



Michigan Supreme Court

State Court Administrative Office
Michigan Hall of Justice
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Thomas P. Boyd
State Court Administrator

MEMORANDUM

DATE: February 3, 2021

TO: Judges, Court Administrators, and Magistrates

FROM: Thomas P. Boyd

SUBJECT: CDC Eviction Moratorium Extension

The Michigan Supreme Court updated [Administrative Order 2020-17](#) to extend COVID-19 case processing for landlord-tenant cases through March 31, 2021. This is consistent with the Center for Disease Control and Prevention (CDC) extending their Eviction Moratorium, previously set to expire on January 31, 2021, through March 31, 2021.

Although the CDC Eviction Moratorium does not preclude certain actions to recover possession of property, judges must be mindful of the retaliatory termination of tenancy provisions in MCL 600.5720. More specifically, whether a tenant who provides a landlord with a [CDC Declaration](#) is enforcing his or her rights under the law as contemplated by MCL 600.5720(1)(a). If so, a landlord who files any case under the Summary Proceedings Act (including for termination of tenancy) within 90 days of a CDC Declaration may have to overcome the presumption that their action is a retaliatory termination.

Thank you for meeting with stakeholders to evaluate and discuss the efficacy of Administrative Order 2020-17. Your feedback has been instrumental and will be integrated into future updates and guidance as we collectively navigate these challenging times. As always, please continue to share feedback with your Regional Administrators or reach out with any questions.