

Know Your Rights

Housing During the COVID-19 Pandemic

Published: April 23, 2020

Know your housing rights during the Coronavirus pandemic. Whether you're a renter or homeowner, you have rights and options that offer additional support.

I got COVID-19 and need help taking care of myself while I recover. Can I end my lease early without paying any penalties?

- » **Yes.** Because you have a disability and you need help caring for yourself, you can terminate your lease without penalty. You should tell your landlord in writing (even text or e-mail) what is happening and that you need to end the lease early. If the landlord gives you trouble or says no, make sure you tell them that you are asking for a reasonable accommodation (and provide them a note from someone who is in a position to know about your situation).

I have been diagnosed with anxiety. The COVID-19 pandemic has made my anxiety worse. I'm having a hard time sleeping, and I need to move out of my rental to live with my family for emotional support right now. Can I end my lease early without paying any penalties?

- » **Yes.** Because the pandemic is making your anxiety worse, you can end your lease early without penalty. You should tell your landlord in writing (even text or e-mail would work) what is happening and that you need to end the lease early. If the landlord gives you trouble or says no, make sure you tell them that you are asking for a reasonable accommodation (and provide them a note from someone who is in a position to know about your situation).

I care for my child with disabilities that makes him vulnerable to COVID-19. My landlord says I have to move out right now, but I cannot go look at places to live because that would put my child at risk. What can I do?

- » You can ask your landlord for a reasonable accommodation in writing (even text or e-mail should work) to allow you more time to stay in your unit until it is safe for you to go look for housing.

My Landlord found out I had COVID-19 (or they think I have it) and has told me I have to move out. Can they do this?

- » **No.** A landlord cannot force you to move out because you have or had COVID-19.

I cannot work because I need to self-quarantine. I do not have any income right now and am waiting for unemployment to come in. I am going to miss my rent deadline. What do I do?

- » If your rent will be late because someone thinks you have coronavirus or because you do have coronavirus, you can ask your landlord for an accommodation to pay your rent late without late fees. If you are unable to pay the full rent, you should notify the landlord as soon as possible.

My income has changed because of coronavirus and layoffs and I will not be able to pay my monthly rent. What do I do?

- » Call 211 for resources to help you with rent. If you live in a private rental, contact your landlord to see if they are willing to accommodate a flexible or amended payment plan. If you live in public housing or you have a housing choice voucher contact your Public Housing Authority to let them know that there has been a change in your income and they should adjust your portion. If you live in a federally assisted property, contact the property management to have them adjust your portion.

Can my landlord terminate my tenancy or impose late fees, because I will not be able to pay my monthly rent?

- » **No.** Because of the pandemic, the State of Oregon has temporarily prohibited evictions for nonpayment of rent. If you are unable to pay the full rent, you should notify the landlord as soon as possible. The landlord cannot evict you and cannot apply late charges or other penalties due to your nonpayment. While you cannot be evicted for nonpayment, your rent, utility charges, or other service charges are not waived. You will still have to pay it eventually. In Multnomah County, you would have a six-month grace period to pay all unpaid rent, utility charges, or other services charges.

Consider these other tips:

1. Advocate for yourself.

- » Document, Document, Document! when you are asking your landlord for an accommodation, do it in writing. E-mail works. If your landlord says no or gives your problems, ask again in writing for an accommodation. This time give them a note from someone who knows your situation and can explain why you need the accommodation.
- » If you are unable to resolve the situation, you can promptly file a complaint with the U.S. Department of Housing and Urban Development: https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint

2. Ask for help.

- » These organizations provide housing advocacy and support:
 - » Legal Aid Society of Oregon
 - » Fair Housing Council of Oregon
 - » Community Alliance of Tenants

3. Use federal stimulus funds or federal protections.

- » The Coronavirus Aid, Relief, and Economic Security (CARES) Act is a federal law that may keep you from being evicted for non-payment of rent or from being foreclosed on for not paying your mortgage.
- » If you rent a property through a federally-funded housing program or have a federally backed mortgage:
 - » Your landlord may not file to evict you for non-payment of rent or fees for 120 days beginning March 27, 2020.

- » Visit the National Housing Preservation Database to figure out if your property is covered: <https://preservationdatabase.org/>
- » There may also be additional protections by your city or county. Check with local housing officials to see if they have enacted protections for foreclosure that either give more protection than the CARES Act or that last longer.
- » If you own a home that is federally-backed, which is most single-family homes:
 - » You are protected from foreclosure until May 17, 2020, and you are entitled to loan forbearance for 180 days if you have a financial hardship caused by COVID-19 such as losing your job. This period can also be extended an extra 180 days if you need it.
 - » This means if you have lost your job or income because of COVID-19, you may be able to work with your mortgage company so that your home is not taken from you just because you are unable to pay your mortgage right now.
 - » Visit the National Housing Law Project’s website to determine if your mortgage is covered: <https://www.nhlp.org/wp-content/uploads/foreclosure-protection-CARES-Act.pdf>

Important Links

- » Legal Aid Services of Oregon: <https://oregonlawhelp.org/resource/oregon-legal-aid-offices>
- » Fair Housing Council of Oregon: <http://fhco.org/>
- » Legal Aid Services of Oregon: <https://www.oregoncat.org/>
- » National Disability Rights Network Video: <https://www.ndrn.org/resource/ndrn-launches-know-your-housing-rights-during-covid-19-video/>

