



Medical-Legal Partnership for Children in Hawai'i

A Project of the William S. Richardson School of Law

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Re: Update on Federal & State Eviction Moratoriums

1. Federal Moratorium on Eviction Until July 26 for Federally Subsidized Units

As part of the CARES Act legislation, the Federal government enacted a 120-day moratorium on eviction for persons residing in federally subsidized lease units. This mandate applies to tenants in Hawaii Public Housing Authority properties, Section 8 units, and Low-Income Housing Tax Credit Units, otherwise known as "LIHTC" properties. This moratorium is in effect until **July 26, 2020**. In order to attempt to evict a tenant after July 26, a landlord must provide his tenant with a separate 30-day notice before attempting to do so. **Please note that this mandate only applies to non-payment issues**, therefore a tenant can still be evicted for other unrelated serious lease violations such as: drug activity or damage to the unit.

2. State Moratorium on Eviction until May 31

Over the weekend, Governor Ige announced an extension of his previously set moratorium on evictions in the State of Hawaii. His order is now extended until **May 31, 2020**. A landlord who attempts to evict a tenant before May 31, 2020 will be in violation of the law. Such an offense is considered a misdemeanor punishable by up to 1 year in jail or a \$5,000 fine.

With these moratoriums in place, we are confident and hopeful that residents will be protected from disruptive eviction proceedings during this vulnerable time. HPHA has already announced that they will be abiding by the 120-day federal moratorium, therefore community members residing in public housing should be immune from any non-payment based eviction actions until at least July 26, 2020. We continue to encourage residents to report all changes in income to HPHA and/or their appropriate property managers. Thank you all for your continued efforts and dedication to service through this trying time.

Kind regards,

The Medical-Legal Partnership for Children in Hawaii

Governor Ige's Extension of State Moratorium Found Here:

News Article: <https://www.hawaiinewsnow.com/2020/04/26/residential-evictions-hold-another-month-under-moratorium/>

Governor Ige's Announcement: <https://governor.hawaii.gov/newsroom/latest-news/governors-office-news-release-gov-ige-extends-stay-at-home-order-across-the-state-through-may-31/>

HPHA COVID-19 Response Press Release Found Here:

http://www.hpha.hawaii.gov/news/docs/HPHA%20Press%20Release_COVID-19%20Public%20Housing%20Response_4-20-20%20V2.pdf

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