

EVICTION MORATORIA

Description: COVID-19 eviction moratoria provide temporary, emergency relief from evictions during the COVID-19 crisis. Such moratoria temporarily prohibit or delay the enforcement of eviction orders, ban the issuance of writs of eviction, and/or prevent landlords from bringing eviction actions for a set period of time (typically 3-4 months).

Goals:

- Increasing housing stability for renters and owners
- Prevent a surge of housing instability brought on by evictions during the pandemic
- Keep tenants and others out of courts where they would be at risk of exposure to the virus
- Allow some renters temporary relief from what is likely their largest household expense, making it easier for many to afford other essentials like food and medicine.

Approach: Eviction moratoria have been created by statewide executive orders, local executive orders, statewide legislation, and local ordinances. A number of jurisdictions also have informal moratoria in place, in which private real estate organizations have agreed to not evict tenants for some period of time, sheriffs have agreed to suspend eviction enforcement, or Chief Judges of housing/municipal courts or state supreme courts have temporarily suspended eviction proceedings. Some moratoria cover all tenants while others protect only those who have been directly or substantially affected by the COVID-19 crisis.

Stakeholder Involvement: Housing courts, sheriffs/marshals, public housing authorities, landlords/real estate industry

Short-term considerations:

- Stakeholders must determine the appropriate scope of eviction moratoria. Narrower moratoria provide flexibility to landlords but allow more evictions to go forward and make it harder for tenants to discern whether they are covered by moratoria.
- Additionally, the rent crisis could quickly become a foreclosure crisis and financial crisis. Policymakers must determine whether eviction moratoria should be paired with foreclosure moratoria and/or additional relief for landlords and lenders.

Medium- to long-term considerations:

- When eviction moratoria lift, many tenants will find themselves months behind on rent during an ongoing economic crisis without the ability to repay the back rent owed. Some jurisdictions are allowing additional time (3-12 months) to pay back rent from the moratoria period.
- Eviction moratoria and related policies may face legal challenges contending that these measures are constitutional takings requiring just compensation.
- Eviction moratoria are only a short-term solution; owners will need to be paid eventually so they can make payments on their own mortgages, pay utility and other operating costs and invest in property maintenance. Longer-term solutions, such as rental assistance will be needed once moratoria are no longer sustainable.

Examples in action: [Eviction Lab](#)

Complementary policy responses:

- Foreclosure moratoria, rent/mortgage cancelation, and/or mortgage restructuring
- [Emergency rental/unemployment assistance](#)
- Public housing/right to shelter