

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A
36TH JUDICIAL DISTRICT

IN RE: THE 36th JUDICIAL DISTRICT : NO. AD: 10050 - 2020
: :
: :

ADMINISTRATIVE ORDER

September 4, 2020

The Centers for Disease Control and Prevention (hereafter CDC) has entered a nationwide Order (see: federalregister.gov/d/2020-19654) wherein residential evictions were halted to prevent the further spread of COVID-19. Therefore it is hereby Ordered that a landlord shall NOT evict any “covered” person from any residential property for the non-payment of rent while the CDC Order remains in effect.

To be classified as a “covered” person and afforded the protection of this Order the following must apply:

1. This Order only applies to eviction actions for non-payment of rent.
 - a.) Explicitly not covered by the Order are evictions based on a tenant, lessee, or resident: (1) engaging in criminal activity on the premises; (2) threatening the health or safety of other residents; (3) damaging or posing an immediate and significant risk of damage to property; (4) violating any applicable building code, health ordinance, or similar regulation relating to health and safety; or (5) violating any other contractual obligation.

To invoke the protection of the CDC Order a tenant must:

- a) execute the prescribed DECLARATION that is attached to this Order;
- b.) qualify under the terms of this DECLARATION;
- c.) must execute the DECLARATION (including every adult on the lease); and
- c.) must provide the executed DECLARATION to the landlord (it is not to be filed with the Court unless it is presented as a defense to a pending eviction action).

FILED OR ISSUED
1003 SEP -4 AM 10:15
MICHAEL ROSE
PROTHONOTARY
BEAVER COUNTY, PA

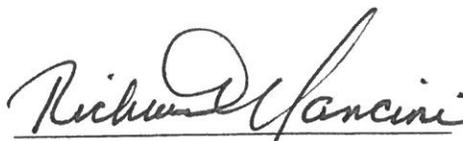
This Order does not relieve a tenant from any obligation to pay rent or comply with other obligations. The landlord may charge fees, penalties or interest for failing to make payments on a timely basis. All of which will become due and payable after this order expires.

As used herein:

1. Evict and eviction means not only filing of a new eviction action in a court, but also suspending court action respecting any pending eviction matters;
2. Landlord includes owner of a residential property or other person with a legal right to pursue an eviction;
3. Tenant includes every adult resident subject to or listed on the lease, rental agreement, or housing contract.

This Order will remain in effect through December 31, 2020.

BY THE COURT


Richard Mancini, President Judge

BY THE COURT
2020 SEP - 4 A 10: 04
RICHARD MANCINI
PRESIDENT JUDGE



**DECLARATION FOR THE
CENTERS FOR DISEASE
CONTROL AND PREVENTION'S
TEMPORARY HALT IN
EVICTIONS TO PREVENT
FURTHER SPREAD OF COVID-19**

Mag. Dist. No:
MDJ Name:
Address:

Telephone:

v.

**ATTN: CAPTION TO BE COMPLETED ONLY
IF ACTION IS FILED OR PENDING**

Docket No: _____
Case Filed: _____

I certify under penalty of perjury, pursuant to 28 U.S.C. 1746, that the foregoing are true and correct:

- I have used best efforts to obtain all available government assistance for rent or housing;¹
- I either expect 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), was not required to report any income in 2019 to the U.S. Internal Revenue Service, or received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- I am unable to pay my full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary² out-of-pocket medical expenses;
- I am 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;
- If evicted I would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.³
- I understand that I must still pay rent or make a housing payment, and comply with other obligations that I may have under my tenancy, lease agreement, or similar contract. I further understand that fees, penalties, or interest for not paying rent or making a house payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected.

¹ "Available government assistance" means any governmental rental or housing payment benefits available to the individual or any household member.

² An "extraordinary" medical expense is any unreimbursed medical expense likely to exceed 7.5% of one's adjusted gross income for the year.

³ "Available housing" means any available, unoccupied residential property, or other space for occupancy in any seasonal or temporary housing, that would not violate Federal, State, or local occupancy standards and that would not result in an overall increase of housing cost to you.

- I further understand that at the end of this temporary halt on evictions on December 31, 2020, my housing provider may require payment in full for all payments not made prior to and during the temporary halt and failure to pay may make me subject to eviction pursuant to State and local laws.

I understand that any false or misleading statements or omissions may result in criminal and civil actions for fines, penalties, damages, or imprisonment.

Signature of Declarant

Date

DECLARATION UNDER PENALTY OF PERJURY FOR THE CENTERS FOR DISEASE CONTROL AND PREVENTION'S TEMPORARY HALT IN EVICTIONS TO PREVENT FURTHER SPREAD OF COVID-19

Supplemental Instructions

This declaration is for tenants, lessees, or residents of residential properties who are covered by the CDC's order temporarily halting residential evictions (not including foreclosures on home mortgages) to prevent the further spread of COVID-19. Under the CDC's order you must provide a copy of this declaration to your landlord, owner of the residential property where you live, or other person who has a right to have you evicted or removed from where you live. Each adult listed on the lease, rental agreement, or housing contract should complete this declaration. Unless the CDC order is extended, changed, or ended, the order prevents you from being evicted or removed from where you are living through December 31, 2020. You are still required to pay rent and follow all the other terms of your lease and rules of the place where you live. You may also still be evicted for reasons other than not paying rent or making a housing payment. This declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.

MICHAEL ROSSI
PROTHONOTARY
BEAVER COUNTY, PA

2020 SEP -4 AM 10:15

FILED OR ISSUED