

ADMINISTRATIVE ORDER
NO. 2020-11-04

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE AND OSCEOLA
COUNTIES, FLORIDA

**AMENDED TEMPORARY ORDER REGARDING MORTGAGE FORECLOSURES,
FORECLOSURE SALES, AND EVICTIONS**

WHEREAS, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, pursuant to the Chief Judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and considering available resources, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the Chief Judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

WHEREAS, the Centers for Disease Control and the Florida Department of Health have advised people to take precautions in light of the Coronavirus Disease 2019 (COVID-19) outbreak, and specifically noting the best way to prevent illness is to avoid exposure to the virus through such measures as small gatherings and social distancing; and

WHEREAS, because of the COVID-19 outbreak, Governor Ron DeSantis declared a State of Emergency on March 1, 2020, the World Health Organization declared a global pandemic on March 11, 2020, Orange County declared a Local State of Emergency on March 13, 2020, and Osceola County declared a Local State of Emergency on March 16, 2020; and

WHEREAS, Governor Ron DeSantis issued Executive Order Number 20-94 (Emergency Management – COVID-19 – Mortgage Foreclosure and Eviction Relief) on April 2, 2020 finding that providing targeted, temporary relief to Floridians with single-family mortgages and residential tenancies is in the best interest of the state and its people; and

WHEREAS, due to the COVID-19 emergency, Executive Order Number 20-94 suspends and tolls any statute providing for a mortgage foreclosure cause of action under Florida law for 45 days from the date of the Executive Order and suspends and tolls any statute providing for an eviction cause of action under Florida law solely as it relates to non-payment of rent by residential tenants for 45 days from the date of the Executive Order, including any extensions; and

WHEREAS, Governor Ron DeSantis issued Executive Order 20-121 (Limited Extension of Mortgage Foreclosure and Eviction Relief) on May 14, 2020 which extends Executive Order 20-94 until 12:01 a.m. on June 2, 2020;

WHEREAS, Governor Ron DeSantis issued Executive Order 20-137 (Limited Extension of Mortgage Foreclosure and Eviction Relief) on June 1, 2020 which extends Executive Order 20-121 until 12:01 a.m. on July 1, 2020; and

WHEREAS, Governor Ron DeSantis issued Executive Order 20-159 (Limited Extension of Mortgage Foreclosure and Eviction Relief) on June 30, 2020 which extends Executive Order 20-121 until 12:01 a.m. on August 1, 2020;

WHEREAS, it is necessary for the prompt and efficient administration of justice to direct the Clerks of Courts in the Ninth Judicial Circuit to suspend all actions related to causes of action for mortgage foreclosure and evictions consistent with Executive Order Number 20-159;

NOW, THEREFORE, I, Donald A. Myers, Jr., in order to facilitate the efficient operation of the administration of justice, and pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order that, **effective immediately**, and to continue until further order:

1. The Orange County Clerk of Courts and the Osceola County Clerk of Courts are directed to suspend all actions related to mortgage foreclosure causes of action, cancel all pending mortgage foreclosure sales, and suspend all actions related to an eviction cause of action under Florida law solely as it relates to non-payment of rent by residential tenants due to the COVID-19 emergency, filed in their respective jurisdictions, through and until 12:01 a.m. on Saturday, August 1, 2020.

2. Nothing in this Administrative Order shall be construed as relieving an individual from their obligation to make mortgage payments or rent payments.

3. This Administrative Order shall be subject to modification, addition, and extension as the evolving and fluid nature of the facts and circumstance may require.

DONE AND ORDERED at Orlando, Florida, this 1st day of July, 2020, *nunc pro tunc* to 4:45 p.m., April 2, 2020.

_____/s/_____
Donald A. Myers, Jr.
Chief Judge

Copies provided to:

Clerk of Court, Orange County
Clerk of Court, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>