

Mt. Vernon United Tenants, Inc.

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Late-April 2021 "News & Update"

The Pandemic

The pandemic has thrown practically everything in life into some form of disarray with people losing jobs and income, stores not open, schools closing, people fearful of engaging with others, standard services not available, etc. It's been a long and tough year indeed! We have likewise been affected here at Mt. Vernon United Tenants (MVUT)! That's one of the reasons that you have not received any mailings from us in quite some time. We assure you however, we're still here and working hard to protect tenants.

While we were "officially closed" for a relatively short period of time, we were working virtually from home during this time, we've been back in the office full-time for months now and are as busy as ever. (Please try to call for an appointment – we are really trying to follow CDC recommendations and we can no longer have 3 and 4 people waiting to be seen; making an appointment is better use of your time, too.) You have probably heard that there has been a "moratorium" on evictions. That has dramatically reduced some of our work in individual case management. However we're continuously assisting tenants who are in rent arrears in anticipation of the moratorium being ultimately lifted. While a June date was listed for such a lifting of the moratorium, there are strong indications that the moratorium will be extended yet again. We'll keep you posted. Despite the moratorium, landlords are still trying to evict tenants. We're enclosing a two (2)-sided flyer from the 4/23/21 Shelterforce Magazine – "The Answer: Does the CDC Extension of the Eviction Moratorium Mean No One is Being Evicted Now?"

We're anticipating a virtual tsunami of eviction cases in court once the moratorium is eventually lifted. We're working with Legal Services of the Hudson Valley (LSHV) to try to work with the Mt. Vernon Court system to carefully schedule cases in the local court so as not to overwhelm tenants' ability to defend thousands and access resources to help pay back rent. Accordingly, we are enclosing an article in the April 22, 2021 Journal News – "EXPRESS" which describes some of the generous benefits that will be available for tenants facing eviction if they have had some level of disruption due to Covid. If you, or someone you know falls into this category, please call the MVUT office to begin preparation for assistance.

Despite the moratorium, some cases (Holdovers, non-payment not involving Covid defense) have been proceeding in the local court. MVUT normally averages approximately double figures in eviction prevention on a monthly basis. With the moratorium and the great reduction in landlord/tenant cases in the local courts there was a sharp drop-off in such eviction prevention. Some of our recent numbers are:

September, 2020	-	4	evictions prevented
October, 2020	-	3	" "
November, 2020	-	2	" "
December, 2020	-	1	" "

Zoom Calls/Webinars

MVUT has always been active in a range of policy issues with all four (4) levels of government:

- Municipal
- County
- State
- Federal

This has often been via participation in conferences and/or meetings on a city-wide, county-wide, region-wide and/or state-wide basis. The pandemic has changed all this. For the last year-plus, there have been no multi-person gatherings. What has taken place instead are Zoom calls and Webinars. There has been a literal mushrooming of those on various issues of concern to us, e.g. Housing, Public Assistance, Discrimination & Bias,

Fair Housing, Economics, Race & Racism, Leadership Development, etc. We have been spending a lot of time and energy participating in these! In the upcoming few weeks, we are already scheduled to be on more than one (1) Zoom call/Webinar per day! This should continue like this until the pandemic is fully over.

RIGHT TO COUNSEL

MVUT continues to play a role in the county-wide effort to get Westchester to adopt a "Right -to-Counsel" Law, where income-eligible tenants facing court proceedings in Landlord/Tenant Court would be entitled to an attorney free of charge to represent them. We have likewise been involved in numerous Zoom calls on this issue. All research confirms that this is a winning tactic and will dramatically reduce evictions and will ultimately save county taxpayers load of dollars on emergency shelter costs. There are currently nine (9) jurisdictions (eight (8) cities, one (1) state, Washington, just passed last week) that have adopted such ordinances (New York City being the first) and there are a number of other states that are currently considering statewide laws. MVUT is also trying to assist in this as well. Dennis actually questioned the New York State Assembly Housing Chair, Steven Cymbrowitz, regarding this on a Zoom call on April 22 and the Assemblyman basically dodged the question, just referring to the NYC Law and referencing that the State Law was being reviewed by the Codes Committee of the Assembly. People reading this should call your county legislator and tell him or her to support the adoption of a "Right to Counsel" Law in Westchester. You can call the main number for the County Board of Legislators at (914) 995-2800. If you are in Mt. Vernon, your legislator is Tyrae Woodson-Samuels. If you live elsewhere, call the number above, tell them your address, and they'll connect you to your respective County Legislator. This would be a great opportunity to establish a relationship with him/her!

