

K&L Gates LLP

Real Estate

A 50-State Guide to COVID-19 Property Policies and Regulations

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Federal Policies and Regulations in Place	Effective Date	Hyperlink (Ongoing Resources)
Mortgage Payment Deferral: Moratorium on foreclosures for homeowners with mortgages backed by Fannie Mae, Freddie Mac or Federal Housing Administration (FHA) mortgages on single-family homes. Effective March 20, 2020, residents may be eligible for payment deduction or deferral on mortgages for as long as a year for those who have lost income or employment due to the coronavirus.	March 18, 2020	Federal Government to Allow Mortgage Payment Deferral For Up to a Year See also HUD Provides Immediate Relief for Homeowners amid Nationwide Coronavirus Response
Recording Jurisdiction Operating Status Report: This report provides updates on the status of state specific recording requirements and procedures.		Recording Status Report

	State	Policies and Regulations in Place	Effective Date	Hyperlink (Ongoing Resources)
1	Alabama	None indicated at this time.		
2	Alaska	None indicated at this time.		
3	Arizona	Phoenix: Maricopa County Justice Courts will delay residential eviction hearings until at least April 2020. Phoenix Mayor Kate Gallego has paused all financial eviction on city-owned housing. Governor Douglas A. Ducey issued Executive Order 2020-14 to postpone eviction actions in Arizona for 120 days.	March 16, 2020 March 15, 2020 March 24, 2020	https://www.azcentral.com https://azgovernor.gov

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4	Arkansas	Little Rock: The Metropolitan Housing Alliance has suspended evictions of public housing residents in Section 8 housing.	March 17, 2020	https://www.nwaonline.com
5	California	<p>Governor Gavin Newsom issued an executive order that authorizes local governments to suspend eviction procedures and judicial foreclosures for <i>residential and commercial tenants</i> through May 31, 2020.</p> <p>For a complete list of California local governments that have adopted coronavirus specific restrictions, please review this resource. Based on our review, we highlight the following cities and counties with respect to policies that affect commercial tenants:</p> <p><i>Berkeley</i>: prohibits non-payment and no-fault evictions of residential and commercial tenants.</p> <p>Burbank: Effective March 17, 2020, the city council issued an emergency moratorium on all no-fault evictions of residential and commercial tenants.</p> <p>Fresno: effective March 19, 2020</p> <p><i>City of Los Angeles</i>: Commercial evictions through March 31, 2020, unless extended</p> <p><i>County of Los Angeles</i>: Emergency moratorium on all no-fault evictions of residential and commercial tenants in unincorporated areas of LA County. The moratorium starts retroactively on March 4, 2020 through March 31, 2020.</p> <p><i>Pasadena</i>: effective March 17, 2020</p> <p>Rancho Cucamonga: effective March 20, 2020. Residential evictions through May 31, 2020 and commercial evictions through April 30, 2020.</p> <p><i>San Francisco</i>: Residential evictions are suspended.</p> <p>UPDATE: Effective March 17, 2020, Mayor London N. Breed enacted a moratorium on <i>commercial evictions for small and medium sized businesses</i> from being evicted due to loss of income or other economic impacts caused by the coronavirus. The policy applies to business that have less than \$25 million in annual gross receipts.</p>	March 16, 2020	<p>https://www.gov.ca.gov</p> <p>https://caanet.org</p>

