



Federal Protections under the CARES Act for Wisconsin Renters During the COVID-19 Crisis

The Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") passed by the US Congress on March 27, 2020 includes a 120-day eviction moratorium. This means that many Wisconsin renters will be protected by federal law even longer than by Governor Evers's temporary eviction ban, which expires May 26th. Please see our FAQ sheet about Wisconsin's ban.

Legal Action of Wisconsin, (855) 947-2529, provides free legal help for low income people and seniors. Legal Action advocates are available to help you during this time. You can also call the State Bar Association Lawyer Referral and Information Service (800) 362-9082 for a private attorney.

How long is the CARES Act eviction moratorium in effect

From March 27, 2020 through July 25, 2020: 120 days. Congress could change or extend this period.

What happens when the moratorium ends?

After the moratorium ends, the landlord can give the tenant a termination notice, but it must be a 30-day notice.

Does the CARES Act protect me?

The moratorium covers HUD and USDA subsidized housing, including public and subsidized housing, LIHTC/WHEDA properties, and private housing where the tenant has Section 8 rent assistance. The moratorium also covers all properties with federally backed mortgage loans and federally backed multifamily loans. This includes many privately-owned rental properties.

You might not know if your landlord has a federally backed mortgage loan. If your landlord files an eviction against you during the moratorium period, talk to an attorney about your options.

How does the CARES Act protect tenants?

Tenants who rent from covered landlords enjoy several protections under the CARES Act. Landlords are not allowed to:

- Charge late fees or other fees related to nonpayment of rent;
- Terminate a tenancy based on unpaid rent or fees; or
- File eviction cases in court based on nonpayment of rent.

Can I be evicted for a reason besides not paying rent?

Thanks to Wisconsin's eviction ban, no tenant in Wisconsin can be evicted until May 26, 2020, unless there is a serious threat of imminent physical harm. After May 26, tenants in federally-subsidized housing and public housing continue to be protected from eviction. Those tenants cannot be evicted for nonpayment of rent until after July 25. However, evictions for other reasons can proceed.

During the federal moratorium, a landlord CAN still evict if:

- The eviction is NOT about RENT; or
- If the case was filed before the moratorium started.

If you have a lease that expires between March 27 and May 26, talk to an attorney about your options.