Merced Superior Court Self Help Center

Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19

[CDC Eviction Moratorium Order]

Information Sheet

The CDC issued an agency order on September 1, 2020 and is effective as of September 4, 2020. This order has been extended several times and is currently extended to July 31, 2021. The moratorium applies to the following:

- for failures to pay rent, with evictions for reasons, other than failures to pay rent, permitted to proceed;
- to residential tenancies only;
- to tenants who expect to earn no more than $99,000 in 2020 (or no more than $198,000 if filing a joint return);
- to tenants who (along with each adult member of the household) provide the landlord with a declaration that states, among other things, that they are unable to pay full rent due to loss of income or extraordinarily high medical expenses; and
- only through July 31, 2021, with evictions for any unpaid rent permitted after that.

The CDC Eviction Moratorium Order does not apply where there is a state or local eviction moratorium that provides the same or greater level of public-health protections.

The Tenant is still responsible for the rent that is owed. Nothing in this order prevents the landlord from charging or collecting fees, penalties, or interest as a result of the failure to pay rent on a timely basis, under the terms of any applicable contract.

This Order does not prevent a landlord from evicting a tenant on the following reasons:

1. Engaging in criminal activity.
2. Threating the health or safety of other residents.
3. Damaging or posing an immediate and significate risk of damage to property.
4. Violating any applicable building code, health ordinance, or similar regulation relating to health and safety.
5. Violating any other contractual obligation, other than the timely payment of rent or similar housing-related payment (including non-payment or late payment of fees, penalties, or interest).

FOR ADDITIONAL HELP:

E-mail us at selfhelp@mercedcourt.org

California Department of Real Estate: https://landlordtenant.dre.ca.gov/landlord/resources.html

CDC Order Information: https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html