STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER NO. 20-07
CORONAVIRUS – TEMPORARY RESIDENTIAL EVICTION RELIEF

WHEREAS, a state of emergency was proclaimed in Nebraska on March 13, 2020, to control the spread of the coronavirus known as COVID-19; and

WHEREAS, recommendations to slow the spread of this disease include staying at home, social distancing, and avoiding public areas; and

WHEREAS, the spread of COVID-19 will result in a loss of income for Nebraska residents who lose work or have reduced working hours, or who are quarantined or who have a confirmed COVID-19 diagnosis which may impact their ability to pay for rental housing.

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this temporary residential eviction relief.

Pursuant to this declaration, I hereby order the following:

1. The right of a residential landlord to proceed to trial in an eviction action to terminate a rental agreement for unpaid rent that accrues on or after March 13, 2020, under Neb. Rev. Stat. §76-1431(2) or Neb. Rev. Stat. §76-14,101(2), is deferred from the date of this order until May 31, 2020, if a tenant can demonstrate to the landlord, with documentation or other objective evidence, that the tenant:

    a. suffered a substantial loss of income resulting from COVID-19 or the related state of emergency, such as job loss, reduction in compensated hours of work, closure of a place of employment; or
    b. missed work to care for a relative or a child due to notice from a school or a childcare facility that the child may not attend due to closure or attendance limitations related to COVID-19; and

2. All rights of landlords and tenants set forth in the Uniform Residential Landlord Tenant Act and the Mobile Home Landlord Tenant Act shall remain intact except that the provisions of Neb. Rev. Stat. § 76-1446, which require that trial of possession actions for unpaid rent be held not less than ten nor more than fourteen days after the issuance of the summons are hereby waived during the pendency of this order; and

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3. The fact that a tenant, or any person permissibly residing with a tenant in accordance with the terms of the lease, has a suspected or confirmed diagnosis of COVID-19, or is under investigation for having COVID-19, shall not constitute a reason for eviction under the laws of the State of Nebraska nor any condominium regime, cooperative housing agreement, or neighborhood association; and

4. Nothing in this order shall be construed to extinguish the duty of a tenant to pay rent or the right of a residential landlord to collect rent owed or infringe the rights of the landlord and tenant to make alternative payment arrangements for unpaid rent; and

5. Nothing in this order shall limit the right of a residential landlord to terminate a rental agreement due to criminal conduct on the property, vandalism, or material noncompliance by the tenant with the agreement that is unrelated to payment terms of the agreement in accordance Neb. Rev. Stat. § 76-1431(1) and (4) and (5) or with the laws of Nebraska; and

6. This order shall expire on May 31, 2020 unless further extended due to the state of the COVID-19 emergency.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 25th day of March, 2020.

Pete Ricketts, Governor
State of Nebraska

Attest:

Robert B. Evnen,
Secretary of State
State of Nebraska