

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)
<p><u>Mortgage Payment Deferral:</u> 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.</p> <p>UPDATE: The United States Senate passed the “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act) which provides mortgage, foreclosure and eviction relief for certain residential and multi-family borrowers with federally-backed mortgaged.</p>	<p>March 18, 2020</p> <p>March 27, 2020</p>	<p>Federal Government to Allow Mortgage Payment Deferral For Up to a Year</p> <p>See also HUD Provides Immediate Relief for Homeowners amid Nationwide Coronavirus Response</p> <p>https://www.congress.gov/</p>
<p><u>Recording Jurisdiction Operating Status Report:</u> This report provides updates on the status of state specific recording requirements and procedures.</p>		<p>Recording Status Report</p>

	State	Policies and Regulations in Place	Effective Date	Hyperlink (Ongoing Resources)
1	Alabama	The Supreme Court of the State of Alabama has suspended all in-person court proceedings through April 16, 2020.	March 16, 2020	http://judicial.alabama.gov
2	Alaska	<p>The Trial Courts for the State of Alaska issued a statewide administrative order suspending all eviction proceedings until May 1, 2020. The order permits judges to postpone pending eviction order and suggests postponing eviction orders for anyone quarantined.</p> <p>The Alaska State Legislature passed a bill placing a moratorium on residential evictions for nonpayment of rent.</p>	<p>March 23, 2020</p> <p>April 10, 2020</p>	<p>https://public.courts.alaska.gov</p> <p>https://www.akleg.gov</p>

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3	Arizona	<p>Governor Douglas A. Ducey issued an executive order to postpone eviction actions in Arizona for 120 days.</p> <p><i>Phoenix:</i> Maricopa County Justice Courts have delayed residential eviction hearings until at least April 2020. Mayor Kate Gallego has paused all financial evictions on city-owned housing effective March 15, 2020.</p>	<p>March 24, 2020</p> <p>March 16, 2020</p>	<p>https://azgovernor.gov</p> <p>https://www.azcentral.com</p>
4	Arkansas	<p><i>Little Rock:</i> The Metropolitan Housing Alliance has suspended evictions of public housing residents in Section 8 housing.</p>	<p>March 17, 2020</p>	<p>https://www.nwaonline.com</p>
5	California	<p>Governor Gavin Newsom issued an executive order that authorizes local governments to suspend eviction procedures and judicial foreclosures for residential and commercial tenants through May 31, 2020.</p> <p>UPDATE: Governor Gavin Newsom announced a 90-day mortgage payment relief package for homeowners and consumers. Financial institutions will offer mortgage payment forbearances of up to 90 days to borrowers economically impacted by the crisis.</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,</p>	<p>March 16, 2020</p> <p>March 25, 2020</p>	<p>https://www.gov.ca.gov</p> <p>https://www.gov.ca.gov</p> <p>https://caanet.org</p>

		<p>2020.</p> <p><i>Pasadena</i>: effective March 17, 2020</p> <p><i>Rancho Cucamonga</i>: 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 commercial evictions for small and medium sized businesses 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>		
6	Colorado	Governor Jared Polis issued an executive order directing several agencies to work with property owners and landlords to suspend evictions and provide temporary rental assistance until April 30, 2020.	March 20, 2020	https://www.colorado.gov
7	Connecticut	The Superior Court of the State of Connecticut ordered a suspension of all issued evictions and ejectments through May 1, 2020. All foreclosure sales previously scheduled to have occurred in March, 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 March, April or May is amended with the first law day to June 2, 2020.	March 20, 2020	https://www.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
		Governor John Carney issued an executive order suspending residential foreclosures and evictions until the state of emergency is terminated.	March 24, 2020	https://governor.delaware.gov
9	District of Columbia	The Superior Court of the District of Columbia temporarily suspended evictions of all tenants and foreclosed homeowners through May 1, 2020.	March 13, 2020	https://www.dccourts.gov
		UPDATE : The Superior Court of the District of Columbia postponed “non-essential matters” including court hearings in landlord and tenant matters and housing court matters scheduled before May 1, 2020.	March 15, 2020	https://www.dccourts.gov
		Governor Ron DeSantis issued an executive order suspending mortgage	April 2, 2020	https://www.flgov.com

