STATE OF INDIANA

EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-06

FOR: **TEMPORARY PROHIBITION ON EVICTIONS AND FORECLOSURES**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March, 6, 2020, I issued Executive Order 20-02, which declared that a public health emergency exists in our State as a result of the coronavirus disease 2019 ("COVID-19"), and, since that time, this virus has spread to 19 counties and caused several deaths;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic;

WHEREAS, on March 13, 2020, the United States President declared a national emergency in connection with the COVID-19 pandemic;

WHEREAS, despite significant steps taken in our State and nationwide, this virus remains a serious threat to the health, safety, and welfare of all residents of Indiana, and further efforts are needed to address, control, and reduce the threat presented by COVID-19;

WHEREAS, the adverse economic impacts of COVID-19 in our State include, for example, layoffs, loss of work and income for a growing number of Hoosiers, hindering their ability to pay their rents and mortgages, which could potentially result in creditors or landlords initiating foreclosure or eviction proceedings to remove them from their homes;

WHEREAS, many Hoosiers, including those at high-risk and most vulnerable to COVID-19 are remaining in their homes in order to reduce their likelihood of contracting this virus and/or transmitting it to others, which is helping to contribute to the public safety and welfare of our State and its continuing efforts to contain, slow, and reduce the spread of COVID-19;

WHEREAS, in connection with future efforts to treat, prevent, or reduce the spread of this dangerous virus, it may become medically necessary and reasonable to require individuals to remain in isolation or quarantine at their homes or to otherwise remain indoors;

WHEREAS, to avoid the serious health, welfare, and safety consequences that may result if Hoosiers are evicted or removed from their homes during this emergency, it is reasonable and necessary to suspend laws relating to real property (including breach of leases and mortgages, etc.), to control the occupancy of premises in the disaster area (entire State of Indiana), and to impose a moratorium on both evictions and foreclosures; and

WHEREAS, on March 18, 2020, the United States President announced the Department of Housing and Urban Development ("HUD"), in an effort to provide immediate relief to renters and homeowners, will temporarily suspend all foreclosures and evictions, with similar actions being taken by many states, including Kansas, Louisiana, New Hampshire, Maryland and California;

WHEREAS, as Governor, I have broad authority and powers, under Indiana law, to declare and respond to public health emergencies on behalf of our State, including, but not limited to: (a) making, amending, and rescinding the necessary orders, rules, and regulations to carry out Indiana's Emergency Management and Disaster Law, Ind. Code § 10-14-3-11(b)(1); (b) suspending the provisions of any regulatory statute prescribing the procedures for conduct of state business,

or the orders, rules, or regulations of any state agency if strict compliance with any of these provisions would in any way prevent, hinder, or delay necessary action in coping with the emergency, Ind. Code § 10-14-3-12(d)(1); and (c) controlling the occupancy of premises in the disaster area, Ind. Code § 10-14-3-12(d)(7);

WHEREAS, in light of the above, it is necessary and proper to take further actions to protect the health, safety, and welfare of all Hoosiers in connection with the continuing and evolving threat posed to public health by COVID-19;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order that:

1. No eviction or foreclosure actions or proceedings involving residential real estate or property, whether rental or otherwise, may be initiated between the period from the date of this Executive Order until the state of emergency has terminated; and any applicable statute in connection therewith is hereby suspended for any such actions or proceedings as described above. In addition, and notwithstanding the foregoing, any applicable rule or regulation in connection therewith is hereby rescinded for any such actions or proceedings as described above for the duration of the state of emergency.

2. No provision contained in this Executive Order shall be construed as relieving any individual of their obligations to pay rent, to make mortgage payments, or to comply with any other obligation(s) that an individual may have under a tenancy or mortgage.

3. All public housing authorities located in our State are hereby requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents pertaining to their eligibility for programs, to the extent, however, that those deadlines are within the discretion of said housing authority(ies).

4. The Indiana Department of Financial Institutions, along with the Indiana Housing & Community Development Authority, are hereby directed to immediately engage with financial institutions to identify any tools, means, or methods that could be utilized to afford Hoosiers relief from the threat of residential foreclosure, and to otherwise promote housing stability during this state of emergency, in furtherance of the objectives of this Executive Order.

5. Nothing in this Executive Order shall, in any way, restrict state or local authority to order any quarantine, isolation, and/or other public health measures that may require an individual to remain inside a particular residential property during this public health emergency.

This Executive Order is a supplement to, and deemed to be part of Executive Order 20-02, and, therefore, shall expire at the same time as Executive Order 20-02, unless extended.

IT IS SO ORDERED.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 19th day of March, 2020.

Eric J. Holcomb
Governor of Indiana

ATTEST: Connie Lawson
Secretary of State