

December 15, 2020

The Honorable Dr. Robert Redfield
Director
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329
To Director Redfield

We, the undersigned organizations, write to urge you to take immediate action to prevent a catastrophic wave of evictions this winter by extending, improving, and enforcing the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC). The eviction moratorium extends vital protections to renters at risk of eviction during the pandemic, and by doing so, it has [helped keep stably housed](#) millions of people who otherwise would have been evicted. The federal eviction moratorium does, however, have significant shortcomings that undermine its public health impact. When the moratorium expires on December 31, tens of millions of low-income renters will be at risk of losing their home, and with it, their ability to keep themselves and their families safe and healthy. We urge you to extend the eviction moratorium to ensure there is not a gap in protections before the incoming administration can take action, and to address the moratorium's shortcomings by improving and enforcing the order.

Evictions put lives at risk and strain our already overstretched public health systems. As the CDC makes clear in its [order](#), “eviction moratoria—like quarantine, isolation, and social distancing—can be an effective public health measure utilized to prevent the spread of communicable disease.” The CDC order rightfully holds that, “evictions threaten to increase the spread of COVID-19 as they force people to move, often into close quarters in new shared housing settings with friends or family, or congregate settings such as homeless shelters.” The CDC warned that these challenges “may be exacerbated as fall and winter approach” and found that “immediate action is necessary.” As outlined by the CDC, evictions have enormous consequences for individuals, their communities, and our nation's public health. In fact, evictions occurring between the beginning of the pandemic and the issuance of the CDC moratorium in September led to more than [400,000 more COVID-19 cases and nearly 11,000 additional deaths](#).

According to the Census Bureau, nearly [one in five renters](#) – disproportionately Black and Latino renters – are behind on their rent. Experts estimate that these households will owe between [\\$34 billion to \\$70 billion](#) in back rent when the moratorium is lifted. Without federal intervention, [up to 30 million to 40 million renters](#) could lose their homes. Extending the moratorium through March 2021 will provide the incoming Biden administration and newly elected Congress time to enact a relief package that includes robust housing and homelessness resources and for state and local governments to distribute these resources to households in need.

The CDC must also address shortcomings that prevent renters from making full use of the moratorium's protections. The CDC should consider issuing an automatic and universal moratorium. Under the CDC moratorium, renters are only protected if they know about it and take affirmative steps to be protected. As a result, [corporate and other landlords continue to evict renters](#) before renters know about the moratorium protections or by finding reasons for eviction other than nonpayment of rent. If the CDC keeps its current framework in place, it must, at a minimum, require landlords to provide notice to renters of their rights under the CDC moratorium and prohibit landlords from filing or advancing eviction

proceedings unless they attest to the court, under penalty of perjury, that they have not received a signed declarative statement invoking the moratorium protections.

We urge you to rescind the [Frequently Asked Questions](#) (FAQ) document issued by the CDC on October 9. The FAQ creates loopholes in the moratorium's protections, undermining the intent of the order by eroding protections for renters and making it more difficult for struggling renters to remain stably housed. While the order clearly states that landlords are barred from taking "any action...to pursue eviction or a possessory action, to remove or cause the removal of a covered person from a residential property," the FAQ provides contrary information allowing landlords to serve eviction notices and file eviction lawsuits as long as families are not removed from their homes until the moratorium expires. The FAQ also states, contrary to original order, that landlords may question the veracity of a declarative statement signed under penalty of perjury. Both changes serve to mislead, pressure, scare, or intimidate renters into leaving sooner and may result in a flood of families being evicted from their homes in January. Instead, the CDC should clarify that the moratorium applies to all stages of evictions, including filings, close loopholes to cover "no fault" evictions and evictions at the end of lease terms, and bar landlords from challenging declarative statements in court.

The Trump administration must also commit to enforcing the moratorium. The CDC order imposes criminal penalties on landlords who violate it, and states that "the U.S. Department of Justice (DOJ) may initiate court proceedings as appropriate seeking imposition of these criminal penalties." Despite this provision, the DOJ is not enforcing the order and has not provided any mechanism for renters to file complaints against landlords who violate it. As a result, landlords continue to wrongfully evict renters in violation of the moratorium. The Trump administration should create a hotline number renters can use to file complaints and should direct the U.S. Department of Justice to enforce the moratorium.

It is critical that we take all necessary action to protect individuals from evictions and, in worst cases, homelessness during the COVID-19 pandemic. The CDC moratorium is a public health necessity, and we urge you to take immediate action to extend, improve, and enforce these protections.

Sincerely,