



July 19, 2023

The Honorable Kevin McCarthy
Speaker of the House
United States House of Representatives
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, D.C. 20515

Dear Speaker McCarthy and Minority Leader Jeffries:

The undersigned national associations represent for-profit and non-profit owners, operators, developers, lenders and property managers and housing cooperatives involved in the provision of rental housing, both affordable and conventional. We are writing to bring attention to lingering operational challenges that the rental housing industry is experiencing from the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020.

As background, the CARES Act established a temporary 120-day moratorium on evictions due to nonpayment of rent, applicable to federally-backed and federally-assisted housing. This section of the CARES Act also instituted what should have been a temporary notice procedure, requiring housing providers to notify covered residents 30 days before filing for eviction after the moratorium ended on July 24, 2020. This temporary federal “notice-to-vacate” requirement remains a hotly contested issue in courts today, long after the moratorium and the federal COVID-19 public health emergency has ended. It adds complexity and confusion to the eviction process established by states and further delays the start of the eviction process for housing providers who have been waiting to have their cases heard in court while rent remains unpaid.

Backlogs in the courts are stretching from weeks or months to more than a year in some jurisdictions. Meanwhile, owners and managers face even more lost rent while they wait. This is particularly financially challenging for operators of subsidized housing and mom and pop landlords and ultimately hurts the tens of millions of Americans who work in the industry as well as the nation’s renters. For professional owners and operators of rental housing, eviction is a last resort. Their businesses always do better when units are occupied and when they can fully meet their obligations to their residents, employees, creditors and the communities that they serve.

Throughout the pandemic, rental housing professionals have worked to both help our residents resolve their hardships and to advance policies to provide renters with essential resources to meet their housing needs. Now that Congress and the President have terminated the federal COVID-19 public health emergency, we urge Congress to end the CARES Act 30-day notice-to-vacate by supporting H.R. 802, the Respect State Housing Laws Act, returning eviction policies back to the state and local level. We stand ready to work with you to facilitate passage of this important piece of legislation.

Sincerely,

Council for Affordable and Rural Housing
Institute of Real Estate Management

Manufactured Housing Institute
National Affordable Housing Management Association
National Apartment Association
National Association of Home Builders
National Association of Residential Property Managers
National Leased Housing Association
National Multifamily Housing Council

CC: U.S. House of Representatives