



Written by [Joe Wolverton, II, J.D.](#) on September 16, 2020

CDC Declares Itself Landlord of All Rental Property in America

“So great moreover is the regard of the law for private property, that it will not authorize the least violation of it; no, not even for the general good of the whole community. In vain may it be urged, that the good of the individual ought to yield to that of the community; for it would be dangerous to allow any private man, or even any public tribunal, to be the judge of this common good, and to decide whether it be expedient or no. Besides, the public good is in nothing more essentially interested, than in the protection of every individual’s private rights.”



— William Blackstone

In response to the economic suffering brought about in large measure by its own actions taken in response to the COVID-19, the Centers for Disease Control (CDC) has now claimed for itself the power to prevent landlords from controlling their own rental properties.

As first reported by [zerohedge.com](#), the CDC announced Tuesday that they were suspending most evictions from rental property at least through the end of 2020.

The zerohedge story reports that in a phone call with the media, CDC officials “said the order will apply to Americans who qualified for direct payments under the CARES Act.”

CARES Act — the Coronavirus Aid, Relief, and Economic Security Act) is the \$2 trillion stimulus package passed by Congress and signed by President Donald Trump on March 27, 2020. The economic aid package included assistance for renters unable to pay their rent as a result of government reaction to the coronavirus outbreak.

As for how this new bureaucratic fiat differs from the CARES Act, zerohedge reports:

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“Under the CARES Act, only renters in federally-backed rental units were protected from eviction. This covers any rental unit in United States, so long as the renter meets those requirements, where they’ve demonstrated that they are at risk of becoming evicted,” an official said. There’s also currently a moratorium on evictions for federally-backed, single family home mortgages.

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In order to qualify for eviction protections, renters will need to download and fill out several forms provided by the CDC on its website. Renters will then give the completed forms directly to their landlord.

An official quoted in the zerohedge report said, “This will be a declaration presented to the landlord, if



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that landlord approaches a tenant with an intent to evict.” Should a landlord refuse to allow the CDC to exercise control of his property, the landlord’s failure to comply with the mandate “would become a criminal offense,” the CDC official added.

In cases of a dispute between the landlord and the tenant seeking to avoid eviction, the CDC official said these cases would be heard in local courts.

One would look in vain to find authority over private contracts and private property granted to any branch of the federal government, much less to some agency of dubious purpose like the CDC.

In a report on the new edict published in the Mises Report, Jeff Diest quotes an unnamed “federal official” trying to explain how the CDC’s reach should rightly extend to private property and the ability of individuals to execute and enforce contracts:

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Congress has delegated broad authority to HHS, the Surgeon General and CDC, to take reasonable efforts to combat the spread of communicable diseases, and frankly I think it makes sense for those authorities abroad because we don’t know for any given situation or scenario what steps will be needed to stop the spread. I think, in this particular order, the CDC has made a very compelling case that it is quite problematic at this particular time. It’s focused on this particular pandemic, which is obviously the uniquely powerful grasp in the nation’s entire history in terms of the effect it’s had that for a bunch of reasons in particular, that the home has been sort of the focal point of people social distancing and building, sort of a safe space themselves over the past few months, and also the fact that if people get kicked out, they may end up in overcrowded congregated living facilities or homeless shelters, and that is a potential recipe for a big spread of COVID-19.

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Wow. Well, that would surely satisfy Samuel Adams or Patrick Henry.

It should be noted by everyone who values republican government and the concept that the only legitimate government is a government that acts with the consent of the governed, that the CDC’s seizure of power over private property was not approved by Congress. In fact, there was no oversight by the representatives of the people whatsoever. This decree is, by any definition of the word, tyrannical.

It is no exaggeration to say that liberty in the United States today is not under attack from one, single identifiable despot, but from hundreds of federal agencies and commissions, each of which is tacitly allowed by Congress and the president to exercise immense legislative, executive, and judicial power.

What is relevant to Americans today is the realization that such consolidation of government authority, in the hands of one (or many) agents of the federal government, is tyrannical and will eventual lead to the denial of the full panoply of rights all of which should be shielded from bureaucratic despotism.

Finally, apart from the accumulation of powers being accomplished by these alphabet agencies, there is another aspect of this growth of government that is anathema to our republican form of government.

One of the royal abuses of power in the “long train” listed by Thomas Jefferson in the Declaration of Independence seems to accurately describe these agencies’ autocratic agenda.

“He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance,” Jefferson wrote.



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And, as Jefferson warned at another time, “It will be no alleviation that these powers will be exercised by a plurality of hands, and not by a single one. 173 despots would surely be as oppressive as one.”

In fact, it would be preferable that the authority of land owners to protect their property. — and the livelihood that property affords them and their families — had been usurped by a single tyrant or even 535 tyrants in the legislative branch, as at least those people are subject to election by the people and theoretically the people could run the tyrants out of office by refusing to re-elect them. The officials at the CDC, however, are subject to no control by the people of the United States and cannot be held accountable by them, no matter how despotic their decrees become.



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