

A Moratorium on All Evictions, Foreclosures, and Sweeps

In the face of the COVID-19 pandemic, a broad moratorium on all evictions, foreclosures, and sweeps of homeless encampments is needed to protect public health. Moratoriums preserve access to shelter and ensure people are not displaced, slowing infections. No one should lose their home in these life-threatening conditions.



A strong moratorium policy should:

Halt Displacement for All

- ✓ **Suspend All Evictions.** This includes all evictions for nonpayment of rent, regardless of documented impact due to COVID-19; no-fault evictions; nuisance or low-fault evictions; most fault evictions; evictions for lease violations or nonrenewal; and informal evictions through harassment and intimidation. Suspend every step of the eviction process: previously issued and new orders, proceedings, and sheriff or police enforcement. Courts should remain open to hearing petitions for protection orders in cases of domestic violence, and other emergency relief. Removals of tenants should be limited to situations of “imminent threat” to the health and safety of other occupants, if this threat cannot otherwise be reduced.
- ✓ **Cover All Residents.** This means no discrimination, in private and publicly supported housing, regardless of immigration, employment, housing, or criminal legal status, as well as race, gender, income, or disability.
- ✓ **Suspend Foreclosures.** Grant forbearance on mortgage debt, prioritizing homeowners and small landlords. Halt foreclosures and sales of foreclosed property. Require any landlord receiving relief to suspend all evictions and cancel rent payments in exchange.
- ✓ **Ban Utility Shut-Offs.** This includes restoring or extending utilities to those lacking access to them.
- ✓ **Waive All Penalties, Interest, and Late Fees.** This should be done during the moratorium and recovery period for tenants, homeowners, and small landlords. Remove penalties on people who break leases due to domestic violence or safety concerns.
- ✓ **End Sweeps of Unhoused People.** Pursuant to CDC guidelines, dismantling encampments or forcing unhoused people to move is inadvisable during the pandemic. All levels of government should take action to immediately suspend sweeps, and instead increase health and outreach services.
- ✓ **Stop Immigration Enforcement and Detention.** Local and state authorities can divert law enforcement resources away from enabling workplace and neighborhood immigration raids.
- ✓ **Ensure Enforcement and Protect Tenants Against Retaliation.** This can be done by establishing enforcement mechanisms and financial penalties on landlords who violate the moratorium, try to harass tenants into leaving, or neglect habitability problems to force tenants out. Remedies for tenants must be accessible and not risk COVID-19 exposure. Law enforcement should be trained on how to uphold the moratorium.

Protect Against Future Displacement

- ✓ **Include Rent Cancellation and a Rent Freeze.** Moratoriums must be paired with protections that prevent tenants from eventually being pushed out by unaffordable rents or obligations to pay back rent, during the pandemic and its economic fallout. Enact a rent freeze to ban rent increases; mandate full rent cancellation to exempt tenants from owing back rent; and ensure a right to lease renewal. Small and nonprofit landlords facing financial hardship as a result can be eligible for mortgage forgiveness.
- ✓ **Set an Open Duration and Payback Period.** Moratoriums should be in place both through the emergency period, for a minimum of 90 days, and through the recovery period. After the moratorium period, any tenants who owe back rent should not be evicted for late payment or failure to pay past due rent.
- ✓ **Provide Credit Score and Debt Forgiveness.** Suspend credit reporting. Include debt forgiveness for homeowners, and small or nonprofit landlords who can demonstrate financial hardship.
- ✓ **Expand Permanent Tenant Protections.** This includes right to counsel, just cause, and low-fault eviction protections alongside moratoriums. Expunge eviction records.

Expand Quality, Affordable Housing for All

- ✓ **Increase Emergency Housing.** Quality and safe emergency housing, with access to healthy food, support services, and health care, must be made available immediately to all unhoused people; any evictees; people released from detention; and tenants forced to leave due to habitability problems, safety concerns, and domestic violence. All levels of government can issue hotel vouchers and make use of vacant property.
- ✓ **Pass a Permanent Right to Housing.** All levels of government can pass a right to housing that requires emergency action to shelter unhoused people.
- ✓ **Fund Habitability Repairs and Accessibility Conversions.** This should be done especially for vacant units, during the moratorium period and after. Give tenants the right to purchase when landlords do not pay for repairs.
- ✓ **Buy Outs, Not Bailouts.** All levels of government should buy out buildings with distressed and delinquent mortgages, to keep residents in their homes by converting these to limited equity cooperatives, land trusts, or public ownership, and buy out other idle or available land and property, to create social housing. Local governments should enact and strengthen Tenant Opportunity to Purchase.

How are moratoriums being implemented now?

Over 150 cities and more than 35 states and the federal government have passed some form of moratorium on evictions, foreclosures, and/or sweeps of unhoused people. However, many do not cover all evictions; have requirements on tenants to link financial hardship to COVID-19; are short in duration; and require tenants to pay back rent once the moratorium is lifted.

- **Oakland** has **suspended all evictions** until May 31 for buildings covered by just cause protections, except for evictions due to “imminent threat to the health and safety of other occupants.” The moratorium also bans rent increases, late fees, and post-moratorium evictions for nonpayment of rent linked to COVID19-related loss of income.
- On March 29, **Michigan** issued an **order** against shutting off water in homes with unpaid bills, and requiring disconnected homes to be reconnected to water.
- **Los Angeles** has **partially suspended its municipal code**, allowing tents to stay up 24 hours a day; a District Court ordered LA to increase sanitation and hand-washing stations for unhoused people.

Who can implement moratoriums?

Federal government (e.g., the **CARES Act**); states (e.g., **New York**); cities and counties (e.g., **Oakland**); courts and judicial councils, by court orders, rulings, and rule-making (e.g., **California**’s Judicial Council); sheriff and police departments, by suspending all eviction activities, including serving court papers and assisting landlords in removing tenants (e.g., **Miami-Dade** police in Florida); utility departments, by issuing orders against utility shut-offs (e.g., **Boston**); public and private landlords, by suspending evictions, and forgiving rent or negotiating long-term payment plans (e.g., **PUSH Buffalo**).

Our Homes, Our Health is a collaborative initiative of the National Housing Justice Grassroots Table, including the Center for Popular Democracy, Partnership for Working Families, People’s Action, and the Right to the City Alliance. Powered by PolicyLink with support from the Alliance for Housing Justice.

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