

**Legal Alert: U.S. Supreme Court Vacates Stay of Order Holding CDC's Eviction
Moratorium Exceeded Its Authority**

August 30, 2021

On August 26, 2021, in Alabama Assn. of Realtors v. Department of Health and Human Servs., 594 U.S. ____ (2021), the US Supreme Court confirmed, in essence, that the CDC lacked statutory authority to issue an eviction moratorium. If you would like to read the decision, please click [here](#).

In practical terms, the federal eviction moratorium is no longer in effect. However, the NYS eviction moratorium, which is scheduled to expire on August 31, 2021, is not affected by this decision.

The CDC eviction moratorium only applies to residential evictions. Commercial tenants are still protected from eviction under the Protect Our Small Businesses Act which imposes a moratorium through August 31, 2021.

We will continue to keep you apprised of any further developments as they arise.