**NOTICE TO LANDLORDS CONCERNING THE FEDERAL CARES ACT**

The federal CARES Act (EFF. 3/27/2020), places a moratorium through 7/25/ 2020 on evictions for certain types of properties covered under the Act. During that time, a landlord cannot evict for nonpayment of rent or fees, issue a notice to vacate (for any reason) or charge late fees for rent that accrues from 3/27 through 7/25. The following types of properties are covered under the CARES Act’s moratorium.[[1]](#footnote-1)

A. Properties that participate in a covered housing program of the Violence Against Women Act, which include:

1. Section 8 Housing Choice Voucher (“HCV”) or VASH (HUD Veterans Affairs) voucher;
2. Section 8 Project-Based Voucher (“PBV”) units;
3. Any public housing units;
4. HOME (HOME Investment Partnership) units;
5. HOPWA (Housing Opportunities for Persons with AIDS) units;
6. Permanent Supportive Housing (“PSH”) units, or any tenant that use PSH vouchers or a Shelter Plus Care voucher;
7. Any federal Low Income Housing Tax Credit (LIHTC) units;
8. Properties that receive a project-based subsidy through HUD; and
9. Properties that receive a project-based subsidy through the USDA.

B. Properties that participate in the rural housing voucher program under section 542 of the Housing Act of 1949.

C. Properties that have a federally-backed single family (1-4 units) or multifamily mortgage:

1. A mortgage insured by the Federal Housing Administration;
2. A mortgage guaranteed, provided by, or insured by HUD, the
VA, or the USDA; and
3. A mortgage owned by Fannie Mae or Freddie Mac.

Landlords will be required to prove that property is NOT covered under the CARES Act. Tenants will not necessarily have access to or knowledge of this information. If a property is secured by a mortgage, Landlords are advised to obtain a letter from their lender stating that the mortgage is NOT federally insured, backed or guaranteed.

An eviction case may be dismissed for violating the CARES Act if a Landlord fails to prove that the property is NOT covered by the Act. A Landlord may request a continuance if more time is needed to obtain information to prove that the property is NOT covered under the Act.

1. Note that the tenant need not reside in one of the units described; if the property has any tenant that is covered, the entire property is covered. [↑](#footnote-ref-1)