

## Evictions and the COVID-19 Pandemic

Many people are facing job loss, reduced hours, and other hardships during the ongoing COVID-19 pandemic. Below are some questions and answers on how the pandemic, as well as state and federal responses, will impact housing for Orange County renters.

### Q: Can I be evicted for not paying my rent?

**A: No.** As of September 4, the federal Centers for Disease Control (CDC) have ordered a nationwide [moratorium on evictions](#) for late payment or nonpayment of rent, effective through **December 31, 2020**. The moratorium applies to **all residential rental units** and all renters who meet the following criteria:

- 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) **OR** were not required to report any income in 2019 **OR** received an Economic Impact Payment (stimulus check);
- Have used best efforts to obtain all available government assistance for rent or housing;
- Are unable to pay full rent due to substantial loss of household income or extraordinary out-of-pocket medical expenses;
- Are using best efforts to make timely partial payments; and
- If evicted, would likely become homeless or need to move into a new residence shared by other people who live in close quarters

In order to invoke eviction protection under the CDC moratorium, renters must provide a signed copy of the [Eviction Moratorium Declaration](#) to their landlord or property manager. **Each adult listed on the lease** or rental agreement should complete this declaration.

During the eviction moratorium, landlords may continue to charge late fees or other penalties for late or nonpayment of rent.

### Q: Does that mean I can stop paying my rent?

**A: No.** You are still obligated to continue paying rent as outlined in your lease, but you cannot be evicted right now if you are late or unable to pay. If you are struggling to pay rent or in need of one-time assistance, first speak with your landlord to see if they can provide any flexibility during this time. You may also contact Orange County Housing and Community Development for help:

Call the Housing Helpline: 919-245-2655      OR      Email [HousingHelp@orangecountync.gov](mailto:HousingHelp@orangecountync.gov)

Mon – Fri, 10 AM – 4 PM and

Sun – Thurs overnights (midnight – 6 AM)

[Click here for more information](#) about the Housing Helpline and Emergency Housing Assistance.

**Q: What should I do if my landlord is trying to “informally” evict me?**

**A: Document everything and call law enforcement.** Informal evictions are illegal. Even if a landlord has a valid reason to evict a tenant, they must follow the legal eviction process. Examples of informal evictions include:

- Ordering or threatening you to leave
- Changing the locks or locking you out of your unit
- Removing your belongings from the unit
- Shutting off utilities (such as heat, water, gas, electricity, or phone service)
- Interfering with use of property amenities (such as parking)
- Ignoring repair requests
- Suddenly raising the rent

If your landlord is doing any of the above, consider the following actions:

**Document everything.** Keep a log of how your landlord has been trying to force you to leave. Include notes about actions you have taken to protect your rights. One recommended action is to send your landlord a formal letter identifying the objectionable behavior and asking that it stop. Update the log as more incidents occur.

**Call law enforcement.** Notify local law enforcement if your landlord is illegally trying to remove you from your home. Police and sheriffs know that law requires landlords to use the court process for evictions.

If you want legal assistance, Legal Aid North Carolina provides free services to low-income people on civil matters, including landlord-tenant concerns such as self-help evictions, as well as habitability issues (landlords failing to keep a property safe and in good repair) and evictions from mobile home lots. See below for local Legal Aid office contact information. **You can also call or email the Housing Helpline to be referred to Legal Aid.**

Apply for legal help online: <http://www.legalaidnc.org/get-help/apply-online>

Apply for legal help by phone toll-free: 1-866-219-LANC (5262)

**Q: What should I do if I feel my landlord is discriminating against me?**

**A: Contact the Orange County Department of Human Rights and Relations.** If your landlord is treating you differently, tries to evict you, makes discriminatory statements, intimidates or harasses you or acts in a way that makes you feel discriminated against based on your race, color, sex, nation origin, religion, age, disability, familial or veterans’ status contact the Human Rights and Relations Department to discuss the issue with someone who can help:

Phone: 919-245-2487 OR Email: [Human\\_Relations@orangecountync.gov](mailto:Human_Relations@orangecountync.gov)