

STATE OF MICHIGAN JUDICIAL DISTRICT	VERIFICATION OF COMPLIANCE WITH CARES ACT	CASE NO. and JUDGE
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Court address **Court telephone no.**

Plaintiff's name, address, and telephone no.
Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.
Defendant's attorney, bar no., address, and telephone no.

The plaintiff states:

1. I am seeking to recover possession of the following described premises: _____

2. a. The property is not a covered dwelling and is therefore exempt from the restriction on legal actions to recover possession under the CARES Act.

OR

b. The property is a covered dwelling but is exempt from the restriction on legal actions to recover possession under the CARES Act because: (specifically state all applicable reasons such as filing date, not in foreclosure, etc.)

3. (Must be checked if item 2b is checked.) The amount requested does not include fees, penalties, or other charges related to the nonpayment of rent between March 27, 2020, and July 25, 2020.

NOTE: See page 2 for definitions.

I declare under the penalties of perjury that this verification has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Plaintiff/Attorney signature

CARES Act
Public Law 116-136
Explanation of Terms

SEC. 4023. FORBEARANCE OF RESIDENTIAL MORTGAGE LOAN PAYMENTS FOR MULTIFAMILY PROPERTIES WITH FEDERALLY BACKED LOANS.

(d) Renter Protections During Forbearance Period.—A multifamily borrower that receives a forbearance under this section may not, for the duration of the forbearance—

- (1) evict or initiate the eviction of a tenant from a dwelling unit located in or on the applicable property solely for nonpayment of rent or other fees or charges; or
- (2) charge any late fees, penalties, or other charges to a tenant described in paragraph (1) for late payment of rent.

Sec. 4024. TEMPORARY MORATORIUM ON EVICTION FILINGS.

(a) DEFINITIONS.—In this section:

(1) COVERED DWELLING.—The term “covered dwelling” means a dwelling that—

- (A) is occupied by a tenant—
 - (i) pursuant to a residential lease; or
 - (ii) without a lease or with a lease terminable under State law; and
- (B) is on or in a covered property.

(2) COVERED PROPERTY.—The term “covered property” means any property that—

- (A) participates in—
 - (i) a covered housing program (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a))); or
 - (ii) the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r); or
- (B) has a—
 - (i) Federally backed mortgage loan; or
 - (ii) Federally backed multifamily mortgage loan.

(3) DWELLING.—The term “dwelling”—

- (A) has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602); and
- (B) includes houses and dwellings described in section 803(b) of such Act (42 U.S.C. 3603(b)).

(4) FEDERALLY BACKED MORTGAGE LOAN.—The term “Federally backed mortgage loan” includes any loan (other than temporary financing such as a construction loan) that —

- (A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
- (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(5) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term “Federally backed multifamily mortgage loan” includes any loan (other than temporary financing such as a construction loan) that—

- (A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
- (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

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