

February 15, 2025

The Honorable John Thune
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Re: Preserve the CARES Act's 30-Day Notice Requirement to Prevent Eviction for America's Most Vulnerable Tenants

Dear Speaker Johnson, Leader Thune, Leader Jeffries, and Leader Schumer:

As national, state, and local organizations focused on housing and health justice, civil rights, and the rights of women, children, people with disabilities, seniors, and other historically marginalized populations, we commend you and your colleagues in the U.S. House of Representatives and the U.S. Senate for passing the CARES Act (2020) 30-day eviction notice requirement. **Today, we are writing to urge you to preserve this vital law by working to prevent a floor vote on the Respect State Housing Laws Act (RSHLA) (H.R. 1078/S. 470) and encouraging your colleagues to vote NO if the bill is brought to the floor.** RSHLA seeks to repeal the CARES Act's requirement that 30-days' notice be provided prior to filing for eviction against families and individuals living in federally-assisted housing and in properties with federally-backed loans.

The CARES Act 30-day notice of eviction requirement prevents eviction and its harms and achieves Congress's goal of preventing homelessness and helping low-income families and individuals afford safe and decent housing. The CARES Act notice of eviction requirement only applies to residents of public housing, federally-assisted housing, and residential properties that have a federally-backed mortgage. According to the U.S. Department of Housing and Urban Development (HUD), the 30-day notice requirement greatly reduced evictions in public housing and project-based rental assistance (PBRA) housing.¹ **Evictions from PBRA housing alone were reduced by 44% between 2019 and 2022, largely attributed to the 30-day notice.**² Studies have shown that mandatory notice periods, like the CARES Act notice requirement, reduce both eviction filing and eviction rates across housing.³ This is explained, in part, by the importance of additional time to address temporary financial shocks and lost employment income, which are the leading causes of delinquent rental payments.⁴ With the critical time provided by the CARES Act notice requirement, families are able to financially recover, pay back late rent, and avoid eviction. The 30-day notice period also provides the time needed to recertify income (and, thereby, reduce the tenant portion of rental payments), apply for a HUD hardship exemption,⁵ negotiate a payment plan, or obtain other support to avoid eviction.

Federally assisted programs provide support to extremely vulnerable populations, including low-income people of color, families with children, people with disabilities, veterans, and seniors.⁶

These groups face eviction at the highest rates. For example, of those evicted participants in HUD's public housing and PBRA housing, 60 percent were Black, while the participant household population is only 43 percent Black.⁷ Nationally, eviction disproportionately affects Black households, women, and families with young children.⁸

The CARES Act 30-day notice requirement prevents the countless physical and emotional health harms that are associated with eviction, including all-cause mortality,⁹ increased risk of adverse birth outcomes,¹⁰ increased rates of PTSD, depression, anxiety,¹¹ and suicide;¹² and increased rates of domestic violence¹³ and physical and sexual assault, among other negative outcomes.¹⁴ **Preventing these harms results in substantial cost savings to communities nationwide: HUD estimates that the 30-day notice requirement in public and PBRA-assisted housing, alone, reduces societal costs by \$8.3 to \$52.5 million annually.**¹⁵ Equally important, by preventing eviction, the CARES Act notice requirement protects residents of federally-assisted and federally-backed housing from a permanent eviction record that almost always results in the denial of future rental applications and being pushed into substandard housing in under-resourced communities.

In light of the ongoing housing crisis in the United States, preventing evictions from federally-assisted and federally-backed housing is paramount. Repealing the 30-day notice will only contribute to rising eviction rates, increase costs for property owners, and penalize the most vulnerable and lowest-income Americans.¹⁶ The CARES Act's 30-day notice requirement aligns with the federal government's commitment to providing stable affordable housing for low-income families. We urge you to protect our country's most vulnerable renters from the devastating and preventable effects of eviction by rejecting the Respect State Housing Laws Act.

Sincerely,

Access Ready Inc.

