



FOR IMMEDIATE RELEASE

August 31, 2020

CONTACT: Meghan Delaney

Communications Director

press@gov.nv.gov

Governor Sisolak announces 45 days extension of the residential eviction moratorium amid the COVID-19 public health crisis

Carson City, NV — Today, Nevada Governor Steve Sisolak signed Emergency Directive 031 extending the moratorium on certain residential evictions for 45 days, through October 14, 2020 at 11:59 p.m..

This directive extends the moratorium on residential evictions based on nonpayment of rent in the State of Nevada to provide for greater housing stability so that people can remain in their homes as the State continues to fight and recover from both the health and economic ramifications brought on by the COVID-19 pandemic.

“As I have done previously, this extension is intended to keep people in their homes while we are still battling this pandemic,” said Governor Sisolak. “I am confident that this 45-day extension will allow the various agencies and organizations more time to get these programs up and running and help Nevada’s renters and landlords continue to navigate these unprecedented times and stay healthy and safe in the midst of this pandemic.”

Landlord and tenants can find the guidance and read more about this new directive as well as past evictions related directives on the [Governor's Directives and Declarations](#) page of the Nevada Health Response website.

The residential eviction moratorium and subsequent extensions were enacted to keep Nevadans safe during the COVID-19 pandemic by keeping people in their homes to slow the spread. These emergency directives were safer than forcing people to making emergency shared housing or shelter arrangements, which increase the risk of spreading COVID-19.

Nevada still has an elevated level of COVID-19 cases, including in Clark and Washoe.

Today's directive seeks to maintain public safety during COVID-19 as Nevada transitions to programs that protect landlords and tenants.

- The high-volume justice courts responsible for eviction actions are not fully ready to safely handle the potential number of people coming to the court in-person for eviction filings, proceedings and court appearances.
- The court system needs emergency relief to allow the time necessary to stand up an effective residential mediation program, as allowed under Senate Bill 1.
- Extension of the moratorium allows for needed time to ramp up implementation of short-term residential assistance for landlords, while also providing an opportunity to add funding to this program for further distribution.
- The extension will give DETR additional time to make more significant progress in reducing the unemployment backlog, which should be used by eligible claimants to pay rent and other living expenses.

Today's directive does not change any tenant's obligation to pay rent. Nevada's landlords have a seat at the table towards helping us all move forward out of this pandemic for a better Nevada.

The Governor's Prepared remarks were as follows:

Good afternoon. Thank you all for being here today to get more information on the evictions moratorium. As was announced earlier, I will be extending the moratorium on residential evictions by 45 days in the State of Nevada.

Throughout this pandemic we have been faced with many difficult decisions – including this one.

I originally put a residential eviction moratorium in place to keep Nevadans safe during COVID-19. Keeping Nevadans in their homes to slow COVID-19 was safer than them making emergency shared housing or shelter arrangements, which increases the risk of spreading COVID-19. That still remains true today.

Nevada still has elevated COVID-19 transmission risk, including in Clark and Washoe, our largest counties.

The directive I'll be signing to extend this moratorium seeks to maintain public safety during COVID-19 as Nevada transitions to programs that protect landlords and tenants.

It will allow more time for these programs to be fully implemented and get assistance to those who need it most during this difficult time:

First, it will allow counties time to continue distributing funds for short-term rental assistance to landlords;

Second, it will give more time to the Justice Courts, who handle evictions, and are not ready to safely handle the potential number of evictions with in-court filings and hearings. It will also provide the courts additional time to

implement the newly-created eviction mediation program -- allowing them to more quickly stand up the residential mediation program, passed at the most recent special session on a broad, bipartisan basis.

Finally, it will allow DETR the time to continue making progress on reducing the backlog of unemployment claims, which should be used to pay rent and other living expenses.

Today's directive does not change any tenant's obligation to pay rent. Nevada's landlords have a seat at the table towards helping us all move forward out of this pandemic for a better Nevada.

