



CARES Act  
Public Law 116-136

**Sec. 4024 TEMPORARY MORATORIUM ON EVICTION FILINGS.**

**(a) DEFINITIONS.—**In this section:

- (1) **COVERED DWELLING.**—The term “covered dwelling” means a dwelling that—
    - (A) is occupied by a tenant—
      - (i) pursuant to a residential lease; or
      - (ii) without a lease or with a lease terminable under State law; and
    - (B) is on or in a covered property.
  - (2) **COVERED PROPERTY.**—The term “covered property” means any property that—
    - (A) participates in—
      - (i) a covered housing program (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a)));
      - or
      - (ii) the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r); or
    - (B) has a—
      - (i) Federally backed mortgage loan; or
      - (ii) Federally backed multifamily mortgage loan.
  - (3) **DWELLING.**—The term “dwelling”—
    - (A) has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602); and
    - (B) includes houses and dwellings described in section 803(b) of such Act (42 U.S.C. 3603(b)).
  - (4) **FEDERALLY BACKED MORTGAGE LOAN.**—The term “Federally backed mortgage loan” includes any loan (other than temporary financing such as a construction loan) that—
    - (A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
    - (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.
  - (5) **FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.**—The term “Federally backed multifamily mortgage loan” includes any loan (other than temporary financing such as a construction loan) that—
    - (A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
    - (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.
- (b) MORATORIUM.**—During the 120-day period beginning on the date of enactment of this Act, the lessor of a covered dwelling may not—
  - (1) make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent or other fees or charges; or
  - (2) charge fees, penalties, or other charges to the tenant related to such nonpayment of rent.
- (c) NOTICE.**—The lessor of a covered dwelling unit—
  - (1) may not require the tenant to vacate the covered dwelling unit before the date that is 30 days after the date on which the lessor provides the tenant with a notice to vacate; and
  - (2) may not issue a notice to vacate under paragraph (1) until after the expiration of the period described in subsection (b).

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Landlords can go to the TDCHA website (<https://www.tdcha.state.tx.us/multifamily/housing-tax-credits-9pct/index.htm>) 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 [https://nlihc.org/federal-moratoriums?ct=t%28update\\_041720%29](https://nlihc.org/federal-moratoriums?ct=t%28update_041720%29) to check their property against a multi-family housing database.

# CAN I BE EVICTED DURING COVID 19 IN TEXAS?

Information is current as of April 27, 2020, but likely to change in the coming weeks.