American Association of People with Disabilities

American Friends Service Committee

American Public Health Association

Big Cities Health Coalition

Center for Justice Innovation

Center for Law and Social Policy

Coalition on Human Needs

Corporation for Supportive Housing

Disability Rights Education and Defense Fund

Equal Justice USA

Food Research & Action Center

Hispanic Federation

Housing Assistance Council

Housing is a Human Right

Impact Fund

In Our Own Voice: National Black Women's Reproductive Justice Agenda

Incorporated Alpha Chapter Chi ETA Phi Sorority Incorporated

Justice in Aging

The Kelsey
Lawyers' Committee for Civil Rights Under Law
Lawyers for Good Government
MomsRising
NAACP Legal Defense and Educational Fund (LDF)
Nation Outside
National Action Network
National Black Justice Collective
National Center for Healthy Housing
National Center for Medical-Legal Partnership
National Homelessness Law Center
National Legal Aid & Defender Association
National Low Income Housing Coalition
National Network to End Domestic Violence
National Organization for Women
National Women's Law Center
NETWORK Lobby for Catholic Social Justice
One Voice
People's Action
Popular Democracy
Prevention Institute
The Restaurant Opportunities Centers United (ROC United)
RESULTS Educational Fund
Shriver Center on Poverty Law
Society of St. Vincent de Paul USA
Tenant Union Federation
ZERO to THREE

Alabama

Alabama Arise
Fair Housing Center of Northern Alabama
VOICES for Alabama's Children

Arizona

Arizona Housing Coalition

Arkansas

Arkansas Community Organizations

California

Asian Americans Advancing Justice Southern California
BASTA, Inc.
Centro Legal de la Raza
Change Well Project
East Bay Community Law Center
Eviction Defense Collaborative

Los Angeles Tenants Union
Mountain Homeless Coalition
Orange County Fair Housing Council, Inc.
Public Law Center
Tenants Together
The Housing Rights Committee of San Francisco
The Public Interest Law Project
West Marin Senior Services
Western Center on Law and Poverty

Colorado

Alpine Legal Services
Colorado Poverty Law Project
Community Economic Defense Project
Colorado Education Association
Compañeros: Four Corners Immigrant Resource Center
Denver Artists for Rent Control
Denver Metro Fair Housing Center (DMFHC)
East Colfax Community Collective
Metro Caring
New Era Colorado

Connecticut

Connecticut Bar Foundation
Connecticut Fair Housing Center
Connecticut Legal Rights Project, Inc.
Connecticut Legal Services, Inc.
New Haven Legal Assistance Association Inc.

Florida

Community Justice Project, Inc.
Disability Rights Florida
Florida Legal Services
Southern Legal Counsel, Inc.
United Against Poverty

Georgia

Georgia Budget and Policy Institute
Housing Justice League

Idaho

Living Independence Network Corporation
Intermountain Fair Housing Council, Inc.
Jesse Tree
United Vision for Idaho

Illinois

Chicago Housing Initiative
Impact for Equity
Lake County Coalition for the Homeless
Law Center for Better Housing
Metropolitan Tenants Organization
Open Communities
The Network: Advocating Against Domestic Violence

Indiana

Fair Housing Center of Central Indiana

Louisiana

Louisiana Fair Housing Action Center

Maine

Alpha One Disability and Aging Solutions
Disability Rights Maine
Maine Equal Justice
Maine Developmental Disabilities Council

Maryland

Disability Rights Maryland
Economic Action Maryland Fund
Homeless Persons Representation Project
Maryland Center on Economic Policy
Public Justice Center

Massachusetts

Central West Justice Center
Community Action Agency of Somerville, Inc.
Greater Boston Legal Services
Massachusetts Public Health Alliance

Michigan

Detroit Disability Power
Fair Housing Center of Metropolitan Detroit
Michigan League for Public Policy