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6	Colorado	The Denver Sheriff's Department is redeploying Sheriff's Deputies away from evictions.	March, 16, 2020	https://www.denvergov.org
7	Connecticut	All foreclosure sales previously scheduled to have occurred in April or May are rescheduled to June 6, 2020. The judgement in any foreclosure action in which the Court set a "law day" to run on any date in April or May is amended to June 2, 2020. All issued evictions and ejections are suspended through May 26, 2020.	March 20, 2020	https://jud.ct.gov
8	Delaware	Delaware Justice of the Peace has paused all landlord-tenant proceedings through April 16, 2020 to be rescheduled for a date no earlier than May 1, 2020.	March 17, 2020	https://courts.delaware.gov
9	District of Columbia	The D.C. Supreme Court has suspended evictions of all tenants and foreclosed homeowners.	March 16, 2020	https://www.dccourts.gov
10	Florida	Miami-Dade Police Department temporarily suspended all eviction enforcements. The Broward Sheriff's Office, in coordination with the 17th Judicial Circuit, has decided to temporarily cease all eviction activities until further notice due to the current public health crisis. Osceola County Sheriff, Russ Gibson, has temporarily suspended the posting and executions for Residential Writ of Possessions. Chief Judge Lisa Davidson suspended all foreclosure sales and eviction, ejection or writs of possession until April 15, 2020 in Seminole and Brevard Counties.	March 11, 2020 March 17, 2020 March 18, 2020 March 19, 2020	https://www.miaminewtimes.com https://www.sheriff.org https://www.osceolasheriff.org https://flcourts18.org
11	Georgia	Atlanta (Fulton County) Mayor Bottoms issued an order for a temporary moratorium on residential evictions and filings for 60 days. UPDATE: Effective March 20, 2020, absent additional directions from Chief Justice Harold Melton of the Georgia Supreme Court, the landlord-tenant eviction calendar will resume on April 14, 2020.	March 16, 2020	https://www.atlantaga.gov https://www.fultoncountyga.gov
12	Hawaii	The Hawaii Department of Public Safety Sheriff Division has suspended all eviction activities. The suspension will be reevaluated at a later date.	March 17, 2020	https://governor.hawaii.gov
13	Idaho	Boise: Mayor Lauren McLean waives rent for rental housing and has suspended evictions through April 2020.	March 21, 2020	https://www.idahopress.com

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14	Illinois	Governor J.B. Pritzker issued an executive order pausing enforcement of residential evictions until April 8, 2020.	March 21, 2020	https://www2.illinois.gov
15	Indiana	Governor Eric J. Holcomb issued an executive order suspending residential evictions and foreclosure actions or proceedings.	March 19, 2020	https://www.in.gov
16	Iowa	Governor Kimberly K. Reynolds suspends the commencement of foreclosure proceedings and the prosecution of ongoing foreclosure proceedings on residential, <i>commercial</i> and agricultural real property through April 1, 2020. UPDATE: Governor Reynolds extends the suspension of foreclosures through April 16, 2020.	March 22, 2020 March 22, 2020	https://governor.iowa.gov https://governor.iowa.gov
17	Kansas	Governor Laura Kelly temporarily suspends (i) financial institutions from initiating any mortgage foreclosure efforts or judicial proceedings and (ii) <i>commercial or residential</i> eviction efforts or proceedings until May 1, 2020.	March 17, 2020	https://governor.kansas.gov
18	Kentucky	Governor Andy Beshear issued an executive order suspending residential evictions and the enforcement of ongoing evictions orders.	March 25, 2020	https://governor.ky.gov
19	Louisiana	New Orleans: All residential evictions pending in 1st and 2nd City Court (which cover the east and west banks of Orleans Parish, respectively) are suspended until April 24, 2020.	March 13, 2020	https://www.nola.com
20	Maine	The Maine Supreme Judicial Court has suspended eviction and landlord-tenant matters, unless otherwise ordered by the court, until May 1, 2020.	March 18, 2020	https://www.courts.maine.gov
21	Maryland	Governor Lawrence J. Hogan, Jr. issued an executive order suspending residential eviction matters. The Maryland Court of Appeals issued an administrative order which suspends pending and future residential foreclosures and evictions.	March 16, 2020 March 18, 2020	https://governor.maryland.gov https://www.courts.state.md.us
22	Massachusetts	Housing courts have suspended most eviction proceedings until at least April 22, 2020 due to efforts by Timothy Sullivan, Chief Justice of the Massachusetts Housing Court.	March 18, 2020	https://www.mass.gov
23	Michigan	Governor Whitmer issued an executive order that temporarily pauses residential evictions for nonpayment of rent through April 17, 2020.	March 20, 2020	https://www.michigan.gov
		Governor Tim Walz issued an executive order suspending the execution of all writs of recovery and orders to vacate residential properties. Additionally,	March 24, 2020	https://mn.gov

