

CDC Eviction Moratorium Held Invalid - Again and Again

Since September 2020, the Centers for Disease Control and Prevention ("CDC") has issued various versions and extensions of an eviction moratorium applicable to rental properties nationwide ("CDC Order"). The most recent version was implemented by the Biden Administration in early August and extended a modified moratorium on evictions of tenants who live in a county that is experiencing substantial or high levels of COVID-19 transmission and who make certain declarations of financial need. Since first imposed, the orders have been inconsistently applied by local state courts and is criticized by both supporters of landlords as well as those supporting the intended purpose of the CDC Order.

As expected, the U.S. Supreme Court agreed with the U.S. District Court for the District of Columbia — holding that the CDC Order unlawful because "our system does not permit agencies to act unlawfully even in pursuit of desirable ends.... It is up to Congress, not the CDC, to decide whether the public interest merits further action here."

See:

[Supreme Court Order](#)

Contact Us

Fraser Stryker's business attorneys are here to help:



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