Mississippi

Mississippi Center for Justice

Missouri

ArchCity Defenders
Empower Missouri
Missouri Budget Project

Minnesota

HOME Line
Housing Justice Center
Mid-Minnesota Legal Aid

Montana

Montana Budget & Policy Center

Nebraska

Nebraska Appleseed
Together

New Hampshire

New Hampshire Legal Assistance

New Jersey

Community Hope, Inc.
Elizabeth Coalition to House the Homeless
Fair Share Housing Center
New Jersey Tenants Organization
Seton Hall Law School Center for Social Justice - Housing Justice Project
Volunteer Lawyers for Justice
Volunteer UP Legal Clinic
Wind of the Spirit Immigrant Resource Center

New York

Brooklyn Center for Independence of the Disabled
Center for Elder Law & Justice
Drug Policy Alliance
Long Island Housing Services, Inc.
Volunteer Ombudsman, CIDNY

Nevada

Northern Nevada Legal Aid

North Carolina

Disability Rights North Carolina
Homeless Services Network of Charlotte-Mecklenburg
Just Economics
North Carolina Tenants Union

Ohio

Advocates for Basic Legal Equality, Inc.
Coalition on Homelessness and Housing in Ohio (COHHIO)
Legal Aid Society of Southwest Ohio LLC

Oregon

Oregon Center for Public Policy
Portland Tenants United

Pennsylvania

Community Justice Project
Community Legal Services of Philadelphia
Lutheran Settlement House
Philadelphia Tenants Union
Regional Housing Legal Services

Rhode Island

Direct Action for Rights and Equality
Ocean State Center for Independent Living
Rhode Island Coalition to End Homelessness

South Carolina

South Carolina Appleseed Legal Justice Center

South Dakota

Community Organizing for Unified Power (COUP) Council

Tennessee

Memphis Public Interest Law Center

Texas

Center for Civic and Public Policy Improvement
Coastal Bend Center for Independent Living
Dallas Eviction Advocacy Center
Dallas Housing Coalition
Feeding Texas
Houston Food Bank
Texas Housers

Utah

Voices for Utah Children

Virginia

Virginia Organizing
Virginia Poverty Law Center

Virginia

Housing Opportunities Made Equal (HOME) of Virginia
Legal Aid Justice Center
Legal Aid Society of Roanoke Valley
Legal Aid Works

Washington

SHIBA of Washington State
Tenants Union of Washington State
Washington Low Income Housing Alliance

Wisconsin

End Domestic Abuse WI
Madison Tenant Power

¹ “PBRA” includes projects in the following programs: Section 8 Project-Based Rental Assistance, Section 202/162 Project Assistance Contract, Section 202 Project Rental Assistance Contract (PRAC), Section 811 PRAC, Section 811 Project Rental Assistance Program (811 PRA), and Senior Preservation Rental Assistance Contract Projects (SPRAC). *Regulatory Impact Analysis: 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent*, U.S. Dep’t. Hous. & Urb. Dev. (2023) (HUD-2023-0098-0002), <https://www.regulations.gov/document/HUD-2023-0098-0002> at 1 n.2, 8.

² *Id.* at 6-7 (HUD attributes 25% to 75% of the observed 44% decrease in owner-initiated move-outs due to nonpayment of rent in PBRA programs between 2018-2019 and 2022 to the notice requirement, and the remainder of the decrease is attributed to other interventions put in place in 2020 that were still effective in 2022).

³ *See, e.g.*, Ashley Gromis et al., *Estimating Eviction Prevalence Across the United States*, 119 PNAS at 6 (2022), <https://doi.org/10.1073/pnas.2116169119>.

⁴ Michael Manville et al., *Renter Nonpayment and Landlord Response: Evidence From COVID-19*, 33 HOUSING POL’Y DEBATE 1333, 1347-1348 (2022).

⁵ Rent for families in federally assisted housing is calculated based on income. Rent recertifications allow families to request a rent recalculation when their income changes. A minimum hardship exemption is an exemption from paying the minimum rent that a PHA or owner normally charges, allowing the household to pay as little as zero dollars in rent if the household has experienced a qualifying financial hardship, which includes when a family would be evicted due to an inability to pay the minimum rent. Chapter 7: Recertification, Unit Transfers, and Gross Rent Changes, HUD MULTIFAMILY OCCUPANCY HANDBOOK 22-23.

