



NEW YORK STATE SENATOR

Robert G. Ortt

NY Republican Leaders Blast One-Party Rule's Planned Extension of Unconstitutional Eviction Moratorium

ROBERT G. ORTT September 1, 2021

| ISSUE: **COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM**



ALBANY, NY -- New York State Senate Republican Leader Rob Ortt, Assembly Republican Leader Will Barclay, and members of the Republican Conferences today blasted One-Party Rule in Albany for planning to extend the unconstitutional eviction moratorium while ignoring a disastrous rent relief rollout that has plagued New York tenants and property owners alike for months.

“For months<<https://www.nysenate.gov/newsroom/press-releases/robert-g-ortt/leaders-ortt-barclay-put-tenant-landlord-new-yorkers-first>>, my Republican colleagues and I have pushed for our Democratic colleagues to deliver much-needed relief to struggling New York tenants and landlords. For months, they have ignored our calls, as well as everyone else who isn’t a radical ‘cancel rent’ activist. Their unlawful eviction moratorium, being continued today, defies all common-sense if the true goal is to protect renters, small business owners, and stabilize the housing market. Their failure to deliver these critical funds -- combined with the devastating policies they craft behind closed doors -- is an implicit acknowledgment of their own incompetence. Deliver the relief NOW,” said Leader Ortt.

“Since January, \$2.6 billion in federal emergency rental assistance funding has been available to landlords and tenants, and yet OTDA has repeatedly failed to deliver to those struggling to make ends meet. The state’s eviction moratorium expired yesterday, but here we – the Legislature – are today, back in Albany for an emergency special session to address a matter that should have been resolved long before now. Had the rent-relief program been administered by the state properly, and in the manner in which the federal government intended in the first place, tenants who have fallen on difficult times due to COVID and small-property owners who have received no income for the past 18 months, would have been in a far better financial position. Once and for all, OTDA must get its act together and ease the fiscal insecurity for landlords and tenants alike,” said Leader Barclay.

“The distribution of rental assistance funds must continue to be our focus and priority. New York has known since last December that it would be getting billions in federal aid to assist tenants and landlords devastated by the pandemic. Here we are nine months later, and still, less than 10 percent of these funds have been distributed. For months, my Senate Republican colleagues and I have continued to offer recommendations and solutions that seem to fall on

deaf ears. We called for this federal aid to be removed from the budget process to expedite the distribution, but Senate Democrats refused our request. This summer, Senator Boyle and I led two virtual roundtables with housing community stakeholders to facilitate greater support for tenants and landlords, and we've submitted recommendations to New York's Office of Court Administration. That includes opening our housing courts to help bring more eligible applicants into the program. I also urge the Senate Majority to deliver Senate bill S.6481 to the Governor, a bipartisan bill I co-sponsored, so we can earmark the \$100 million in state funds in the ERAP program to mom-and-pop property owners whose tenants vacated their units while owing rent," said Senator Pam Helming, Ranking Republican on the Senate Housing Committee.

"It is extremely concerning that, once again, Assembly Democrats are seeking to extend the eviction moratorium leaving property owners without protections for nearly a year and a half. This legislation will only ensure that landlords will have to reach deeper into their own personal savings and loans to cover mounting expenses, including mortgages, utilities and property taxes. Instead, the state should be focused on distributing billions in federal financial assistance in a more efficient manner to get help to those truly facing hardship, while also allowing for legal protections for small-housing providers," said Assemblyman Michael Fitzpatrick, Ranking Republican on the Assembly Housing Committee.

In May<<https://www.nysenate.gov/newsroom/press-releases/leaders-ortt-and-barclay-reiterate-calls-governor-cuomo-release-housing>>, Senate Republican Leader Ortt and Assembly Republican Leader Will Barclay stood with Onondaga County Executive Ryan McMahon to reiterate calls for quicker distribution of rent relief funds. The central New York county has for months operated an efficient rent relief program that could've served as a model for the statewide program.

In recent months<<https://www.nysenate.gov/newsroom/press-releases/pamela-helming/senator-helming-and-senate-republicans-hold-second-roundtable>>, Senate Republicans, led by Senators Pam Helming and Phil Boyle, have held virtual listening sessions with stakeholders from the housing community to prepare for the end of the eviction moratorium.

Earlier this month, the U.S. Supreme Court partially blocked New York's eviction moratorium. Last week, the court blocked the federal eviction moratorium, and a day later, Leaders Ortt and Barclay penned a letter<<https://www.nysenate.gov/newsroom/press-releases/robert-g-ortt/ny-republican-leaders-call-immediate-actions-alleviate>> to the new administration and other state officials calling for immediate actions to alleviate financial pressure on tenants and landlords.

Despite these rulings, Republican proposals, and the fact that tenants who apply through ERAP are protected from eviction, One-Party Rule in Albany is set to pass another likely unconstitutional moratorium. Yesterday<<https://www.nysenate.gov/newsroom/press-releases/robert-g-ortt/one-party-rule-fails-ny-tenants-landlords-again>> in Syracuse, Leader Ortt and Senator Helming warned that this moratorium extension was set to be passed in Albany.

Meanwhile, tragic stories of those devastated by the neverending eviction moratoriums in New York continue to pile up:

* In March, a NYC property owner left homeless<<https://nypost.com/2021/03/13/nyc-landlord-homeless-unable-to-evict-deadbeat-tenant/>>, unable to evict a tenant who was not paying the rent despite having the resources to do so;

* This month, a Long Island homeowner forced to go \$50,000 in debt<

<https://www.foxbusiness.com/real-estate/eviction-moratorium-puts-ny-landlord-50k-in-debt-with-nowhere-to-turn>> because of non-payments; and

* Also this month, an Air Force veteran in Upstate New York left homeless<

<https://nypost.com/2021/08/28/air-force-vet-left-homeless-after-tenants-refuse-to-pay-rent/>> after tenants refused to pay rent.

Video of today's press conference can be viewed here<<https://fb.watch/7LqdohxrWm/>>.

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