10	Florida	<p>foreclosures and residential evictions for 45 days from the date of the executive order, including any extensions (May 17, 2020).</p> <p><i>Miami:</i> Miami-Dade Police Department temporarily suspended all eviction enforcements.</p> <p><i>Broward County:</i> 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.</p> <p><i>Orange County:</i> The Orange County Sheriff's department has temporarily suspended all eviction activities until further notice.</p> <p><i>Osceola County:</i> Sheriff, Russ Gibson, has temporarily suspended the posting and executions for Residential Writ of Possessions.</p> <p><i>Seminole and Brevard County:</i> Chief Judge Lisa Davidson suspended all foreclosure sales and evictions, ejection or writs of possession until April 15, 2020.</p>	<p>March 11, 2020</p> <p>March 17, 2020</p> <p>March 17, 2020</p> <p>March 18, 2020</p> <p>March 19, 2020</p>	<p>https://www.miaminewtimes.com</p> <p>http://www.17th.flcourts.org</p> <p>https://www.orlandosentinel.com</p> <p>https://www.osceolasheriff.org</p> <p>https://flcourts18.org</p>
11	Georgia	<p><i>Atlanta (Fulton County):</i> Mayor Keisha Lance Bottoms issued an order for a temporary moratorium on residential evictions and filings for 60 days.</p> <p>UPDATE: The Magistrate Court of Fulton County and the Fulton County Marshal, have suspended all evictions until April 14, 2020, absent additional directions from Chief Justice Harold Melton of the Georgia Supreme Court.</p>	<p>March 16, 2020</p> <p>March 20, 2020</p>	<p>https://www.atlantaga.gov</p> <p>https://www.fultoncountyga.gov</p>
12	Hawaii	<p>The Hawaii Department of Public Safety Sheriff Division has suspended all eviction activities until further notice.</p> <p>The Supreme Court of the State of Hawaii has issued an order to postpone landlord-tenant proceedings to a date after April 30, 2020.</p>	<p>March 17, 2020</p> <p>March 17, 2020</p>	<p>https://governor.hawaii.gov</p> <p>https://www.courts.state.hi.us</p>
13	Idaho	<p><i>Boise:</i> Mayor Lauren McLean waives rent for rental housing and has suspended evictions through April 2020.</p> <p>The Supreme Court of the State of Idaho issued an order to postpone and reschedule civil proceedings to a later date, unless the judge determines such proceeding may be held and adequately recorded through telephonic or video</p>	<p>March 21, 2020</p> <p>March 23, 2020</p>	<p>https://www.idahopress.com</p> <p>https://isc.idaho.gov</p>

		means.		
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, commercial and agricultural real property through April 1, 2020.	March 22, 2020	https://governor.iowa.gov
		UPDATE: Governor Reynolds has extended the suspension of foreclosures through April 16, 2020.	March 22, 2020	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) commercial or residential eviction efforts or proceedings until May 1, 2020.	March 17, 2020	https://governor.kansas.gov
18	Kentucky	The Supreme Court of the State of Kentucky issued an emergency order suspending eviction proceedings until April 10, 2020.	March 16, 2020	https://www.nkybar.com
		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	<i>New Orleans:</i> 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
		Governor John Bel Edwards issued an executive order suspending legal deadlines applicable to all legal proceedings until April 13, 2020.	March 16, 2020	https://gov.louisiana.gov
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.	March 16, 2020	https://governor.maryland.gov
		The Maryland Court of Appeals issued an administrative order to suspend pending and future residential foreclosures and evictions.	March 18, 2020	https://www.courts.state.md.us
		<i>Boston:</i> Mayor Marty Walsh partnered with the Greater Boston Real Estate Board	March 14, 2020	https://www.boston.gov

