IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI

_____,
Plaintiff,

v. **Case Number_____**

_____
Defendant

_____
Attorney Name, Address, Bar#

VERIFICATION OF COMPLIANCE WITH CARES ACT

NOW COMES the Plaintiff and states as follows:

The plaintiff is seeking to recover possession of the following described premises:

The undersigned has reviewed Section 4024 of Public Law 116-136, the Coronavirus Aid, Relief and Economic Security Act (the CARES Act), and herby certifies that the above listed premises is not subject to the CARES Act moratorium because:

☐ The premises is not a covered dwelling as defined by Sec. 4024(a)(1) of the CARES Act; or

☐ The premises is a covered dwelling as defined by Sec. 4024(a)(1) of the CARES Act and the case was initiated prior to March 27, 2020 and the plaintiff is not seeking to charge fees, penalties, or other charges related to nonpayment of rent ; or

☐ The premises is a covered dwelling as defined by Sec. 4024(a) (1) of the CARES Act and the plaintiff does not seek possession of the dwelling based upon the nonpayment of rent or other fees.

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

CARES ACT
Public Law 116-136
Explanation of Terms

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.