



MANAGEMENT BULLETIN #508

DATE: September 4, 2020

TO: Owners/Agents of Rental Properties Financed or Assisted by IHDA

CC: Asset Management Department Staff

FROM: Asset Management Department, IHDA

RE: State and Federal Restrictions on Residential Evictions

SUMMARY:

Owners and managers of IHDA assisted properties should be aware of state and federal restrictions on residential evictions during the COVID-19 pandemic.

State Restrictions:

In the state of Illinois, Governor Pritzker's [Executive Order 2020-30](#) prohibits most residential evictions for the duration of the Governor's Coronavirus Disaster Proclamation. On August 21, 2020, the Governor renewed the Disaster Proclamation for 30 days.

Executive Order 2020-30 prohibits the commencement of residential evictions except in certain cases, such as when a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation.

Federal Restrictions:

The federal Centers for Disease Control (CDC) has announced a [federal Order](#) halting residential evictions to prevent the further spread of COVID-19.

Citing Section 361 of the Public Health Service Act, the CDC's Order applies to households experiencing financial hardship as a result of the pandemic. The moratorium is in effect September 4, 2020, through December 31, 2020.

To evoke protection under the CDC's Order, each adult member of the household must provide the landlord with a signed [declaration form](#) as outlined in the CDC Order. The declaration states that the tenant cannot pay rent, has made best efforts to obtain federal rental assistance, expects to earn no more than \$99,000 in annual income (or \$198,000 for a joint tax return), and remains bound by all the terms of their lease.

IHDA Guidance:

Neither Governor Pritzker's Executive Order nor the CDC Order relieves a tenant's obligation to pay rent. Tenants are still required to pay rent as agreed, and property owners and managers are not prohibited from collecting rent.

If tenants are unable to pay rent in full, IHDA encourages owners and managers to develop a plan that can be applied consistently, which may include developing a repayment plan, waiving late fees or accepting partial payments.

For all properties, wherever possible, IHDA encourages owners and managers to show consideration during this unprecedented national emergency.

ATTENTION:

Due to concerns surrounding COVID-19 (i.e. Coronavirus), IHDA will not be accepting visitors at our offices until further notice. Many on-site meetings are being held remotely or have been postponed. With no on-site meetings or visits, IHDA staff will continue to be available via email and telephone. We also urge you to check the IHDA website or call (312) 836-5200. Your patience is appreciated as we all adjust to this new work environment.