

To: Owners and Management Agents of Properties  
under NDFHA oversight

Compliance Memorandum: 21-03

From: Jennifer Henderson, Director  
Planning and Housing Development Division

Date: August 4, 2021

**RE: CDC eviction moratorium extended to areas of substantial or high spread**

The Centers for Disease Control and Prevention (CDC) has issued a [new, "temporary" moratorium on evictions](#) that covers counties experiencing "substantial" or "high" levels of COVID-19 spread. The intention of the order is to target areas where cases are rapidly increasing, which likely would be exacerbated by mass evictions. The order is in effect through Oct. 3, 2021.

The CDC defines substantial or high transmission based on the number of positive cases and the percentage of positive tests in the county. Counties are defined as such based on whether they met the transmission threshold as of Aug. 3, 2021. Counties not covered as of Aug. 3, 2021, but that later experience substantial or high levels of transmission will become subject to the order at that time. Counties that experience a decrease in cases and positive tests and no longer meet the threshold will cease to be subject to the order.

**To determine the current level of transmission in your area**, view the CDC's Data Tracker, <https://covid.cdc.gov/covid-data-tracker/#county-view>.

To qualify for protection, an individual must have completed and signed a declaration form and provided it to their housing provider. An individual who submitted a [declaration form](#) under the previous CDC eviction moratorium and is still present in their unit does not need to submit a new declaration form.

Coverage by the CDC's order requires that an individual must have earned no more than \$99,000 (or \$198,000 if filing jointly) in calendar year 2020 or expect to earn no more than that amount in calendar year 2021, not have been required to report taxable income in 2020, or received a stimulus check in 2020 or 2021. The individual must also have made their best efforts to obtain all available government assistance for rent or housing including applying for ND Rent Help, <http://www.nd.gov/dhs/info/covid-19/rent-help.html>.

ND Rent Help replaced the state's Emergency Rent Bridge. The new program offers up to 12 months of assistance with past due, current and future rent to prevent evictions and promote stable housing. Application counselors are available statewide to help renters through the application process and to refer them to other services.

Evictions for nonpayment of rent initiated but not completed before Aug. 3, 2021, are subject to the order. The order does not protect households in which an eviction was completed before Aug. 3, 2021.

Questions about the eviction moratorium can be directed to Jennifer Henderson, Planning and Housing Development Director, at (701) 328-8080 or [jhenderson@nd.gov](mailto:jhenderson@nd.gov).