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24	Minnesota	financial institutions are to implement an immediate moratorium on all pending and future residential foreclosures.		
25	Mississippi	None indicated at this time.		
26	Missouri	Jackson County (Kansas City) has issued a temporary freeze on evictions through April 18, 2020.	March 19, 2020	https://www.jacksongov.org
27	Montana	None indicated at this time.		
28	Nebraska	Nebraska Governor, Pete Ricketts, issued an Executive Order for temporary residential eviction relief. This order will expire on May 31, 2020 unless further extended.	March 25, 2020	https://www.dropbox.com
29	Nevada	Henderson and Las Vegas Townships, Clark County have issued orders suspending all Writs of Execution and all currently issued Writs of Execution are stayed until April 20, 2020.	March 17, 2020	https://www.clarkcountynv.gov http://www.lasvegasjusticecourt.us
30	New Hampshire	New Hampshire Governor, Chris Sununu, issued an emergency order temporarily banning evictions of rental tenants and halting foreclosure actions for the duration of the State of Emergency declared in Executive Order 2020-04.	March 17, 2020	https://www.governor.nh.gov
31	New Jersey	Governor Phil Murphy signed a bill into law declaring a moratorium on removing individuals from their homes pursuant to an eviction or foreclosure proceeding. Governor Murphy then signed Executive Order 106, which shall remain in effect for no longer than two months following the end of the Public Health Emergency or State of Emergency established by Executive Order No. 103 (2020).	March 16, 2020 March 19, 2020	https://www.njleg.state.nj.us https://nj.gov
32	New Mexico	Santa Fe Mayor, Alan Webber, prohibits residential and commercial evictions of those who are unable to pay rent on time because of the public health emergency. New Mexico Supreme Court issued an Order halting residential evictions. The order shall remain in effect until amended or withdrawn by future order.	March 18, 2020 March 24, 2020	https://www.santafenm.gov https://www.nmcourts.gov
		Governor Cuomo signed an Executive Order stating, “[t]here shall be no	March 22, 2020	https://www.governor.ny.gov

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33	New York	enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of 90 days.”		
34	North Carolina	North Carolina Courts have issued guidance , which includes postponing foreclosures and evictions.	March 15, 2020	https://www.nccourts.gov
		The Mecklenburg County (Charlotte) Sheriff’s office is suspending enforcement of court-ordered evictions until April 17, 2020.	March 16, 2020	http://www.mecksheriff.com
35	North Dakota	None indicated at this time.		
36	Ohio	Dayton Municipal Court: All evictions on a temporary hold until April 30, 2020.	March 13, 2020	http://mvcovid19eviction.com/
		Fairborn Municipal Court: All evictions, civil hearings, and small claims hearings have been continued and will be rescheduled “in the future as circumstances dictate”.	March 18, 2020	
		Kettering Municipal Court: All civil hearings, evictions and small claims hearings will be postponed for eight weeks, with new filings scheduled for hearings sometime after May 8, unless specified by the Court.	March 17, 2020	
		Miamisburg Municipal Court: Most civil hearings, eviction, and small claims trials will be postponed until after April 20, 2020, except under special circumstances, hearings will be held.	March 20, 2020	
		Oakwood Municipal Court: Evictions are continued until after April 30, 2020.	March 17, 2020	
		Vandalia Municipal Court: All civil hearings, evictions, small claims, and mediation hearings are postponed and will commence on May 11, 2020.		
		Xenia Municipal Court: All civil cases, including evictions, are continued until after May 8, 2020.		
		Montgomery County Municipal Court: Western Division in New Lebanon and the Eastern Division in Huber Heights are closed until April 6, 2020. This court has provided no clear guidance as to how it will handle evictions.	March 19, 2020	