SPANISH-SPEAKING SERVICES

For far too long, MVUT has gone without a Spanish-speaking staff person. Through a new grant with the City of Mt. Vernon Department of Planning and Community Development (MV-PCD) we've been able to hire one! This is great news as we have a growing Spanish-speaking population in Mt. Vernon and they have been historically underserved. We hope to begin addressing this on an individual and building-wide basis. Our new staff person is a wonderful young man, Andrew Aguilar. He's just learning the ropes of tenant organizing and getting to know the operation of MVUT. He met recently with Dennis and the Deputy Commissioner of the Mt. Vernon Department of Planning and Community Development (MV-PCD) Marlon Molina, and newly-hired Planning Department Staff Assistant to this project, Eric Crump. Good Luck Andrew!

TENANTS BILL OF RIGHTS

Part of our collaboration with the MV-PCD will be a campaign to educate tenants about their rights. The MV-PCD has produced an abbreviated flyer/poster on this which we've copied on the reverse side of The Journal News EXPRESS article.

NEED FOR DOLLARS Just as we've not written to our members/friends for quite some time, we've likewise not asked for your financial help. We'd like to take this opportunity to do so now. You can see we're working hard for you and all other tenants, so please give generously now! Many of you have been donating regularly – Thank you! Thank you! Thank you! Those of you who haven't, please pitch in now. Thanking you in advance

.....
___ Yes, I want to support MVUT and the great work you're doing.
Enclosed find my contribution of _____ \$25 _____ \$50 _____ \$100 _____ \$200 _____ Other

Name: _____

Address: _____

Telephone/email: _____

Q: Does the CDC's Extension of the Eviction Moratorium Mean No One Is Being Evicted Now?

Unfortunately, no. Even with the moratorium in place, there have been and will continue to be many, many Americans who lose their homes.

By Shelterforce Staff - April 23, 2021

The Answer

SHELTERFORCE

Q: Does the CDC's Extension of the Eviction Moratorium Mean No One Is Being Evicted Now?

A: Unfortunately, no.

On March 29, the Biden administration extended the CDC's eviction moratorium until June 30. It also announced an education campaign to help renters avoid eviction and said that the Consumer Finance Protection Bureau and Federal Trade Commission would take on enforcement. However, the order itself remains unchanged.

Extending the eviction moratorium while rental relief is being rolled out is extremely important. It will take a long time for those funds to be fully disbursed, and without a strong moratorium that aid won't reach many households before the tenants' housing court dates.

Nonetheless, even with the moratorium in place, there have been and will continue to be many, many Americans who lose their homes. In North Carolina, for example, only 3 percent of 71,000 eviction cases have been denied by judges while moratoriums were in place. The Private Equity Stakeholder Project has documented soaring numbers of evictions filed since the end of 2020 by corporate landlords. Why isn't the moratorium preventing these and other evictions?

Here are 6 reasons:

(OVER)

1. To be protected, the CDC moratorium requires that tenants make a legal declaration to their landlords indicating that they have lost income during the pandemic or have extraordinary out-of-pocket medical expenses and would be homeless if evicted. Landlords are not required to notify their tenants about this, so many tenants don't know to exercise their rights to be covered by the moratorium.
2. The moratorium only stops the actual physical removal from the home—many tenants are still experiencing the earlier steps of eviction, such as receiving notice, attending a hearing, or getting a judgment. Many tenants leave as soon as they get notice.
3. Nonbinding guidance from the previous administration provided that landlords could file cases and even challenge the validity of a tenant's declaration in court. As a result, judges have invalidated the declarations of some tenants who have had difficulty gathering proof of housing insecurity or income loss. Many others are afraid of possible legal consequences, like perjury penalties, for making the declaration in the first place. This guidance has yet to be rescinded.
4. Only a fraction of governors and state supreme courts have issued orders interpreting and adopting the moratorium in the state. Only seven states require that landlords verify they have not received a declaration from the tenant prior to filing. In all other states, housing courts are under no obligation to ask landlords if they have received a declaration before allowing an eviction to proceed, let alone make landlords state under oath that they haven't.
5. Some judges agree with a landlord lawsuit that claims the moratorium is unconstitutional, and are allowing eviction cases that would be halted by the moratorium to proceed for plaintiffs while the landlord cases make their way through the courts.
6. Some landlords are harassing tenants they cannot legally evict until the tenants feel they need to leave, or they are performing illegal "self-help" evictions (in other words, just locking tenants out of their homes).

The moratorium is limited to nonpayment of rent cases, leaving loopholes for reasons other than non-payment—like the end of the lease term or manufactured minor lease violations or owner-move-in plans.

And, of course, even if all of these issues were addressed, any moratorium will be temporary and will not prevent evictions in the end without sufficient, equitable rental assistance or rent forgiveness.

