

## Guidance Related to Rent Payments and Evictions for Residential Renters

To Assist in Compliance with Executive Order 7X

Connecticut REALTORS® - April 11, 2020

On Friday, April 10, 2020 the Governor released Executive Order 7X which included among other things “renters relief” provisions, effective immediately. You can read Executive Order 7X [at this link](#).

The questions and answers noted below are verbatim from “Governor Ned Lamont, Frequently Asked Questions on the State of Connecticut’s Actions Related to COVID-19” (pages 56-57) [at this link](#). Note the first questions are directed towards renters/tenants, with the last directed towards landlords.

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“On Friday, April 10, Gov. Lamont issued Executive Order No. 7X, providing additional protections for renters, to allow some time for unemployment insurance or other economic assistance to arrive so that they can pay their bills as soon as possible. **YOU ARE STILL OBLIGATED TO PAY YOUR RENT WHEN DUE.** However, if you fall behind because you have lost your job, lost hours, had your pay reduced, or have suffered other loss of income or increase in expenses as a result of COVID-19 or the economic effects of it, you are entitled to some relief.

1. Your landlord can’t start the eviction process until July 1.
2. The normal grace period for paying rent is extended from 9 days after it is due to 60 days for April rent.
3. If you have experienced the hardships described above, you can also get a 60-day grace period for May rent by requesting one from your landlord within 9 days after your May rent is due. You must request the grace period for May and it is only available if you do so in writing (email is acceptable) and inform the landlord of the financial hardship you are experiencing.
4. If the security deposit you paid was more than 1 month’s rent, you can apply the amount above 1 month’s rent to your April, May, or June rent, if you request to do so from your landlord in writing and inform the landlord of your financial hardship related to COVID-19.

**YOU MUST EVENTUALLY PAY YOUR RENT NO LATER THAN THE DAY AFTER THE GRACE PERIOD ENDS, AND IF YOU DON’T, YOU MAY STILL BE SUBJECT TO EVICTION OR OTHER LEGAL ACTION. YOU SHOULD SPEAK TO YOUR LANDLORD, TRY TO WORK OUT A PAYMENT PLAN, AND PAY WHAT YOU CAN WHEN YOU CAN. YOU MUST STILL FULFILL ALL YOUR OBLIGATIONS UNDER YOUR LEASE OR RENTAL AGREEMENT.**

Question: My landlord has already started the process to evict me. Will this move forward?

Answer: No, if your landlord has filed a case in court to evict you, it will not move forward at this time. If your landlord already won a judgment allowing your landlord to evict you, you can stay in your home through May 1, 2020 and possibly later. Please check back for updates to this information. Please note: tenants are still responsible for paying the rent as agreed in their lease. **IMPORTANT:** If your landlord has told you that you are being evicted, or has provided you with a Notice to Quit, a Writ, Summons, or Complaint, or any other document saying you must move out, you have legal rights and do not have to leave unless a court has ordered you to leave. The landlord also may not use any “self-help” measures such as changing the locks or moving your belongings out of your home.

Question: I am a landlord and want to evict my tenant. What should I do?

Answer: You may not start eviction proceedings until July 1. The normal grace period for rent is extended from the normal 9 days to 60 days for rent due in April, and your tenants are entitled to a 60-day grace period for rent due in May if they request it from you in writing and indicate that they have suffered certain financial hardships. In addition, if the tenants request in writing and indicate such hardship, they are allowed to apply any security deposit in excess of 1 month’s rent to April, May, or June rent. Nothing in Executive Order No. 7X relieves tenants of the obligation to pay their rent when they can, or prevents you from eventually taking legal action and starting eviction proceedings if they still fail

to pay. You should consider waiting to initiate any eviction proceedings until the public health emergency is over. First, by evicting your tenants, you could be exposing them to greater risk of contracting COVID-19 and spreading it to others. Second, given the current economic circumstances, you may have difficulty finding new tenants, and your tenants may have difficulty finding new housing, putting them at risk of homelessness at a time when homeless shelters are overwhelmed and unable to accept new entrants due to social distancing requirements. Third, most court action related to evictions has been postponed because of the emergency. Please be aware of your legal rights and responsibilities, and those of your tenants. In no circumstances should you engage in “self-help” by locking tenants out, removing their belongings, or making them leave unless you have a court order.”

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CTR is providing this initial summary on April 11, with additional compliance guidance to follow in the near future. CTR is seeking clarity from the Administration on several additional questions. Information and guidance may change at any time. Situations may be unique so contact your attorney for any clarity related to your lease agreement with tenants and compliance with the Order.

Q. What does Executive Order 7X do?

A. You can read the entire Order [at this link](#).

Here’s a summary: Reminder – complete information is above and in the Order itself

- No Notice to Quit or Service of Summary Process until July 1;
- Automatic 60-day Grace Period for April rent;
- 60-Day Grace Period for May rent, upon request;
- When the hardship is due to Covid-19, any security deposit in excess of one month’s rent shall be applied towards the April, May or June rent, upon written request which may be delivered electronically;
- Provides an express statement stating that this Order does not relieve a tenant of liability for unpaid rent or of the obligation to comply with other terms of a rental agreement or statutory obligations under Connecticut law.

Q. Why is CTR providing guidance for landlords/property owners related to residential rent payments?

A. Because Connecticut did not recover from the last economic downturn, many REALTOR® members regularly need to work with the “accidental or reluctant landlords” – meaning, those who never intended to rent their property but had no choice but to do so. Those include individuals and families who cannot sell their homes due to being underwater with their mortgage; those who are trying to avoid bankruptcies, short sales or foreclosures by creating an income stream; those who had no option but to vacate their properties due to life emergencies such as divorce, job loss, enormous medical debt due to accidents, cancer, illness, other disabilities; those needing cash flow to afford to move into assisted living or memory care facilities; those with hardships due to crumbling foundations; those who could no longer afford property taxes and needed income to avoid a lien or other non-payment actions that would affect their credit scores or ability to retain their property; and other scenarios. In addition, many owner occupied landlords are homeowners only because their ability to qualify for their mortgage was predicated on them having rental income. Lastly, REALTOR® members may be landlords or property managers themselves.

Q. Does this order apply only to apartment buildings, or every single-family and small multi-family rental property?

A. This applies to permanent residences under lease agreements including month-to-month. It covers all residential property types, including single-family properties and manufactured mobile home parks.

Q. Can I continue to bill the tenant for their unpaid rent during the grace period?

A. Yes.

Q. Is the tenant still responsible for other non-rent expenses as stated in the lease agreement?

A. Yes.

Q. Was there consideration to landlord hardship? Landlords can't carry mortgage, taxes, property maintenance, lawn care, insurance premiums, and condo maintenance fees for the amount of time being provided before the tenant is evicted.

A. CTR is asking those questions.

Q. Are there programs available to assist landlords?

A. Landlords should contact their mortgage holder and/or municipality to determine what relief measures, if any, may be available to them. Many landlord expenses will not be covered by those lender or municipal programs.

Q. How is the state providing notification to landlords of the obligation?

A. We do not know at this time. CTR will request that information.

*This has been prepared for informational purposes and general guidance only. CTR is not a state regulatory agency, your attorney or accountant. Information changes regularly and all general guidance are subject to change at any time. Check with your attorney, accountant, designed broker or manager, state agency, or other professionals for guidance specific to your situation. April 11, 2020.*

*This document is also posted on the CT REALTORS® coronavirus page: <http://ctrealtors.com/coronavirus>*