



# CITY OF FRAMINGHAM

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**CITY OF FRAMINGHAM, MASSACHUSETTS  
MAYOR YVONNE M. SPICER and BOARD OF HEALTH  
EXECUTIVE ORDER ESTABLISHING A MORATORIUM ON EVICTION  
ENFORCEMENT IN THE CITY OF FRAMINGHAM**

**EFFECTIVE February 9, 2021  
ORDER NO. EO 2021-001**

**WHEREAS**, the 2019 novel Coronavirus (COVID-19) has been declared a Public Health Emergency of international concern by the World Health Organization; and

**WHEREAS**, on March 10, 2020, Governor Charles Baker declared a State of Emergency to respond to COVID-19 and has determined that immediate public action is needed to prevent, minimize, or mitigate damage to public health, safety, or general welfare of people of the Commonwealth, which remains in effect; and,

**WHEREAS**, on March 22, 2020, Mayor Spicer declared a Local State of Emergency to exist in the City of Framingham (retroactive to March 10, 2020), which remains in full force and effect; and

**WHEREAS**, the temporary moratorium on non-essential evictions and foreclosures established by Chapter 65 of the Acts of 2020, An Act Providing for a Moratorium on Evictions and Foreclosures During the COVID-19 Emergency, expired on October 17, 2020, and the emergency regulations promulgated by the Executive Office of Housing and Economic Development as required by the Act, 400 CMR 5.00: COVID-19 Emergency Regulations, also expired on October 17, 2020; and

**WHEREAS**, the National Center for Disease Control (“CDC”) issued a Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 effective September 4, 2020, through December 31, 2020, (85 FR 55292), and recently extended this deadline to March 31, 2021, and

**WHEREAS**, as of January 31, 2021, the City of Framingham’s Public Health Department reports as follows regarding the impact of COVID-19 cases in Framingham:

• Confirmed COVID-19 Cases	5910
• Deaths of Confirmed COVID-19 Cases	205
• Residents in Isolation (Active Cases)	1159
• Recovered COVID-19 Cases	4898
• Residents in Quarantine	538

- Average Daily of New Cases per 100,000 (Last 14 Days) 38.29
- Percent Positivity (Last 14 Days) 5.25%
- Average Daily Test Rate per 100,000 10.87

**WHEREAS**, the CDC’s research indicates that “[e]victed individuals without access to housing or assistance options may also contribute to the homeless population, including older adults or those with underlying medical conditions, who are more at risk for severe illness from COVID-19 than the general population;” and

**WHEREAS**, local and state officials have advised that their residents should stay home and socially distance wherever possible to prevent the spread of COVID-19 and evictions would make it impossible for Framingham residents to stay at home and potentially render them homeless, thus further increasing the risk to public health and safety posed by COVID-19; and

**WHEREAS**, in my discretion as the Mayor of the City of Framingham, in consultation with the Acting Director of the Department of Public Health, have determined that implementing the actions herein assists and promotes the general welfare of the residents of the City of Framingham;


**WHEREAS**, the Framingham Board of Health has met in open session at a duly posted meeting on February 8, 2021 and voted to support and join in this Executive Order, to make it a joint Mayor-Board of Health Order;

**NOW, THEREFORE**, Dr. Yvonne M. Spicer, Mayor, in coordination with the Board of Health, pursuant to 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, acting by and through its agent authorized under MGL c. 111, §30, hereby order:

1. Notwithstanding M.G.L. c. 186 and M.G.L. c. 239 and any general or special law to the contrary, no landlord or owner, whether commercial or residential, shall enforce an eviction for nonpayment of rent upon a residential tenant or without cause upon a resident of Framingham during this public health crisis; provided, however, that nothing in this order shall prohibit the enforcement of an eviction deemed necessary for public health or safety; and
2. Nothing in this executive order affects, alters, reduces, or eliminates private contracts or rent that may be owed by the tenant to the landlord. Rather, this Executive Order is intended to prevent only evictions during its effective period to limit the transmission of COVID-19; and
3. Nothing in this Executive Order shall prevent renters or landlords from seeking assistance through the Residential Assistance for Families in Transition (RAFT) and Emergency Rental and Mortgage Assistance (ERMA) programs administered by the Commonwealth’s Department of Housing and Community Development, any City eviction diversion program, or any local funding program administered by the City through its community block grant program or other funding sources; and

4. This Executive Order shall remain in full force in effect until written notice is given that this Executive Order has been modified (in which case it shall remain in effect as to its modified terms) or has been rescinded or is no longer necessary to protect public health, or until the Local State of Emergency declared on March 22, 2020, has been rescinded or terminated, whichever is sooner; and
5. If any provision of this Executive Order or the application thereof to any person or entity or circumstance is determined to be invalid by a court of competent jurisdiction, such judgment shall not affect nor impair the validity of the other provisions of this Executive Order nor the application thereof to other persons, entities, and circumstances.
6. This Executive Order shall be effective immediately on this date and shall remain in effect through the dates noted herein, unless further Executive Orders are otherwise issued modifying, extending, or rescinding the same.

Signed this 9<sup>th</sup> day of February 2021

  
Dr. Yvonne M. Spiger  
Mayor

REVIEWED AND VOTED ON FEBRUARY 8, 2021 BY THE FRAMINGHAM BOARD OF HEALTH TO BE ISSUED AS A JOINT MAYOR-BOARD OF HEALTH ORDER

  
Gillian Carcia, Chair

  
Laura Housman, MPH, MBA

  
Dr. David Moore

cc: City Council, School Committee, City Division and Department Heads, Boards and Commissions, Chief Operating Officer, City Solicitor, Dr. Robert Tremblay, Media Outlets

2021.02.01 Executive Order re Eviction Moratorium (606-27)