

Moratoriums on Commercial Foreclosure & Eviction and Late Fees

As the coronavirus (Covid 19) spreads throughout the United States, several states and localities have enacted restrictions on foreclosures and evictions. Many of these orders that have been issued to date exclusively cover residential evictions and foreclosures. However, as the situation evolves, more states are expanding those restrictions to cover commercial evictions as well. Some of the commercial eviction or foreclosure moratoriums may prevent operators from conducting self storage liens sales, performing overlocks, or imposing late fees.

Although self storage lien sales are not evictions in the usual sense of that word, the SSA urges all operators to exercise great caution if they operate in an area covered by a moratorium on commercial or non-residential evictions or foreclosures.

First, self storage lien sales are a form of non-judicial foreclosure. Therefore, an order that imposes a foreclosure moratorium may apply to self storage lien sales. Second, the overall intent of many government restrictions at this time is to keep people at home as much as possible. It arguably frustrates the intent of the orders if a landlord creates a situation that forces a tenant to leave home for a non-essential purpose. Third, the orders are often hastily drafted and vague and do not define the term “eviction”, “foreclosure”, or other key terms in the orders. The overall intent, coupled with the vague wording, indicates that the term “eviction” or “foreclosure” is meant to cover any unilateral action by an operator that terminates a rental agreement. This certainly covers lien sales, even if the primary purpose of a lien sale is to recover unpaid rents.

The volume of new orders issued daily makes it difficult to provide a comprehensive list of jurisdictions, especially local governments, that have enacted eviction or foreclosure moratoriums. Additionally, in the interest of space, we did not include local orders that affect only residential evictions or lawsuits filed to evict a tenant.

We intend to update this document frequently to include new orders and previous orders we missed. Please email [Daniel Bryant](#) and [Joe Doherty](#) if you believe any orders are missing.

Alabama:

- There are currently no commercial restrictions in place. Check back [here](#) for additional updates.

Alaska:

- There are currently no commercial restrictions in place. Check back [here](#) for additional updates.

Arizona:

- Governor issued an [order](#), temporarily halting small business evictions in the state until May 31, 2020. Commercial eviction actions including lock outs, notice to vacate or any other attempt to inhibit the operations of a business are suspended if caused by financial hardship related to COVID-19. A commercial tenant that is suffering financial hardship must notify the landlord in writing as soon as possible with any available supporting documentation of their inability to pay rent and acknowledge that contractual terms of the lease remain in effect. The definition of commercial tenant is very broad, covering corporations, nonprofits, LLCs, independent contractors, and self employed individuals.
- As a result, while the order only seeks to halt small business evictions, it will likely be practically impossible for operators in Arizona to determine who is a commercial tenant or who is using the unit exclusively for personal use. Operators in Arizona should exercise caution while the order is in effect and potentially consider halting overlocking, denial of access, late fees, lien notices, and lien sales for all tenants who provide supporting documentation of their inability to pay due to temporary financial hardship.
- Governor Ducey issued an [order](#), temporarily delaying residential evictions for people impacted by coronavirus for up to 120 days.

Arkansas:

- No commercial eviction moratorium in place.

California:

- Governor issued an [order](#), issuing a statewide moratorium on residential evictions.
- Governor also issued an [executive order](#) that authorizes local governments to pause evictions for renters. The protection is in effect through May 31, 2020. Tenants are still obligated to pay rent, and landlords can still recover rent that is due. The order only applies to the imposition of limitations on evictions when the basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and the decrease in household or business income or the out-of-pocket medical expenses was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.
- Evictions and foreclosures are suspended only as set forth by local governments. Many localities in California have imposed such restrictions on commercial leases. Additionally, many have restricted the ability to impose any late fees. A complete list of California orders is forthcoming.

Ontario, CA

- The City Council [ordered](#) that no landlord shall endeavor to evict a storage unit patron (including a lien sale), in accordance with the ordinance, if the storage unit patron demonstrates that the inability to pay rent or fees is due to COVID-19, the state of emergency regarding COVID-19, or following government recommended

COVID-19 precautions. To take advantage of these protections, the patron must satisfy all of the following requirements:

1. Prior to April 7, the patron paid rent due to the storage unit operator pursuant to an agreement.

1. The patron notifies the storage unit operator in writing before the rent is due, or within a reasonable period of time afterwards not to exceed 7 days, that the patron needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19, including but not limited to the following:
 - The patron was unavailable to work because the patron was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;
 - The patron experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or
 - The patron needed to miss work to care for a child whose school was closed in response to COVID-19.

