



May 12, 2021

The Honorable Mark Calabria
Director
Federal Housing Finance Agency
400 7th Street S.W.
Washington, D.C. 20024

To Director Calabria:

We write to express deep concern about the growing [reports](#) of landlords, including those who receive federally backed loans through Fannie Mae and Freddie Mac, who continue to evict renters from their homes without consequence, despite the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC). We urge you as director of the Federal Housing Finance Agency (FHFA), the entity responsible for regulating Fannie Mae and Freddie Mac, to take immediate action against landlords who violate the CDC moratorium to help ensure that America's lowest-income and most marginalized renters living in federally backed properties are safely and stably housed during and after the coronavirus pandemic.

While the COVID-19 pandemic has made clear that housing is healthcare, far too many of America's lowest-income and most marginalized renters struggle to remain safely and stably housed. In response to this urgent crisis, Congress provided \$46 billion in emergency rental assistance and the Centers for Disease Control and Prevention (CDC) issued and further extended a federal eviction moratorium to help keep renters in their homes while aid is distributed.

Despite these historic efforts, however, a growing number of renters are facing eviction, as landlords circumvent the moratorium's protections. According to the Private Equity Stakeholder Project, which has been closely tracking evictions by large corporate landlords in six cities, at least 57,000 evictions have been filed since the start of the federal eviction moratorium. These evictions are driven by a small number of corporate landlords and their affiliates – including **S2 Capital, Ventron Management, Pretium Partners, Western Wealth Capital, Invitation Homes, Bridge Investment Group, Mid America Apartment Communities, and others**. In many communities, these large, corporate landlords and affiliates account for the majority of evictions that have been filed.

Despite our recommendations to the contrary, the CDC eviction halt order has been interpreted not to prevent filing eviction lawsuits from being filed so long as the physical eviction of the tenant does not take place while the order is in effect. Thus, many of the filed cases may not have resulted in actual, physical evictions—though, [as the Consumer Financial Protection Bureau recently observed](#), this dynamic leads many tenants will “self-evict” before an eviction case is filed so as to avoid acquiring an eviction case record that will drastically reduce their future rental housing opportunities. But in some jurisdictions, these large landlords have been able to judicially evict—fully and physically—tenants covered by the CDC moratorium.

This [recent media report](#), for instance, details the story of Marvia Robinson, whose landlord—Invitation Homes—refused to accept \$4,000 in rent relief funds available through a local program and instead brought an eviction proceeding against her. Despite qualifying for



protection under the CDC and delivering the required declaration, the local judge ordered Robinson's eviction in February and she was physically evicted by sheriff's deputies in March. The judge "provided no rationale for his decision in the court record."

In previous conversations with NLIHC, you stated that FHFA would consider taking action against landlords with federally backed mortgages who violate the CDC moratorium, including, but not limited to finding them in technical default on their loans and barring them from receiving future federally backed loans. It is critically important that FHFA do so to enforce the CDC eviction moratorium and keep renters in their homes.

Evictions risk lives, drive families deeper into poverty, and strain our already overstretched public health systems. When our collective health depends on an ability to stay in our homes, we all have a stake in ensuring that tens of millions of renters do not lose theirs.

Sincerely,

A handwritten signature in black ink that reads 'Shamus Roller'.

Shamus Roller
Executive Director
National Housing Law Project

A handwritten signature in black ink that reads 'Diane Yentel'.

Diane Yentel
President and CEO
National Low Income Housing Coalition

A handwritten signature in black ink that reads 'Jim Baker'.

Jim Baker
Executive Director
Private Equity Stakeholder Project