Information about the CDC’s Declaration to Stop Evictions

1. You need to be confident that all the statements in the declaration are true. There are criminal penalties if you don’t tell the truth.
2. To use “best efforts” to obtain rental assistance, you should apply for all the assistance that you know about. You should make reasonable efforts to find out about all the assistance in your area. If you have applied for assistance and your application is pending or the agency has not yet made payment, the declaration can slow down the eviction process until your application can be considered or payment can be made.
3. You must be unable to pay rent because you have lost income or have medical expenses that are more than 7.5% of your income. It is not required that the loss of income or the medical expenses are related to Covid-19.
4. You must pay your landlord as much as you can of the amount of rent that you owe.
5. You must have a reasonable belief that you will become homeless or will have to move in with someone else if you are evicted.
6. Your eviction is delayed only until December 31, 2020. You will still owe the rent at the end of this time. You can be evicted once the moratorium expires if you have not paid all of your rent, late fees, and other charges before it expires.
7. You may need to prove that you have given the Declaration to your landlord. You should always keep a copy for yourself.
8. You don’t need to wait until the landlord files court papers to give them the affidavit. It’s best to give it to them as soon as possible.
9. If you’ve already been to court, you may still be able to stop the eviction. You have 10 days to appeal from a Small Claims eviction. You can appeal and provide the declaration to your landlord within that ten days.
10. If it’s been more than ten days, you cannot appeal, but you can still give the landlord the declaration and ask him to stop the eviction. If your landlord refuses, you should call the Legal Aid Helpline for more information about possible ways to halt the eviction at this point.

Legal Aid Helpline: 866-219-5262