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Evictions in Miami-Dade: End of moratorium for businesses, home renters getting help

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Miami-Dade County announces more relief funds for landlords and tenants

Miami-Dade County Mayor, Daniella Levine Cava, announced on Feb. 8, 2021 more relief funds for landlords and tenants who have been economically impacted due to the coronavirus pandemic. BY MIAMI-DADE COUNTY GOVERNMENT VIA FACEBOOK

Miami-Dade police soon will open the door for commercial evictions, allowing county police to force out businesses behind in their rent for commercial spaces. Local and federal shields remain for residential tenants, and Miami-Dade is dramatically increasing the dollars available for landlords owed back rent during the pandemic.

Mayor Daniella Levine Cava, who oversees county police, said Monday that officers will resume processing commercial evictions on March 5. That ends a [local moratorium](#) on evictions of stores, offices and other business tenants that had been protected for nearly a year after the former mayor, Carlos Gimenez, ordered police to freeze all evictions in the early days of the coronavirus [state of emergency in March 2020](#).

Businesses aren't protected from a limited federal ban on residential evictions imposed by the Centers for Disease Control and Prevention (CDC), so it was up to county government when to resume commercial evictions.

"The federal eviction moratorium has saved lives, and it has kept people safely in their home, preventing the spread of this disease," Levine Cava, in office since November, said during a press conference outside County Hall in downtown Miami. "At the same time, we need to be sure to protect the livelihoods of all our residents. Our hurting landlords — we need to help them be whole."

NEW RENT RELIEF PROGRAM IN MIAMI-DADE

Miami-Dade plans to resume applications for rent relief, using \$60 million the county received under the December stimulus bill passed by Congress. That's on top of the \$14 million awarded to Miami from the legislation, and another \$7 million for Hialeah. The county commission must first approve the new rent-relief program.

The dollars represent a dramatic increase from what Miami-Dade has spent on rent relief from its [\\$474 million allocation from the CARES Act](#). Previously, county commissioners approved \$35 million in federal aid for rental help since the pandemic began. Not all of that was spent. A \$10 million program reserved for veterans had about \$9 million unspent at the end of 2020, according to a county summary.

Michael Liu, the county's housing director, said Miami-Dade staff will help applicants in the next round of relief requests and not simply wait to see whether tenants submit the right paperwork before the deadline. "We believe the best approach is to get basic information in the first application, then contact the parties," he said. "It's going to take even more effort on our part."

He expects to have the program running by March, following commission approval.

In the press conference, Liu said landlords can refer tenants for the relief program, which will cover up to \$3,000 per month in back rent from when the state of emergency began in March.

FEDERAL DOLLARS WILL COMPENSATE MIAMI-DADE LANDLORDS

While tenants apply for relief, the aid covers back rent and is paid directly to landlords. The program has income caps: renters must earn less than 80% of the area median income — a formula that sets a limit of \$73,120 for a family of four. First priority will go to those making less than \$45,700, Liu said. Tenants also must have experienced financial hardship from the COVID-19 pandemic.

“This relief fund targets the people who are most at risk when the moratorium is removed,” said Jeffrey Hearne, director of litigation for the non-profit Legal Services of Greater Miami. “It will really help people who lost some income during the pandemic and could never catch up with their back rent. It could be a lifesaver for many people.”

Liu said Miami-Dade will give priority to landlords who have advanced far enough in the court system that they’ve obtained writs of possession — the final judgment in an eviction filing.

That’s the last step before county police actually serve eviction papers, a process currently suspended by Levine Cava. After taking office, she [continued the Gimenez policy](#) of allowing residential evictions for court cases filed before the COVID-19 state of emergency [began on March 11](#).

According to the Miami-Dade County Clerk of Courts, a total of 2,571 residential Writs of Possession were issued between March 13, 2020-Feb. 5, 2021. That’s roughly half of the 5,840 residential evictions filed in court since Sept. 1, 2020.

In total, 8,822 residential and commercial evictions have been filed between March 13-2020-Feb 5, 2021.

COMMERCIAL EVICTIONS ALLOWED ON MARCH 5

With commercial evictions allowed to resume March 5, county police can start serving writs on businesses. There are about 150 commercial writs awaiting service, according to Sgt. Carlos Luffi, of the county’s economic-crimes police bureau.

The freeze on evictions has been particularly frustrating for commercial landlords, some of whom have tenants that have reopened their businesses but still have not paid rent.

“This is one we’ve been waiting for and it’s long overdue,” said Glenn L. Widom, a private attorney based in North Miami who represents more than 40 commercial landlords around the state. “The circumstances of COVID-19 were terrible and affected our community in a number of tragic ways. But it’s clearly unfair for landlords of commercial property to continue to pay their mortgage and taxes while they have a tenant who are using the property to generate revenue and is not paying rent.”

“For a landlord, it’s always better to keep a thriving tenant affected by the pandemic in their space, because you have a relationship with them,” Widom said. “They try, more often than not, to help the tenant succeed. But sometimes tenants see a prohibition on writs and take advantage.”

This article was updated to clarify that the rent-relief program is capped at \$3,000 per month.



Michael Liu, Miami-Dade's housing director, speaks at a press conference Monday, February 8, outside the Stephen Clark county center announcing a new relief program for residential landlords trying to evict tenants. At left is Daniella Levine Cava, Miami-Dade's mayor. BY DOUGLAS HANKS DHANKS@MIAMIHERALD.COM

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