1. The patron retains verifiable documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor explaining the patron's changed financial circumstances, to support the patron's assertion of an inability to pay. This documentation may be provided to the storage unit operator no later than the time of payment of back-due rent.

- If a storage unit patron complies with the requirements above, a storage unit operator shall not do any of the following:
 1. Prevent a storage unit patron from accessing their stored items during the normal hours of operation of the storage unit facility; or
 1. Send to the storage unit patron a Notice of Lien Sale pursuant to Business and Professions Code, Division 8, Chapter 10, or any other applicable statute regulating storage unit operators.
 1. Conduct a Lien Sale pursuant to Business and Professions Code, Division 8, Chapter 10, or any other applicable statute regulating storage unit operators.
- For purposes of this ordinance, “in writing” includes email or text communications to a landlord or the landlord’s representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim.
- The patron is not relieved of liability for unpaid storage fees, which the operator may seek after expiration of the local emergency and the patron must pay within six months of the expiration of the local emergency. Six months after the end of the emergency if the rent or storage fees are unpaid, an operator may charge or collect a late fee for rent/fees that is delayed for the reasons stated in the ordinance; or an operator may seek rent or storage fees that is delayed for the reasons stated in the ordinance through the eviction or other appropriate legal process.
- The order remains in effect until further notice.

Colorado:

- Governor issued an [order](#), directing state agencies to work with residential and commercial landlords to work on payment solutions. The SSA is monitoring any new developments.

Connecticut:

- The State of Connecticut Superior Court issued an [order](#), issuing an immediate stay of all issued executions on evictions and ejectments through May 1, 2020. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

Delaware:

- The Delaware Justice of the Peace has [paused](#) all landlord/tenant, debt, replevin and trespass proceedings scheduled for in-court appearance and all evictions currently ordered and scheduled from March 17, 2020 through April 16, 2020 shall be rescheduled for a date not earlier than May 1, 2020. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.
- Governor issued an [order](#), halting residential evictions and foreclosures.

District of Columbia:

- The D.C. Superior Court [ordered](#) the suspension of evictions of all tenants and foreclosed homeowners. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.
- The D.C. Superior Court also [ordered](#) that “Unless otherwise ordered by the court, all deadlines and time limits in statutes, court rules, and standing and other orders issued by the court that would otherwise expire before May 15, 2020 including statutes of limitations, are suspended, tolled, and extended during the

period of the current emergency. Such deadlines and time limits may be further suspended, tolled, and extended as circumstances change.”

- Although the court likely does not have the authority to extend deadlines and time limits for non-judicial procedures such as the self storage lien law, the order is broadly worded, and storage operators should consult with counsel before proceeding with lien sales.
- [The COVID-19 Response Emergency Amendment Act of 2020](#) appears not to affect self storage operators but should be reviewed closely before proceeding with lien sales.

Florida:

- Florida Governor issued an [order](#), halting temporarily residential evictions.
- The Florida Supreme Court issued an [order](#) that alters many court procedures and rules, including writs of possession until April 17, 2020.

Georgia:

- There are currently no statewide residential or commercial eviction or foreclosure restrictions in effect.

Hawaii:

- The Hawaii Department of Public Safety Sheriff Division [announced](#) it is suspending all eviction activities. This likely does not affect self storage operations.

Idaho:

- Idaho Supreme Court issued an [order](#), halting most court proceedings except for emergency matters including eviction actions where the basis for eviction is that the unlawful delivery, production or use of a controlled substance is taking place on the premises. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

Illinois:

- Governor issued an [order](#), pausing enforcement of residential evictions.

Chicago:

- The Circuit Court of Cook County [announced](#) a pause to most cases, including evictions, until April 15, 2020. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

Indiana:

- Governor issued an [order](#), pausing residential evictions and foreclosures until the state of emergency concludes.

Iowa:

- Governor issued an [order](#), halting residential evictions and foreclosures.

