



June 29, 2020

Speaker Nancy Pelosi  
House of Representatives  
H-232, the Capitol  
Washington, DC 20515

Minority Leader Kevin McCarthy  
House of Representatives  
H-222, the Capitol  
Washington, DC 20515

Dear Speaker Pelosi and Leader McCarthy:

On behalf of the more than 80,000 combined members of the National Multifamily Housing Council (NMHC) and the National Apartment Association (NAA) and the millions of residents who live in apartment homes, we wish to thank you for your continued efforts to provide relief to American families and businesses negatively impacted by the COVID-19 pandemic. We are writing to share our views on H.R. 7301, the Emergency Housing Protections and Relief Act scheduled for consideration today.

This legislation contains several elements that we strongly support, including liquidity for multifamily mortgages and servicers, additional funding for Section 8 Housing Choice Vouchers and other critical federal housing programs and support for rural housing. We are especially appreciative of the emergency rental housing assistance program included in H.R. 7301, though we continue to have concerns as to the delivery system for that assistance. Taken together, these provisions provide critical relief to millions of renters and protects the overall stability of the nation's rental housing supply.

However, we remain very concerned that the expansion of the federal eviction moratorium in H.R. 7301 will undermine the benefits of these provisions. This bill substantially expands the moratorium established in the CARES Act to virtually all single family and multifamily homes, extends the covered period for 12 months, is untethered to any actual impact on a renter from COVID-19 and is disconnected from renters' qualification or acceptance of emergency rental assistance. A protracted eviction moratorium does not provide a sustainable, long-term solution for American families facing financial hardship and we oppose the inclusion of this provision for the severe consequences it will have that ultimately blunt the impact of the positive components of the legislation.

Rental housing providers continue to work with their residents impacted by COVID-19 on rent repayment arrangements, waive fees and connect them with social service resources. A blanket, 12-month eviction moratorium interferes with these good-faith efforts to ensure that housing providers have enough rental income to maintain their properties. When a renter stops paying, outstanding rent compounds month after month and the risk increases that renters will be unable to catch up. Meanwhile, housing providers are immediately deprived of the revenue needed to pay employee salaries, mortgages, property taxes, cleaning, maintenance and utilities. In the long-term, moratoriums do not address the conditions leading to a renter's housing instability and risk the financial solvency of the property itself. This is especially damaging to smaller housing providers who ultimately make up the majority of rental property owners.

Moreover, long-term, federal eviction restrictions can frustrate state and local efforts to stabilize their housing market and address local conditions. These policymakers are best situated to deploy the housing support and renter protections most appropriate for their circumstances, given the varied and unique eviction laws and judicial processes across jurisdictions. An overlapping, lengthy federal moratorium can needlessly create duplicative, sometimes counterproductive, provisions and complicate compliance for housing providers. Additionally, ambiguity in the notice to vacate language has resulted in confusion among stakeholders and in the courts and has led to uneven application of the law across the country. We urge Congress to refine this language in the next phase of relief.

Finally, plans for critical new development and rehabilitation of rental housing are endangered by this provision, seriously discouraging investment where risk cannot be effectively managed and community operations are compromised. We look forward to continuing the dialogue with Congress to refine this language and work with members in their continued efforts to protect renters and housing providers during this crisis.

We urge you to protect the housing of those who have been impacted by COVID-19 through robust financial assistance like H.R. 7301's emergency rental assistance program or other programs designed to keep renters from ever missing an initial rental payment. Congress' efforts thus far to provide robust financial assistance to households and businesses impacted by COVID-19 have prevented widespread evictions and has helped to ensure the continued viability of the rental housing industry.

Thank you again for your work to respond to the COVID-19 crisis. As you consider H.R. 7301 and additional COVID-19 relief and recovery efforts, we urge support for comprehensive and well-balanced housing policy that assist both residents and property owners. We remain committed to working with you to achieve this goal.

Sincerely,



Douglas M. Bibby  
President  
National Multifamily Housing Council



Robert Pinnegar  
President & CEO  
National Apartment Association

cc: Members, U.S. House of Representatives