

CDC EVICTION MORATORIUM DECLARATION

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

- I have used best efforts to obtain all available government assistance for rent or housing;¹
- 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;
- 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;
- I am using best efforts to make timely partial payments that are as close to the full payment as my circumstances may permit, taking into account other nondiscretionary expenses;
- 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.³
- 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.
- 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.

 Signature

 Date

 Place

 County:

I gave a copy of this DECLARATION to my landlord on this date: _____

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Source for Declaration: federalregister.gov/d/2020-19654 (accessed on 9/3/2020)

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.



INFORMATION FOR DECLARATION

This is general legal information. It is not a substitute for legal advice.

Read the DECLARATION carefully.

If you do not understand it or if you do not agree with every statement, **do not sign it.**

If you are unsure about what it says, you should ask a trusted person for help.

Legal Aid provides free legal help to low-income persons and persons over 60.

The DECLARATION is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.

BACKGROUND

On Sept. 1, 2020, the Centers for Disease Control and Prevention issued an order entitled “Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19.” The order takes effect upon publication in the Federal Register (scheduled for Sept. 4, 2020).

The order declares a national moratorium on certain residential evictions for nonpayment of rent, as well as other fees or charges. The moratorium lasts through December 31, 2020, and applies only to tenants who meet certain requirements and provide a signed form declaration (on the previous page) to their landlords.

To sign the declaration, a tenant must be able to meet certain financial criteria, be unable to pay full rent due to an income loss or “extraordinary” medical bills, have used best efforts to obtain governmental rent assistance, likely become homeless or forced to “live in close quarters” in another residence if evicted, and use best efforts to make timely partial payments that are as close to the full payment as the individual’s circumstances permit.

YOU SHOULD KNOW...

- Every adult listed on the lease, rental agreement, or housing contract should complete their own declaration.
- Make at least one copy of the signed Declaration and keep it for your records.
- If you have an eviction hearing, take a copy to show the Judge.
- You must provide a copy of this declaration to your landlord or housing provider.
- You still owe rent during this moratorium, and you must follow all the other terms of your lease and rules of the place where you live.
- You may still be evicted for reasons other than not paying rent.

Call 211 to apply for rental assistance.

Free legal help is available to low-income persons and persons over 60.

To apply, call Legal Aid Services of Oklahoma at 1-888-534-5243.

This information is current as of 9/3/2020.