The Centers for Disease Control and Prevention (“CDC”) announced on June 24, 2021 that the Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 (“Federal Eviction Moratorium”), presently set to expire on June 30, 2021, has been extended for one month to July 31, 2021. The CDC imposed the Federal Eviction Moratorium beginning September 4, 2020 under President Trump’s administration, with the Federal Eviction Moratorium being thereafter extended by Congress through the Consolidated Appropriations Act of 2021 and twice by the CDC under President Biden’s administration. The CDC said, “this is intended to be the final extension of the moratorium.”

The CDC implemented the Federal Eviction Moratorium to combat the “historic threat to public health” created by COVID-19 by seeking to stop the spread of COVID-19 that could arise when evicted tenants would be forced to live in congregate housing without access to adequate sanitation and hygienic needs. The Federal Eviction Moratorium only applies to residential evictions based on non-payment of rent.

On May 5, 2021, the United States District Court for the District of Columbia, in Alabama Association of Realtors, et al. v. United States Department of Health and
Human Services, et al., held that the Federal Eviction Moratorium should be vacated, but on May 14, 2021, also held that the order vacating the Federal Eviction Moratorium should be stayed pending the United States Department of Health and Human Services’ appeal. The Plaintiffs have filed an Emergency Application for a Vacatur of the Stay Pending Appeal Issued by the United States District Court for the District of Columbia with the United States Supreme Court. The United States Supreme Court has not yet ruled on the Plaintiffs’ emergency application.

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