

## Evictions and the COVID-19 Pandemic

Many people are facing job loss, reduced hours, and other hardships during the ongoing COVID-19 pandemic. Below are some questions and answers on how the pandemic, as well as state and federal responses, will impact Orange County landlords.

### Q: Can I evict a tenant for not paying rent?

**A: No (as long as the below criteria are met).** As of September 4, the federal Centers for Disease Control (CDC) have ordered a nationwide [moratorium on evictions](#) for late payment or nonpayment of rent, effective through **December 31, 2020**. The moratorium applies to **all residential rental units** and all renters who meet the following criteria:

- Expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return) **OR** were not required to report any income in 2019 **OR** received an Economic Impact Payment (stimulus check);
- Have used best efforts to obtain all available government assistance for rent or housing;
- Are unable to pay full rent due to substantial loss of household income or extraordinary out-of-pocket medical expenses;
- Are using best efforts to make timely partial payments; and
- If evicted, would likely become homeless or need to move into a new residence shared by other people who live in close quarters

In order to invoke eviction protection under the CDC moratorium, renters must provide a signed copy of the [Eviction Moratorium Declaration](#) to their landlord or property manager. **Each adult listed on the lease** or rental agreement should complete this declaration.

### Q: Does that mean tenants can stop paying rent?

**A: No.** Tenants should continue paying rent as outlined in their lease. However, many tenants may struggle to pay due to job loss or other hardship. Landlords are encouraged to offer lenience during this time. You may also encourage low-income tenants struggling to make payments or in need of other housing-related support to contact Orange County Housing Help:

Call the Housing Helpline: 919-245-2655

OR Email [HousingHelp@orangecountync.gov](mailto:HousingHelp@orangecountync.gov)

Mon – Fri, 10 AM – 4 PM and

Sun – Thurs overnights (midnight – 6 AM)



**Q: Should I accept only online rent payments to minimize contact?**

**A: Consider the impacts that policy changes will have on tenants.** Requiring electronic rent payment creates issues for tenants without online banking or computer access. Consider setting up a secure mail drop-box for tenants who are only able to pay by check or cash.

**Q: How do I let tenants know about policy changes due to COVID-19?**

**A: Provide plenty of notice, through multiple formats, to alert tenants to any changes.** Alert tenants of changes several days in advance and through multiple lines of communication (e.g., deliver notices to each unit, post at the leasing office, send emails, leave voicemail messages).

**Q: What if I have tenants who don't speak English well?**

**A: Provide translated materials.** To the best of your ability, provide any information on changed policies in English, Spanish, and any other language your tenants speak. The Orange County Human Rights and Relations Department may be able to assist you with translation:

Phone: 919-245-2487 OR Email: [Human\\_Relations@orangecountync.gov](mailto:Human_Relations@orangecountync.gov)

