

PLAN TO END EVICTIONS



Full Policy

End Evictions and Keep People in their Homes *Challenges & Principles* Four hundred thousand New York City households are on the brink of eviction. Two hundred thousand faced evictions before COVID-19 hit New York City hard. Evictions were a crisis pre-COVID – the historic rise in homelessness that existed in our city pre-pandemic is, at its root, a crisis of evictions. This pandemic has stolen the lives of over 24,735 New Yorkers – 73% of whom are people of color. And it has destabilized hundreds of thousands more who have lost their jobs or seen wages decrease as businesses have shuttered, many of whom were barely making enough pre-COVID to keep up with rising rents. According to an [analysis](#) from the ACLU, Black renters are evicted at almost twice the rate of renters who are white. In addition, Black women face even higher rates of eviction. In New York, a June 2020 [analysis](#) by the Community Service Society found that between 2017 and 2019, tenants living in majority Black zip codes were more than three times as likely to be evicted than tenants living in majority white zip codes. The report finds that Black, Latinx, and Asian renters are three or four times as likely to report having little or no confidence in being able to make their next rent payment, as compared to white tenants. We have seen bailouts of corporations – but not for workers who can't keep up. We need support for tenants and for the small landlords who house them. Stable housing is key to a strong economy, and a city where all New Yorkers can live in dignity. All New Yorkers should feel secure in their homes and the City has an obligation to ensure this security. Evictions cause short-term homelessness but also increase the risk for long-term housing insecurity. Studies show that evictions in New York City also impact health and lead to an increase of emergency room and mental health hospitalizations; families impacted by evictions experience longer shelter stays and more frequent emergency room visits. These impacts have devastating financial consequences, therefore, for the City's budget and economic recovery: A 2019 analysis by the Coalition for the Homeless found that it costs the city \$47,000 a year to provide emergency shelter to a single adult and \$82,000 for a family. When taking into account emergency shelter, emergency room visits, and longer shelter stays, a single eviction costs the City \$8,000. An estimated 400,000 families are on the brink of eviction, meaning **the cost of evictions for the public is conservatively estimated to be nearly \$3.2 billion**. But in order to keep people in their homes, and realize the humanitarian benefits and financial savings from doing so, we need to make a significant initial investment in direct rent relief. This week, Congressional Republicans

finally stopped playing politics with people's lives and a COVID-19 relief package was passed. Based on initial estimates, we anticipate \$251M in Emergency Rental Assistance funding for the City. This will provide much-needed relief, but it still does not come close to addressing the massive housing crisis that has been exacerbated by this pandemic. We need a plan to:

1. Provide long-term solutions and stability instead of continuing the destabilizing pattern of providing month-by-month aid that does nothing to ease the painful psychic burden of housing uncertainty;
2. Stop New Yorkers hit by the crisis from being evicted;
3. Help small and nonprofit landlords who cannot afford to absorb the loss of nonpayments; and
4. Address the reality that many families will still fall into homelessness and require rapid relief to remain in, or return to, housing.

A Wiley Mayoral administration will direct federal stimulus money and funds from new progressive revenue sources, which might include a pied a terre tax, a vacancy tax, a mansion tax, and a stock transfer tax to address this problem holistically. We will partner with allies in Albany to ensure that New York City receives a proportionate share of the funds generated from these new revenue streams to adequately respond to the housing crisis.

1. Fight for a True Eviction Moratorium for the Duration of the Crisis

Right now, New Yorkers are hurting. Too many people have lost jobs or seen a decrease in wages and have been without the resources they need for months. They aren't purposefully withholding rent – they simply cannot pay it. And a single \$600 stimulus check will do little to ease this ongoing burden. A patchwork of temporary eviction moratoriums and late-arising extensions do not address this reality, especially when those moratoriums will expire and there will be nothing stopping landlords from initiating eviction proceedings immediately. We need to keep people in their homes and find ways to help resolve the outstanding balances so that we aren't simply delaying the inevitable. To achieve these goals, we will fight for:

- **A strong eviction moratorium** long enough to ensure that we have averted an eviction crisis that will trigger a massive homelessness stemming from this pandemic. This will require strategies at the federal and state level on how to appropriately fund an ongoing moratorium that recognizes that it has economic consequences. We will clearly communicate that timeline so that people have stability and the ability to plan.
- #### **2. Transform Rent Relief and Bail Out Tenants and Small Landlords**

The rent relief that New York City residents have received to date hasn't come close to matching the needs of tenants in the wake of this crisis. The new changes to the federally-funded program announced this week still do not adequately address the problems facing New Yorkers. While switching to a landlord-based application system is helpful for tenants, it places a huge burden on small and nonprofit landlords who are often unable to navigate government bureaucracy. **This is especially troubling because a significant percentage of small landlords (landlords operating between 1-5 buildings) are people of color who live in the communities that have**

been disproportionately hurt by this pandemic. They [are less likely to evict their tenants](#), and are [less able to absorb](#) the extra costs associated with applying for and receiving aid.

