



# Can I be evicted during the COVID crisis in Indiana?

## Short answer: It depends on the reason for eviction

There's not a simple yes/no answer to whether or not you can be evicted during the pandemic. It depends on **the reason why your landlord filed for your eviction**. State and federal protections have been established to help keep you from losing your home, including property owners.

This questionnaire can help you better understand your current situation, but it's always a good idea to get advice from a lawyer if a court case has been filed against you. Generally, it's best to openly communicate with your landlord and try to come to an arrangement before legal action is taken.

## Did your landlord file for eviction **solely** for past due rent and fees?



### Yes

You can't be immediately evicted if one of the following applies to you:

The CDC Order to temporarily halt certain residential evictions through October 3, 2021. The renter/homeowner must complete a declaration form, under penalty of perjury, and provide the completed form to the landlord to have protection under this order.

Evictions are banned through September 30, 2021 by HUD for FHA-insured single-family mortgages.

### No

You **may be evicted** if the filing shows any reason other than nonpayment of rent or fees.

*See IC 32-31-6 et. Seq.*

The CDC order does not prohibit evictions based on tenant engaging in criminal activity while on property; threatening the health and safety of other residents, damaging or posing an immediate and significant risk of damage to property; violating applicable building code, health ordinance, or similar health and safety regulations; or violating other contractual obligations other than timely payment of rent and fees.



## Request a facilitation at [courts.in.gov/facilitate](https://courts.in.gov/facilitate)

Free program for both landlords and tenants to fairly discuss their situation with a facilitator and aid them in finding viable resolutions.

To find out what kind of mortgage your landlord has, try looking in public records. Whether their loan is covered by federal programs may not be recorded. Your landlord may be able to tell you. If not, [see Appendix C for resources in determining if your property is covered](#) by the CARES Act or HUD.

Another option may be to call 1-800-2FANNIE or 1-800-FREDDIE. Talk to a lawyer if you have questions and check [courts.in.gov](https://courts.in.gov) for updated information.

*Note: people who were previously protected from evictions and late fees by the CARES Act until July 25, 2020 included those who live in "Section 8" or "Rural Development" voucher—including Section 8 project-based, public, HUD-subsidized senior, other HUD-subsidized, USDA-subsidized, tax credit and LIHTC—and Landlords with a HUD (including FHA), USDA, VA, Fannie Mae, or Freddie Mac mortgages. After July 25, 2020, you may be evicted if your landlord has given you 30-days written notice of eviction.*