Kansas:

- Governor issued an [order](#), halting temporarily residential evictions and foreclosures. Paragraph 6 of the order does not explicitly limit its application to

residential; however, it only applies to judicial proceedings and therefore likely does not affect self storage lien sales.

Kentucky:

- Supreme Court of Kentucky has issued an [order](#), halting in-person proceedings until April 10.

Louisiana:

- Governor issued an [order](#), suspending legal deadlines, including liberative prescription and preemptive periods applicable to legal proceedings in all courts, administrative agencies, and boards, until at least Monday, April 13, 2020, including, but not limited to, any such deadlines set forth by law within Title 9 of Louisiana Revised Statutes, Civil Code Ancillaries. The self storage lien law is part of Title 9 of the Louisiana Revised Statutes. Therefore, this order may suspend the deadlines in the lien law, including the tenant's deadline to pay in response to the lien notice.

Maine:

- Maine Supreme Court issued an [order](#), halting most types of court cases including evictions and foreclosures until at least May 1. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

Maryland:

- Governor issued an [order](#), halting certain types of commercial evictions and certain types of repossessions.

- It states that to the extent any statute, rule or regulation would permit a Creditor to repossess any automobile, truck, or Chattel Home by self-help (including, without limitation, CL §§ 9-609, 12-115, 12-624, 12-1021, or 14-2008), such statute, rule, or regulation is hereby suspended until the state of emergency is terminated and the catastrophic health emergency is rescinded.
- While subject to interpretation, this likely covers self storage lien sales of automobiles, trucks, or chattel homes. SSA members should consult with legal counsel before proceeding with a lien sale of those vehicles.
- Governor issued an [order](#), halting residential evictions of any tenant who can show that their failure to pay rent is related to the coronavirus (COVID-19) outbreak.

Baltimore County, MD:

- At the County Executive's request, Sheriff R. Jay Fisher has agreed to [suspend all evictions](#) for the duration of the state of emergency in the County.

Massachusetts:

- Massachusetts has placed [restrictions](#) on most forms of debt collection, which likely extends to lien notices and lien sales. While the regulations are in effect, operators should likely halt tenant collection efforts, aside from payment reminders that do not imply or threaten a lien sale. Consultation with your legal counsel is strongly advised.
- The Massachusetts House has introduced a [bill](#) that prevents evictions as well as foreclosures of residential property.

Cambridge, MA

- The City Manager issued [an order](#) stating that “no Landlord shall enforce an action for any reason upon a tenant in Cambridge, either residential or commercial, during the pendency of this Emergency Order.”
- The order remains in effect until further notice.
- This order likely affects self storage lien sales. Operators in Cambridge should consult with legal counsel before proceeding with any lien sales.

Danvers, MA

- The Board of Health issued [an order](#) stating that “no landlord and/or owner shall enforce an eviction upon a resident of Danvers, residential or commercial, during this public health crisis.”
- The order remains in effect until further notice.
- This order likely affects self storage lien sales. Operators in Danvers, and operators with delinquent tenants who live in Danvers, should consult with legal counsel before proceeding with any lien sales.

Peabody, MA

- The Board of Health issued [an order](#) limiting certain commercial evictions of essential businesses. The text of the order is not yet available.

Somerville, MA

- The Mayor [ordered](#) that “no landlord and/or owner shall enforce an eviction upon a resident of Somerville, residential or commercial, during this public health crisis.”
- This Emergency Order shall remain in effect until notice is given, pursuant to the Board of Health’s judgment that the public health emergency no longer exists.
- This order likely affects self storage lien sales. Operators in Somerville, and operators with delinquent tenants who live in Somerville, should consult with legal counsel before proceeding with any lien sales.

Michigan:

- Governor issued an [order](#), halting residential evictions until at least April 17, 2020 for nonpayment of rent.

Minnesota:

- Governor issued an [order](#), halting temporarily evictions against residential tenants.

Mississippi:

- Governor issued an [order](#), suspending evictions within the state. While the order appears to have been intended to cover residential tenancies, paragraph 1(c) includes the statement “evictions with the state of Mississippi are suspended”, which can be read to cover commercial evictions such as self storage lien sales. Self storage operators should review the order carefully and consult with legal counsel before proceeding with any lien sales.
- For further information from the Mississippi court system, check back [here](#).

Missouri:

- Missouri Supreme Court issued an [order](#), halting all in person court proceedings.

