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Contact:

Susanna Blankley, 917-691-0544, susanna@righttocounselnyc.org



Cuomo Ends Eviction Moratorium, Putting Tens of Thousands at Risk

New York – On Friday, May 7, NY Governor Cuomo issued an executive order, which he claimed extended the existing eviction moratorium. **However, Cuomo’s executive order actually ended rather than extended our current eviction moratorium, putting thousands at risk of displacement.** While Governor Cuomo’s public remarks gave the impression that he extended the moratorium until August 20, his order offers tenants very limited protections. It allows landlords to bring cases against renters who cannot pay rent, while offering limited protections to a limited number of households.

The eviction moratorium that’s currently in place protects all tenants, commercial and residential, from eviction across New York State. Until June 20, no tenant can be evicted for any reason, period. But on Friday, May 7th Governor Cuomo issued a new executive order that ends the eviction moratorium on June 20th, and forces thousands of tenants facing lawsuits to risk their health to fight for their homes.

By opening the door to all these new eviction cases and evictions, the new Executive Order will quickly take us back to overcrowded housing courts and families facing homelessness - both of which are guaranteed to endanger individual and public health.

"This non-extension will unconscionably force thousands of NY tenants into Housing Court and further dehumanize them to prove their financial hardship, but the NY billionaires, Wall Street Bankers and their shareholders are always bailed out and forgiven off the backs of the working poor (the people's tax dollars)," **says Anita Long, Tenant Leader with Community Action for Safe Apartments.** "Landlords will still be allowed to sustain their incomes off the backs of their tenants who have lost all/some of their income, are dying and are hungry."

"Instead of keeping a roof over tenants’ heads during the COVID-19 pandemic, the Governor's order opens the door to new eviction cases and marshals executing eviction warrants," said **Marika Dias, Managing Director of the Urban Justice Center's Safety Net Project.** "This order will put lives at risk, by forcing thousands of tenants into housing court eviction cases and potentially into homelessness. The Governor's order is not the protection for tenants he made it out to be, and it is not the protection New York tenants need right now."

Here’s How the Governor’s Order Fails to Protect Tenants:

- From June 20th to August 20th, only tenants *who can prove* they didn’t pay rent because of a COVID-19 related financial hardship or who qualify for unemployment insurance, may be protected from eviction.
- From June 20th-August 20th, landlords are prohibited from starting new cases against tenants who have been financially impacted by COVID-19, but as this will be incredibly hard to enforce, thousands will be sued who shouldn’t be.
- This order puts the onus on tenants to show they are entitled to not be sued or evicted. This means thousands of tenants will still be sued in non-payment eviction cases and they will have to face intrusive

inquiries into all their personal financial information, just to get dismissal of an eviction case that should never have been brought in the first place.

- Many tenants who have currently suspended eviction warrants are at great risk of being evicted come June 20th, because they won't know how to stop the eviction, even if they do qualify for the moratorium.
- It does *not* protect tenants who are sick with COVID-19, who have lost loved ones to COVID-19, or who have been impacted by COVID-19 in any other non-financial way. All of these tenants can be sued by their landlords and evicted.
- It does *not* stop marshals and sheriffs from evicting tenants who faced eviction for reasons other than non payment (holdover cases). This means many tenants can be evicted as of June 20th, if they have a pending eviction warrant that was issued in a holdover case.
- It does not stop landlords from filing new holdover eviction cases against tenants after June 20th. So landlords who want to evict tenants for anything that isn't about non-payment of rent, will be able to. This will undoubtedly lead to a rise in new holdover eviction cases.

"I have a friend from the islands without a green card. She watches 2 children, 1 school age and the other a toddler. With school closing she watched both kids until the parents started working from home so they no longer needed her to watch the kids. She was always paid in cash so she has no pay stubs. She lives in a basement apartment and still needs to pay her rent. How can she prove she was affected by Covid?" asks **Avril Haynes, Tenant Leader with Flatbush Tenant Coalition.**

"Sadly, the governor's recent so-called extension of the eviction moratorium opens the door to the potential eviction of thousands of New York City tenants at the precise moment when they are most in need protection from losing their homes," said **Raun Rasmussen, Executive Director of Legal Services NYC**, the nation's largest provider of free civil legal services. "We need real solutions that keep tenants in their homes and out of court during the COVID-19 crisis, not a confusing order that will increase fear and potentially start a flood of new evictions at a time when courts, tenants and their advocates need to keep doing all we can to protect against the spread of the virus. Too many low-income tenants and their families have already been devastated—now is not the time to increase their vulnerability and threat of homelessness."

"Allowing evictions during a public health crisis and sending people into overcrowded and unsafe homeless shelters makes no sense. We urge the governor to rethink this shameful policy and ensure that people can continue to shelter in place in their homes," **Judith Goldiner, Attorney in Charge, Civil Law Reform Unit, The Legal Aid Society.**

"Governor Cuomo: there's a large number of people who haven't got their unemployment or stimulus checks yet. In addition to paying rent, we are trying to keep food on the table with limited funds," says **CASA Leader Kim Statuto.** "Most can't pay rent or utilities and giving landlords a loophole to file eviction cases will hurt innocent people. You say you won't put lives over opening up the economy yet you are not helping tenants who could become homeless to no fault of their own. Why?"

"We know that people don't have enough to feed their children or pay their other expenses. I think a universal moratorium will be the best thing at this point. How can people prove that they need shelter over their head? What about undocumented people? What else do we have to prove to him? There are food lines all over the place. Also, Cuomo should just cancel the rent and it must be universal, so people don't have to stress over their rent balance. If he doesn't do this, New Yorkers will suffer even more financially after the health crisis is over. He talks about flattening the COVID19 curve, but if he doesn't do something about rent, he will raise the financial crisis curve," **Paulette James, Tenant Leader with Flatbush Tenant Coalition.**