STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 9T

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC – EXTENSION OF PROTECTIONS FOR RENTERS

WHEREAS, on March 10, 2020, I declared public health and civil preparedness emergencies throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, on September 1, 2020, I renewed the March 10, 2020 declaration of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies, which new and renewed emergencies shall remain in effect until February 9, 2021, unless earlier terminated; and

WHEREAS, pursuant to such declarations, I have issued eighty-seven (87) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic (the "COVID-19 Orders"); and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the COVID-19 pandemic remains a grave threat to public health and safety and civil preparedness in the State of Connecticut; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including limitation on the size of gatherings, maintaining a safe distance from others, and wearing masks or face coverings; and

WHEREAS, COVID-19 has caused unanticipated health effects that are not well understood by the medical community, vaccines and effective treatments for COVID-19 are not widely available, and residents, businesses, and government agencies face new and unanticipated economic, fiscal, and operational challenges as a result of the COVID-19 pandemic; and

WHEREAS, minimizing evictions during the COVID-19 pandemic is critical to controlling and reducing the spread of COVID-19 and preventing a resurgence of the disease by allowing residents to stay home or at their place of residence; and

WHEREAS, in order to keep people safely in their homes and avoid increasing homelessness and the associated risk of COVID-19 transmission, Executive Order Nos. 7X, 7DDD, 7OOO, 9E and 9H, provided temporary relief from statutory eviction proceedings; and

WHEREAS, continued economic disruption could increase homelessness and the associated risk of COVID-19 transmission unless certain relief measures provided in those orders are continued; and

WHEREAS, the President of the United States has declared that people dislocated from their homes may be unable to shelter in place, may have more difficulty maintaining a routine of social distancing, and will have to find alternative living arrangements that may include a homeless shelter, a crowded family home, or travel to other states, posing multiple challenges that can exacerbate and amplify the spread of COVID-19; and

WHEREAS, for those reasons, as declared in certain executive orders issued by the President of the United States, it is the policy of the United States to minimize, to the greatest extent possible, residential evictions and foreclosures during the ongoing COVID-19 national emergency; and

WHEREAS, the CDC has determined that, in a pandemic, eviction moratoria can be an effective public health measures to prevent the spread of communicable disease because they facilitate self-isolation by people who become ill or who are at risk for severe illness from COVID-19, allow state and local authorities to more easily implement stay-at-home and social distancing directives to mitigate the community spread of COVID-19, and decrease the risk of unsheltered homelessness and the likelihood of individuals moving into congregate settings such as shared housing and homeless shelters; and

WHEREAS, the CDC has also determined that these public health risks may increase as a result of colder weather; and

WHEREAS, pursuant to Section 361 of the Public Health Service Act, the CDC has therefore issued an order, "Temporary Halt in Residential Evictions to Prevent the Further Spread of

COVID-19," 85 FR 55292 (September 4, 2020) ("CDC Order") to limit or reduce such increased health risks; and

WHEREAS, evictions tend to disproportionately affect minorities, particularly African Americans and Latinos, and research suggests that the population of persons who would be evicted and become homeless would include many who are predisposed to developing severe disease from COVID-19;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, and pursuant to the public health and civil preparedness emergencies declared on March 10, 2020 and renewed on September 1, 2020 and the new public health and civil preparedness emergencies declared on September 1, 2020, do hereby **ORDER AND DIRECT:**

1. **Extension of Eviction Moratorium.** The provisions of Executive Order No. 7X, Section 1, as modified by Executive Order Nos. 7NN, Section 4, 7DDD, Section 1, 7OOO, Section 3, and 9H, Section 2 shall remain in effect until February 9, 2021, with the following modifications:

    a. **No Notice to Quit or Service of Summary Process Before February 9, 2021.** Section 47a-23 of the Connecticut General Statutes is modified to provide: "(g) No landlord of a dwelling unit, and no such landlord's legal representative, attorney-at-law, or attorney-in-fact, shall, before February 9, 2021, deliver or cause to be delivered a notice to quit or serve or return a summary process action, for any reason set forth in this chapter or in sections 21-80 et seq. of the Connecticut General Statutes, except for nonpayment of rent due on or before February 29, 2020, for serious nonpayment of rent as defined herein, for serious nuisance as defined in section 47a-15 of the Connecticut General Statutes, or, provided the notice to quit is not delivered during the term of any existing rental agreement, for a bona fide intention by the landlord to use such dwelling unit as such landlord's principal residence. For the purposes of this subsection, 'serious nonpayment of rent' means a rent arrearage equal to or greater than six months' worth of rent due on or after March 1, 2020, which shall exclude all other costs, fees, attorney fees, and other charges arising from the tenancy."

    b. All residential notices to quit issued before February 9, 2021, except those for serious nuisance, shall be delivered with a copy of the CDC Declaration accompanying the CDC Order, "Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19," 85 FR 55292 (September 4, 2020), provided the CDC Order remains in effect. The CDC Declaration, which may be found in translation at https://nlihc.org/coronavirus-and-

housing-homelessness/national-eviction-moratorium, shall be delivered in English and Spanish.

c. All residential notices to quit for nonpayment of rent for rent due on or before February 29, 2020 that are issued before February 9, 2021 shall specify and recite the period of nonpayment of rent before February 29, 2020 for which rent has not been paid.

d. All residential notices to quit and all complaints in summary process actions for serious nonpayment of rent that are issued before February 9, 2021 shall specify and recite the amount of the rent arrearage, the months for which rent has not been paid, and in what amounts.

e. All residential notices to quit issued before February 9, 2021 based upon the bona fide intention by the landlord to use such premises for the landlord's principal residence shall state that reason and specify the expiration date of the lease.

f. No residential landlord subject to this order may deliver or cause to be delivered a notice to quit or judgment of eviction from the effective date of this order through January 2, 2021.

g. Section 47a-42 of the Connecticut General Statutes is modified to additionally provide: "No state marshal charged with executing upon any judgment of eviction pursuant to Section 47a-26, 47a-26a, 47a-26b or 47a-26d of the Connecticut General Statutes for the recovery of possession or occupancy of residential property shall execute upon any such judgment before January 2, 2021."

h. Section 49-22 of the Connecticut General Statutes is modified to additionally provide: "No state marshal charged with executing upon an ejectment on a foreclosure judgment in any action brought for the foreclosure of a mortgage or lien upon land, or for any equitable relief in relation to land, shall execute upon any such ejectment on a foreclosure judgment relating to residential real property, as defined in Section 49-31k of the Connecticut General Statutes, before January 2, 2021."

i. The provisions of Executive Order No. 7DDD, Section 1 concerning application of security deposits in excess of one month's rent shall additionally apply to rent due from October 1, 2020 through February 9, 2021.

Unless otherwise provided herein, this order shall take effect immediately and remain in effect for the duration of the public health and civil preparedness emergencies declared on March 10, 2020 and September 1, 2020.

Dated at Hartford, Connecticut, this 23rd day of December, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State