

**STATE OF RHODE ISLAND**

**DISTRICT COURT**

**CLARIFICATION OF ADMINISTRATIVE ORDER 2021-06**

**RE: DISTRICT COURT EVICTION PROTOCOL**

**New Evictions for “Criminal Activity” per the CDC order –**

All evictions for non-payment of rent, where a declaration has been filed, are initially prohibited by the current CDC Order.

The current CDC Order extends this prohibition to evictions for “criminal trespass” when the trespass results from a failure to pay rent. This Court recognizes that the behavior mentioned may qualify as criminal behavior in other states, but not necessarily in Rhode Island.

Rhode Island landlords often utilize termination notices for “holdover tenancies” when a lease expires, with no allegation of criminal activity. These termination cases are legal and routine.

However, in those cases where a declaration has been filed, the decision as to whether or not the eviction falls within the scope and prohibition of the CDC Order will be made in the sole discretion of the hearing judge.

Entered as an Order of this Court on this 6th day of August 2021.

Enter:

By Order:

/s/

/s/

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Jeanne E. LaFazia  
Chief Judge

\_\_\_\_\_  
Stephen Waluk  
Administrator