



OFFICE OF PUBLIC & INDIAN HOUSING

Dear Executive Directors,

On September 4, 2020, the Centers for Disease Control and Prevention (CDC) issued a Notice and an Order, under Section 361 of the Public Health Service Act (42 U.S.C. § 264) and 42 CFR § 70.2, banning evictions for certain renters through December 31, 2020. The Consolidated Appropriations Act, 2021, signed by the President on December 27, 2020, extended this Order **until January 31, 2021, which** will help families continue to prevent the spread of COVID-19. The original Order is available [here](#). PHAs can download additional materials on the CDC Notice and Order, including translated versions of the resident declaration form, from [HUD's website](#).

As a reminder, under the Order and extension, from September 4, 2020, to January 31, 2021, tenants cannot be evicted for nonpayment of rent, provided the tenant signs the Declaration that is attached to the CDC Order. **Residents who previously submitted a declaration should not be asked to resubmit and should have continued protections until January 31, 2021.** The CDC Order does not relieve the tenants' obligation to pay rent and the tenants must continue to comply with terms under the lease. However, tenants qualifying as "Covered Persons" under the CDC Order cannot be evicted for nonpayment of rent if the CDC eviction protections are invoked. Nothing in the CDC 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 CDC Order.

Thank you for all your efforts to promote housing stability during these unprecedented times. If you have related questions, please send them to: PIH-COVID@hud.gov.

With appreciation,

A handwritten signature in blue ink, appearing to read "Hunter Kurtz".

Hunter Kurtz
Assistant Secretary