



January 15, 2021

Dear President-Elect Biden:

We know that you are eager to immediately and proactively address the COVID-19 pandemic and its devastating impact on the lives of people in vulnerable communities. We know that, like us, you do not want to see enormous numbers of individuals and families become homeless. In that spirit, we urge you to take several immediate actions.

We, the undersigned organizations, write to urge you to take immediate action to prevent a catastrophic wave of evictions by issuing an Executive Order extending, improving, and enforcing, **until the end of the pandemic**, the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC) and extended through January 31, 2021 through the COVID-19 Relief Bill (“Consolidated Appropriations Act of 2021”). The eviction moratorium extends vital protections to renters at risk of eviction during the pandemic, and by doing so, it has [helped keep stably housed](#) millions of people who otherwise would have been evicted. The federal eviction moratorium does, however, have significant shortcomings that undermine its public health impact. When the moratorium expires on January 31, tens of millions of low-income renters will be at risk of losing their home, and with it, their ability to keep themselves and their families safe and healthy. We urge you to extend the eviction moratorium to keep renters stably housed during the pandemic, and to address the moratorium’s shortcomings by improving and enforcing the order.

Evictions put lives at risk, strain our already overstretched public health systems, harm the educational progress of children, threaten food security, and generate unnecessary costs to taxpayers. As the CDC makes clear in its [order](#), “eviction moratoria—like quarantine, isolation, and social distancing—can be an effective public health measure utilized to prevent the spread of communicable disease.” The CDC order rightfully holds that, “evictions threaten to increase the spread of COVID-19 as they force people to move, often into close quarters in new shared housing settings with friends or family, or congregate settings such as homeless shelters.” The CDC warned that these challenges “may be exacerbated as fall and winter approach” and found that “immediate action is necessary.” As outlined by the CDC, evictions have enormous consequences for individuals, their communities, and our nation’s public health. In fact, evictions occurring between the beginning of the pandemic and the issuance of the CDC moratorium in September led to more than [400,000 more COVID-19 cases and nearly 11,000 additional deaths](#).

According to the Census Bureau, nearly [one in five renters](#) – disproportionately Black, Latinx, and Asian renters as compared to white renters – are behind on their rent. Experts estimate that these households already owe between [\\$34 billion to \\$70 billion](#) in back rent. Without continued federal intervention, [up to 30 million to 40 million renters](#) could lose their homes. Extending the moratorium through the pandemic will provide the incoming Biden administration and newly elected Congress time to enact a comprehensive relief package that includes robust housing and homelessness resources and for state and local governments to distribute these and other resources provided by Congress to households in need.



The Biden administration must also address shortcomings that prevent renters from making full use of the moratorium's protections. The Biden administration should issue an automatic and universal moratorium. Under the CDC moratorium, renters are only protected if they know about it and take affirmative steps to be protected. As a result, [corporate and other landlords continue to evict renters](#) before renters know about the moratorium protections or by finding reasons for eviction other than nonpayment of rent. If the Biden administration keeps its current framework in place, it must, at a minimum, require landlords to provide notice to renters of their rights under the CDC moratorium and prohibit landlords from filing or advancing eviction proceedings unless they attest to the court, under penalty of perjury, that they have not received a signed declarative statement invoking the moratorium protections.

We urge you to rescind the [Frequently Asked Questions](#) (FAQ) document issued by the CDC on October 9. The FAQ creates loopholes in the moratorium's protections, undermining the intent of the order by eroding protections for renters and making it more difficult for struggling renters to remain stably housed. While the order clearly states that landlords are barred from taking "any action...to pursue eviction or a possessory action, to remove or cause the removal of a covered person from a residential property," the FAQ provides contrary information allowing landlords to serve eviction notices and file eviction lawsuits as long as families are not removed from their homes until the moratorium expires. The FAQ also states, contrary to original order, that landlords may question the veracity of a declarative statement signed under penalty of perjury. Both changes serve to mislead, pressure, scare, or intimidate renters into leaving sooner and may result in a flood of families being evicted from their homes in February. Instead, the Biden administration should clarify that the moratorium applies to all stages of evictions, including filings, close loopholes to cover "no fault" evictions and evictions at the end of lease terms, and bar landlords from challenging declarative statements in court.

The Biden administration must also commit to enforcing the moratorium. The CDC order imposes criminal penalties on landlords who violate it, and states that "the U.S. Department of Justice (DOJ) may initiate court proceedings as appropriate seeking imposition of these criminal penalties." Despite this provision, the DOJ under President Trump did not enforce the order and did not provide any mechanism for renters to file complaints against landlords who violate it. As a result, landlords continue to wrongfully evict renters in violation of the moratorium. The Biden administration should create a hotline number renters can use to file complaints and should direct the DOJ to enforce the moratorium.

It is critical that we take all necessary action to protect individuals from evictions and, in worst cases, homelessness during the COVID-19 pandemic. The CDC moratorium is a public health necessity, and we urge you to take immediate action to issue an Executive Order that extends, improves, and enforces these protections through the end of the pandemic.

Thank you for caring, and for taking the time to consider these requests for immediate action to help individuals and families in vulnerable communities at risk of becoming homeless.

Sincerely,



Advocates for Ohio's Future
American Academy of Pediatrics
American Heart Association
Ascension
Blue Cross Blue Shield of Rhode Island
Bon Secours Mercy Health
Catholic Health Association of the United States
Center for American Progress
Children's Defense Fund
Children's HealthWatch
Cleveland Clinic
Coalition on Human Needs
CommonSpirit Health
Community Catalyst
Disability Rights Ohio
Empower Idaho
Food Research & Action Center
Freshwater Future
George Wiley Center
Healthcare Anchor Network
Healthy Schools Campaign
Humane Society of the United States
Idaho Asset Building Network
Idaho Coalition Against Sexual Assault and Domestic Violence
Idaho Voices for Children
Integrated Community Solutions
Jonnycake Center for Hope
Justice in Aging
Leadership Conference on Civil and Human Rights
Legal Action Center
Mount Carmel Health System
National Alliance to End Homelessness

National Alliance on Mental Illness
National Community Action Partnership
National League of Cities
National LGBTQ Task Force
National Low Income Housing Coalition
National Nurse-Led Care Consortium
National Women's Law Center
Nationwide Children's Hospital
Natural Resources Defense Council
NC Child
Ohio Poverty Law Center
Our Spring Lake Store, LLC
Poverty & Race Research Action Council
Providence St. Joseph Health
RESULTS
Rhode Island Association for the Education of Young Children
Rhode Island Coalition for Children and Families
Southwest Idaho Area Health Education Center
St. Vincent de Paul North Idaho
The Arc of the United States
The Episcopal Church
The Formerly Incarcerated Union of Rhode Island
The Idaho Foodbank
Trinity Health
True Colors United
UnidosUS
United Way of Idaho Falls & Bonneville County
United Way of Treasure Valley
Unity Health Care
Universal Health Care Action Network of Ohio
ZERO TO THREE