



Landman Beatty Lawyers wants to keep our clients and the general public informed as to how the Coronavirus, the disease it causes (COVID-19) and the most current government responses to them, may affect our clients, the general public and certain aspects of the Landlord – Tenant relationship in Indiana.

**CENTERS FOR DISEASE CONTROL (CDC) ORDER**  
**OVERTURNED AUGUST 26, 2021**

On August 26, 2021 the Supreme Court of the United States overturned the Centers for Disease Control and Prevention's (CDC) Eviction Moratorium that went into effect on August 3, 2021. The key points are as follows:

1. **Landlords can file evictions (for nonpayment and lease violations) and courts should accept eviction filings.**
2. There are currently **no eviction moratoriums** in the State of Indiana for multifamily properties. There is still a restriction through September 30<sup>th</sup> for evictions of *single-family homes* with federally-backed mortgages.
3. The right to enforce possessory (eviction) orders that have already been entered by a court is available to landlords.
4. The law in Indiana requires order for landlords to proceed with eviction and prohibits self-help measures, lock-outs and other interference with the tenant's possession of the property. **Possessory orders that are in place must be enforced with the assistance of the Sheriff or Constable depending on the court jurisdiction.** In cases where the possessory orders have been stayed and put on hold due to the CDC eviction moratorium, it is possible that additional requests in the form of a motion to the Court to proceed with enforcement may be required.
5. Landman Beatty is working diligently to reset cases that were stayed due to the prior moratoriums. We are working with the various courts to get these cases back on the courts' dockets as quickly as possible.
6. We anticipate the various county and township courts to have very congested dockets as a result of the lift of the moratorium stay. Landman Beatty will do our best to expedite your pending and future evictions, but with the backlogs created over the last 18 months, there may be longer than average delays due to the courts' inability to accommodate the historical and the new eviction actions.

For additional information and updates please visit our website at [www.landmanbeatty.com](http://www.landmanbeatty.com)

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