

# EXTENDED MORATORIUM ON EVICTION CASES

The Third Special Session of 2020, the legislature passed House Bill (HB) 4401, effective December 21, 2020. This bill modifies previous legislation on this topic, HB 4213 (1st Special Session, 2020). The new legislation continues to prohibit pursuing FED actions for non-payment of rent until **June 30, 2021**, if certain conditions are met and creates a rental assistance program to pay past due rent to landlords.

## Notice Changes

HB 4401 changed the 72-hour notice for nonpayment of rent to 10 days' written notice. It also changed the 144-hour notice for nonpayment to 13 days' written notice. The notice requirements are in effect through June 30, 2021.

## Form Changes

HB 4401 include several model forms and require other changes to many of the residential Landlord Tenant (FED) forms. The model forms can be seen on the following pages of [Enrolled HB 4401](#).

The forms are now available on at:

- <https://www.courts.oregon.gov/courts/clackamas/help/Pages/fed.aspx> ,
- Online Forms Center ([www.courts.oregon.gov/forms](http://www.courts.oregon.gov/forms)), and
- Are being added to Guide & File.

Translated versions will be available soon.

**Forms:** Following enactment of HB 4401, four new forms have been added to the Oregon Judicial Department's (OJD) existing residential FED packets:

- Declaration of Financial Hardship
- Notice of Eviction Protection
- Temporary Instructions
- Judgment of Dismissal

Additionally, the following forms have been updated with wording consistent with HB 4401:

- Complaint
- Summons (new wording added, and new forms for declaration and notice)
- Answer

**THERE MAY ALSO BE ADDITIONAL FEDERAL, STATE and LOCAL LAWS, REGULATIONS and ORDERS WHICH LIMIT OR PROHIBIT THE FILING OF CERTAIN EVICTION AND FORECLOSURE CASES. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT AN ATTORNEY.**