I now want to walk through a few of the programs I mentioned that are aimed at preventing an eviction crisis and further exasperating the public health crisis in our State:

As many of you know, my office, in coordination with the Nevada Housing Division, Clark County Social Services, the Reno Housing Authority, the Nevada Rural Housing Authority and the State Treasurer, announced a statewide short-term rental assistance program, and I approved \$30 million in State Coronavirus Relief Funds to be used for this effort. That's in addition to money set aside by local governments for rental assistance.

In light of this extension and in an effort to provide more relief to tenants and landlords who are still struggling to make ends meet by paying rent or making mortgage payments, I am earmarking an additional \$10 million in State Coronavirus Relief Funds toward the short-term rental assistance

program.

I know our local governments are working hard to get these funds out the door to landlords to keep qualified tenants in their homes. In Clark County, they had to put a temporary stop on applications due to the high demand, but that they are currently exploring creative ways to get this money out the door faster. I want to thank Clark Commission Chair Marilyn Kirkpatrick for working with us on this effort and for her continued leadership.

By adding this additional money and approving this 45-day extension, I am confident those processing short-term applications will be able to send more money out the door to landlords on behalf of Nevada's renters.

This 45 days is time for these local governments to get this money out as quickly as possible. I understand how difficult it can be, but whatever the State can do to continue helping, we stand ready to help assist.

And to our Nevada landlords, I recognize that this time is hard on you, too, that you pay your bills with this money. The rental assistance program makes payments DIRECTLY to landlords on the tenant's behalf. That's why it was important to me to set aside an additional \$10 million for this rental assistance program.

This 45 day extension will also help with the alternative dispute resolution, passed this summer during a special session of the Nevada Legislature.

This program will help people mediate potential solutions to mitigation in the courts and -- most importantly -- the impact on landlords and tenants. It is critical that tenants and landlords continue to work together to come to

resolutions.

We can't keep continuing this moratorium forever, so we need to ensure this program is up and running to allow for this type of this resolution. I know that during this time period, our court system will move as fast as possible to launch the new program.

In order to help this program get off the ground, I am empowering the Supreme Court to expedite the standing up of the eviction mediation program by allowing it to waive the 60-day requirement to create new rules for the program, so that the program can get up and running to serve Nevadans even faster.

My expectation is that as soon as the rules have been completed and thoroughly examined, a meeting will be scheduled for their immediate approval and implementation before the end of September.

And finally, I am pleased to see the progress the DETR Rapid Response Strike Force has made under the direction of Barbara Buckley, but we know there is more work to be done.

I'm proud of the initial progress of the Rapid Response Strike Force led by Barbara Buckley and the work of Acting DETR Director Elisa Cafferata.

In under thirty days, this Strike Force has analyzed the backlog and identified reasons why eligible Nevadans are awaiting payment. In fact, I've been informed by DETR that 5,000 people who have been identified will be paid this upcoming week.

And they are quickly recruiting staff to help more who are still waiting: last week, 200 part-time welfare eligibility workers began training to assist with the backlog, and there are 200 more ready to come on board to help. Retired state employees are also being rehired to assist as well.

We are also piloting a new program called ID-me which will allow people to verify their identity so they are more quickly connecting to benefits. Our hope is to make significant progress on the backlog over the next 45 days.

But the unemployment backlog is one reason why I am extending the eviction moratorium. We do not want Nevadans getting evicted while awaiting a determination of their case. And the State will do all it can to get a resolution to outstanding claims.

I am confident that in the next 45 days all of the various agencies and organizations will work as fast as possible to make sure these programs are up and running to help Nevada's renters and landlords continue to navigate these unprecedented times and stay healthy and safe in the midst of this pandemic.

###



**NEVADA
HEALTH
RESPONSE**

Guidance for Tenants and Landlords under Directive 031 – FAQs

On August 31, 2020, Nevada Governor Steve Sisolak signed Declaration of Emergency Directive 031, which extends the statewide moratorium on evictions for an additional 45 days. Under this directive, landlords may not proceed with evictions due to nonpayment of rent through October 15, 2020. This guidance is intended to help both tenants and landlords understand Directive 031 along with the various assistance options available.