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37	Oklahoma	Foreclosure Sales: Oklahoma County suspended until May 14, 2020. Tulsa County postponed until further notice.	March 16, 2020	https://sheriff.oklahomacounty.org https://tcsso.org
38	Oregon	The Multnomah County (Portland) imposes a temporary moratorium on residential evictions. Court hearings on eviction proceedings are suspended until April 30, 2020. Oregon Governor, Kate Brown, signed Executive Order No. 20-11 prohibiting law enforcement officers from serving, delivering or acting on any notice, order or writ of termination of tenancy that relates to nonpayment. The order remains in effect for 90 days unless extended or terminated by the Governor.	March 17, 2020 March 22, 2020	https://beta.portland.gov https://www.oregon.gov
39	Pennsylvania	The Pennsylvania Supreme Court has ordered a temporary halt to evictions statewide until at least April 3, 2020.	March 18, 2020	http://www.pacourts.us
40	Rhode Island	The Rhode Island Supreme Court has issued an order suspending eviction proceedings until April 17, 2020.	March 17, 2020	https://www.courts.ri.gov
41	South Carolina	Chief Justice Don Beatty has postponed all evictions statewide until May 1, 2020. UPDATE: the March 17 th Order was updated to include a moratorium on foreclosure hearings, foreclosure sales, writs of assistance and writs of ejections. This order only expressly applies to Master in Equity courts and not to Special Referees, who conduct foreclosures in counties that do not have an appointed MIE. However, Special Referees are likely to align their proceedings with this order in an abundance of caution. Lenders are not prohibited from filing and serving foreclosure actions under this order. Charleston County: MIE has cancelled all hearings through April and all sales through May.	March 17, 2020 March 18, 2020 March 19, 2020	https://www.sccourts.org https://www.sccourts.org https://www.charlestoncounty.org
42	South Dakota	None indicated at this time.		

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43	Tennessee	Nashville: The Davidson County Sheriff's Department has announced a temporary halt to serving eviction notices.	March 17, 2020	https://sheriff.nashville.gov
		The Supreme Court issued an Order suspending eviction, ejection, or other displacement from a residence based on failure to pay rent or loan. This order applies statewide to all courts.	March 25, 2020	https://www.tncourts.gov
44	Texas	The Texas Supreme Court has issued an Emergency Order suspending eviction trials, hearings, and other proceedings until April 19, 2020.	March 19, 2020	http://www.txcourts.gov
		Travis County (Austin) Justices of the Peace have declared that residential and commercial evictions are rescheduled until May 8, 2020 and no writs of possession shall be issued until May 13, 2020.	March 19, 2020	https://www.traviscountytexas.gov
45	Utah	None indicated at this time.		
46	Vermont	None indicated at this time.		
47	Virginia	The Supreme Court of Virginia has suspended all non-emergency and non-essential court cases until April 6, 2020. This includes new eviction cases.	March 16, 2020	http://www.courts.state.va.us
48	Washington	Seattle Mayor, Jenny A. Durkan, signed an emergency order to halt residential evictions in the city for 30 days while also prohibiting late fees.	March 14, 2020	https://durkan.seattle.gov
		Additionally , Mayor Durkan signed an order to protect small businesses and non-profits from eviction. This will be in effect for at least 60 days.	March 17, 2020	https://durkan.seattle.gov
		Governor Jay Inslee announced relief for renters in response to the COVID-19 outbreak. Proclamation 20-19 Temporarily prohibits residential evictions statewide until April 17, 2020.	March 18, 2020	https://www.governor.wa.gov
		The King County Sheriff's Office will not be enforcing eviction orders to comply with the governor's proclamation.	March 18, 2020	https://www.kingcounty.gov
49	West Virginia	None indicated at this time.		
		Wisconsin Governor, Tony Evers, issued an Executive Order prohibiting landlords from terminating tenancy for the failure to pay rent. Mortgagees are	March 27, 2020	https://evers.wi.gov

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50	Wisconsin	prohibited from commencing a civil action to foreclose upon real estate. Evictions, foreclosures and sheriff's sales are on hold for 60 days.		
51	Wyoming	None indicated at this time.		

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