



Governor Bullock Announces Consumer Protections to Lessen Financial Hardships on Montanans During COVID-19 Pandemic

Governor Steve Bullock today announced consumer protections to lessen the economic impacts on Montanans during the COVID-19 statewide emergency by stopping evictions, foreclosures and cancellation of utility services including water, heating and internet service.

“One of my top priorities is continuing to find ways to ease the financial hardships on Montanans. So long as this virus forces Montanans to stay home to save lives, Montanans need a home to stay in,” Governor Bullock said. **“This order ensures that a**

loss of income won't lead to Montanans losing their homes or having the heat turned off if they can't pay the rent or make their monthly utility bill.”

For the duration of [the Directive](#), landlords are prohibited from terminating a lease or refusing to renew or extend the terms of a current lease agreement, at least on a month-to-month basis. It also prohibits late fees or other penalties due to late or nonpayment of rent, prohibits rent increases except for those previously agreed upon and prohibits landlords from seeking damages in court due to nonpayment of rent.

The Directive also stops involuntary sales of homes, foreclosures, liens placed on residential properties or late fees charged due to inability to pay mortgage payments on time for the duration of the Directive.

The Directive does not relieve tenants from paying rent or borrowers from paying mortgages or other financial obligations related to homeownership.

Additionally, the Directive prohibits suspension of utilities during the emergency, including electricity, gas, sewage disposal, water, telephone, or internet services, and prohibits late fees for bills due during the Directive.

The federal CARES Act (Coronavirus Aid, Relief and Economic Security) passed by Congress on Friday includes additional funding for the Low Income Energy Assistance Program (LIEAP), which helps low-income households with heating homes, weatherization, and energy-related low-cost home repairs or replacements. LIEAP in Montana is administered by DPHHS. To apply for LIEAP, contact your local LIEAP (Human Resource Development Council) offices, call 1-833-317-1080 or visit the state's LIEAP website at www.lieap.mt.gov.

Finally, the Directive also requires public housing authorities to extend deadlines for housing assistance recipients. It also requires the Montana Commissioner of Banking, along with the Montana Department of Commerce, to identify tools that could be used to bring Montanans relief from the threat of residential foreclosure, and to promote housing stability.

Governor Bullock declared a statewide emergency to respond to COVID-19 on March 12. [The Directive](#) is effective now through April 10, 2020, in line with other Directives, though it may be extended.

[The full Directive is available here.](#)



FAQ to Guide Housing Partners

Does this directive apply to commercial properties?

No.

Is assistance available for landlords to continue paying their own mortgages while tenants aren't paying rent?

The Directive specifies that tenants are not relieved of their obligation to pay rent. In his press conference, the Governor strongly encouraged those tenants who can to pay on time and in full.

At this time, there are no state dollars available to help residential landlords pay their mortgages. We recommend that you immediately contact your mortgage servicer to find out if loan forbearance is an option, or if your lender has a program in place to help get through this unprecedented situation.

Under SEC. 4023 of the CARES Act, owners of multifamily properties with federally backed loans can request a forbearance on residential mortgage loan payments.

I can't continue to pay my own bills if my rental income is not coming in. How do you expect landlords to weather this?

We recognize that while some landlords may have resources to absorb the loss of payments for a longer period of time, others may not. Given the current emergency condition requiring

social distancing and quarantining to reduce spread of the coronavirus, preventing the loss of homes is critical.

In crafting this directive, thoughtful consideration was given to recognize and minimize the potential negative impacts of such protections on landlords and other parties to rental agreements and mortgages. Therefore, the directive is currently effective through April 10 but with the ability to extend if warranted by this rapidly changing public health emergency. In addition, the state continues to explore all policy options to support tenants and landlords.

My tenant hasn't paid rent in three months and I must evict them. Does this directive prevent me from continuing that process?

Yes. The directive does prevent actions for termination of a tenancy, possession, unlawful holdover, or rent involving a residential tenancy. In addition, no writ, judgment, or order requiring a tenant or authorized guest to surrender or vacate the premises shall be enforced. The Governor has requested the courts of the state to stay all currently pending actions.

My landlord gave me an eviction notice last week/yesterday – does this directive change that?

Yes. The Governor's directive requests the courts to stay all currently pending actions except for health and safety violations.

My landlord doesn't want to comply with this directive and has evicted me anyway, what should I do?

We recommend contacting the Montana Legal Services Association.

Does this directive apply to vacant or abandoned rental units or homes?

No. The directive does not apply to eviction actions taken or made after the tenant (including tenant family members) is no longer in possession and no longer occupies the dwelling unit personally as their home. Nor does the directive apply to any foreclosure action made after the borrower (or other debtor including family members) is no longer in possession and no longer occupies the residential property personally as their primary home.

Can my landlord increase my rent under this directive?

Under this directive, no landlord may increase the amount of rent payable under the terms of a rental agreement, except previously agreed increases or reasonable increases reflecting the size of the unit, number of tenants or guests, or services provided by the landlord.