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22	Massachusetts	to impose a moratorium on evictions while Massachusetts is under a state of emergency. 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 Gretchen Whitmer issued an executive order suspending residential evictions through April 17, 2020.	March 20, 2020	https://www.michigan.gov
24	Minnesota	Governor Tim Walz issued an executive order suspending the execution of all writs of recovery and orders to vacate residential properties. Additionally, financial institutions are to implement an immediate moratorium on all pending and future residential foreclosures.	March 24, 2020	https://mn.gov
25	Mississippi	None indicated at this time.		
26	Missouri	<i>Kansas City:</i> Jackson County has issued a temporary freeze on evictions through April 18, 2020. <i>Saint Louis:</i> In the city of Saint Louis, evictions are suspended through April 19, 2020. <i>Boone County and Calloway County:</i> The 13 th Circuit Court has suspended all evictions through April 17, 2020. The Supreme Court of the State of Missouri issued an emergency statewide order suspending in-person proceedings through April 17, 2020.	March 19, 2020 March 20, 2020 March 23, 2020 March 22, 2020	https://www.jacksongov.org https://www.courts.mo.gov https://www.courts.mo.gov https://www.courts.mo.gov
27	Montana	Governor Steve Bullock issued an executive order suspending residential evictions and foreclosures through April 10, 2020.	March 30, 2020	https://governor.mt.gov
28	Nebraska	Governor Pete Ricketts issued an executive order for temporary residential eviction relief through May 31, 2020, unless further extended.	March 25, 2020	https://www.dropbox.com
29	Nevada	<i>Clark County:</i> Henderson and Las Vegas Townships have issued orders suspending all Writs of Execution (judicial orders) and all currently issued Writs of Execution until April 20, 2020.	March 17, 2020	https://www.clarkcountynv.gov http://www.lasvegasjusticecourt.us

		Governor Steve Sisolak issued an executive order suspending residential and commercial foreclosure actions and evictions.	March 29, 2020	https://nvhealthresponse.nv.gov
30	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 Philip Murphy signed a bill into law declaring a moratorium on removing individuals from their homes pursuant to an eviction or foreclosure proceeding. UPDATE: Governor Murphy issued an executive order prohibiting the removal of tenants from residential properties and postpones the enforcement of all judgements for possessions, warrants of removal, and writs of possession, which shall remain in effect for no longer than two (2) 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 has prohibited residential and commercial evictions of those who are unable to pay rent on time because of the public health emergency. The Supreme Court of the State of New Mexico 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
33	New York	The Chief Administrative Judge of the New York State Court System, Lawrence K. Marks, issued a statewide suspension on all eviction proceedings and eviction orders until further notice. Governor Andrew Cuomo issued an executive order suspending the enforcement of residential or commercial evictions and foreclosures for a period of 90 days.	March 16, 2020 March 22, 2020	https://www1.nyc.gov https://www.governor.ny.gov
34	North Carolina	North Carolina Courts have issued guidance , which includes postponing foreclosures and evictions. <i>Charlotte</i> : Mecklenburg County Sheriff's office has suspended the enforcement of court-ordered evictions until April 17, 2020.	March 15, 2020 March 16, 2020	https://www.nccourts.gov http://www.mecksheriff.com
		The Supreme Court of the State of North Dakota issued an emergency suspension	March 26, 2020	https://www.ndcourts.gov

