

Instructions for CARES Act Landlord Verification form

Some forcible entry and detainer actions (evictions) for nonpayment of rent may be temporarily subject to federal law, specifically the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act (15 U.S.C. §§ 9507 & 9508). Landlords must complete this verification to ensure that the court has the information it needs to determine whether and how the CARES Act applies. The verification should be filed, if possible, at the time the petition is filed. However, keep in mind that you will have the opportunity to provide additional information to the court at the eviction hearing itself.

- **In General**

- The “property involved in this matter” means the property for which you seek possession.
- You must complete sections 1 and 2.
- You must complete sections 3–6 if any apply to the property at issue.
- You may choose to provide additional information in section 7 if you wish.
- If an attorney helped you fill out this form, you must complete the “Attorney Help” section.
- You must sign the Oath at the bottom of the form. Your signature certifies that the information you provide in the CARES Act Landlord Verification is true and correct under penalty of perjury.
- If you have any questions about how to complete this verification or how the CARES Act may apply to your situation, you should contact an attorney.

- **Section 1:**

- Sometimes evictions are filed in situations that do not involve a “landlord–tenant” relationship, *e.g.*, a land contract forfeiture or tax deed.

- **Section 2:**

- A “Section 8 or USDA Housing Choice Voucher” is a type of federal benefit that involves payment of part or all of a tenant’s rent by a public housing authority. It involves a three way contractual relationship between a tenant, landlord, and public housing authority.
- If a case does not involve a landlord–tenant relationship, you can choose “not applicable.”

- **Section 3:**

- This section addresses whether the property involved in this matter is connected to one of fourteen federal programs.
- Generally, if your property is covered by one of these programs, you would know this because of contractual relationships with HUD or other federal agencies, or because of tax and other reporting requirements.

- You may also check this free online resource, the [National Housing Preservation Database](#) map site to search for the property to determine whether it is subject to these programs.
- **Section 4:**
 - This section is to indicate whether the property involved in this matter is subject to a “federally connected mortgage.” This includes both primary and subordinate mortgages (e.g., a second mortgage or down payment assistance loan).
 - If you do not know whether the property involved in this matter includes a federally connected mortgage, you can call your lending institution. Otherwise, here is where you might check to make sure:
 - i. **FHA or VA.** Check the note, mortgage, or closing documents for the property. If they are covered by either of these agencies, the documents should reference the FHA or VA.
 - ii. **USDA direct loans.** These loans are paid directly to the federal government (USDA), so you probably have this kind of loan if you pay your monthly mortgage payment to USDA.
 - iii. **USDA guaranteed loans.** You can find this information on the HUD-1 Settlement Statement that you were given at the closing of the home. If the box labeled “FmHA” is checked, your mortgage loan may be a USDA guaranteed loan.
 - iv. **Fannie Mae.** You can check this free online look-up tool: <https://www.knowyouoptions.com/loanlookup>
 - v. **Freddie Mac.** You can check this free online look-up tool: <https://ww3.freddie.mac.com/loanlookup/>
- **Sections 5 & 6:**
 - These sections are to indicate whether you received a mortgage forbearance (e.g., your mortgage company allowed you to not make your mortgage payment for a period of time for this property), and if so, when.
- **Section 7:**
 - This space is to add any other relevant information you want the judge to know. Remember, you will have the opportunity to provide additional information to the court at the eviction hearing.