Ensuring the financial health of small landlords in communities of color is vital to protecting access to intergenerational wealth for people of color, in particular Black homeowners, and protecting this housing stock from speculative interests that have already begun to prey on neighborhoods such as East New York. These programs must be accessible to these owners. Additionally, we must ensure that implementation of this program and enforcement of the eviction moratorium remain a priority. We propose to:

- **Create an ambitious Citywide rent and tax relief program for small landlords and nonprofit landlords.** We will invest the \$251 million dollars of federal stimulus money in a direct rent relief program. This new program, administered through the City Departments of Finance and Housing Preservation & Development, will be a landlord-based application system, allowing qualifying landlords to receive relief directly for any back rent owed regardless of who their tenants are. While federal aid also provides financial resources to landlords, it does not guarantee that tenants will not be evicted, so we will ensure that these protections are enacted.
 - We will ease the burden for participation by determining qualification in the program based on existing filings and application processes to ensure that small landlords are not unfairly eliminated from participation because they are unable to navigate a complex and bureaucratic application process. We will provide technical assistance for any additional application requirements by partnering with trusted and experienced neighborhood based organizations with translation capacity, and ensure that the moratorium is observed.
 - Priority would be given to small and nonprofit landlords, and would give much-needed relief to tenants while still allowing landlords to receive necessary funds to make mortgage payments and investments in necessary repairs to provide tenants with safe housing conditions. Qualification would be based on a number of factors including overall landlord portfolio size, overall financial health of the landlord's portfolio, and priority for aid would flow to small and nonprofit landlords. The program would require that landlords who receive support comply with the same eviction moratorium as other landlords and would require nonharassment protections for tenants.
 - Offer additional property tax deferment to small landlords in exchange for giving tenants the right to renew their lease with limited rent increases for five years (i.e., good cause eviction)
3. **Stronger eviction protections through increased legal representation.**

Tenants facing eviction should have a right to legal representation. New York City was the first large city in the country to establish a right to counsel for low income tenants. The model has been replicated in San Francisco and Cleveland. The program offers an income-based right to an attorney for those whose income is 200% of the poverty line or less. Evictions have dropped 41% overall since 2013, including a 15% drop in 2019. Legal representation has played a major role in protecting tenants during the pandemic. Overall, 84% of tenants who were represented by counsel remained in their homes. We will strengthen these protections by:

- Supporting City Council Introduction 1104 (sponsored by Council Members Levine, Gibson, and others), which expands the income threshold from 200% of the federal poverty line to 400%. This is a yearly income of \$51,040 for a single adult and \$104,800 for a family of four. This \$100 million dollar expansion would cover an additional 55-70,000 households each year.
 - Creating a new partnership with area law schools and pro-bono legal partners to introduce a community lawyering model. The program will provide legal counsel at the building level in cases where a significant number of tenants are facing eviction. This program would build on the existing legal infrastructure that has developed to provide counsel to individuals. One lawyer or team of lawyers would represent the interests of the tenants in the building. The attorney/attorneys would be better able to get to know building conditions and management and be better able to negotiate more effective agreements on behalf of tenants.
4. **Put Families Back in Homes**

Unfortunately, real relief will come too late for some residents, and some portion of the 400,000 families currently on the brink of eviction will face homelessness or will double up in unsafe and insecure housing arrangements. And families trying to get back into homes will be faced with the difficulty of trying to save for security deposits while experiencing the deep instability of not having a home. Homelessness is an affordability crisis, and these issues cannot be tackled in silos. In the coming weeks, we will roll out an ambitious housing plan that looks at these and other housing issues holistically. We must combat deep structural problems with structural solutions and be prepared to respond immediately. To address the most urgent needs of those seeking new housing, I will **create a rapid rehousing program designed to address some of the adverse impacts of the eviction crisis caused by the pandemic**. We will advocate for State action on application fees, security deposit relief for families at 400% of the Federal Poverty Line, and property tax forgiveness for landlords who voluntarily waive these expenses. We will partner with community-based organizations to provide housing counseling and case management to help identify potential new homes for these families and provide financial planning services to help get people back into homes. Additionally, we will launch a grant program to provide direct financial assistance with security deposits, application fees and other expenses to help people get into new housing. These programs should be supported by federal and state dollars.