

- **Determining if an Eviction Case is Subject to Federal Moratorium - Updated 4/20/20**

The CARES Act (coronavirus stimulus bill) contained provisions halting many evictions for tenants in properties covered by a federally-backed mortgage for 120 days from its enactment.

The bill provides a temporary moratorium on evictions for most residents of federally subsidized apartments, including those supported by HUD, USDA or Treasury (Low Income Housing Tax Credit developments). The bill also institutes a moratorium on filings for evictions for renters in homes covered by federally-backed mortgages for 120 days of enactment.

To ensure that the court isn't evicting a tenant in violation of this Act, an affidavit is available [here](#) for plaintiffs to fill out before receiving a judgment, swearing that their property is not subject to this moratorium.

Landlords can go to the TDCHA website [here](#) and click on "HTC Property Inventory (XLSX)" under Additional Guidance and Resources to search a database to determine if their property is subject to the LIHTC restrictions, and can go to [this website](#) to check their property against a multi-family housing database.

Remember also that these properties are subject to a 30-day notice to vacate, as described elsewhere in this section.