



Pima County Justice Courts, Arizona

240 N. Stone Ave., Tucson, AZ 85701 (520) 724-3171

ATTENTION TENANTS

ATTENTION TENANTS

YOU CAN ASK FOR FREE LEGAL HELP BY CONTACTING:

(These legal help programs are not part of the court.)

COUNTY OR TOWN		CONTACT INFORMATION	
Maricopa County Mohave County La Paz County	Yavapai County Yuma County	Town of San Luis Apache Junction Queen Creek	Community Legal Services 1-800-852-9075 www.clsaz.org
Apache County Cochise County Gila County	Graham County Greenlee County Navajo County	Pima County Pinal County Santa Cruz County	Southern Arizona Legal Aid 1-800-248-6789 or www.sazlegalaid.org
Coconino County	Navajo Nation	Hopi Nation	DNA People's Legal Services 1-800-789-5781 www.dnalegalservices.org

INFORMATION ON TEMPORARY HALT IN RESIDENTIAL EVICTION FOR NONPAYMENT OF RENT

You may have a **right to stay in your home** through October 3, 2021 even though you are unable to pay all of your rent during this time; but only if you can **accurately** and **truthfully** make **all five** of the following statements and you give your landlord a paper called a **declaration** that contains them:

- 1) You have used your best efforts to obtain all available government assistance for rent or housing;
- 2) You either (i) earned no more than \$99,000 (or \$198,000 if filing jointly) in Calendar Year 2020 or expect to earn no more than \$99,000 in annual income for Calendar Year 2021 (or no more than \$198,000 if filing a joint tax return), (ii) were not required to report any income in 2020 to the IRS, or (iii) received an Economic Impact Payment (stimulus check);
- 3) You are unable to pay the full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses that exceed 7.5% of your total income;
- 4) You are using your best efforts to make timely partial payments that are as close to the full payment as your circumstances may permit, considering other bills you have to pay; and
- 5) If evicted, you would likely be homeless or be forced to move into a crowded living space such as a shelter or a residence with other people because you have no other available place to live for the same or lower cost.

You can get a declaration form on the web at <https://www.azcourts.gov/eviction> or <https://www.azcourthelp.org>, at a rent assistance office, or at your local justice court. Please read it carefully. If you sign the declaration when you know any statement is false, you may be charged and convicted with a felony and be required to pay a large fine or even be sent to jail.

If your landlord provides the judge a reason to believe based on evidence that any of the five statements in the declaration are not accurate, the court may schedule a hearing. At this hearing, before you can be evicted for nonpayment of rent, your landlord must prove at least one of the statements is not accurate. You may explain why you believe it is accurate and provide any documents you have that support your belief. Then the judge will decide whether to let you stay in your home or order you to move out because you have not kept up with your rent payments.

**DECLARATION TO LANDLORD FOR A
TEMPORARY HALT IN RESIDENTIAL EVICTION
(Pursuant to CDC Order, Effective August 3, 2021)**

Tenant Name: _____

Address: _____

Phone Number: (____) _____

Email Address: _____

This Declaration is for tenants of residential properties who qualify under the order issued by the Centers for Disease Control and Prevention (CDC) for a temporary halt in residential eviction due to nonpayment of rent.

Under the CDC's order:

To halt an eviction, you and any other adult listed on the lease must provide a copy of this Declaration to your landlord, owner of the residential property where you live, or other person who has a right to have you evicted or removed from where you live.

Unless the CDC order is extended, changed, or ended, the order prevents you from being evicted or removed from where you are living through October 3, 2021. During this time, you are still obligated to pay rent and follow all the other terms of your lease and rules of the place where you live. You may also still be evicted for violation of terms of your lease other than the requirement to make all rent or housing payments when due.

DECLARATION

I certify under penalty of perjury, pursuant to 28 U.S.C. 1746, that all of the statements below are true and correct:

1. I have used my best efforts to obtain all available government assistance for rent or housing.
2. One or more of the following statements regarding my financial circumstances is true. Check all that apply:
 - I earned no more than \$99,000 (or \$198,000 if filing jointly) in Calendar Year 2020 or expect to earn no more than \$99,000 in annual income for Calendar Year 2021 (or no more than \$198,000 if filing a joint tax return)
 - I was not required to report any income in 2020 to the IRS
 - I received an Economic Impact Payment (stimulus check)

3. I am unable to pay my full rent or make a full housing payment due to substantial loss of household income. Check all that apply:
 - Loss of compensable hours of work or wages
 - Lay-off
 - Extraordinary out-of-pocket medical expenses that exceed 7.5% of my total income

4. I am using my best efforts to make timely partial payments that are as close to the full payment as my circumstances may permit, considering other bills I have to pay.

5. If evicted, I would likely be homeless or be forced to move into a crowded living space such as a shelter or a residence with other people because I have no other available place to live for the same or lower cost.

6. I understand that:
 - I must still pay rent or make a housing payment and comply with other obligations that I may have under my tenancy, lease agreement, or similar contract.
 - Fees, penalties, or interest for not paying rent or making a housing payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected.
 - At the end of this temporary halt on evictions after October 3, 2021, my housing provider may require payment in full for all payments not made prior to and during the temporary halt and that my failure to pay may make me subject to eviction pursuant to state and local laws.

I provided this Declaration to my landlord or property owner, _____, on _____, 20____, and will provide the same to a constable or law enforcement officer or to the court upon request.

Warning: This Declaration is sworn testimony. If you lie, mislead, or omit important information and you are convicted of perjury you can be sentenced to a maximum of five years in jail and a \$250,000 fine.

Date

Signature of Declarant/Tenant

Date

Signature of Declarant/Tenant