

Dear Judges and Clerks,

As I believe most of you know, the eviction moratorium issued by the Centers for Disease Control has been extended through **June 30, 2021**. I am advised that the CDC order generally prohibits landlords from evicting tenants for non-payment of rent, if the tenant submits a written declaration that they are unable to afford full rental payments and would likely become homeless or have to move into a shared living setting. This prohibition applies to an agent or attorney acting as a debt collector on behalf of a landlord or owner of the residential property. The CDC's most recent order is here: [CDC-Eviction-Moratorium-03292021.pdf](#) Additional information is available here: [Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 | CDC](#)

Yesterday, the Consumer Financial Protection Bureau (CFPB) issued an interim final rule (effective May 3, 2021) in support of the Centers for Disease Control and Prevention (CDC)'s eviction moratorium. I am advised that the CFPB's rule requires debt collectors to provide written notice to tenants of their rights under the eviction moratorium and prohibits debt collectors from misrepresenting tenants' eligibility for protection from eviction under the moratorium. The CDC's order indicates the eviction moratorium was established to protect the public health and reduce the spread of the virus. Under the CFPB's interim final rule, debt collectors who evict tenants who may have rights under the moratorium without providing notice of the moratorium or who misrepresent tenants' rights under the moratorium can be prosecuted by federal agencies and state attorneys general for violations of the Fair Debt Collection Practices Act (FDCPA) and may be subject to private lawsuits by tenants.

The CFPB interim final rule is available here: [Interim Final Rule: Debt Collection Practices in Connection with the Global COVID-19 Pandemic \(Regulation F\) \(consumerfinance.gov\)](#) and a summary is available here: [Fast Facts: 2021 Debt Collection COVID-19 Interim Final Rule \(consumerfinance.gov\)](#)

As always please let us know if you have questions or we can provide anything further. Thank you for continued dedication in these challenging times.

Sincerely,
Karl

Karl R. Hade
Executive Secretary
Supreme Court of Virginia