Montana:

- Montana Supreme Court issued a [memorandum](#) to all courts in the state, recommending that virtually all cases be postponed but ultimately leaving that to individual courts to decide. Although this order does not affect self storage lien

sales, it may affect the ability to evict a tenant for reasons other than non-payment.

- Montana Governor issued an [order](#), limiting residential foreclosures and evictions. Per the order, it does not cover “property rented for commercial business use.”

Nebraska:

- Governor issued an [order](#), stopping temporarily residential evictions.

Nevada:

- On March 29, Nevada Governor Steve Sisolak issued an executive [order](#) barring lockouts as well as commercial evictions and foreclosures. The order also prohibits landlords from charging late fees for nonpayment. The order took effective immediately and will remain in effect until further notice.
- While the Governor’s order is in effect, Nevada operators are strongly encouraged to communicate with their legal counsel before locking out tenants (including overlocking units or suspending gate access), imposing late fees, or conducting lien sales.
- The order provides only narrow exceptions to the bans on evictions and foreclosures. First, the order “does not prohibit the eviction of persons who seriously endanger the public or other residents, engage in criminal activity, or cause significant damage to the property.” Second, the order does not prohibit “the continuation of any eviction or foreclosure action or proceeding predating” the Governor’s March 12 declaration of emergency.

New Hampshire:

- New Hampshire Governor Chris Sununu has issued [an order](#) banning all non-judicial foreclosure actions in the state until further notice. Self storage lien sales

are a type of non-judicial foreclosure. Therefore, the order may ban self storage lien sales. Self storage owners and operators in New Hampshire are urged to consult with their legal counsel before proceeding with any lien sales in the state.

New Jersey:

- Governor on March 19 issued an [order](#), pausing residential evictions and foreclosures for 60 days.

Newark, NJ

- Mayor on March 15 announced a 60-day moratorium on evictions. The Mayor's order is not available online. We are trying to locate a copy.

New Mexico:

- State has issued an [order](#), halting residential evictions indefinitely.

Santa Fe:

- Santa Fe Mayor issued an [order](#), stopping residential and commercial eviction indefinitely. The Mayor is prohibiting the eviction of residential and commercial property tenants who, because of the public health emergency, are unable to pay rent on time. This likely affects self storage operators.

New York:

- Governor issued an [order](#), implementing a 90-day suspension of all commercial and residential evictions. This includes New York City. Self storage operators in New York should consult with their legal counsel before sending notices or proceeding with any lien sales.

North Carolina:

- Supreme Court of North Carolina issued an [order](#), pausing eviction and foreclosure cases for thirty days. Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

North Dakota:

- North Dakota Supreme Court issued an [order](#), pausing temporarily residential evictions.
- Additionally, several other individual courts have elected to close or significantly reduce operations. For a full list, click [here](#).
- Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

Ohio:

- There is no statewide eviction moratorium in place currently.

Oklahoma:

- Oklahoma Supreme Court issued an [order](#), halting temporarily all deadlines and procedures whether prescribed by statute, rule or order in any civil, juvenile or criminal case, through May 15, 2020. This suspension also applies to appellate rules and procedures for the Supreme Court, the Court of Criminal Appeals, and the Court of Civil Appeals. In any civil case, the statute of limitations shall be extended through May 15, 2020. Although this order does not affect self storage

lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

Oregon:

- Oregon Governor Kate Brown issued [an order](#) prohibiting non-residential evictions for nonpayment caused by the COVID-19 pandemic. The order is worded broadly and appears to apply to self storage lien sales.

The order does not apply to evictions for reasons other than nonpayment, such as a tenant living in a storage unit.

The order's protection from eviction applies if a tenant "provides the landlord, within 30 calendar days of unpaid rent being due, with documentation or other evidence that nonpayment is caused by, in whole or in part, directly or indirectly, the COVID-19 pandemic" The order states that acceptable documentation or other evidence includes, but is not limited to, proof of loss of income due to any governmental restrictions imposed to mitigate the spread of COVID-19.

The order also prohibits late fees or other penalties arising from nonpayment.

Finally, the order does not relieve a tenant of the obligation to pay rent and requires that the tenant make partial rent payments to the extent the tenant is financially able to do so. The order remains in effect until June 30, unless extended or terminated earlier by the Governor.

