



NEW YORK STATE SENATOR

Alessandra Biaggi

SENATOR BIAGGI AND ASSEMBLYMEMBER NIOU INTRODUCE LEGISLATION TO EXTEND NEW YORK STATE'S EVICTION MORATORIUM

ALESSANDRA BIAGGI August 6, 2021

ALBANY, NY – Today, Senator Alessandra Biaggi and Assemblymember Yuh-Line Niou introduced legislation (awaiting bill numbers) to extend the New York State's eviction and foreclosure moratorium until October 31st, 2021. In light of the New York Emergency Rental Assistance Program's failure to issue federal aid to struggling tenants and landlords, this bill aims to protect tenants, homeowners, and small landlords who continue to endure financial hardship due to the COVID-19 pandemic. New York State's eviction moratorium is currently set to expire August 31st, 2021.

"The failure of the Emergency Rental Assistance Program to properly distribute funds and the surge of the Delta variant has put the livelihoods of many New Yorkers at risk. With the eviction moratorium set to expire August 31st and little COVID-19 rental assistance distributed, many New Yorkers who still owe rental arrears are fearful of losing their homes come September 1st. We cannot let hundreds of thousands of New Yorkers risk homelessness due to the negligence of our own government. The Executive has failed New Yorkers, and the Legislature must reconvene to deliver for the people that we were elected to serve," **said State Senator Alessandra Biaggi.**

"I can't imagine anything worse for our renters or our economy than evicting thousands of families just as the pandemic surges back with deadly new variants. ERAP has failed to do what it was empowered to do: issue federal aid to struggling renters without delay. That isn't the fault of renters, but it is renters who will pay the price unless we act now to protect those whose only crime was trusting in the promises of our government at a time of crisis," **said Assemblymember Yuh-Line Niou.**

"Given the rise of the delta variant and New York State's embarrassingly tardy rollout of the Emergency Rental Assistance Program, an extension of the eviction moratorium and foreclosure protections is necessary. Leaving people without homes during this unstable time will only add hardship on top of hardship that will slow down New York's recovery. Let's continue to vaccinate more people and get the ERAP funds out before we lift these necessary tenant and homeowner protections," **said State Senator John Liu.**

"Governor Cuomo's inability or unwillingness to urgently distribute the emergency rent relief that we allocated in the state budget leaves us with no other option than extending the eviction moratorium. Failure to do so risks a humanitarian and economic crisis, with hundreds of thousands of New Yorkers facing the very real threat of homelessness. We must act now," **said Assemblymember Emily Gallagher.**

"I have experienced being homeless during the coronavirus pandemic. Last year, when I lived in a shelter, I got COVID and nearly died. Nobody should have to go through what I went through, but without an eviction moratorium, thousands of people will. We should be focusing on ending homelessness, not expanding the homeless population by letting people be thrown out of their homes and onto the streets," **said Shams DaBaron aka "Da Homeless Hero."**

This legislation extends the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 and the COVID-19 Emergency Protect Our Small Businesses Act of 2021 until October 31st, 2021. These protections are currently set to expire August 31st, 2021. The legislation provides the following protections:

- **Eviction:** Under this bill, eligible residential and commercial tenants will continue to receive relief from eviction if they submit a hardship declaration form to their landlord or a court. In submitting the form, residential tenants must attest that they have experienced financial hardship due to the COVID-19 pandemic that prevents them from being able to pay their rent in full, or move or if someone in the household is at increased risk of severe illness from COVID. Commercial tenants must attest that they have lost income as a result of COVID, had a significant increase in moving expenses, or are unable to relocate due to the cost of moving expenses. Additionally, all tenants must attest that any government assistance they have received, including rental assistance, does not fully make up for lost income.
- **Foreclosure and Tax Lien Sales:** Homeowners, small landlords who own ten or fewer units including their own dwelling, and eligible commercial property owners and mortgagors will continue to receive relief from foreclosure or tax lien sales by submitting a hardship exemption form, following a similar procedure to tenants.

As part of the 2021-22 enacted budget, the Legislature created the COVID-19 Emergency Rental Assistance Program. The program provides up to 12 months of rental arrears assistance and up to three months of prospective rental assistance for residential tenants impacted by the pandemic. Tenants must be at or below 80 AMI in order to qualify. The program has \$2.35 billion in federal funds and an additional \$100 million in state funds to

distribute. Although the program opened for applications in June, only 55 households have received funds as of the end of July. Over 160,000 applications have been received.

The 2021-22 enacted budget also included funding to assist small businesses, including an \$800 grant program administered by the Empire State Development Corporation and an additional \$200 in tax credits for eligible businesses.

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