

Tennessee Local Eviction Moratorium Research Memo

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Is there a good faith basis to argue that Nashville could lawfully implement an eviction moratorium? This memo covers the following research questions:

Is there a good-faith argument that a local eviction moratorium ordinance is not preempted, either because it falls within the scope of the detainer statute rather than URLTA or for some other clever lawyering reason?

Assuming a local-level moratorium is not preempted, is a moratorium consistent with both URLTA and the detainer statute, such that it's lawful?

Does the answer to either of the above questions change based on the breadth of the moratorium—for example “can’t evict tenants living in public housing and receiving X benefit during the next three weeks” as opposed to “indefinite pause on all evictions until crisis is over”?

Contacts

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Jurisdictions

Tennessee

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Attachments

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