



July 26, 2021

The Honorable Sherrod Brown
Chairman
United States Senate Committee on
Banking, Housing and Urban Affairs
United States Senate
Washington, D.C. 20510

The Honorable Patrick Toomey
Ranking Member
United States Senate Committee on
Banking, Housing and Urban Affairs
United States Senate
Washington, D.C. 20510

The Honorable Maxine Waters
Chairwoman
United States House Financial
Services Committee
United States House of Representatives
Washington, D.C. 20515

The Honorable Patrick McHenry
Ranking Member
United States House Financial
Services Committee
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Brown, Ranking Member Toomey, Chairwoman Waters, and Ranking Member McHenry:

The National Multifamily Housing Council (NMHC) represents the owners, developers and operators of multifamily rental housing that provide homes for the 40 million Americans that live in apartment housing. We commend your efforts to support housing providers and our residents throughout the pandemic, and after a year of crisis, the nation has seen remarkable progress. However, sustained efforts to address housing affordability and insecurity are critical, and we look forward to working with you to help the country recover and make lasting improvements to the state of our nation's housing.

Our country has faced unprecedented challenges over the past 16 months—creating significant hardships for America's renters and jeopardizing the stability of the housing sector. However, the economic support delivered through historic relief measures has provided a path to recovery for individuals and businesses alike. The passage of legislation that resulted in securing almost \$50 billion in rental assistance funds – a top industry priority – were especially important in addressing the nation's housing needs.

We share your goal of keeping residents stably housed, while also ensuring the financial health and stability of housing providers nationwide. As we move beyond emergency measures and sunset the CDC eviction moratorium, it is critically important to understand that the end of a federal eviction moratorium does not diminish our commitment to our residents. Throughout the pandemic, our member firms have worked to not only help residents resolve their hardships, but also to advance policies that provide renters with essential resources to meet their housing needs.

At the onset of COVID-19, the NMHC issued [principles](#) to halt evictions, create payment plans and work with residents in need. Now, in anticipation of the CDC eviction moratorium ending this month, NMHC has issued a series of [new principles](#) for apartment providers that are designed to prioritize efforts to help those impacted by COVID-19 and help renters through this transition. These principles are intended to assist during COVID-19 recovery and can only be fully realized where residents work together with their housing providers to find solutions to their housing needs—including communication and fulfillment of individual mitigation requirements. These recommendations include:

- **Encouraging residents to seek rental assistance** and applying on their behalf where able.
- **Offering solutions to help residents avoid eviction** including payment plans, deferments and extended or flexible lease periods.
- **Providing notice of at least 30 days to residents before filing an eviction** for non-payment of rental obligations.
- **Working with jurisdictions to break down artificial barriers to rental assistance benefits** that stand in the way of residents receiving the help they need.
- **Identifying governmental and community resources** to broadly help residents secure food, financial assistance and healthcare and share that information with residents.
- **Communicating with residents** that it is a priority for the industry to partner with them to help them retain their housing.

The expiration of the nationwide federal eviction moratorium will be an important catalyst for returning renters to predictable payment schedules and thus providing stability to the housing providers who have been damaged by revenue losses and who may be struggling to pay their mortgages, finance property operations and meet their own financial obligations. Apartment firms have taken an active role in both connecting residents with social services and financial assistance opportunities and facilitating the application process where allowable. Given the widely varying nature of rental assistance programs and the multi-jurisdictional footprint of many apartment firms, this necessitates a significant commitment of resources and staff to vet dozens or even hundreds of programs with differing eligibility, application, and distribution policies.

We encourage Congress and state and local rental assistance grantors to support housing providers in these efforts by prioritizing the timely and efficient distribution of rental assistance funds and providing real solutions to the nation's pressing housing needs. We appreciate that Congress and this Administration have focused on the importance of increasing the flow of rental assistance funds and we are committed to furthering the reach of these benefits. In particular, we support efforts to help jurisdictions ramp up delivery of rental assistance benefits, including streamlining onerous application and documentation requirements, expanding eligibility where possible, leveraging housing provider capabilities to assist with the resident application process and embracing practices and technologies with proven operational success.

In addition, continued monitoring of program administration and results is essential to gauging and promoting best practices and the most successful strategies. However, we caution against the use of backwards looking or obfuscating metrics, such as eviction filing statistics, in assessing the effectiveness of rental assistance programs. Eviction filings do not reflect ultimate eviction outcomes and fail to account for mitigation measures offered by property owners or others that reduce actual displacements. Further, filings numbers neglect to convey important elements like the underlying cause of the eviction action – financial versus non-financial – with the later not precluded by the CDC eviction order and not remedied by rent relief funds. Importantly, like the CDC moratorium, rent relief funds are not self-executing. Residents must take certain steps to establish eligibility and avail themselves of the benefits – efforts that can occur after a filing is made. Therefore, we urge a renewed focus on communication. Residents and property owners alike can benefit from increased efforts to provide information about the availability of rental assistance programs and encourage participation by those in need.

Finally, we are dedicated to working in partnership with policymakers at all levels on proven solutions for housing affordability. We are encouraged that Congress and the Administration are working to address the root causes of housing instability and are committed to efforts that would deliver housing assistance to renters, increase housing provider participation in federal housing

programs, break down barriers to long-term housing affordability and increase housing choice for renters.

As the federal eviction moratorium expires, the policies our members are implementing will help to ensure that renters receive the resources and guidance they need. We look forward to working with you to effect positive changes to the distribution of rental assistance funds and to ensure the availability and affordability of rental housing nationwide.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas M. Bibby". The signature is fluid and cursive, with the first name "Douglas" being more prominent and the last name "Bibby" following in a similar style.

Douglas M. Bibby
President
National Multifamily Housing Council

cc: The Honorable Marcia Fudge
The Honorable Janet Yellen
United States Senate and House Leadership
United States Senate Committee on Banking, Housing and Urban Affairs
United States House Committee on Financial Services