

End of the Federal Eviction Moratorium

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In late March, the federal government enacted the CARES Act (“Coronavirus Aid, Relief, and Economic Security Act”), which imposed a temporary moratorium on evictions for non-payment of rent for certain types of properties. The properties affected are those that participate in a covered housing program (as defined by section 41411(a) of the Violence Against Women Act of 1994 or the rural housing voucher program under section 542 of the Housing Act of 1949) or have a federally backed mortgage loan or a federally backed multifamily mortgage loan. This moratorium expires on July 25, 2020. Please note, however, the end of the federal moratorium does not affect any state or local laws that may restrict evictions during this unique time.

With the federal moratorium expiring, affected landlords need to be aware of another provision of the CARES Act. Section 4024(c) of the Act provides that, once the moratorium ends, landlords for covered properties must give a 30-day notice to vacate and may not require the tenant to vacate any sooner than the end of the 30 day period. This notice requirement is not limited to evictions for non-payment of rent. In other words, it applies to all evictions involving covered properties and serves to lengthen the eviction process.

If you have questions regarding the CARES Act or its effects, do not hesitate to reach out to Attorney Kevin Trost.

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