Can my landlord evict me on September 1 for not being able to pay rent?

No. Under Directive 031, eviction proceedings may not be initiated against tenants for nonpayment of rent until October 15, 2020.

Do I have to pay my rent while the eviction moratorium is still in place?

If you can afford to pay your rent during this period, you should. However, if you are unable to pay your rent because you lost your job or cannot afford it, your landlord cannot evict you during this period.

Now that the eviction moratorium has been extended, what should I do?

It is important that landlords and tenants communicate with one another to develop a plan for any missed rental payments that occurred during the eviction moratorium. Together, landlords and tenants can work to find rental assistance programs, work out flexible repayment options, and avoid potential evictions.

When the eviction moratorium ends, will I owe all of my missed rent payments?

Yes. While the eviction moratorium has helped Nevadans remain in their homes during the COVID-19 pandemic, it does not relieve a tenant of their obligation to make rent payments as outlined in a lease agreement. You will owe rent for all the months you have not paid during the eviction moratorium period unless you and your landlord worked out an alternative agreement.

Are there any rental assistance programs available to help me pay the back rent I owe?

The State of Nevada has set up the CARES Housing Assistance Program (CHAP) to provide rental assistance to tenants who have been negatively impacted by the COVID-19 pandemic. Under this program, tenants can apply for assistance and payments are made directly to landlords. For more information about CHAP or to apply for assistance, please visit: housing.nv.gov.

What if I'm a homeowner with a mortgage or my landlord has a mortgage?

More than 85% of Nevada home mortgages qualify for federally established forbearance options through their bank or lender through the end of the year. These Federal options are intended to be paired with long-term solutions for missed mortgage payments. The State encourages landlords

with mortgage-backed single-family rental homes to apply for forbearance and to pass that flexibility and relief down to their tenants. For more information on mortgage forbearance options please work directly with your lending institution or email ask@nevadatreasurer.gov.

What should I do if my landlord is trying to evict me during the eviction moratorium?

If you are a tenant experiencing any difficulty with this Directive, please file a complaint with the Nevada Attorney General's Office at ag.nv.gov/Complaints/File_Complaint/.



**NEVADA
HEALTH
RESPONSE**

Guía para Inquilinos y Arrendadores bajo la Directiva 031 – Preguntas Frecuentes

El 31 de Agosto del 2020, el gobernador de Nevada Steve Sisolak firmó la Declaración de La Directiva de Emergencia 031, que extiende la moratoria estatal de los desalojos por 45 días adicionales. Según esta directiva, los arrendadores no pueden proceder con los desalojos debido a la falta de pago del alquiler hasta el 15 de Octubre del 2020. Esta guía tiene por objeto ayudar tanto a los inquilinos como a los arrendadores a comprender la Directiva 031 y proporcionar las varias opciones de asistencia disponibles.

¿Puede mi arrendador desalojarme el 1 de septiembre por no poder pagar el alquiler?

No. Bajo la Directiva 031, no podrá iniciarse un procedimiento de desalojo contra los inquilinos por impago del alquiler hasta el 15 de Octubre del 2020.

¿Tengo que pagar mi alquiler mientras la moratoria del desalojo aún está en su lugar?

Si usted puede pagar su alquiler durante este período, lo debe pagar. Sin embargo, si usted no puede pagar su alquiler porque perdió su trabajo o no es accesible, su arrendador no puede desalojarlo durante este período.

Ahora que se ha extendido la moratoria del desalojo, ¿qué debo hacer?

Es importante que los propietarios y los arrendadores se comuniquen entre sí mismo para desarrollar un plan para cualquier pago de alquiler incumplido que ocurrió durante la moratoria del desalojo. Juntos, los propietarios y los arrendadores pueden trabajar para encontrar programas de asistencia de alquiler o opciones de pago flexibles y evitar posibles desalojos.

Cuando termine la moratoria del desalojo, ¿debo todos mis pagos de alquiler incumplidos?

