

FREQUENTLY ASKED QUESTIONS RENTERS' RIGHTS

WHAT DO RENTERS IN COVERED PROPERTIES DO IF THEY'VE BEEN THREATENED WITH EVICTION?

Renters in covered properties who have been threatened with an eviction should call their local legal aid office, tenant association, or local bar association for assistance.

Find local legal aid offices at: <https://bit.ly/2xNyL6M>

Find area tenant associations at: <https://bit.ly/2WJb5Kk>

Connect with local bar associations at: <https://bit.ly/2KnFOpt>

WHAT TYPES OF HOUSING ARE COVERED BY THE EVICTION AND FORECLOSURE MORATORIUM ENACTED IN THE "CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT"?

The federal eviction moratorium covers rental properties that receive federal assistance from the Department of Housing and Urban Development (HUD), the Department of Agriculture (USDA), and the Treasury (through housing built using the Low Income Housing Tax Credit (LIHTC) program). These programs include:

- Public housing;
- Section 8 Housing Choice Voucher program;
- Section 8 project-based housing;
- Section 202 housing for the elderly;
- Section 811 housing for people with disabilities;
- Section 236 multifamily rental housing;
- Section 221(d)(3) Below Market Interest Rate (BMIR) housing;
- HOME;
- Housing Opportunities for Persons with AIDS (HOPWA);
- McKinney-Vento Act homelessness programs;
- Section 515 Rural Rental Housing;
- Sections 514 and 516 Farm Labor Housing;
- Section 533 Housing Preservation Grants;
- Section 538 multifamily rental housing; and
- LIHTC housing.

The moratorium also extends to properties with a federally backed mortgage loan, as well as properties with a federally backed multifamily mortgage loan. NLIHC has created a [searchable database and map](#) of multifamily properties covered under the federal moratoriums to help renters know if they are protected. While the database is not yet exhaustive of all covered properties, NLIHC will continue to update it as new data become available.

The federal eviction moratorium prohibits owners and operators of the federally assisted housing

mentioned above from filing for an eviction related to non-payment of rent, and bars any charges (for example, late fees or penalties) related to nonpayment of rent. However, the moratorium does **not** cover evictions that were filed before the federal moratorium took effect (March 27, 2020) or those filed after the federal moratorium ends July 24, nor does it cover evictions based on reasons other than nonpayment of rent or nonpayment of other charges. On July 25, landlords can serve tenants who have not paid rent during the moratorium a 30-day eviction notice.

You can find a list of the specific housing programs covered on page 3 of NLHP's summary of the eviction moratorium here: <https://bit.ly/3e2zj8Z>

NHLP also has a guide for advocates here: <https://bit.ly/2VhKBO9>

HOW DO EVICTION MORATORIA VARY BY STATE AND LOCALITY?

State and local governments have instituted their own moratoria on eviction proceedings. You can find a list of state and local eviction moratoria here: <https://bit.ly/34lv1VL>

WILL BACK RENT BE OWED ONCE THE FEDERAL MORATORUM IS LIFTED?

In most cases renters are responsible for the rent owed during the moratorium, although some landlords may provide some rent relief. In order to avoid creating a financial cliff that renters will fall off once eviction moratoria are lifted and back-rent is due, Congress should provide [\\$100 billion](#) in emergency rental assistance to ensure very low-income and extremely low-income households are able to remain stably housed after the eviction moratoria are lifted.

Representative Denny Heck (D-WA) introduced H.R. 6314, which would provide \$100 billion in emergency rental assistance. His proposal was included in the House Democratic plan but did not make it into the final CARES Act.

WHAT ASSISTANCE IS AVAILABLE FOR PEOPLE WHO DO NOT RESIDE IN HOUSING COVERED BY THE FEDERAL EVICTION MORATORUM?

The lack of a uniform, national policy prohibiting evictions for nonpayment of rent means that renters not covered by the federal moratorium enacted in the CARES Act must rely on state and local assistance. Some states and localities have established emergency rental assistance funds to help renters experiencing an economic shock due to the coronavirus pay rent and remain stably housed.

Tenants who cannot access state or local assistance and who are not protected from evictions by federal, state, or local moratoria are being advised to write to their landlords as soon as possible to explain their circumstances and work out an arrangement. Providing documentation proving financial hardship, such as a note from an employer or a copy of an unemployment insurance application, might also be helpful.

Any arrangement or agreement reached between a tenant and their landlord should be documented in writing, and tenants should read the agreement in full and ensure they fully understand the terms of the agreement before signing.

ARE THERE ANY ANTICIPATED FAIR HOUSING ISSUES THAT MAY ARISE AS A RESULT OF THE COVID-19 OUTBREAK?

The coronavirus crisis is [already giving rise to discrimination](#), grounded in the wide disparities that already exist throughout our society. We expect to see fair housing issues, whether related to termination of rental assistance, unjust evictions, or discrimination against people who have been diagnosed with COVID-19 or are exhibiting symptoms of the disease. The CARES Act allocated an additional \$2.5 million for fair housing activities, including \$1.5 million for the Fair Housing Assistance Program Partnership for Special Enforcement grants and \$1 million for the Fair Housing Initiatives Program, to address these concerns.

If you are the victim of housing discrimination, you can learn more about the complaints process and file a fair housing complaint with HUD's Office of Fair Housing and Equal Opportunity at: <https://bit.ly/3e1GVsu>.

You can also get local help through the National Fair Housing Alliance at: <https://bit.ly/34CGHE5>