To learn more about how the CDC moratorium should be improved, and the housing court system reformed going forward, check out our interview with Emily Benfer.

Shelterforce Staff

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EXPERIENCES

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COMMUNITY NEWS AS IT HAPPENS WWW.LOHUD.COM

Tenants eligible for up to a year of rent relief

Sarah Taddeo

New York State Team
USA TODAY NETWORK

New York residents struggling to pay rent during the COVID-19 pandemic will soon have access to up to a year of rent and utility assistance, courtesy of a federally funded program included in the state's new budget.

The program, included in the \$212 billion budget deal announced on April 6, will be administered by the Office of Temporary and Disability Assistance using \$2.3 billion in federal COVID-19 emergency funding and \$100 million in state funding.

It will touch a variety of differently housed communities, based on financial need and negative impacts of COVID-19.

Here's what you need to know.

How will the program work?

The program will cover up to 12 months of unpaid rent and utilities accrued since March 13, 2020.

Households that are "rent burdened" – meaning more than 30% of income goes toward rent each month – can qualify for three additional months of prospective rent, or future rent.

The program would also provide for one year of eviction protection for tenants who qualify.

In order to participate in the pro-

gram, landlords must agree to not use it as leverage for a non-payment eviction; not raise rent for a year; and waive late fees for tenants.

No repayment of the funds will be required, unless in instances of fraud.

Who is eligible?

A tenant is eligible for the program if the following baseline criteria are met:

- The individual or family pays rent in an apartment, home or mobile home in the state of New York.
- They make at or below 80% of the median income for that area, adjusted for household size.
- They qualify for unemployment, experienced a reduction in household income or experienced significant costs or financial hardship due, directly or indirectly, to the COVID-19 pandemic.

• They are at risk of homelessness or housing instability.

Further prioritized groups include:

- Tenants of mobile homes or mobile home parks who have unpaid rent for the land on which the mobile home is located.
- Households including one or more individuals from a vulnerable population, such as victims of domestic violence, survivors of human trafficking or veterans.
- Households that have pending

eviction cases.

- Households residing in communities that were disproportionately impacted by the COVID-19 pandemic.
- Households residing in a building or development of 20 or fewer units owned by a small landlord.

Residents would be eligible regardless of immigration status.

An individual taking public assistance can still qualify for the program, but those living in federal- or state-subsidized housing will only be eligible after other groups have been served, according to the legislation.

The program will not duplicate state or federal rent assistance already being received by the household, according to the legislation.

Student housing is not eligible unless each occupant is not claimed as a dependent on their parents' tax returns.

Will eligible groups be prioritized?

Certain households will be prioritized for 30 days from the beginning of the application process.

Those most likely to get assistance right away are households that include members who meet one or more of the additional criteria above AND are below 50% of the area median income, adjusted for household size.

The income threshold will in-

crease as time goes on, allowing more and more tenants to apply. After 30 days, the application process will open to all tenants who qualify with the baseline criteria.

What income will be considered?

The household's total income for 2020 calendar year or the household's monthly income at the time of application could be considered as income when determining eligibility.

What other funding will be designated for housing or tenants in the state budget?

The state will designate \$600 million for homeowner assistance, including \$20 million a year for the Homes/Homeowner Protection Program through the state Office of the Attorney General for the next three years.

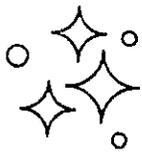
A total of \$100 million will be devoted to converting hotel and vacant property into affordable housing, and \$25 million for blighted home rejuvenation.

The New York City Housing Authority will receive \$200 million, with \$125 million going to public housing in the rest of the state.

Contact Sarah Taddeo at STAD-DEO@Gannett.com or (585) 258-2774. Follow her on Twitter @Sjtad-dec.

BILL OF RIGHTS

REPORT • INSPECT • SERVICE • MAINTAIN
 QUALITY OF LIFE FOR ALL RESIDENTS



LIVE IN AN APARTMENT
 THAT IS CLEAN
 AND SANITARY



ADEQUATE HEAT
 (MIN 68 F) FROM
 SEPT. 15 TO MAY 31



HOT WATER



NOT BE LOCKED OUT OF
 YOUR APARTMENT W/O
 A COURT ORDER



NO INSECTS
 AND RODENTS



NO LEAKY ROOFS



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 ENTER YOUR APARTMENT
 WITHOUT REASONABLE
 PRIOR NOTICE.



UTILITIES
 THAT WORK
 PROPERLY



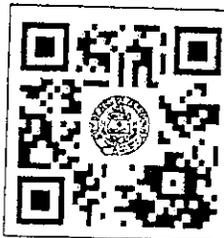
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The top 10 things you need to know