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DATE: September 3, 2020

TO: Properties with Low Income Housing Tax Credits and/or HAP Contracts

FROM: Scott Hanak, Director of Asset Management Department, MHDC

RE: Guidance on COVID-19 (Coronavirus) - Update #7

On September 1, the Centers for Disease Control and Prevention (CDC) issued an emergency public health order to temporarily halt most evictions to prevent the further spread of COVID-19. The order's expected effective date is September 4, the anticipated date of publication in the Federal Register. The order will be effective through December 31.

As a reminder, MHDC requires all its properties to abide with all applicable laws and regulations; failure to comply with emergency public health order would be a violation of federal law and also an event of noncompliance. In the event a property is located in a municipality that has elected to impose a longer moratorium than what was required under the emergency public health order, MHDC will require the property to comply with the most stringent applicable requirement. Should you have questions regarding which requirements apply to your property, we suggest you consult your own legal counsel.

MHDC strongly encourages property owners to ensure that tenants receive notice of their rights under the emergency public health order. Each property must elect to either notify residents or certify to MHDC compliance with the emergency public health order. Failure to select one of these options is an event of noncompliance. Properties that will certify compliance should do so in accordance with guidelines previously issued by MHDC in Covid-19 Asset Management Update #4 dated April 17, 2020. For properties that elect to notify tenants of their rights, please notify MHDC how the notice will be distributed and please use the following language:

*Dear Residents:*

*The Centers for Disease Control and Prevention (CDC) issued an emergency public health order to temporarily halt most evictions to prevent the further spread of COVID-19. The order's expected effective date is September 4, the anticipated date of publication in the Federal Register. The order will be effective through December 31.*

*To take advantage of the order, an eligible tenant must execute a declaration form under penalty of perjury to the landlord certifying that the tenant does not expect to earn more than \$99,000 (or \$198,000 if filing a joint tax return) in 2020 or received a CARES Act stimulus check; has used their best efforts to obtain government assistance for rent or housing; is unable to pay rent due to a substantial loss in income or because of extraordinary out-of-pocket medical expenses; is making their best effort to make partial rent payments; has no other available housing options if evicted; and understands they may need to pay back rent and fees once the moratorium expires.*

*The emergency order applies only to those unable to make full rent payment and does not prohibit evictions resulting from issues other than nonpayment of rent. The eviction moratorium does not require landlords to forgive housing payments or preclude the charging or collection of fees, penalties, or interest for failure to make rent and housing*

*payments. This moratorium is in addition to any other rights or protections that tenants may have under applicable local laws or regulations.*

MHDC thanks you for your continued patience as we work together to provide safe, decent, and affordable housing for Missouri. This work is even more important during this health crisis.

Previously issued Asset Management updates are available here:

[Covid-19 Asset Management Update #1](#) dated March 13, 2020.

[Covid-19 Asset Management Update #2](#) dated March 19, 2020.

[Covid-19 Asset Management Update #3](#) dated March 26, 2020

[Covid-19 Asset Management Update #4](#) dated April 17, 2020

[Covid-19 Asset Management Update #5](#) dated May 13, 2020

[Covid-19 Asset Management Update #6](#) dated August 3, 2020