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News from: **City of Oakland**

Press Release

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**City of Oakland Eviction Moratorium
Not Impacted by Federal Ruling**

Oakland — A recent federal court ruling regarding the nationwide eviction moratorium adopted by the Centers for Disease Control and Prevention (CDC) does not change the City of Oakland’s current eviction and rent increase moratorium, which remains in effect during the COVID emergency and until rescinded by the Oakland City Council.

On March 27, 2020, the Oakland City Council adopted an ordinance imposing a moratorium on residential evictions and rent increases above the CPI amount of 2.7% and prohibiting late fees during the COVID-19 Local Emergency. The ordinance also prohibits evictions based on non-payment of rent that became due during the Local Emergency when the tenant suffered a substantial reduction of income or substantial increase of expenses due to COVID-19.

In September 2020, the CDC adopted a national moratorium on evictions. Last week, a federal court ruled against that moratorium on the grounds that it exceeded the CDC’s power under federal law. The Department of Justice has appealed the decision and the ruling has been put on a temporary hold.

The court’s ruling focuses on whether the CDC exceeded its authority under federal law asking the very specific question, “does the Public Health Service Act grant the CDC the legal authority to impose a nationwide eviction moratorium? It does not.”

As state and local eviction moratoria were adopted by state and local legislatures and consistently upheld by courts, the aforementioned federal ruling has no impact on Oakland’s eviction and rent increase moratorium.

The City Council has extended Oakland's moratorium on evictions and rent increases until the Local Emergency is terminated by Council. RAP, a division of the City's Housing & Community Development Department, reminds tenants and property owners to always ask before you act – contact a housing counselor with questions about the eviction moratorium and all other housing matters. Call (510) 238-3721 or visit: oaklandca.gov/rap

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