

EVICCTIONS SOLELY FOR NON-PAYMENT OF RENT HAVE BEEN TEMPORARILY SUSPENDED.

Minnesota eviction suspension: Governor Walz declared multiple Peacetime Emergencies, starting with an executive order on March 27th that suspended evictions, and several executive orders that direct Minnesotans to stay at home, until May 18th. On April 13th, Governor Walz issued an additional order to extend the peacetime emergency until May 13th. On May 13th, Governor Walz issued [Executive Order 20-53](#) extending the peacetime emergency 30 days until June 12, 2020.

The COVID-19 pandemic has continued to intensify in Minnesota therefore the Legislature adjourned its regular session on May 17, 2020, on June 10, 2020, Governor Waltz issued a proclamation calling the Legislature into a special session beginning June 12, 2020. **The Minnesota COVID-19 Peacetime Emergency is now extended through July 13, 2020 for all Minnesota properties. This means the suspension of evictions currently remains in place until then. Please click on the link for specifics on the updated [Emergency Executive Order 20-75](#).**

Federal CARES Act: eviction moratorium operates by restricting lessors of covered properties from filing new eviction actions for non-payment of rent, and prohibits “charg[ing] fees, penalties, or other charges to the tenant related to such nonpayment of rent.” Sec. 4024(b). The federal moratorium also provides that a lessor (of a covered property) may not evict a tenant after the moratorium expires except on 30 days’ notice—which may not be given until after the moratorium period.

Evictions Covered properties include:

- Properties covered in Violence Against Women Act (VAWA) and must follow the Federal CARES Act
 - HUD assisted – Section 8, Section 811, HOME, NHTF, Section 202, Housing Choice Vouchers
 - USDA assisted
 - Low Income Housing Tax Credits (LIHTC)



- Properties with federally backed mortgages (including HUD, Fannie Mae and Freddie Mac).

The federal moratorium on evictions for nonpayment of rent or related fees in “Eviction Covered Properties” **took effect on March 27, 2020 and extends for 120 days until July 24, 2020.**

The federal eviction moratorium does NOT affect:

- Evictions that were filed before the moratorium started or that are filed after it ends.
- Cases where the eviction is based on reasons other than non-payment of rent or non-payment of other fees or charges.

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Once the moratorium ends, owners can file for evictions with 30 days' notice and removals can be enforced for non-payment of rent.

Late Fees: A landlord of a residential building may not charge a late fee if the rent is paid after the due date, unless the tenant and landlord have agreed in writing that a late fee may be imposed. In no case may the late fee exceed eight percent of the overdue rent payment. The landlord of a residential unit may not charge a late fee for the first 60-days after the declaration of a public health emergency.



HUD's HOME Program: HUD's Office of Affordable Housing Programs (OAHP) has issued a sample letter to HOME program owners and a sample tenant flier that Participating Jurisdictions (PJs) can use to notify property owners and tenants about the temporary eviction moratorium established by Section 4024 of the CARES Act. The sample forms attached are specific to the HOME CARES Act. For further information please visit HUD Exchange ([HOME COVID-19 Guidance](#)) page.

[HOME CARES Act Eviction Moratorium – Sample Letter to Owners](#)

[HOME CARES Act Eviction Moratorium – Sample Tenant Flyer](#)