

Eviction Moratorium (i.e. “stop”) because of COVID

There is currently federal protections against evictions based on nonpayment of rent that covers people who have suffered a financial hardship.

Important Information

The Center for Disease Control and Prevention (CDC) eviction moratorium prevents **evictions for nonpayment of rent only** through June 30, 2021 for people who meet all requirements in the declaration.

The latest Colorado Executive Order from Governor Polis does **not** prevent evictions but does stop landlords from charging late fees for failure to timely pay any portion of the rent. *The Colorado Executive Order that prevented evictions expired December 31, 2020.*

Both orders require renters/tenants to provide a copy of the Declaration to:

- your landlord, and/or to
- the owner of the property where you live, and/or to
- any other person who has a right to have you evicted or removed from where you live

Please note: Several federal courts outside of Colorado have decided that the CDC Moratorium is unconstitutional, but there have been no such decisions from any of the federal courts within Colorado. It is the position of Colorado Legal Services that the CDC Moratorium is still valid in Colorado. If you believe that you are protected by the CDC Moratorium, we encourage you to sign a CDC Declaration and submit it to your landlord. If you need additional help, call Colorado Legal Services at 303-387-1313, or [apply online here](#) to see if you are eligible for further assistance.

Additional Information

- Each adult listed on the lease, rental agreement, or housing contract should complete this declaration.
- You are still required to pay rent and follow all the other terms of your lease and rules of the place where you live.
- You may also still be evicted for reasons other than not paying rent or making a housing payment.

Please note! The declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or leave off important information. Your landlord may ask the court to have a hearing about whether or not you are or were telling the truth in the declaration and meet all of the requirements listed in the declaration.

What you Need to do in Order to be Protected:

1. Contact any and all government or private organizations that offer help with rent. Make complete notes about which organizations you contacted, the date, and what they said. Keep a copy for your records.
2. Complete the Tenant's Declaration at this link - HomerenterDeclaration.org - or attached below, with the date, your landlord's contact information, and your contact information. The Declaration must be signed by each/every adult on the lease. Keep a copy for your records.
 - You can fill out the certification form electronically and email a copy to the landlord at HomerenterDeclaration.org
 - If you decided to email the completed Declaration, email a copy to any and all email addresses you have for your landlord, property manager, etc. Save a copy of the email you sent.
 - If possible, you may also want to print a copy of the declaration and give it to your landlord or property manager.
 - You can also send the declaration to your landlord or to the property manager by regular mail (make sure you have some type of proof you sent it), or by certified mail with a return receipt requested.
 - Confirm that page 2 of the Declaration has your signature and personal information on it (it's completed) before sending it via mail, email and/or before giving a copy to your landlord

Important! Keep a copy of any response from your landlord.

3. Continue to pay as much rent as you can when it is due. Request and/or keep copies of any receipts of payment from your landlord.
4. If your landlord refuses to accept a partial payment, make a record of your attempt to pay and your landlord's response.
5. Be prepared to pay all past due rent and fees when the eviction moratorium expires, or you may be evicted.
6. **If you are served with an eviction notice during this time**, please call Colorado Legal Services at 303-837-1313, ext. 444 or apply online at <https://applyonlinecls.org>
 - If your landlord files a case with the court to try to get you evicted, you should still file an Answer (a response to your landlord) in the case by the deadline provided on the paperwork and attend any court hearings.
 - Be sure to include a copy of your Declaration form with any Answer to an eviction you may file with the court.



Eviction Protection Declaration

The Centers for Disease Control and Prevention (CDC) has issued an order that may protect you from being evicted or removed from where you are living. **This means that you may be able to stay at the place where you live through JUNE 30, 2021, if you qualify.**

How to use this form

1. See if you qualify for eviction protection under the CDC order. If you'd like help from an expert, contact (800) 569-4287 or go to <https://www.hudexchange.info/programs/housing-counseling/rental-eviction/> to get contact information for a local HUD-approved housing counselor.
2. Sign the declaration that you qualify, on the next page.
3. Give the signed declaration page to the individual or company you rent from (for example, building management, landlord, etc.). Keep a picture or copy for your records and call your expert back if there's a problem.

1. Do I qualify?

If you can check at least one box in each column, you qualify.

Column A

I received a stimulus check (Economic Impact Payment) in 2020 or 2021

I was not required to report any income to the IRS in 2020

In 2020 or 2021, I earned (or expect to earn) **less than** \$99,000 as an individual or **less than** \$198,000 as a joint filer

You are likely to have earned under **this amount if you receive** any of the following benefits:

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Supplemental Security Disability Income (SSDI)

None of the above — You do not qualify.

AND

Column B

I cannot pay my full rent or make a full housing payment because:

My household income has gone down substantially

I have been laid off from work

My work hours or wages have been cut

I have extraordinary out-of-pocket medical expenses¹

None of the above — You do not qualify.

You checked at least one item in each column? Your income level qualifies.

[Check the first box on the next page]

2. My Declaration that I qualify

By checking the boxes below, I declare that each statement is true.

My income level qualifies for the reasons explained above

I have done my best to make timely partial payments that are as close as possible to the full payment and to get government assistance in making my rent or housing payments.²

If I were evicted, I have no other available housing options, so I would:

- Probably become homeless, **or**
- Have to move to a homeless shelter, **or**
- Have to move in with others who live in close quarters.

I understand that after I sign:

- Unless I come to an agreement with my landlord, I am still responsible for rent, back rent, and any fees, penalties or interest under my lease.
- I must still follow the conditions of my lease.
- Unless I come to an agreement with my landlord, if I fail to make my required payments, I could be evicted when this temporary halt of evictions ends.
- I can still be evicted for reasons other than not paying rent or not making a housing payment.

Troubleshooting tools for tenants

Find emergency rental financial assistance

Call (800) 569-4287 to find a listing for local HUD-approved housing counselors

Report problems with debt collection

Submit a complaint to CFPB cfpb.gov/complaint

Report discrimination

Submit a complaint.
Call HUD at (800) 669-9777

I sign this declaration³ under penalty of perjury. That means I promise that the statements above are the truth and that I understand that I can be criminally punished for lying.

You sign here:

X _____

Date: _____

3. Give this signed page to the individual or company you rent from.

ATTN LANDLORDS: Thank you for your compliance. If you violate the CDC's eviction Order, you and/or your business may be subject to criminal penalties, including fines and a term of imprisonment.

²Calling a local expert is the best way to figure out all the help that is available to you. Find a listing for a local HUD-approved housing counselor by calling (800) 569-4287.

³If you have already signed an eviction moratorium declaration, you do not need to submit another one.