

# Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



[www.kansaslegalservices.org](http://www.kansaslegalservices.org)

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## Centers for Disease Control issues a nationwide eviction moratorium

The Centers for Disease Control (CDC) issued a nationwide eviction moratorium that is effective **Sept. 4 through December 31, 2020.**

Also, on September 15, Kansas extended the state of disaster emergency through October 15, 2020. The Governor extended Executive Order 20-61, the eviction moratorium, through EO 20-64.1.h. The CDC Agency Order is still in effect through December 31, if the tenant signs a declaration.

After the moratorium expires, tenants will be responsible for all the rent due through the moratorium. For example, if a tenant owes \$600 per month and doesn't pay, the tenant will owe \$2,400 on January 1, 2020.

Applies wherever there is not a more protective state moratorium in effect

Applies to all tenants who present a signed declaration to their landlords (found in the link below)

Tenants are eligible if

- a) their income is less than \$99,000 (or household income is less than \$198,000),
- b) they did not have to pay income tax in 2019, or
- c) they received a stimulus check.

Tenants can still be evicted for "reasons other than nonpayment of rent" and landlords can still charge fees for late payments.

Penalties for landlord violation include fines over \$100,000 for individuals and over \$200,000 for corporations and/or jail time.

The penalties apply to anyone violating the order, so they also apply to tenants who make a false declaration.

A legal aid group in Massachusetts, MassAccess, has developed a do-it-yourself form for tenants to use to create a letter to give to their landlords. It asks you a few questions and then creates the letter/declaration for you.

**You can access it here.**

Please use this, or a similar declaration, if you can't pay rent due to COVID.

One thing you need to attest to is that you have used your best efforts to obtain all available government assistance for rent or housing. You should apply, or try to apply, for Section 8 housing prior to signing the declaration.

The order by the CDC is attached below.

 [CDC notice on evictions 2020-19654.pdf](#)

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<http://www.kansaslegalservices.org/node/2374/centers-disease-control-issues-nationwide-eviction-moratorium>

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