

February 23, 2021

Secretary Designate Tom Vilsack  
U.S. Department of Agriculture  
1400 Independence Ave, SW  
Washington, D.C. 20250

To Secretary Designate Tom Vilsack:

On behalf of the National Low Income Housing Coalition (NLIHC) and National Housing Law Project (NHLP), we write to urge the Department of Agriculture (USDA) to take immediate action to ensure renters living in Rural Development (RD) housing know all of 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, it is critical that RD inform tenants of their rights under the law. We are aware that RD staff is currently drafting a letter that advises RD multifamily housing residents of some of their rights under the CDC moratorium. We endorse these efforts but urge RD to instead cover all residents’ rights under the moratorium and other federal law. In particular, we ask that residents and owners be advised of CARES Act Section 4024, which requires owners to provide 30-day notice in all eviction cases. We also ask that letters be sent to RD voucher holders, owners of Section 515 and 538 housing, and landlords who have entered into Housing Assistance Payment contracts with USDA under the RD voucher program.

We also ask that owners be required to distribute flyers 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 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. Owners should also be required to make reasonable accommodations to inform residents who have sight or hearing disabilities and to provide a CDC information flyer to a tenant at the same time the housing provider serves a notice of nonpayment of rent. Lastly, the Department 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 owners of RD housing 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](mailto:ssaadian@nlihc.org) or NHLP Director of Government Affairs Noelle Porter at [nporter@nhlp.org](mailto:nporter@nhlp.org).

Sincerely,



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Shamus Roller  
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