

*A monthly newsletter from Nevada Legal Services, Inc.*



**NEVADA LEGAL SERVICES**

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AND UPDATES:**

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**STIMULUS PAYMENT: WILL IT  
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ING HOME ELIGIBILITY?**

## **CDC ANNOUNCES A NATIONAL EVICTION MORATORIUM**

**By Megan Backsen**

In a last minute, Hail Mary attempt to prevent the further spread of COVID 19 through victims of nationwide mass evictions, the Center for Disease Control (CDC), on September 4, published a federal rule preventing evictions except in five narrowly tailored circumstances. But the CDC moratorium is not automatic. Tenants must submit a declaration, to their landlord, attesting to a series of statements under threat of perjury. The CDC moratorium also does not last indefinitely. It is set to expire on December 31, 2020.

As a general warning, nothing in the moratorium prevents a landlord from assessing late fees for unpaid or late rent. Meaning that when a tenant submits a declaration stating they are unable to pay full rent they are not absolved of their obligation to pay what rent remains, and the associated late fees, at the end of their tenancy.

While the CDC moratorium is certainly better than nothing, there are many unresolved aspects that tenants should be aware of in regard to applying it. First, it is unclear where in the eviction process the moratorium steps in. The language of the moratorium seems to stop the eviction process before it ever reaches a court, but states have inconsistently interpreted that language. For example, some eviction steps will still be allowed to proceed in Maryland, including hearings and even the decisions. Only the end of the process, in which a tenant is forced to leave their home, is on pause. Nevada has yet to interpret where the moratorium steps in. As we always have been, Nevada Legal Services is here to help tenants fight for stable housing and a healthy future.

# OCTOBER IS DISABILITY EMPLOYMENT AWARENESS MONTH

By Alex Cherup

This October, we celebrate the 75<sup>th</sup> Anniversary of National Disability Employment Awareness Month (NDEAM). Aimed to educate about disability employment issues and celebrate the contributions of workers with disabilities, NDEAM is hosted by the U.S. Department of Labor's Office of Disability Employment Policy. The theme for this year is "Increasing Access and Opportunity."

In addition, NDEAM is extra special this year because in July we also celebrated the thirtieth anniversary of the signing of the *Americans with Disabilities Act* (ADA), the national civil rights legislation for individuals with disabilities.

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At Nevada Legal Services, we salute Nevada workers with disabilities this October and join in the call to continue to increase the access and opportunity for all Nevadans with disabilities in the workplace. Further, our office provides

legal support related to employment for individuals with disabilities. From matters such as defending an individual against discrimination based on disability on the job, to sealing criminal records to increase an individual's employment opportunities to advocating for an individual's access to unemployment benefits during this unprecedented pandemic, our office is committed to increasing access and opportunity for individuals with disabilities this NDEAM.

We encourage you to learn more about NDEAM by visiting [www.dol.gov/NDEAM](http://www.dol.gov/NDEAM).

## CONTACT US

Website | [nlslaw.net](http://nlslaw.net)

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## AVOID SCAMS!

Have you seen a message on WhatsApp or Facebook offering you free help during the pandemic? People have reported seeing messages that seem to be from Pepsi, Walmart, Whole Foods, Target, and other big-name brands. These messages all offer money to people who need it — through grants, coupons for food support, or other giveaways. But they're all fake, and not from those companies at all.

You might get this kind of message, in English or Spanish, from a friend or contact. The message tells you to click a link to get your money. If you click, you might find a survey to take. Or they might ask you to enter your name, address, phone number, or other information. And they might ask you to forward the message to several friends to be eligible to collect. Don't click on any of the links! File a complaint with the FTC: [ftc.gov/complaint](http://ftc.gov/complaint).

## Did you know?

Nevada Legal Services has attorneys on staff that can assist renters avoid eviction! If you have received a notice from your landlord and cannot or do not want to move, give any of our offices a call to see if you qualify to speak with an experienced attorney about your landlord tenant issues!

## STIMULUS PAYMENT: DOES IT AFFECT MY MEDICAID NURSING HOME ELIGIBILITY?

By Lidia Rincon

No. Under Medicaid rules, a stimulus payment is not counted as income; therefore, the resident patient will continue to pay the same monthly amount to the nursing facility even after receiving the stimulus payment. The stimulus money belongs to the individual not the nursing facility and there are no restrictions on how a person can spend the money.

Also, it is important to understand that the stimulus payments do not count as a Medicaid resource for 12 months. In other words, after you receive the \$1,200 stimulus payment you have one year to spend down the money to retain Medicaid eligibility.