TDHE in violation of the eviction moratorium, contact your local HUD Office of Native American Programs (ONAP) **immediately**. Visit www.hud.gov/codetalk for a listing of Area ONAPs.

* Enacted in Section 4024 of the Coronavirus Aid, Relief, and Economic Security Act, 2020 "CARES Act" (Public Law 116-136).