

# Peoria Housing Authority

*Moving Families Forward*

## Addressing the New Requirement for the Tenants to file a Declaration Form to Avoid Evictions for Nonpayment of Rent

### What is the new requirement to avoid evictions during COVID-19?

**Under Illinois law, evictions for nonpayment of rent can proceed unless you provide the required Declaration Form to the PHA.** This applies to State of Illinois renters including HUD-assisted participants effective November 13, 2020. Although your Public Housing Authority's (PHA) Admissions and Continued Occupancy Policies (ACOP) and/or Administrative Plan may not be updated, please be aware that the suspension of evictions for nonpayment of rent is in place under Executive Order 2020-72. At that time, PHA can proceed with evictions for non-payment of rent unless you fill out the required Declaration Form.

### Having trouble making rent?

- **Voucher and public housing participants:** If you lost your job or had a significant loss of income, **request an interim reexamination** with the housing authority as soon as possible. Your rent can be adjusted to reflect the change in income or you may be eligible for a financial hardship exemption. Your housing authority may also know about other local resources. You must also complete and submit the Declaration Form to the housing authority **immediately**.
- **Voucher participants only: Contact your landlord right away.** Reach out early to discuss potential payment plans or accommodations. Due to loss in income and the resulting interim reexamination, your rent adjustment may be retroactive. Confirm with the PHA and your landlord whether you will receive a credit for the previous month. You must also complete and submit the Declaration Form to the housing authority and your landlord **immediately**.

### What else should you know?

- **Rent is still due** during this time period and will accumulate if unpaid.
- **Public Housing late fees are still being applied for non-payment of rent effective August 1, 2020 forward.**
- If you truthfully completed the Declaration Form and provided it to you landlord and the PHA, your landlord and the PHA cannot initiate a new eviction action for nonpayment of rent and you should not receive a notice to vacate for nonpayment of rent as you will be considered a "Covered Person." This rule will be in effect until the Executive Order is lifted.
- A "Covered Person" is a tenant that files a Declaration Form with the landlord. The Declaration Form requires the tenant to state, under penalty of perjury, that each of the following four (4) conditions apply:
  1. the tenant either (i) expects to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), (ii) was not required to report any income in 2019 to the U.S. Internal Revenue Service, or (iii) received an Economic Impact Payment pursuant to Section 2001 of the CARES Act;
  2. the tenant is unable to make a full rent or housing payment due to a COVID-19 related hardship including, but not limited to, substantial loss of income, loss of compensable hours of work or wages, or an increase in out-of-pocket expenses directly related to the COVID-19 pandemic;
  3. the tenant 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 Non-Discretionary Expenses; and

4. eviction would likely render the tenant homeless—or force the individual to move into and live in close quarters in a new congregate or shared living setting—because the tenant has no other available housing options.
- The Illinois Tenant’s Declaration form can be found on the Peoria Housing Authority’s website at [www.peoriahousing.org](http://www.peoriahousing.org) or at any of the Peoria Housing Authority Administrative or Site Offices. PHA will accept mailed and/or dropped off certification forms.
  - Absent an extension of the State of Illinois Eviction moratorium, the CDC has issued an Eviction Moratorium that will be applicable to eligible households through December 31, 2020. Please keep an eye on our website at [www.peoriahousing.org](http://www.peoriahousing.org) for more updated information as the moratoriums expire and/or extend.
  - If you are behind on rent after the suspension of the eviction moratorium expires: **Voucher participants:** need to negotiate directly with your landlord to determine requirements to repay unpaid rent. Otherwise, your landlord could file an eviction.
  - **Public housing participants:** need to work with the PHA to pay unpaid rent in a lump sum or set up a repayment agreement. Otherwise, your assistance could be terminated and/or the PHA could seek an eviction when the Executive Order terminates.

***Please make sure you either:***

1. Keep your account paid in full.
2. Set up a repayment agreement for balance and work with **Accounts Receivable Clerk,** Debra Blake at 309-676-8736 # 14016, [dblake@pha.peoria.il.us](mailto:dblake@pha.peoria.il.us).
3. Obtain rental assistance from Community Agencies:
  - **United Way 211, Dial 211**
  - **YWCA of Peoria, 309-672-1163**
  - **Salvation Army, 309-655-7272**
  - **Friendship House, 309-671-5200**
  - **Human Service Center, 309-674-7140**
4. Complete an interim examination if income has changed.

**When the moratorium is lifted, PHA will proceed with court costs and monthly court processing.**

**PLEASE BE PROACTIVE! PHA staff is here to assist you.**

- The PHA or your landlord can still terminate assistance and evict for acts that pose a threat to the health and safety of other tenants or for being a risk to property.
- Your failure to comply with the above rules, drug abuse, criminal activity lease violations, fraud, repeated minor violations, and other good cause, can lead to an eviction now or immediately upon the lifting of restrictions by the state and/or the CDC.