Sí. Aunque la moratoria del desalojo ha ayudado a los residentes de Nevada a permanecer en sus hogares durante la pandemia de COVID-19, no exime a un inquilino de su obligación de pagar el alquiler como se describe en su contrato de arrendamiento. Usted deberá el alquiler por todos los meses que no haya pagado durante el período de moratoria de desalojo al menos que usted y su arrendador hayan convenido un acuerdo alternativo.

¿Hay algún programa de asistencia de alquiler disponible para ayudarme a pagar el alquiler atrasado que debo?

El Estado de Nevada ha establecido el Programa de Asistencia de Vivienda CARES (CHAP) para proporcionar asistencia de alquiler a los inquilinos que se han visto afectados negativamente por la pandemia de COVID-19. Bajo este programa, los inquilinos pueden solicitar asistencia y los pagos se realizan directamente a los arrendadores. Para obtener más información sobre CHAP o para solicitar asistencia, visite: housing.nv.gov.

¿Qué pasa si soy propietario de una casa con una hipoteca o mi arrendador tiene una hipoteca?

Más del 85% de las hipotecas de viviendas de Nevada califican para opciones de abstención establecidas a nivel federal a través de su banco o prestamista hasta el fin de año. Estas opciones federales intentan ser emparejadas con soluciones a largo plazo para pagos hipotecarios perdidos. El Estado anima a que los arrendadores con casas de alquiler unifamiliar respaldadas por hipotecas soliciten la abstención y proporcionar esa flexibilidad y alivio a sus inquilinos. Para obtener más información sobre las opciones de abstención hipotecaria, trabaje directamente con su banco o su prestamista o envíe un correo electrónico a ask@nevadatreasurer.gov.

¿Qué debo hacer si mi arrendador está tratando de desalojarme durante la moratoria del desalojo?

Si usted está teniendo alguna dificultad con esta Directiva, por favor presente una queja ante la Procuraduría General de Nevada en ag.nv.gov/Complaints/File_Complaint/.



DECLARATION OF EMERGENCY

DIRECTIVE 031

WHEREAS, in late 2019, the United States Centers for Disease Control and Prevention began monitoring an outbreak of respiratory illness caused by a novel coronavirus first identified in Wuhan, Hubei Province, China; and

WHEREAS, on February 11, 2020, the International Committee on Taxonomy of Viruses named this novel coronavirus "severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);" and

WHEREAS, on February 11, 2020, the World Health Organization named the disease caused by SARS-CoV-2, "COVID-19;" and

WHEREAS, the World Health Organization advises that the novel coronavirus that causes COVID-19 virus is highly contagious, and spreads through respiratory transmission, and direct and indirect contact with infected persons and surfaces; and

WHEREAS, the World Health Organization advises that transmission occurs through both droplet and airborne transmission, where droplet transmission occurs when a person is in close proximity to someone who is infected with COVID-19; and

WHEREAS, the World Health Organization advises that contact transmission occurs by direct contact with infected people or indirect contact with surfaces contaminated by the novel coronavirus; and

WHEREAS, on March 5, 2020, Clark County and Washoe County both reported the first known cases of COVID-19 in the State of Nevada; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”); and

WHEREAS, on March 14, 2020, I formed a medical advisory team to provide medical guidance and scientifically based recommendations on measures Nevada could implement to better contain and mitigate the spread of COVID-19; and

WHEREAS, infectious disease and public health experts advised that minimizing interpersonal contact slows the rate at which the disease spreads, and is necessary to avoid overwhelming healthcare systems, commonly referred to as “flattening the curve”; and

WHEREAS, since the March 12, 2020 Declaration of Emergency, I have issued 30 Directives pursuant to that order to provide for the safety, wellbeing, and public health of Nevadans and the administration of the State of Nevada; and

WHEREAS, these Directives were promulgated to reduce interpersonal contact and promote social distancing to flatten the curve; and

