

COVID-19 Eviction Suspension through December 2020

DISCLAIMER: THIS NOTICE IS NOT LEGAL ADVICE AND IS NOT INTENDED TO BE LEGAL ADVICE. THIS NOTICE IS FOR GENERAL INFORMATIONAL PURPOSES ONLY.

To control the spread of COVID-19, the Centers for Disease Control (CDC) has made an eviction suspension order. The order is for the entire United States.

What does the CDC Order do? The CDC Order delays or postpones some evictions until December 31, 2020.

Are all evictions are suspended or postponed? **No.** The order postpones many evictions, including those for nonpayment of rent, fees, and other charges. It does not stop evictions for criminal activity on the property, threatening other residents, damaging property, violating health and safety codes, or breaking the lease for something besides nonpayment.

Will tenants still owe rent while the eviction is postponed by the CDC Order? Yes, a tenant will still owe rent or other fees that are due under the lease.

HOW TENANTS GET THE PROTECTION OF THE CDC ORDER

FIRST, tenants must **read** a statement called a Declaration. The tenant must decide if all the statements in the Declaration are true.

SECOND, if the tenant decides that all the statements in the Declaration are true, the tenant must **sign** it under oath. Also, each adult in the residence must sign a Declaration if all the statements are true. Tenants may want to keep copies for their own records.

THIRD, the tenant must **give a copy** of the Declaration to the landlord, or the owner of the rental place, or to another person if the tenant believes that the person has a right to have the tenant evicted.

When does the protection take effect? It takes effect when the tenant delivers a signed copy to the landlord.

What if the tenant already has a court date? Tenants may need to go to court to show the magistrate or judge that they signed the declaration and gave it to their landlord. Otherwise, the court may go forward with the eviction.

What if an eviction hearing has already happened? Within ten days after court, tenants may go to the courthouse to make an appeal.

What if the ten days for appeal have ended or the tenant cannot afford the appeal bond? Tenants in these situations may still be able to stop the eviction process by filing court papers called a motion for a temporary restraining order to stop the lockout.

Where can tenants get legal help? Veterans, low-income persons, or senior citizens may apply for free help from Legal Aid of North Carolina by calling **866.219.5262**.