GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-14

Postponement of Eviction Actions

WHEREAS, a Public Health State of Emergency was declared in Arizona on March 11, 2020 to prepare for and respond to the outbreak of the 2019 novel coronavirus (COVID-19); and

WHEREAS, the President of the United States declared a national emergency on March 13, 2020 due to both the health and economic implications of the COVID-19 virus; and

WHEREAS, the President of the United States announced on March 18, 2020, that the U.S. Department of Housing and Urban Development (HUD), in an effort to provide immediate relief to renters, will temporarily suspend all evictions for HUD-financed properties; and

WHEREAS, the State of Arizona has experienced community spread of COVID-19 in multiple counties as it continues to spread across the country and the state, posing an increasing threat to public health and having a devastating impact on the economy; and

WHEREAS, the state has taken critical measures to protect public health and safety, which will result in direct economic consequences for businesses across the State of Arizona that provide employment for many Arizonans; and

WHEREAS, in order to prevent the spread of COVID-19 and protect citizens from individuals who may become infected, the Centers for Disease Control and Prevention have recommended that people self-isolate if they have been exposed to COVID-19 or if they have a condition that puts them at risk for serious harm by the disease; and

WHEREAS, it may become medically necessary for Arizonans to remain in their rental properties to stay isolated and separated from the general public; and

WHEREAS, those who must self-isolate or who are unable to work, may experience a decrease in income and thus their ability to pay for regular living expenses; and

WHEREAS, the anticipated loss of work and income for Arizonans and their families may impact their ability to pay for their rental housing, resulting in landlords initiating eviction proceedings to remove them from their residences; and

WHEREAS, to further protect public health, it is necessary to to avoid the serious consequence of Arizonans losing their rental housing.

NOW, THEREFORE I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state, hereby order as follows:

1. Unless a court determines on motion of the parties that enforcement is necessary in the interest of justice or is in accordance with A.R.S. § 33-1368(A), pursuant to A.R.S. §§ 26-303 et al, 36-787, all Arizona Peace Officer Standards and Training Board certified law enforcement officers and any person subject to the jurisdiction of the Constable Ethics Standards and Training Board, shall temporarily delay enforcement of eviction action orders for residential premises when one of the following circumstances exist and are documented to the landlord or property owner:
    a. The individual is required to be quarantined based on their diagnosis of COVID-19.
    b. The individual is ordered by a licensed medical professional to self-quarantine based on their demonstration of symptoms as defined by the Centers for Disease Control and Prevention.
    c. The individual is required to be quarantined based on someone in the home being diagnosed with COVID-19.
    d. The individual demonstrates that they have a health condition, as defined by the Centers for Disease Control and Prevention, that makes them more at risk for COVID-19 than the average person.
    e. The individual suffered a substantial loss of income resulting from COVID-19, including:
        i. Job loss;
        ii. Reduction in compensation;
        iii. Closure of place of employment;
        iv. Obligation to be absent from work to care for a home-bound school-age child; or
        v. Other pertinent circumstances.

2. If a tenant, lessee or resident is suffering any of the above circumstances and seeks relief from or delay in eviction, they shall notify the landlord or property owner in writing with any available supporting documentation of their temporary financial hardship or state of quarantine as a result of COVID-19 and acknowledge that contractual terms of the lease remain in effect.

3. A landlord shall not interpret a health and safety provision of a contract to include COVID-19 as a reason for termination of a lease or rental agreement; nor shall a landlord terminate a lease or rental agreement solely based on information provided by the tenant to satisfy a notice requirement under paragraph 2.

4. No provision contained in this Executive Order shall be construed as relieving any individual of the obligation to pay rent or comply with any other obligation that an individual may have under a tenancy.

5. This Executive Order shall remain in effect for 120 days.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this Twenty-Fourth day of March in the Year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

ATTEST:

Secretary of State