

IN THE MAGISTRATE COURT OF FULTON COUNTY  
STATE OF GEORGIA



2021-EX-000387

**Standing Order on Requirements for Landlords Under the  
CDC Moratorium<sup>1</sup>**

The Centers for Disease Control and Prevention (CDC) suspended all evictions from **September 4, 2020 until March 31, 2021.**<sup>2</sup> This freeze applies to tenants (renters) subject to eviction for nonpayment of rent and affects those who rent a house, apartment unit, mobile home, or land in a mobile home park. This mandate does not relieve any individual of the obligation to make a timely payment of rent or similar housing-related payment (including late payment of fees, penalties, or interest) or comply with any other obligation that the tenant may have under a tenancy, lease or similar contract. Landlords who desire to pursue an eviction for reasons other than failure to pay rent may do so.

Nothing in this Moratorium precludes evictions based on a tenant, lessee, or resident:

- (1) Engaging in criminal activity while on the premises;
- (2) Threatening the health or safety of other residents;
- (3) Damaging or posing an immediate and significant risk of damage to property;
- (4) Violating any building code, health ordinance, or similar regulation relating to health and safety; or
- (5) Violating any other contractual obligation.

Landlords choosing to pursue evictions during this time must file an affidavit into the Court which states that:

- (1) The subject property is not covered by the CARES Act<sup>3</sup> (Magistrate Court Rule 46);
- (2) The Tenant has not provided a CDC Declaration Form to you, seeking to halt the eviction; and
- (3) The eviction is being filed for reasons other than non-payment of rent.

So ORDERED, this 1st day of February, 2021.

  
Cassandra Kirk, Chief Magistrate Judge

<sup>1</sup> The requirements of this Standing Order were previously posted on the Court's website as of September 4, 2020. It is now incorporated specifically in the Court's Standing Orders.

<sup>2</sup> If the CDC extends its eviction moratorium, all applicable parts of this Order will extend to comport with the furthest deadline granted by the CDC.

<sup>3</sup> The CARES Act Affidavit requirement applies to all actions filed between March 27, 2020 and July 25, 2020.