

## **What is the CARES Act?**

The CARES Act, Coronavirus Aid, Relief, and Economic Security Act, is federal legislation which prohibits certain evictions from occurring during the emergency period of March 27, 2020 through July 25, 2020 (120 days from March 27, 2020).

## **Who does it apply to?**

Properties that participate in federally backed/assisted housing programs such as:

- Public housing (42 U.S.C § 1437d)
- Section 8 Housing Choice Voucher program (42 U.S.C. § 1437f)
- Section 8 project-based housing (42 U.S.C. § 1437f)
- Section 202 housing for the elderly (12 U.S.C. § 1701q)<sup>3</sup>
- Section 811 housing for people with disabilities (42 U.S.C. § 8013)
- Section 236 multifamily rental housing (12 U.S.C. § 1715z-1)
- Section 221(d)(3) Below Market Interest Rate (BMIR) housing (12 U.S.C. § 17151(d))
- HOME (42 U.S.C. § 12741 et seq.)
- Housing Opportunities for Persons with AIDS (HOPWA) (42 U.S.C. § 12901, et seq.)
- McKinney-Vento Act homelessness programs (42 U.S.C. § 11360, et seq.)<sup>4</sup>
- Section 515 Rural Rental Housing (42 U.S.C. § 1485)
- Sections 514 and 516 Farm Labor Housing (42 U.S.C. §§ 1484, 1486)
- Section 533 Housing Preservation Grants (42 U.S.C. § 1490m)
- Section 538 multifamily rental housing (42 U.S.C. § 1490p-2)
- Low-Income Housing Tax Credit (LIHTC) (26 U.S.C. § 42)

Properties with a mortgage that is federally funded, backed, or insured through entities such as:

- Fannie Mae
- Freddie Mac
- Veterans Affairs (VA)
- Federal Housing Administration (FHA)
- U.S. Department of Agriculture (USDA)

## **What does it prohibit?**

- Evictions for non payment of rent including requesting or acting on a writ of restitution filed or purchased prior to March 27, 2020
- Charging of late fees or penalties for late payment of rent
- Issuing a notice to vacate for non-payment of rent or other fees until July 25, 2020

## **When can evictions for non-payment of rent resume?**

After the 120 day period has ended landlords must issue a 30 (thirty) day notice to vacate for non payment of rent to the tenant(s). This notice cannot be issued until July 25, 2020 meaning that evictions from covered properties cannot occur until August 24, 2020.