

CDC and White House Executive Order Eligibility Criteria

The Trump administration announced that the Centers for Disease Control and Prevention (CDC) issued an Order under Section 361 of the Public Health Service Act to halt residential evictions through December 31 to prevent the further spread of COVID-19. The order will halt halting residential evictions if the tenant provides the landlord with a document in writing which indicates:

* They have used all efforts to obtain government assistance for rent;
* They earn no more than $99,000 in income (or $198,000 if filing jointly);
* They are unable to pay the full rent due to loss of income, loss of work, layoff, or extraordinary medical expenses;
* They are making best efforts to make a timely payment; and
* That eviction would render them homeless or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.

IREM is making the following eligibility criteria document available to property managers to use with tenants seeking protection under the eviction moratorium set out in the above order.

**DECLARATION UNDER PENALTY OF PERJURY FOR**

**THE CENTERS FOR DISEASE CONTROL AND PREVENTION’S TEMPORARY**

**HALT IN EVICTIONS TO PREVENT FURTHER SPREAD OF COVID-19**

This declaration is for tenants, lessees, or residents of residential properties who are

covered by the CDC’s order temporarily halting residential evictions (not including

foreclosures on home mortgages) to prevent the further spread of COVID-19. Under the

CDC’s order you must provide a copy of this declaration to your landlord, owner of the

residential property where you live, or other person who has a right to have you evicted or

removed from where you live. Each adult listed on the lease, rental agreement, or housing

contract should complete this declaration. Unless the CDC order is extended, changed, or

ended, the order prevents you from being evicted or removed from where you are living

through December 31, 2020. You are still required to pay rent and follow all the other terms

of your lease and rules of the place where you live. You may also still be evicted for reasons

other than not paying rent or making a housing payment. This declaration is sworn

testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead,

or omit important information.

I certify under penalty of perjury, pursuant to 28 U.S.C. 1746, that the foregoing are true and correct:

* I have used best efforts to obtain all available government assistance for rent or housing;
* I either 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), was not required to report any income in 2019 to the U.S. Internal Revenue Service, or received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
* I am unable to pay my full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary out-of-pocket medical expenses;
* I am using best efforts to make timely partial payments that are as close to the full payment as the individual’s circumstances may permit, taking into account other nondiscretionary expenses;
* If evicted I would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.
* I understand that I must still pay rent or make a housing payment, and comply with other obligations that I may have under my tenancy, lease agreement, or similar contract. I further understand that fees, penalties, or interest for not paying rent or making a housing payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected.
* I further understand that at the end of this temporary halt on evictions on December 31, 2020, my housing provider may require payment in full for all payments not made prior to and during the temporary halt and failure to pay may make me subject to eviction pursuant to State and local laws.

I understand that any false or misleading statements or omissions may result in criminal and civil actions for fines, penalties, damages, or imprisonment.

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Signature of Declarant Date