

MANDATORY FORM FOR EVERY EVICTION MODIFIED 8/3/2021

Property address: _____ Unit number: _____

Resident name: _____

I. NEW COURT RULES - The Arizona Supreme Court has made new changes requiring managers and owners to provide the following information for each and every eviction they file

1. Has the Landlord **APPLIED FOR** any rental assistance on behalf of this resident: ___ Yes ___ No
2. Has the Landlord **RECEIVED** rental assistance for this resident: ___ Yes ___ No
 - a. If you have **RECEIVED** rental assistance, how much have you **RECEIVED**: _____
 - b. Have you **APPLIED** the rental assistance to the resident's ledger: ___ Yes ___ No
 - c. If you have obtained rental assistance have you filed this action in compliance with the terms of the rental assistance agreement (i.e. no agreement to delay eviction)? ___ Yes ___ No
 - d. Have you waived any portion of the balance ? ___ Yes ___ No
3. You have obtained a prior eviction action judgment against this resident? ___ Yes ___ No
 - a. If so, you need to make sure the amounts sought in the prior judgment are not included in the prior judgment.

II. CENTER FOR DISEASE CONTROL AND PREVENTION ORDER – On September 4, 2020, the U.S. Centers for Disease Control published a nationwide residential eviction moratorium for non-payment of rent cases. This applies to all rental properties in the country—not just those with federally-backed/insured mortgages. The Order says that a housing provider cannot evict a “covered person,” which is a resident who signs a CDC declaration. For details on the CDC Order see the CDC information sheet. There are significant penalties, including monetary penalties and jail time, if you violate the CDC Order.

The Property Manager or designated agent for owner attests (check one):

___ I **HAVE NOT** received a CDC declaration from the resident

___ I **HAVE** received a CDC declaration from the resident

I wish to (check one): ___ Serve notice; ___ File Eviction Action; ___ File writ to be executed

III. CARES Act - The federal C.A.R.E.S. Act prohibits certain landlords from filing evictions for non-payment of rent, from charging late fees and from serving “notices to vacate” between March 27 and July 25, 2020. Such landlords were required to serve 30-day notices for nonpayment of rent following the eviction moratorium. This rule only applied to federally backed mortgages or if the property participated in certain federal programs. If you do not know if CARES applied to your property, see the CARES information sheet and contact your lender and request confirmation.

The property address listed above:

___ **IS NOT** covered by CARES Act

___ **IS** covered by CARES Act

NON-PAY NOTICE. If I am a CARES Act covered property I acknowledge that HUD and FHFA has issued guidance that provides I should issue a 30-day notice for any non-pay case, even for balances outside of the CARES time period.

____ (initials)

NEW - Mortgage Forbearance. Is your property currently receiving mortgage forbearance? ___ Yes ___ No

Name: _____ Date: _____

Signature: _____