

September 9, 2020

MESSAGE FROM COLUMBIA COUNTY'S
OFFICE of FAIR HOUSING
REGARDING THE BAN ON EVICTIONS

The purpose of this message is to remind residents during this Corona Virus Pandemic, of Federal Acts and State Executive Orders, which have been put in place to protect tenants and homeowners; who have been financially impacted by (COVID-19). Those who may be unemployed and experiencing financial hardship during this difficult time and are unable to pay their rent or meet their monthly mortgage obligation should be aware of the following:

1. The GOVERNOR'S EXECUTIVE ORDER banning the eviction of residential tenants who have been financially impacted by COVID 19 or those on unemployment, and unable to pay their rent, expired on September 4, however a mandate by the State's Chief Administrative Judge, Lawrence K. Marks prohibits law enforcement's serving residential evictions until October 1, 2020. In addition to the above, the Governor has provided for a moratorium on commercial tenant evictions, who can demonstrate they have experienced financial hardship, as a result of COVID 19, until September 20. All tenants should bear in mind that rent payments are not forgiven, but only deferred until the tenant's financial position improves or until the moratorium is lifted.

Tenants are encouraged to contact their landlords: Tenants should attempt to pay something, even if only partial payments. **Keep in mind that offering 30 percent of one's current monthly income for rent, is reasonable.** This will not only benefit the landlord, who still has operating expenses to pay and property maintenance costs to cover, but reduce the lump sum payment due from you, when the deferment ends. It should be noted that regardless of one's inability to pay rent the landlord is not relieved of his or her liability to provide Warranty Habitability and to make needed repairs

2. The GOVERNOR signed into law the **TENANT SAFE HARBOR ACT** which prohibits courts from ever evicting residential tenants, who experienced financial hardship, for not paying rent that accrues during the State's state of emergency. This applies to any **unpaid rent from March 7, 2020 until all nonessential gatherings and businesses are allowed to reopen in the tenant's county.** This does not, however, prohibit the landlord's right to take legal action to recover the amount of rent which had accrued during that time period.

3. **The CARES ACT** originally banning the eviction of tenants in public housing, those with Section 8 Housing Choice Vouchers, and also included renters in housing supported by HUD, USDA, and Treasury Low Income Tax Credit Developments; expired on July 24, 2020, has been superseded by the **PRESIDENT'S** more expansive order in conjunction with the **CDC**, that bans residential evictions until year end for **non-payment of rent** of those tenants who can sign a **Declaration under Penalty of Perjury** that they **don't make more than \$99,000. or twice that amount \$198,000. if filing a joint tax return and that they have no other option if evicted other than homelessness or living with more people in close proximity.**

4. **FORECLOSURES** - Homeowners unable to meet their monthly mortgage obligation are urged to contact their mortgage lender or mortgage servicer, this contact information should be on their monthly mortgage statement, to work out payment arrangements that will bring their loan current. Forbearance plans may be justified for up to 360 days if your home mortgage is federally backed by **FHA, VA, Freddie Mac, or Fannie Mae.**

5. **COVID RENT RELIEF PROGRAM** - The window of opportunity to apply closed on August 6, 2020 Tenants who believe they met the low income guidelines and other eligibility requirements and applied to the **New York State Division of Homes and Community Renewal**; and have not heard back, should call **1-833-499-0343.**

If you feel that your rights during this moratorium have been or are being violated, call the **HELP LINE** at the New York State Attorney General's Office at **1-800-771-7755** and ask for the Consumer Fraud and Protection Division

Those who feel they may be a victim of housing discrimination are facing eviction, or foreclosure, can call William Fisher, Columbia County Fair Housing Officer at 518-828-0342.