



EVICTIONS AND COVID-19

The Pennsylvania Governor's moratorium or stay on evictions ended on August 31, 2020. However, on September 4, 2020 the Centers for Disease Control (CDC) placed a new stay on evictions nationwide, meaning Pennsylvania as well. This stay lasts until December 31, 2020 unless further extended.

PLEASE NOTE: The CDC eviction stay 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;
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 Service, 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 extraordinary 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 the individual's circumstances may permit, taking into account other non-discretionary expenses;
5. 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.
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 housing 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 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."



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

1. 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;
2. The landlord must give you an eviction notice (unless it was waived in your lease) and the notice period will not start until September 1, 2020 if you received the notice for nonpayment of rent or overstaying your lease before August 31. For example, if the landlord gave you a 10-day eviction notice before August 31, they must wait until September 11, 2020 before they can file a Landlord/Tenant complaint with the local Magisterial District Justice to seek an eviction order;
3. If you live in public housing, your rent is subsidized (Section-8) or the landlord has a federal government backed mortgage you must be given a 30-day eviction notice . If the eviction notice is for nonpayment of rent and was given to you between March 27, 2020 and August 31, 2020 the 30-day eviction notice period will not start to run until September 1st, meaning the landlord cannot go to court to evict you until after September 30. Also, the landlord cannot charge late fees for nonpayment of rent which happened between March 27 and August 31, 2020.

If your landlord tries to evict you by self-help, such as changing the locks or shutting off the utilities, call your local police if you are locked you 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 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