

CARES Act - Summary for Landlords

DURATION OF ACT

March 27, 2020 through December 31, 2020

COVERED PROPERTIES:

- Properties participating in HUD programs (includes Section 42 and Section 8)
- Rural Housing Voucher Programs and/or
- Properties that have any loans backed by the Federal Government (i.e. Freddie Mac or Fannie Mae).

Covered Landlord CANNOT:

From March 27, 2020 – July 25, 2020:

- Cannot serve a Pay or Vacate Notice
- Cannot file an eviction action that is based on non-payment of rent, fees or other charges (essentially any amount owed).
- Cannot charge any late fees, or any other penalties related to the resident's non-payment of rent (including concession chargebacks)
- Cannot serve a non-renewal notice for End of Term or Month to Month
- From July 26, 2020 to December 31, 2020, cannot serve a 15-day notice of non-renewal (essentially month to month tenants). All non-renewal notices from July 26, 2020 - December 31, 2020 must provide *at least* a 30-day notice.

Covered Landlord CAN:

- Communicate with residents regarding non-payment of rent.
- Negotiate payment deferral plans, stipulations and settlement agreements related to non-payment of rent.
- Serve criminal nuisance notices, comply or vacate notices, tenant at will notices (NOT pay or vacate).
- File evictions on cases based on end of term notices that were served prior to March 27, 2020.
- Increase rent at the end of the lease term.
- Charge month-to-month fees (if stated in your lease).
- Charge NSF fees (Utah max = \$20)
- Serve notices regarding balances owed, if the notice does not include a requirement to vacate (see sample letter on our website).
- Apply the security deposit to amounts owed and require the deposit to be replenished.
- Request tenants to update landlord if any of their personal information changes.
- Use this opportunity to update tenant contact information (i.e. cell phone numbers, emails, emergency contacts, etc.).