



Skyworks v. CDC (N.D. Ohio)

Topics Covered: COVID-19, Public Health

Outcome: Neutral

Issue

The issue in this case was whether a Centers for Disease Control and Prevention (CDC) moratorium on evictions for non-payment of rent during the COVID-19 pandemic was valid.

AMA Interest

The AMA will advocate for: (1) policies that prevent evictions during public health emergencies; and (2) prevention of termination of life-essential utilities during public health emergencies.

Case Summary

In response to the public health dangers posed by COVID-19, the CDC ordered that landlords be prohibited from evicting tenants for nonpayment of rent during the pandemic.

A consortium of property owners sued the Department of Health and Human Services, the CDC, and others, claiming that the CDC order prevented them from asserting possession of their property and evicting tenants. They raised claims under statutory and constitutional legal theories.

On March 11, 2021, the district court ruled that the federal government had exceeded its authority in issuing the moratorium, which is adverse to the position advocated by the AMA. The federal government appealed to the Sixth Circuit Court of Appeals, but before the court issued an opinion, the parties agreed to dismiss the case.

AMA Involvement

The AMA, along with numerous specialty medical societies and other organizations and individuals, submitted an *amicus* brief in support the moratorium and to detail the public health impact of homelessness during the COVID-19 pandemic.

United States District Court for the Northern District of Ohio Brief