



EVICCTIONS AND COVID-19

The Centers for Disease Control (CDC) has again continued the stay on evictions nationwide, meaning Pennsylvania as well. This moratorium is set to expire on **July 31, 2021**.

PLEASE NOTE: The CDC eviction does not apply to all evictions, only evictions for nonpayment of rent due to recent loss of income. In addition, to seek a stay of eviction a tenant must sign an affidavit, under penalty of perjury, verifying their eligibility for eviction protection and give it to their landlord. The following lists the information the tenant must understand and verify:

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

1. I have used best efforts to obtain all available government assistance for rent or housing;¹
2. 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 Services, or received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
3. 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 extraordinary² out-of-pocket medical expenses;
4. I am using best efforts to make timely partial payments that are as close to the full payment as my individual circumstances may permit, taking into account other nondiscretionary expenses;
5. If evicted I would likely become homeless, need to move into a 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;³
6. 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 house payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected;
7. I further understand that at the end of this temporary halt on evictions on March 31, 2021, 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.

¹ “Available government assistance” means any governmental rental or housing payment benefits available to the individual or any household member.

² An “extraordinary” medical expense is any unreimbursed medical expense likely to exceed 7.5% of one’s adjusted gross income for the year.

³“Available housing” means any available, unoccupied residential property, or other space for occupancy in any seasonal or temporary housing, that would not violate Federal, State, or local occupancy standards and that would not result in an overall increase of housing cost to you.

Even if you do not qualify for a CDC eviction stay you need to be aware of the following:

The landlord cannot make you leave on their say-so or after giving you a written eviction or ‘notice to quit’. This is called a self-help eviction, which are always illegal. The landlord must always go to court to get a court order of eviction;

If your landlord tried to evict you by self-help, such as changing the locks or shutting off the utilities, call your local police if you are locked out or the landlord is threatening you if you refuse to leave. Call the Pennsylvania Office of Consumer Protection at 800-441-2555 if the police do not help.

Please note: If you are a guest in someone’s home or are the guest of a motel or hotel you can still be asked to leave and may be considered a trespasser if you fail to do so.

CALL NORTHWESTERN LEGAL SERVICES AT 800-665-6957 OR APPLY FOR HELP ONLINE AT WWW.NWLS.ORG IF YOUR LANDLORD IS TRYING TO EVICT YOU AT THIS TIME OR YOU ARE BEHIND IN YOUR RENT DUE TO LOSS OF INCOME AS A RESULT OF COVID-19 TO SEE IF YOU QUALIFY FOR FREE LEGAL HELP.

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