

PORTAGE COUNTY ORDER RE: COVID-19 EVICTION MORATORIUM

Effective September 4, 2020, and continuing until December 31, 2020, the U.S. Government, through the Department of Health and Human Services, Centers for Disease Control and Prevention has ordered a Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19. This eviction moratorium order prohibits a landlord from evicting a tenant who is a "covered person". A covered person is a tenant who (1) is being evicted for nonpayment of rent; and (2) has provided the landlord a written certification (COVID-19 certification) that they meet the requirements of the program. A copy of the COVID-19 certification form is attached to this order. The Eviction Moratorium Order provides for criminal penalties if the order is violated.

The U.S. Government order does not require automatic dismissal, halt or stay of all pending evictions. The tenant must provide the certification to the landlord at which point the landlord cannot proceed with an eviction action.

In response to this order, the Portage County Circuit Court will:

1. Require all landlords requesting eviction for nonpayment of rent to certify at time of filing that they have not received a Covid-19 certification from the tenant before the filing will be accepted; and
2. Require all landlords requesting eviction for nonpayment of rent to certify at the return date that they have not received a COVID-19 certification from the tenant; and
3. Subject to further action by the Federal Government, stay until after December 31, 2020 any pending eviction matter in which eviction is solely based on nonpayment of rent and the tenant has provided a copy of the COVID-19 certification to the court.
4. A copy of this order and from shall be served on the tenant with the Eviction Summons and Complaint

Dated this 3rd day of September, 2020.

BY THE COURT:



Hon. Thomas B. Eagon
Circuit Judge – Branch 1



Hon. Thomas T. Flugaur
Circuit Judge – Branch 3



Hon. Robert J. Shannon
Circuit Judge – Branch 2

Circuit Court Portage County, Wis.

FILED

SEP 04 2020

LISA M. ROTH
CLERK OF COURTS