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35	North Dakota	of all residential eviction proceedings until further notice.		
36	Ohio	<p><i>Dayton Municipal Court:</i> All evictions on a temporary hold until April 30, 2020.</p> <p><i>Fairborn Municipal Court:</i> All evictions, civil hearings, and small claims hearings have been postponed and will be rescheduled “in the future as circumstances dictate”.</p> <p><i>Kettering Municipal Court:</i> All civil hearings, evictions and small claims hearings will be postponed for eight weeks, with new filings scheduled for hearings sometime after May 8, 2020, unless specified by the Court.</p> <p><i>Miamisburg Municipal Court:</i> Most civil hearings, eviction, and small claims trials will be postponed until after April 20, 2020, except under special circumstances, hearings will be held.</p> <p><i>Oakwood Municipal Court:</i> Evictions are postponed until after April 30, 2020.</p> <p><i>Vandalia Municipal Court:</i> All civil hearings, evictions, small claims, and mediation hearings are postponed and will commence on May 11, 2020.</p> <p><i>Xenia Municipal Court:</i> All civil cases, including evictions, are postponed until after May 8, 2020.</p> <p><i>Montgomery County Municipal Court:</i> 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.</p>	<p>March 13, 2020</p> <p>March 18, 2020</p> <p>March 17, 2020</p> <p>March 20, 2020</p> <p>March 17, 2020</p> <p>March 17, 2020</p> <p>March 19, 2020</p>	<p>https://www.daytondailynews.com See also https://www.daytondailynews.com</p> <p>http://www.ketteringmunicipalcourt.org/</p> <p>http://www.miamisburgcourts.com</p> <p>https://court.oakwood.oh.us/</p> <p>https://vandaliaohio.org/</p> <p>https://www.ci.xenia.oh.us</p> <p>https://www.daytondailynews.com</p>
37	Oklahoma	<p><i>Oklahoma County:</i> Sheriff P.D. Taylor has suspended the enforcement of residential evictions until May 14, 2020. All foreclosure sales are suspended until May 28, 2020.</p> <p><i>Tulsa County:</i> All foreclosure sales are postponed until further notice.</p> <p>Oklahoma Chief Justice, Noma D. Gurich, has issued the closure of all courts, suspension of trials, and extensions of deadlines through May 15, 2020.</p>	<p>March 16, 2020</p> <p>March 16, 2020</p> <p>March 27, 2020</p>	<p>https://sheriff.oklahomacounty.org</p> <p>https://tco.org</p> <p>https://www.oscn.net</p>
38	Oregon	Governor Kate Brown, issued 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 residential evictions of nonpayment.	March 22, 2020	https://www.oregon.gov

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		<p>The order remains in effect for 90 days unless extended or terminated by the Governor.</p> <p>UPDATE: Governor Brown signed Executive Order No. 20-13 to extend the above referenced moratorium to include commercial evictions statewide.</p> <p><i>Multnomah County</i> (Portland): imposes a temporary moratorium on residential evictions. Court hearings on eviction proceedings are suspended until April 30, 2020.</p> <p><i>Beaverton County</i>: approved its own residential eviction moratorium.</p> <p><i>Clackamas County</i>: The Board of County Commissioners of Clackamas County announced a similar eviction moratorium on both residential and commercial properties.</p>	<p>April 1, 2020</p> <p>March 17, 2020</p> <p>March 18, 2020</p> <p>March 19, 2020</p>	<p>https://www.oregon.gov</p> <p>https://beta.portland.gov</p> <p>https://www.beavertonoregon.gov</p> <p>https://www.clackamas.us</p>
39	Pennsylvania	<p>The Supreme Court of the State of Pennsylvania has ordered a temporary halt to evictions statewide until at least April 3, 2020.</p> <p>UPDATE: The Pennsylvania Supreme Court issued a supplemental order which extends the statewide judicial emergency and court closures, prohibiting evictions until April 30, 2020.</p>	<p>March 18, 2020</p> <p>April 1, 2020</p>	<p>http://www.pacourts.us</p> <p>http://www.pacourts.us</p>
40	Rhode Island	<p>Governor Gina M. Raimondo announced the suspension of residential and commercial eviction proceedings until April 17, 2020.</p>	<p>March 17, 2020</p>	<p>https://www.ri.gov</p>
41	South Carolina	<p>Chief Justice Donald W. Beatty has postponed all evictions statewide until May 1, 2020, however case-by-case exceptions for eviction may be made for matters that involve essential services.</p> <p>UPDATE: Chief Justice Beatty amended the statewide order to prohibit foreclosure hearing, foreclosure sales, writs of assistance and writs of ejectments. This order issued a moratorium in Master-in-Equity (MIE) courts statewide, unless directed otherwise by a subsequent order by the Chief Justice. Further, this only expressly applies to MIE 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.</p>	<p>March 17, 2020</p> <p>March 18, 2020</p>	<p>https://www.sccourts.org</p> <p>https://www.sccourts.org</p>

