Thank you for letting me know about the late fee being assessed to [name of tenant, apartment address].  However, I believe that [landlord/placement name] is subject to the CARES Act, which prohibits landlords of covered dwellings (including dwellings that accept federal funding including Section 8) from assessing late fees for 120 days from March 27, 2020.

See, CARES Act Section 4024(b) prohibits landlords of certain rental “covered dwellings” from initiating eviction proceedings or “charg[ing] fees, penalties, or other charges” against a tenant *for the nonpayment of rent.*These protections extend for 120 days from enactment (March 27, 2020).

The CARES Act’s eviction protections only apply to “covered dwellings,” which are rental units in properties: (1) that participate in federal assistance programs, (2) are subject to a “federally backed mortgage loan,” or (3) are subject to a “federally backed multifamily mortgage loan.”

Covered federal assistance programs include most rental assistance and housing grant programs, including public housing, Housing Choice Vouchers, Section 8 Project-Based Rental Assistance, rural housing programs, and the Low Income Housing Tax Credit (LIHTC) program.

I am confident that once this State of Emergency lapses and mail function resumes to normal, delays in receiving checks will not occur.  I respectfully request that the late fee be waived for the month of April 2020.