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**CITY OF NEWARK** NO.: MEO-20-0004

**EXECUTIVE ORDER** DATE: 5/12/2020

**WHEREAS**, Coronavirus disease 2019 (“COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

**WHEREAS**, Governor Phillip D. Murphy of the State of New Jersey (“Governor Murphy”) issued Executive Order 103, declaring a Public Health Emergency and State of Emergency on March 9, 2020, due to the spread of COVID-19; and

**WHEREAS**, I declared a State of Emergency in the City of Newark on March 12, 2020; and

**WHEREAS**, given the serious health concerns posed by COVID-19, on March 15, 2020, I signed Executive Order MEO-20-0001, adopted by reference herein, which set forth the facts and circumstances surrounding COVID-19; and

**WHEREAS**, Executive Order MEO-20-0001, among other things, set forth a grace period of sixty (60) days for residents to pay for certain municipal services, as well as placed a temporary moratorium on all residential evictions; and

**WHEREAS**, on March 16, the Mayor of the City of Newark, Ras J. Baraka, announced a series of sweeping measures to address the threat of COVID-19 in the City, including but not limited to closing non-essential businesses by 8:00 p.m., and the banning of crowds of more than people fifty (50) people; and

**WHEREAS**, on March 18, the Mayor of the City of Newark, Ras J. Baraka, announced a further series of measures to address the threat of COVID-19 in the City, including but not limited to closing all non-essential businesses and introducing a mandatory curfew after 8:00p.m.; and

**WHEREAS**, on March 18, 2020, I signed Executive Order MEO-20-0002, adopted by reference herein, which set forth temporary restrictions based on the City of Newark confirming its first case of COVID-19; and

**WHEREAS**, on March 21, 2020, I signed Executive Order MEO-0003, which set forth a mandatory shelter in place, with certain exceptions, for certain areas in the City that had a high concentration of positive Covid-19 cases; and

**WHEREAS**, on March 21, 2020, Governor Murphy issued Executive Order 107, requiring New Jersey residents to remain home or at their place of residence subject to limited exceptions; and

**WHEREAS**, Executive Order 107 further required the closing of all non-essential business establishments; and

**WHEREAS**, as of May 5, 2020, the numbers of confirmed cases of COVID-19 in New Jersey had increased to a staggering 130,593 cases, with 8,244 deaths; and

**WHEREAS**, As of May 4, 2020, the number of confirmed cases of COVID-19 in the City of Newark had increased to 5,860, with 444 deaths; and

**WHEREAS**, the City and all of its agencies remain committed to protecting the health, safety and well-being of all its residents; and

**WHEREAS**, many citizens of New Jersey are or will be experiencing substantial loss of income as a result of business closures, reductions in hours, or layoffs related to COVID-19, impeding their ability to keep current on rent and mortgage payments; and

**WHEREAS**, the economic impacts of COVID-19 are significant, and pose a growing threat to the housing security of many New Jersey residents; and

**WHEREAS**, housing security and stability are important to public health, particularly as homelessness can increase vulnerability to COVID-19; and

**WHEREAS**, removal of residents pursuant to evictions or foreclosure proceedings can increase the risk to those residents of contracting COVID-19, which in turn increases the risks to the rest of society and endangers public health; and

**WHEREAS**, in recognition of this danger, on March 18, 2020, the U.S. Department of Housing and Urban Development, Fannie Mae, and Freddie Mac announced the suspension of all evictions and foreclosures for sixty (60) days; and

**WHEREAS**, On March 19, 2020, Governor Murphy signed the residential eviction and foreclosure moratorium legislation into law to protect New Jersey residents in this critical time and issued Executive Order 106 pertaining to said moratorium; and

**WHEREAS**, on March 21, 2020, Governor Murphy issued Executive Order 107, requiring New Jersey residents to remain home or at their place of residence subject to limited exceptions; and

**WHEREAS**, Executive Order 107 further required the closing of all non-essential business establishments; and

**WHEREAS**, the City has a comprehensive Rent Control Ordinance under Title 19, Chapter 2 of the Newark City Code; and

**WHEREAS**, Title 19, Chapter 2, was enacted in order to regulate, control and stabilize rents under the police powers granted to the City in order to protect the health, safety and welfare of the citizens of the City; and

**WHEREAS**, in light of these financial hardships, and to complement the state-mandated moratorium on eviction proceedings issued by State of New Jersey with Executive Order 106, the City has determined that the regulation, control and stability of rents is best served by placing an immediate, temporary moratorium on all rent increases until no later than two (2) months following the end of the state of emergency; and

**NOW, THEREFORE BE IT ORDERED BY RAS J. BARAKA, MAYOR OF THE CITY OF NEWARK, NEW JERSEY THAT:**

The City imposes a temporary moratorium on rent increases until no later than two (2) months following the end of the state of emergency with the following provisions:

1. A moratorium shall be effectuated to prevent any increase in rent, during which time no rent (*where "rent" shall mean* the consideration and shall include any bonus, benefits or gratuity demanded or received for or, in connection with, the use or occupancy of housing space or the transfer of a lease of such housing spaces, including, but not limited to monies demanded or paid for parking, pets, the use of furniture, subletting, security deposits and damage and cleaning deposits) shall be increased as to any property covered by the Rent Control Ordinance.
2. No other charge associated with the rental of a property covered by the Rent Control Ordinance, including but not limited to, charges for parking, pets, and the use of furniture, security deposits and damage and cleaning deposits, shall be increased during this time.
3. The moratorium shall be made retroactive to April 1, 2020 and shall remain in effect throughout the State of Emergency declaration in the City of Newark. In addition, the moratorium shall remain in effect for a period of two (2) months following the end of the State of Emergency declaration in Newark due to the COVID-19 pandemic.

This Order shall take effect immediately and shall remain in full force and effect until rescinded, modified and/or supplemented by me in response to the ongoing Public Health Emergency.

**APPROVED:**

  
\_\_\_\_\_  
RAS J. BARAKA  
MAYOR

DATE: 5/12/20

**AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
KENYATTA K. STEWART  
CORPORATION COUNSEL

DATE: 5/12/20

**ATTESTED TO AND RECORDED BY:**

  
\_\_\_\_\_  
KENNETH LOUIS  
CITY CLERK

DATE: 5-12-20

**THIS EXECUTIVE ORDER SHALL REMAIN IN THE CUSTODY OF THE CITY CLERK. CERTIFIED COPIES WILL BE MADE AVAILABLE UPON REQUEST.**