

February 23, 2021

Secretary Janet Yellen
U.S. Department of the Treasury
1500 Pennsylvania Ave., NW
Washington, DC 20220

To Secretary Yellen:

On behalf of the National Low Income Housing Coalition (NLIHC) and National Housing Law Project (NHLP), we write to urge the U.S. Department of the Treasury to take immediate action to ensure renters living in Low Income Housing Tax Credit (LIHTC) properties know their rights under the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC).

Evictions put lives at risk and strain our already overstretched public health systems. As the CDC makes clear in its [order](#), “eviction moratoria—like quarantine, isolation, and social distancing—can be an effective public health measure utilized to prevent the spread of communicable disease.” As outlined by the CDC, evictions have enormous consequences for individuals, their communities, and our nation’s public health. In fact, evictions occurring between the beginning of the pandemic and the issuance of the CDC moratorium in September 2020 led to more than [400,000 more COVID-19 cases and nearly 11,000 additional deaths](#).

While the federal eviction moratorium extends vital protections to renters at risk of eviction during the pandemic, many qualified renters are unaware of the steps they must take to be protected. Under the CDC moratorium, renters are only protected if they know about it and take affirmative steps to be protected. As a result, [corporate and other landlords continue to evict renters](#) before renters know about the moratorium’s protections and can make use of its protections.

NLIHC, NHLP, and over 2,000 organizations and elected officials are [urging](#) the Biden Administration to address the moratorium’s significant shortcomings that prevent renters from making full use of the order’s protections. Among other improvements, we are urging the Administration to issue an automatic and universal moratorium that covers all tenants without requiring them to “apply” for the protection.

Until these reforms are implemented, the Treasury Department must, at a minimum, require LIHTC housing providers to provide tenants written notice of their rights and steps they must take to be protected. Specifically, the Treasury Department should: (1) require housing providers to send a flyer with a description of the CDC order and its protections to tenants and include a copy of the CDC declaration; (2) require flyers be in the language most appropriate for a household or at least provide an insert in languages representing those used by the households served by the provider household indicating that versions of the description of the CDC order and a copy of the CDC declaration in other languages will be provided upon request; (3) require providers to make reasonable accommodations to inform residents who have sight or hearing

disabilities; and (4) require housing providers to also provide the flyer to a tenant at the same time the housing provider serves a notice of nonpayment of rent.

Requiring LIHTC housing providers to notify renters of their rights under the federal moratorium and steps they must take to be protected is well within the authority of the Treasury Department. Treasury should provide property owners with copies of the declaration form and other materials in various languages and require such owners to provide information to all households, including those with limited English proficiency.

It is critical that we take all necessary action to protect individuals from evictions, and in worst cases, homelessness during the COVID-19 pandemic. The CDC moratorium is a public health necessity, and we urge you to immediately direct LIHTC housing providers to provide tenants written notice of their rights under the CDC order and the steps they must take to be protected.

If you have any questions, please reach out to NLIHC Vice President of Public Policy Sarah Saadian at ssaadian@nlihc.org or NHLP Director of Government Affairs Noelle Porter at nporter@nhlp.org.

Sincerely,



Diane Yentel
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National Low Income Housing Coalition



Shamus Roller
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