		<i>Charleston County</i> : The MIE Office has cancelled all foreclosure hearings through April 2020 and all foreclosure sales through May 2020.	March 19, 2020	https://www.charlestoncounty.org
42	South Dakota	None indicated at this time.		
43	Tennessee	<i>Nashville</i> : The Davidson County Sheriff's Department has announced a temporary halt to serving eviction notices. The Supreme Court of the State of Tennessee issued a statewide order suspending in-person proceedings in all state and local courts through April 30, 2020. All courts are prohibited from taking an action to effectuate an eviction, ejection, or other displacement from a residence based on failure to pay rent or loan.	March 17, 2020 March 13, 2020	https://sheriff.nashville.gov https://www.tncourts.gov
44	Texas	The Supreme Court of the State of Texas has issued an emergency order suspending eviction trials, hearings, and other proceedings until April 19, 2020. UPDATE: A new emergency order superseding the above states that no trial, hearing, or other proceeding may be conducted, and all deadlines are tolled, until after April 30, 2020; A writ of possession may issue, but the posting of the written warning and the execution of the writ of possession may not occur until after May 7, 2020. <i>Travis County</i> (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 April 6, 2020 March 19, 2020	http://www.txcourts.gov http://www.txcourts.gov https://www.traviscountytexas.gov
45	Utah	Governor Gary R. Herbert issued an executive order deferring rent and service of evictions for residential tenants until May 15, 2020.	April 1, 2020	https://drive.google.com
46	Vermont	The Supreme Court of the State of Vermont suspended all non-emergency court hearings until April 15, 2020. Emergency landlord-tenant hearings will be held at the discretion of the judge.	March 17, 2020	https://www.vermontjudiciary.org
47	Virginia	The Supreme Court of the State of Virginia has suspended all non-emergency and non-essential court cases until April 6, 2020. This includes new eviction cases. UPDATE: The original order has been extended through April 26, 2020.	March 16, 2020 March 27, 2020	http://www.courts.state.va.us http://www.courts.state.va.us
		<i>Seattle</i> : Mayor Jenny A. Durkan issued an emergency order to halt residential	March 14, 2020	https://durkan.seattle.gov

48	Washington	<p>evictions in the city of Seattle for 30 days while also prohibiting late fees. Additionally, Mayor Durkan signed an order to protect small businesses and non-profits from eviction for at least 60 days.</p>	March 17, 2020	https://durkan.seattle.gov
		<p><i>King County</i>: The Sherriff's Office will not be enforcing eviction orders.</p>	March 18, 2020	https://www.kingcounty.gov
		<p>Governor Jay Inslee announced relief for residential renters in response to the health crisis. Proclamation 20-19 Temporarily prohibits residential evictions statewide until April 17, 2020.</p>	March 18, 2020	https://www.governor.wa.gov
49	West Virginia	<p>The Supreme Court of Appeals of West Virginia issued a statewide Administrative Order postponing all proceedings and court deadlines through April 10, 2020.</p>	March 23, 2020	http://www.courtswv.gov
		<p>UPDATE: An amended order was issued extending the postponement of all proceedings and court deadlines through May 1, 2020.</p>	April 3, 2020	http://www.courtswv.gov
50	Wisconsin	<p>Governor Tony Evers issued an executive order prohibiting: (i) landlords from terminating tenancy for the failure to pay rent; and (ii) mortgagees from commencing a civil action to foreclose upon real estate. Evictions, foreclosures and sheriff's sales are on hold for 60 days.</p>	March 27, 2020	https://evers.wi.gov
51	Wyoming	<p>The Supreme Court of the State of Wyoming issued an order suspending all in-person proceedings in all Circuit and District Court and the Supreme Court in Wyoming to April 10, 2020.</p>	March 18, 2020	http://www.courts.state.wy.us
		<p>UPDATE: Chief Justice Michael K. Davis extended the above referenced emergency order to remain in effect until May 31, 2020.</p>	April 1, 2020	http://www.courts.state.wy.us