Clackamas County, OR

- The County Board [ordered](#) a temporary moratorium on residential and commercial evictions for nonpayment of rent based on tenant's inability to pay rent due to loss of income attributed to COVID-19.
- The Board also ordered that "the value of goods and services sold within Clackamas County may not exceed the prices ordinarily charged for comparable goods and services in the same market area at, or immediately before, the time of the declared emergency.

- This pricing restriction is more restrictive than state law.
- The order remains in effect until June 30.
- Self storage operators in the county should consult with their legal counsel before raising rents or conducting lien sales.

Hillsboro, OR

- The City Council **ordered** that “a temporary moratorium on residential and commercial evictions within the City of Hillsboro is necessary for the protection of life or property and to prevent or minimize danger to lives and property.”
- The order remains in effect until further notice.
- Self storage operators in Hillsboro should consult with their legal counsel before conducting lien sales.

Pennsylvania:

- The Pennsylvania Supreme Court has issued an **order**, closing all courts. The Court’s Order also directs that, during the period of judicial emergency, no eviction, ejection or other displacement from a residence based on failure to make payment can be made.

Rhode Island:

- Governor announced an **order** “Evictions: State courts will not process any residential or commercial evictions for the next thirty days. Payment and filing deadlines have also been extended past April 17.” Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

South Carolina:

- South Carolina Chief Justice Don Beatty issued an [order](#), stating “that all evictions currently ordered and scheduled statewide from March 17, 2020, through March 31, 2020, shall be rescheduled for a date not earlier than May 1, 2020. However, case-by-case exceptions for evictions may be made for matters that involve essential services and/or harm to person or property.” Although this order does not affect self storage lien sales, it may affect the ability to evict a tenant for reasons other than non-payment.

South Dakota:

- South Dakota has not imposed an eviction or foreclosure moratorium on commercial properties. Check back [here](#) for additional information as well as [here](#).

Tennessee:

- The Tennessee Supreme Court has issued an [order](#), suspending in person court sessions, including any action to effectuate an eviction, ejectment, or other displacement from a residence during the effective dates of this order based upon the failure to make a rent, loan, or other similar payment absent extraordinary circumstances as determined by a judge in a court of competent jurisdiction.

Texas:

- The Texas Supreme Court issued an [order](#), halting temporarily all residential evictions until at least April 19, 2020.

Austin, TX

- The Austin City Council [imposed](#) additional requirements before proceeding with an eviction for non-payment. This appears to apply only to judicial evictions, not to self storage lien sales, but operators in Austin are encouraged to review the ordinance and consult with counsel.

Bexar County, TX

- Bexar County ordered that “Bexar County rental property orders temporarily suspend evictions for at least the next 30 days to prevent renters from being displaced to the public health emergency.”
- The order also states that “foreclosure proceedings within Bexar County be temporarily suspended for at least the next 30 days to prevent the displacement of occupants during the public health emergency.”
- This order likely affects self storage lien sales. Operators in Bexar County should consult with legal counsel before proceeding with any lien sales.

Utah:

- Utah Governor issued an [order](#), halting temporarily residential evictions if nonpayment relates to a COVID-19 issue.

Vermont:

- Vermont Supreme Court issued an [order](#), halting temporarily all non-emergency proceedings – including evictions.
- The Vermont House of Representatives and Senate are working on a bill that would institute a moratorium on evictions during the COVID-19 declared state of emergency.

Virginia:

- The Supreme Court of Virginia has [suspended](#) all non-essential, non-emergency proceedings, including new residential evictions.

Washington:

- Governor issued an [order](#), preventing evictions of residential tenants for at least 30 days.
- The Spokane County Superior Court [ordered](#) that “All Unlawful Detainer evictions previously ordered are stayed until April 27, 2020.”

Ocean Shores, WA

- Mayor imposed a [moratorium](#) on small business and nonprofit tenant evictions for non-payment of rent or due to the expiration of the lease’s term until the earlier of the termination of the civil emergency declared in the Proclamation of Civil Emergency dated March 13, 2020 or June 1, 2020.
- Small business means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, and that has fifty or fewer employees per establishment or premises.
- During this moratorium, an owner of property shall not enforce a contract or statutory remedy under a lease that would remove a small business or nonprofit tenant from its premises. These prohibited remedies include, but are not limited to, terminating the tenant’s lease or terminating the tenant’s right to possession of the premises.
- During this moratorium, an owner of property also shall endeavor to enter into a payment plan, or other workout agreement to assist a distressed small business or nonprofit in rent relief, including but not limited to the deferred payment of rent, discount to rent, or other strategies to address the economic disruption caused by the COVID-19 civil emergency.

