



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senator Hoylman, Assemblyman Dinowitz and Senator Krueger Announce The ‘NYS Tenant Safe Harbor Act,’ Legislation To Prevent A ‘Tidal Wave’ Of Evictions During COVID-19 Crisis

BRAD HOYLMAN-SIGAL April 7, 2020

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NEW YORK—Today, Senator Brad Hoylman and Assemblyman Jeffrey Dinowitz, along with Senator Liz Krueger, announced the NYS Tenant Safe Harbor Act. This new legislation would strengthen Governor Andrew Cuomo’s 90-day moratorium on evictions by prohibiting landlords from evicting tenants for non-payment of rent that accrued during the current State of Emergency and for six months after its eventual end.

This legislation would add an additional level of protection for tenants who are currently relying on Executive Order 202.8 to stay in their homes. In that Executive Order, Governor Cuomo imposed a 90-day moratorium on evictions; however, tenants who cannot afford to pay rent during this period may face immediate eviction for unpaid rent once the 90-day moratorium concludes. Assemblyman Dinowitz and Senator Hoylman’s legislation, for which Senator Krueger is the Senate Co-Prime sponsor, would protect these tenants from being evicted for non-payment of rent that accrued during the duration of the State of Emergency that started on March 7, 2020 through a period of six months after the State of Emergency eventually ends.

Senator Brad Hoylman said: “The Governor’s 90-day eviction moratorium was a good first step to protect tenants from losing their homes during the COVID-19 crisis. But it’s not enough. Unless we act, we’ll see a tidal wave of evictions immediately after the moratorium ends when tenants who’ve lost income are suddenly forced to pay several months’ worth of rent. Our legislation prevents an impending eviction disaster by providing tenants who’ve lost their jobs a safe harbor to get healthy and back on their feet while our country recovers from this economic disaster.”

Assemblyman Jeffrey Dinowitz said: "The expiration of the 90-day eviction moratorium is a ticking time bomb for many tenants who have lost all sources of income during the COVID-19 pandemic, especially if they experience other significant expenses such as medical care while they are out of work. The New York State Tenant Safe Harbor Act is a common sense approach that will still allow landlords to seek payment for rent so that they can maintain their buildings while also acknowledging the reality that we need to take unprecedented action so nobody loses their home due to coronavirus. Thank you to my colleagues, State Senators Hoylman and Krueger, for championing this bill in the other chamber and I urge all legislators to unite behind this proposal to ensure tenants' safe harbor during this pandemic."

Senator Liz Krueger said: “The COVID-19 pandemic, and the associated economic crisis it has caused, have created the potential for widespread evictions beyond anything our state has seen since the Great Depression. It is vital that we take real, practical, viable action to ensure that our fellow New Yorkers do not lose their homes at a time when they cannot earn an income because they have been ordered to stay home. The Tenant Safe Harbor Act would prevent an unprecedented housing crisis, and give New York tenants a chance to get back on their feet when the virus has passed.”

Judith Goldiner, Attorney-in-charge of the Civil Law Reform Unit of the Legal Aid Society said: “ This behemoth of a pandemic has already led to the loss of millions of jobs across the country. With unemployment rates skyrocketing, we must protect the most vulnerable of tenants in New York who will not be able to pay rent during this crisis, and mitigate the devastating consequences that COVID-19 has already triggered. We commend Senator Hoylman, Assemblyman Dinowitz and Senator Krueger for introducing this critical piece of legislation.”

The NYS Tenant Safe Harbor Act from Senator Hoylman, Assemblymember Dinowitz and Senator Krueger will prevent landlords from seeking possessory judgments (known more commonly as evictions) for unpaid rent that was due from the beginning of the COVID-19 state disaster emergency through a six month period following the end of the state disaster emergency, whenever that may be. Landlords would continue to be able to seek money judgments for unpaid rent, but tenants would have housing stability with no threat of eviction for non-payment in the meantime.

The Tenant Safe Harbor Act is intended to complement, not supplant, proposals to cancel rent for those impacted by the COVID-19 emergency. Other proposals to cancel rent entirely do not apply retroactively, making this legislation necessary to prevent landlords from evicting tenants who cannot afford to pay rent in the time before legislation to cancel rent is ultimately passed.

According to recent estimates from the Federal Reserve, COVID-19 could lead to 47 million jobs lost across the country and a nationwide unemployment rate of 32%. Under these new economic circumstances, millions of New Yorkers will be unable to afford rent payments.