

IN THE CIRCUIT COURT OF ST. LOUIS, MISSOURI

In re: Executions of Writs Pursuant to CDC Declaration and County Ordinance 111

Administrative Order: 21-13

WHEREAS, the Centers for Disease Control and Prevention and the U.S. Department of Health and Human Services have declared that evictions during this COVID pandemic create a health crisis, as it is not in the interest of public health to displace persons from their homes during the COVID-19 emergency; and

WHEREAS, a federal eviction moratorium issued by the Centers for Disease Control and Prevention, which has been in effect since September 4, 2020, has been extended until June 30, 2021; and

WHEREAS, this court issued a blanket suspension of the enforcement of certain writs of restitution, writs of replevin, writs of attachment and any other writs of execution, including evictions, on March 20, 2020 (Administrative Order 20-16); and

WHEREAS, as was indicated by the federal government last month, approximately \$30 million has been made available to landlords in St. Louis County to pay for rent through the Emergency Rental Assistance Program (“E.R.A.P.”) and the State Assistance for Housing Relief Program (“S.A.F.H.R.”). Additional funding is anticipated. This financial assistance can be used for rent and utility arrears accrued from the beginning of April, 2020 and “up to three months of forward rent and prepaid full utility assistance.” Eligible tenants can apply for financial assistance to be paid directly to their landlords or utility providers. Landlords can also apply on behalf of eligible households; and

WHEREAS, due to the above impending federal relief, this court issued Administrative Order 21-11 on March 23, 2021, directing its Sheriff’s Office to commence the execution of the aforementioned suspended writs, including evictions, as of April 5, 2020; and

WHEREAS, on March 28, 2021, the CDC issued an Eviction Protection Order, to protect qualified individuals from being evicted through June 30, 2021; and

WHEREAS, this court accordingly instructed its Sheriff's Office to fully comply with the CDC directives and halt the execution of any residential evictions in which tenants had completed the CDC Eviction Moratorium Declaration form; and

WHEREAS, the St. Louis County Council passed an ordinance [Bill No. 111] on April 27, 2021; and

WHEREAS, Bill No. 111, as does the CDC Declaration, provides that “[n]o landlord, owner of a residential property, or other person with an otherwise legal right to pursue eviction or possessory action shall evict, cause to be evicted or seek to evict” any “current tenant, lessee, or resident of a residential property who provides to their landlord, the owner of the residential property, or other person with a legal right to pursue eviction or a possessory action, a declaration under penalty of perjury,” indicating that:

(1) “The individual has used best efforts to obtain all available government assistance for rent or housing; and

(2) The individual is unable to pay the full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses; and

(3) The individual is using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses; and

(4) Eviction would likely render the individual homeless or force the individual to move into and live in close quarters in a new congregate or shared living setting because the individual has no available housing options.”

IT IS, THEREFORE, ORDERED THAT:

The St. Louis County Circuit Court Sheriff's Office and employees therein continue refraining from executing any residential evictions whenever a CDC Eviction Moratorium Declaration form has been completed and proof thereof has been provided, pursuant to the CDC eviction moratorium, Administrative Order 21-11 and now County Bill No. 111.

SO ORDERED:



Michael D. Burton
Presiding Judge
April 29, 2021

The **CDC Eviction Protection Declaration** is available at https://www.cdc.gov/coronavirus/2019-ncov/downloads/evictiondeclare_d508.pdf.

Information about how to get assistance from E.R.A.P. and S.A.F.H.R. is available at <https://stlcorona.com/resident/resources-rent/>.

General information about E.R.A.P. can be found at <https://home.treasury.gov/policy-issues/cares/emergency-rental-assistance-program>.

General information about S.A.F.H.R. can be found at <https://www.mohousingresources.com/safhr>

Frequently asked questions and answers about E.R.A.P. and S.A.F.H.R.:
https://home.treasury.gov/system/files/136/ERA-Frequently-Asked-Questions_Pub-3-16-21.pdf