

# What is the Status of the Eviction Moratorium for D.C. Renters?

September 17, 2021

On August 3, the Centers for Disease Control and Prevention (CDC) issued an order preventing evictions in counties with “heightened levels of community transmission” of COVID-19. Weeks later, the U.S. Supreme Court blocked the order. Pro Bono Center Housing Managing Attorney Gabriella Lewis-White and Housing Initiative Attorney Lauren King fielded our questions about how the ruling will impact D.C. renters, next steps, and what the Pro Bono Center is doing to help.

## What is the status of D.C.’s eviction moratorium?

Tenant eviction protections in D.C. are no longer tied to the local public health emergency, which expired on July 25, 2021. In cases where an eviction was scheduled before March 11, 2020, the U.S. Marshals may again schedule evictions. Landlords may also issue eviction notices in limited circumstances, such as when a tenant presents a current and substantial threat to the health and safety of those around them or where a tenant has caused significant property damage to the premises.

As of July 24, 2021, landlords may serve tenants with a notice of unpaid rent. However, the landlord must apply for funding through the Stronger Together by Assisting You (STAY DC) program if the tenant has not already done so. Tenants then have 60 days to apply for funding. STAY DC applications require an application from both the tenant and landlord. A landlord may not file a non-payment of rent suit while a STAY DC application is pending.

By mandate of the D.C. Superior Court, each notice of unpaid rent must include the phone numbers to the Landlord Tenant Legal Assistance Network (LTLAN) and the Office of the Tenant Advocate (OTA). Non-payment of rent suits may be filed starting on October 12, 2021.

Beginning on September 26, 2021, landlords can serve notices in all types of eviction cases. By January 1, 2022, landlords will be able to file all types of eviction cases after any required notices have been served.

## Does the federal government protect D.C. renters?

Even before the pandemic, thousands of D.C. residents were already living in precarious conditions, with a dwindling supply of safe and affordable housing.

When local protections ended, the CDC order allowed tenants to submit a certification if they suffered financial hardship due to COVID-19. The Supreme Court overturned this moratorium on August 27.

Now evictions in D.C. can proceed again, and more than more than 14,400 of our neighbors who have fallen behind on their rent may well get evicted in the coming months.

**What is STAY DC? How does STAY DC help renters behind on payments and keep tenants in their homes?**

Tenants impacted by COVID-19 can apply for assistance with back rent, future rent, utility expenses, and extended housing support through the STAY DC program.

We strongly encourage District residents in need to complete an application as soon as possible.

**What is the Pro Bono Center doing to help District residents now that the eviction moratorium has ended?**

Before the pandemic, approximately 30,000 eviction cases were filed annually before in the D.C. Superior Court's landlord and tenant court. That number is expected to grow significantly in the coming weeks following the resumption of eviction filings.

Tenants also find themselves in unequal struggles to keep a roof over their heads. More than 90 percent of tenants will appear without counsel in D.C. Superior Court, while 98 percent of landlords will have representation.

The Pro Bono Center is closing the access to justice gap by helping tenants navigate the STAY DC application process and secure financial relief to stay in their homes through the Landlord Tenant Legal Assistance Network (LTLAN). LTLAN is a partnership of the Pro Bono Center, Bread for the City, Legal Aid Society of the District of Columbia, Legal Counsel for the Elderly, Neighborhood Legal Services Program, and Rising for Justice. People seeking help with rental assistance, unsafe housing conditions, or eviction defense can call the Network at 202-780-2575.

**The Pro Bono Center is also helping District tenants with eviction record sealing. What is eviction record sealing? How does it impact potential renters?**

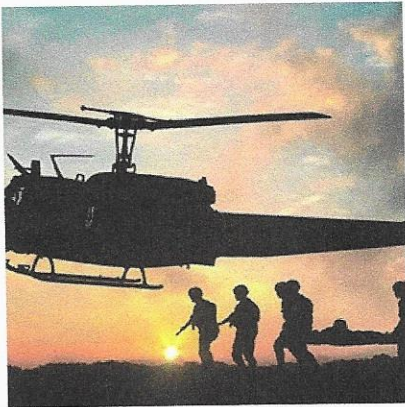
Eviction records are public in D.C., and according to a 2020 eviction study by the McCourt School of Public Policy at Georgetown University, those records have a negative impact on a renter's future housing opportunities. Landlords can discriminate against tenants with eviction records even if the eviction filing did not result in an eviction.

The D.C. Council signed temporary legislation allowing D.C. tenants to seal eviction records effective on January 1, 2021. To prevent tenant blacklisting, Pro Bono Center staff and volunteers have taken more than 100 eviction sealing cases. The Center's Advocacy & Justice Clinic is currently the only

program in the city offering eviction sealing. Tenants who are having trouble securing safe affordable housing due to an old eviction record can call the Landlord Tenant Legal Assistance Network at 202-780-2575 for help.

- Need legal help? Call 202-780-2575.
- Register to participate in the Pro Bono Center's Landlord Tenant Practice training.
- Join the Center's efforts to ensure [safe and stable housing](#).
- Law firms can make a commitment to safe housing for D.C. tenants by joining the [Advocacy & Justice Clinic](#).

## Recent News

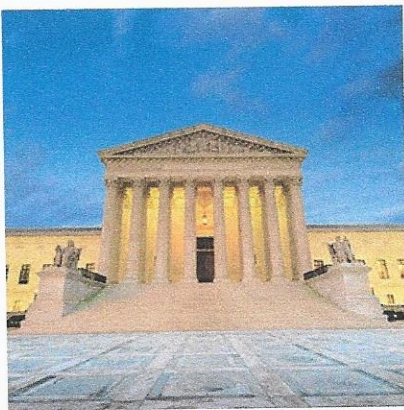


September 24, 2021

### Panelists Shed Light on Origins, Relevance of International Humanitarian Law

By Richard Blaustein

The situation in Afghanistan is just one example of the violence persisting throughout the world that summons international humanitarian law, which focuses on limiting the effects of armed conflict on civilians, soldiers, relief workers, and others who are in or near hostilities.



September 23, 2021

### Panel Discusses Flashpoint Issues Coming Before the Supreme Court

By Jeremy Conrad

During the D.C. Bar's Supreme Court Review and Preview program on September 22, High Court practitioners took a look at the past year and considered the cases and issues likely to be addressed in the coming term.



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