

MANDATORY FORM FOR EVERY EVICTION: Revised 7/1/2021

Property Address: _____ Unit Number: _____
Resident Name: _____

- I. **NEW COURT RULES** - The Arizona Supreme Court has made new changes requiring managers and owners to provide the following information for each and every eviction they file:
1. Has the Landlord APPLIED FOR any rental assistance on behalf of this resident: Yes No
 2. Has the Landlord RECEIVED rental assistance for this resident: Yes No
 - a. If you have RECEIVED rental assistance, how much have you RECEIVED: _____
 - b. Have you APPLIED the rental assistance to the resident's ledger: Yes No
 - c. If you have obtained rental assistance, have you filed this action in compliance with the terms of the rental assistance agreement (i.e. no agreement to delay eviction)? Yes No
 - d. Have you waived any portion of the balance? Yes No
 3. You have obtained a prior eviction action judgment against this resident? Yes No
 - a. If so, you need to make sure the amounts sought in the prior judgment are not included in the prior judgment.

II. **CENTER FOR DISEASE CONTROL AND PREVENTION ORDER** – On September 4, 2020, the U.S. Centers for Disease Control published a nationwide residential eviction moratorium for non-payment of rent cases. This applies to all rental properties in the country—not just those with federally-backed/insured mortgages. The Order says that a housing provider cannot evict a “covered person,” which is a resident who signs a CDC declaration. For details on the CDC Order see the CDC information sheet. There are significant penalties, including monetary penalties and jail time, if you violate the CDC Order.

The Property Manager or designated agent for owner attests (check one):

I HAVE NOT **I HAVE** received a CDC declaration from the resident.

I wish to (check one): Serve notice File Eviction Action File writ to be executed

III. **CARES Act** – The federal C.A.R.E.S. Act prohibits certain landlords from filing evictions for non-payment of rent, from charging late fees and from serving “notices to vacate” between March 27 and July 25, 2020. Such landlords were required to serve 30-day notices for nonpayment of rent following the eviction moratorium. This rule only applied to federally backed mortgages or if the property participated in certain federal programs. If you do not know if CARES applied to your property, see the CARES information sheet and contact your lender and request confirmation.

The property address listed above (check one):

WAS NOT **WAS** covered by CARES Act between 3/27/20- 7/25/20

NON-PAY NOTICE – If I am a CARES Act covered property, I acknowledge that HUD has offered guidance that provides I should issue a 30-day notice for any non-pay case, even for balances outside of the CARES time period. By acknowledging below, I have elected to use a regular 5-day non-payment of rent notice to recover a balance post CARES with knowledge of the above-mentioned HUD guidance. _____ (initials)

CFPB Rule – I acknowledge that if the CFPB verbiage IS NOT in the notice served to the tenant, my case may be dismissed; I still want to proceed with an action against the tenant. _____ (initials)

Mortgage Forbearance – Is your property currently receiving mortgage forbearance? Yes No

Name: _____ Date: _____

Signature: _____

