

## Information on Covid-19-Related Evictions Moratorium

Uncertainty and economic strain caused by the COVID-19 (novel coronavirus) pandemic are creating intense pressures for renters across Boulder County, some of whom will likely be unable to cover their housing costs in the near future. In order to help mitigate what could be a significant increase in housing instability and homelessness in our community, the State of Colorado has taken steps to protect renters during this time, particularly those most vulnerable.

The following provides information on measures Governor Polis and the Boulder County District Court have taken regarding evictions in Boulder County. **At this time, Governor Polis has ordered that all residential evictions should be limited to those necessary to protect public health and safety. And the Boulder County District Courts have deprioritized and postponed routine evictions for non-payment of rent until after May 31, 2020.**

- Governor Jared Polis' Executive Order D 2020 012, issued on March 10, 2020:
  - Limits evictions and disconnections of public utility services until at least April 30, 2020;
  - Directs all law enforcement agencies to suspend residential eviction activities until said date unless the eviction is necessary to protect public health and safety; and
  - Directs state agencies to work with property owners to exempt tenants from fees on non-payment or late payment of rent (State agencies will take some time to work implement this piece).
- In addition, the Boulder County District Court is closed for routine court matters, including routine eviction cases (a court order is required for eviction). Non-emergency hearings will be rescheduled to occur after May 31, 2020. Although the Court could deem an eviction an emergency, this would only be in a case where the Chief Judge determines the potential eviction is necessary to prevent substantial risk of imminent risk to the health, safety, or welfare of an individual or members of the community. The text of the Boulder County District Court's order is [here](#).
- Taken together, if the courts are not hearing routine eviction cases until June 2020 and law enforcement has been instructed not to evict unless someone's health and safety is at issue, the best course of action is for tenants and landlords to work together to collaboratively endure the next two months.

The full text of Governor Polis' order is [here](#). Here is a summary of Governor Polis' Order:

- **Residential evictions are limited to those necessary to protect public health and safety.**
  - The Colorado Department of Local Affairs (DOLA) is the state agency that the order instructs to work with property owners and landlords to identify lawful ways to avoid evicting tenants or mobile home owners without cause for rent violations or for minor tenancy violations and to exempt tenants and mobile home owners from fees or penalties for late or non-payment of rent.
  - Law enforcement agencies are to suspend residential eviction activities until April 30 unless these are necessary to protect public health and safety.

- **State funds are made available to provide short-term rental and mortgage assistance for low-income households**
  - Money from the state Disaster Emergency Fund will be made available to DOLA for six months to assist low-income households facing extra financial hardship based on economic disruption from COVID-19. Assistance will be prioritized for low-income households that lost employment related to the COVID-19 public health orders. *Low-income household* is defined as a household below 50% of Boulder County's [Area Median Income](#). Please note that the amount each county will receive is not enough to meet the overwhelming need and funding may need to be prioritized further.
  
- **State agencies are to work with financial institutions to try to limit residential and business foreclosures and foreclosure-related evictions.**
  - The order requires the Colorado Department of Regulatory Agencies (DORA) to work with state-chartered financial institutions to identify ways to combat the threat of residential and small-business foreclosures.
  
  - DORA is also to encourage financial institutions holding residential mortgages to halt foreclosures (and related evictions) related to loss of income based on COVID-19.
  
  - DORA is to encourage financial institutions to provide a 90-day deferment of residential and commercial and small business loans, auto loans, and student loans for customers economically impacted by COVID-19.
  
- **Public utility service assistance.**
  - Public utility disconnections for delayed or missed payments are ordered to be temporarily suspended.
  
  - Late fees and reconnection fees are to be waived for residential customers most impacted by COVID-19.
  
  - Public utilities are directed to make reasonable efforts to reconnect service for customers disconnected for non-payment related to the impact of COVID-19.
  
  - Public utilities are directed to develop and provide payment assistance programs to aid customers affected by COVID-19 in payment of utility bills.