⁶ *Picture of Subsidized Households*, HUD Off. of Pol’y Dev. & Rsch., <https://www.huduser.gov/portal/datasets/assths.html> (last visited Nov. 14, 2024).

⁷ *Regulatory Impact Analysis: 30-Day Notification Requirement Prior to Termination of Lease for Nonpayment of Rent*, U.S. Dep’t Hous. & Urb. Dev. (2023) (HUD-2023-0098-0002), <https://www.regulations.gov/document/HUD-2023-0098-0002> at 16.

⁸ Between 2007 and 2016, approximately one in five Black adult renters lived in a household that received an eviction filing, compared to 1 in 24 white adult renters. Nick Graetz et al., *A comprehensive demographic profile of the US evicted population*, Proceedings of the National Academy of Sciences, 120(41) (2023), <https://doi.org/10.1073/pnas.2305860120>. Black women are evicted at the highest rates: approximately 15.9 percent more female than male renters across all races and 36.3 percent more black women than black men are evicted. Peter Hepburn, et al., *Racial and Gender Disparities among Evicted Americans*, *Sociological Science* (2023), <https://sociologicalscience.com/articles-v7-27-649/>. Overwhelmingly, families with young children are evicted at the highest rates: The eviction filing rate for adults living with a child was more than double (10.4%) the rate for adults without children. (5%) (Graetz et al. 2023).

⁹ Nick Graetz et al., *The impacts of rent burden and eviction on mortality in the United States, 2000–2019*, 340 Soc. Sci. & Med. 1, 6 (2024); Shreya Rao et al., *Association of US County-Level Eviction Rates and All-Cause Mortality*, 38 J. Gen. Intern. Med. 1207, 1210-1211 (2022).

¹⁰ Khadka, A. et al., *In utero exposure to threat of evictions and preterm birth: Evidence from the United States*, Health Serv. Rsch., 55, 823-832 (2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC7518827/>.

¹¹ Tsai J., et al. *Longitudinal study of the housing and mental health outcomes of tenants appearing in eviction court*. 56 Soc Psychiatry Psychiatr Epidemiol 1679, 1684 (2021), <https://pubmed.ncbi.nlm.nih.gov/32926182/>.

¹² *Id.* at 1685; Katherine A. Fowler et al., *Increase in suicides associated with home eviction and foreclosure during the US housing crisis: findings from 16 National Violent Death Reporting System States, 2005-2010*, 105 Am. J. Pub. Health 311, 314 (2015), <https://pubmed.ncbi.nlm.nih.gov/25033148/>.

¹³ Allison K. Groves et al., *Eviction, intimate partner violence and HIV: Expanding concepts and assessing the pathways through which sexual partnership dynamics impact health*, 305 Soc. Science & Medicine 1, 6 (2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9332133/>.

¹⁴ Mary Clare Kennedy et al., *Residential eviction and exposure to violence among people who inject drugs in Vancouver, Canada*, 41 Int'l J. Drug Pol'y 59, 61 (2017), <https://pubmed.ncbi.nlm.nih.gov/28104547/>.

¹⁵ Regulatory Impact Analysis, *supra* note 2, at 11. HUD accounts for cost savings from avoided use of emergency shelters, emergency room services, inpatient hospital services, juvenile offending, and child welfare services.

¹⁶ In 2023, HUD classified 94% of the households living in subsidized housing programs as very low income, and 77% as extremely low income. Very low-income households earn 50% below the median income in their area, and extremely low-income households earn 70% below the median income in their area. *Picture of Subsidized Households*, HUD Off. Pol'y Dev. & Rsch., <https://www.huduser.gov/portal/datasets/assthsg.html> (last visited Nov. 14, 2024). *See also* 24 C.F.R. § 91.5 (defining "very low income" and "extremely low income").