- No small business or nonprofit tenant shall incur late fees, interest, or other charges due to late payment of rent during the moratorium.
- This order likely affects self storage lien sales. Operators in Ocean Shores should consult with legal counsel before proceeding with any lien sales.

Seattle, WA:

- Mayor imposed a [moratorium](#) on small business and nonprofit tenant evictions for non-payment of rent or due to the expiration of the lease's term until the earlier of the termination of the civil emergency declared in the Proclamation of Civil Emergency dated March 3, 2020 or May 16, 2020.
- Small business means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, and that has fifty or fewer employees per establishment or premises.
- During this moratorium, an owner of property shall not enforce a contract or statutory remedy under a lease that would remove a small business or nonprofit tenant from its premises. These prohibited remedies include, but are not limited to, terminating the tenant's lease or terminating the tenant's right to possession of the premises.
- During this moratorium, an owner of property also shall endeavor to enter into a payment plan, or other workout agreement to assist a distressed small business or nonprofit in rent relief, including but not limited to the deferred payment of rent, discount to rent, or other strategies to address the economic disruption caused by the COVID-19 civil emergency.
- No small business or nonprofit tenant shall incur late fees, interest, or other charges due to late payment of rent during the moratorium.
- This order likely affects self storage lien sales. Operators in Seattle should consult with legal counsel before proceeding with any lien sales.

Spokane, WA

- The Mayor [ordered](#) a moratorium on residential and commercial evictions.
- While this moratorium is in effect, a lessor of residential or commercial real property in the city of Spokane shall not initiate an unlawful detainer action, issue a notice of termination, or otherwise act on any termination notice, including any action or notice related to a residential or commercial rental agreement that has expired or will expire during the effective date of this moratorium, unless the unlawful detainer action or action on a termination notice is due to actions by the tenant constituting an imminent threat of damage to the property or to the health or safety of neighbors, the landlord, commercial lessor, or the tenant's or landlord's household members.
- No late fees or other charges due to late payment of rent shall accrue during the moratorium.
- Nothing in this ordinance prohibits a commercial lessor or landlord from seeking a no contact and/or exclusion order against any person who presents a significant threat to the health and safety of others or is likely to damage the property.
- The moratorium remains in effect until April 31, 2020.

- The Mayor also [ordered](#) a moratorium on all foreclosure actions, including notices of default, for properties located in the City of Spokane, except for those foreclosures based on a financial instrument entered into after the signing of this Amended Declaration of Emergency.
- These orders likely affect self storage lien sales and eviction actions. Operators in Spokane should consult with legal counsel before proceeding with any lien sales or eviction actions.

West Virginia:

- No statewide commercial eviction moratorium is currently in place.

Wisconsin:

- Governor issued an [order](#), instituting a temporary ban on evictions and foreclosures. Among other provisions, it states “landlords are prohibited from serving any notice terminating a tenancy for failure to pay rent.” This provision may affect notices required to be sent by the lien law. This provision likely means that only sales for which notices were provided prior to the effective date of this order may proceed, if an individual operator desires to do so. All other sales should likely halt until the order is lifted. Consultation with your legal counsel is strongly advised.

Wyoming:

- Wyoming issued an [order](#), that all in-person proceedings in all Circuit and District Courts and the Supreme Court in Wyoming should be suspended from the close of business on March 18, 2020 to May 31, 2020.

About the Author



Daniel Bryant is the SSA’s Legal & Legislative Counsel. He advocates on behalf of the membership at the federal, state, and local level to protect and advance the interests of the industry. He received his law degree from American University, Washington College of Law and his undergraduate degree in political science from Virginia Tech. He is a member of the Virginia and the District of Columbia bars. Prior to joining the SSA, he was an associate attorney with a law firm in Washington, D.C. Daniel can be reached at dbryant@selfstorage.org or at (703) 575-8000 ext. 107.