



NEW YORK STATE SENATOR

Brian Kavanagh

Kavanagh, Hoylman & Senate Colleagues Urge Courts to Suspend All Eviction Proceedings During COVID-19 Emergency

[Brian Kavanagh](#)

March 12, 2020

ISSUE:

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On March 12, Senator Kavanagh, along with 23 of his Senate colleagues, urged the courts to institute a moratorium on evictions immediately, to prevent displacement and ensure that New Yorkers won't have to choose between protecting their health and defending their homes during the COVID-19 emergency. The text of the Senators' letter is below; the original may be viewed via the link above.

March 12, 2020

Via Email and U.S. Mail
Hon. Janet DiFiore, Chief Judge
New York State Court of Appeals
20 Eagle Street
Albany, New York 12224

Dear Chief Judge DiFiore:

We write to request that the New York State Courts institute an immediate moratorium on evictions in New York State, by staying all eviction proceedings before the courts, staying all outstanding warrants of eviction, and ordering all State and local marshals cease executing warrants of eviction.

The current health crisis presents a risk to all New Yorkers, and Governor Cuomo has declared a state of emergency. The threat COVID-19 poses to people's health is very

serious, especially for certain people who are vulnerable because of pre-existing health conditions. In all aspects of our daily lives, government, businesses, and individual New Yorkers are taking big steps to curtail activities that might increase the spread of the infection, with the goal of minimizing the danger of rapid, widespread illness that could stretch the capacity of our healthcare systems to respond. The State Department of Health has directed individuals experiencing symptoms to self-quarantine; the Governor has announced statewide restrictions on public gatherings; and government officials have urged people to limit nonessential commuting.

Permitting evictions to continue will unnecessarily and unreasonably increase health risks from COVID-19 for New Yorkers. Many individuals and families who are evicted from their homes will be forced to live in public spaces, in shelters, or in other temporary and often precarious circumstances--limiting their ability to self-quarantine and increasing their exposure to others. In addition, the thousands of people scheduled to appear in eviction-related proceedings each day will be forced to make the choice between risking exposing themselves or others to COVID-19, on the one hand, or giving up their legal rights and facing eviction from their homes, on the other.

We understand that there is some precedent for the court suspending evictions in response to a public emergency, after both 9/11 and Superstorm Sandy. In any case, we believe that the current public health emergency warrants immediate action. No New Yorker should have to choose between their health and their home.

If you would like to discuss this request, please feel free to contact any of us directly or via Senator Kavanagh's office at [212-298-5565](tel:212-298-5565). Given the urgent public health issues New Yorkers are facing, we respectfully ask for a prompt response.

Sincerely,

Senator Brian Kavanagh
Senator Brad Hoylman
Senator Alessandra Biaggi
Senator Jamaal Bailey
Senator John Brooks
Senator James F. Gaughran
Senator Michael Gianaris
Senator Robert Jackson

Senator Todd Kaminsky
Senator Anna Kaplan
Senator Liz Krueger
Senator John Liu
Senator Zellnor Myrie
Senator Kevin Parker
Senator Roxanne Persaud
Senator Jessica Ramos
Senator Gustavo Rivera
Senator Julia Salazar
Senator Toby Ann Stavisky
Senator Luis R. Sepúlveda
Senator Kevin Thomas
Senator Leroy Comrie
Senator Rachel May
Senator Shelley Mayer