WHEREAS, many tenants in Nevada have been directly or indirectly impacted by the economic impact of the COVID-19 pandemic, and as a result, those tenants and lenders have been unable to stay current on rental or mortgage payments for their homes and/or businesses; and

WHEREAS, many landlords have been directly or indirectly impacted by the economic fallout of the COVID-19 pandemic, and as a result, those landlords have been unable to collect rental or mortgage payments on residential and commercial properties; and

WHEREAS, on March 29, 2020, I issued Directive 008, to ensure the safety of Nevadans and businesses; and

WHEREAS, on June 25, 2020, I issued Directive 025 which initiated a phased approach to lifting the restrictions provided in Directive 025; and

WHEREAS, on August 7, 2020, I signed SB1 of the 32nd Special Session of the Nevada Legislature into law; and

WHEREAS, SB1 provides that Nevada courts could establish by rule an expedited program of alternate dispute resolution concerning evictions; and

WHEREAS, SB1 provides that eviction proceedings pursuant to that Act may be stayed for not more than 30 days to facilitate the implementation of the alternative resolution dispute program; and

WHEREAS, NRS 2.160 provides that the Supreme Court may promulgate rules that go into effect no sooner than 60 days after entry of an order adopting such rules; and

WHEREAS, provisions of Directive 008 and Directive 025 are set to expire on August 31, 2020 at 11:59 p.m., prior to the implementation of SB1; and

WHEREAS, on August 27, 2020, the Federal Housing Finance Agency (FHFA) announced that Fannie Mae and Freddie Mac will extend the moratoriums on single-family foreclosures and real estate owned evictions until at least December 31, 2020; and

WHEREAS, FHFA Director Mark Calabria said the extension of the moratorium was “to help keep borrowers in their homes during the pandemic”; and

WHEREAS, as of August 31, 2020, 69,228 Nevadans have been infected with the COVID-19 disease; and

WHEREAS, as of August 31, 2020, 1,305 Nevadans have died from the COVID-19 disease; and

WHEREAS, as of August 31, 2020, Nevada is still above the World Health Organization daily positivity infection rate of 5.0% with a 9.1% daily positivity rate for COVID-19; and

WHEREAS, the resumption of eviction proceedings prior to the implementation of an alternative resolution dispute program pursuant to SB1 is anathema to the wishes of the Nevada Legislature; and

WHEREAS, as of August 31, 2020, Nevada courts require in-person filing and participation for eviction proceedings; and

WHEREAS, a sudden influx of persons in Nevada’s courts will increase opportunities for transmission of the novel coronavirus that causes COVID-19; and

WHEREAS, Nevada’s Chief Medical Officer and public health experts advise against large indoor gatherings where social distancing may not be feasible; including justice courts where crowds may gather if the volume of eviction cases increases significantly and there are no effective means for tenants to electronically file and participate in a court hearing; and

WHEREAS, the Chief Medical Officer and public health experts advise that individuals who are experiencing homelessness have an increased vulnerability to COVID-19 exposure and have less access to adequate medical care; and

WHEREAS, as of August 31, 2020, there is no cure or vaccine for the COVID-19 disease; and

WHEREAS, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: “The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;” and

NOW THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: The provisions of Directive 008 and Directive 025 set to expire on August 31, 2020 at 11:59 p.m. are hereby terminated. Effective August 31, 2020 at 11:59 p.m. through October 14, 2020 at 11:59 p.m., the initiation of a nonpayment of rent summary eviction action by service of a pay or quit notice pursuant to NRS 40.253 shall be prohibited.

SECTION 2: A violation of the provisions of this Directive constitutes the use of coercion, duress, or intimidation in a transaction pursuant to NRS 598.0923(4).

SECTION 3: The Supreme Court of Nevada may exercise its inherent authority as a separate branch of government to waive the provision of NRS 2.120 requiring 60 days between the notice of entry of new rules and its implementation for the purpose of adopting new rules to implement SB1.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 31st day of August, in the year two thousand twenty.

Governor of the State of Nevada

Barbara K. Cegavske

Secretary of State

Scott Anderson

Deputy Secretary of State