



NEW YORK STATE SENATOR

Brian Kavanagh

## Elected Officials, Advocates Urge Tenants Having Difficulty Paying Rent to Submit 'Hardship Declaration Forms' to Prevent Eviction

BRIAN KAVANAGH February 18, 2021

| ISSUE: **HOUSING, EVICTION, EVICTION PREVENTION, COVID-19, RENT RELIEF**

| COMMITTEE: **HOUSING, CONSTRUCTION AND COMMUNITY DEVELOPMENT**



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### **Elected Officials, Advocates Convene to Urge New York Tenants Having Difficulty Paying Rent to Submit “Hardship Declaration Forms” to Prevent Eviction**

(NEW YORK, NY) – State Senator Brian Kavanagh and Assembly Member Jeffrey Dinowitz, who sponsored New York’s recent legislation mandating an eviction moratorium for tenants

facing COVID-19 hardship, The Office of NYC Public Advocate Jumaane D. Williams, The Legal Aid Society, NYS elected officials and housing advocacy groups held a press conference earlier this afternoon to remind New York renters and homeowners that time is running out to submit a Hardship Declaration Form to protect themselves from eviction or foreclosure proceedings until May 1st.

The COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 was adopted by the state legislature and signed into law by the Governor on December 28, 2020. The act suspends eviction and foreclosure proceedings for 60 days to give court administrators, housing advocates, landlords, tenants and homeowners an opportunity to become familiar with the new legislation. It also allows renters and homeowners who have lost income, are unable to pay rent, mortgages, or property taxes due to increased costs, or are unable to relocate without significant risk to their health or the health of a family member, to declare hardship and protect themselves against eviction or foreclosure until May 1, 2021. To benefit from the protections of the moratorium, those eligible must fill out a Hardship Declaration Form, attesting that they meet one of the above stated conditions. The form may be given directly to the landlord or to their local housing court, or in the case of homeowners, to the mortgage holder or government seeking to collect property taxes.

Following a recent [report](#) that New York City housing courts have received fewer than 2,300 “hardship declaration” forms from tenants and homeowners seeking to pause or prevent evictions or foreclosures, with just a few weeks to go before the end of the initial 60-day period, the elected officials and housing advocates convened the press conference to urge eligible tenants and homeowners to submit their hardship forms as soon as possible.

“I encourage all eligible New Yorkers to submit their hardship declaration forms as early as possible. I also remind New York landlords that they are legally required to provide these forms to their tenants in a language that the tenant understands,” said State Senator Brian

Kavanagh, who sponsored the eviction moratorium legislation. “From the beginning of the COVID-19 pandemic we have understood that housing security must be an essential part of our effort to protect the health and wellbeing of all New Yorkers. These forms deliver real protection for countless renters and homeowners who would otherwise be at risk of losing their homes, adding to the unprecedented hardship that so many are facing. I thank Assemblymember Dinowitz and all of our colleagues who have joined us in sponsorship of this legislation; all of the tenant and homeowner advocates who have pushed for real relief, and the many New Yorkers who have struggled through these extraordinarily difficult times with the tenacity and resolve we will need to get beyond this crisis.”

Assemblyman Jeffrey Dinowitz said: "The protections established in our landmark CEEFPA legislation will allow tenants facing eviction to stay in their homes in the middle of winter during a deadly pandemic. However, these protections will expire on February 26 unless the tenant submits a hardship declaration form that extends them until May 1. The eligibility criteria for the hardship declaration form are comprehensive and the process to submit a form is very straightforward. We will get through this pandemic together, and tenants facing eviction should be aware of the new rights they now have."

Senator Brad Hoylman said: “One in eight working New Yorkers lost their job since the beginning of the COVID-19 pandemic. There are hundreds of thousands of our fellow New Yorkers who struggle to pay rent and put food on the table—they need to know New York State offers protections to keep them in their home. Because of the COVID-19 Emergency Eviction and Foreclosure Prevention Act, legislation I’m proud we passed into law last year, tenants have until February 26th to submit a hardship declaration form that pauses evictions until May 1st. That’s why I’m joining my colleagues today to remind all eligible New Yorkers to fill out and submit the hardship declaration form as soon as possible. I’m grateful to Senator Kavanagh, Assemblymember Dinowitz, Public Advocate Williams and the Legal

Aid Society for their work and advocacy on behalf of New York's tenants.”

State Senator Kevin Parker said: “My colleagues and I have fought hard to provide our constituents with assistance during the pandemic. And this session we successfully passed a moratorium for evictions for those who have lost their jobs to the pandemic and are struggling to pay rent. Now that we have fought hard for this legislation it is equally as important for us to use our platform to ensure constituents are aware of this initiative and the resources available to them. We are asking anyone who has been financially affected by the pandemic to submit a Hardship Declaration Form’ to avoid eviction. No one should have to fear losing their home when the resources are available.”

Senator Alessandra Biaggi said: “In the midst of the COVID-19 public health crisis, tenants across New York State are in the fight of their lives to protect their families and neighbors from losing their homes. The passing of the COVID-19 Emergency Eviction and Foreclosure Prevention Act was a significant step, only made possible by the tenacity and courage of tenants, housing advocates, and working families. I’m proud to stand with my colleagues and advocates today to urge those that are struggling to meet rent to fill out a Hardship Declaration form. These eviction protections are not the finish line - I am committed to standing firmly with New Yorkers in the fight for comprehensive housing relief and justice for all.”

NYC Public Advocate Jumaane Williams said: “In addition to providing tenants with legal protections during this pandemic and economic crisis, we must provide them with the information and tools they need to access it. I'm calling not only for tenants across New York City and State to submit hardship declarations, but on the city and state to better inform tenants about their rights and responsibility under the current version of a moratorium. For renters and owners alike, the lack of security or clarity has been debilitating, and doing all we can to keep people in their homes is both morally imperative and economically vital.”

Judith Goldiner, Attorney-in-Charge of the Civil Law Reform Unit at The Legal Aid Society, said: "We urge all tenants experiencing financial hardship during the COVID-19 pandemic to fill out a Hardship Declaration form immediately. Doing so will help tenants automatically send notice to their landlord and their local housing court, which is essential in order to receive protections. We know the need for rent relief is great, and we encourage all New Yorkers to share this critical resource among their communities and anyone struggling due to the pandemic. Legal Aid is proud to provide assistance to our clients and low-income New Yorkers who need help submitting a form, and we will continue to do so. We thank Senator Brian Kavanagh and Assembly Member Jeffrey Dinowitz for holding today's press conference and for sponsoring critical eviction prevention legislation for NY tenants."

"Due to the passage of the COVID-19 Emergency Eviction and Foreclosure Prevention Act, tenants have the opportunity to remain housed during an unprecedented public health crisis. Recent studies have proven that during this pandemic, evictions quite literally can equal death. These protections were won as the result of tireless grassroots organizing, and the willingness of certain members of our legislature to recognize that if there were ever a moment to acknowledge housing as a human right, it is now. It is imperative that a just implementation of this legislation remains a priority, and we ensure that tenants are aware of their rights and how they can exercise them. In addition, we must hold landlords and courts accountable in regards to requirements around the tenant self-attestation form so that tenants can continue to stay home to stay safe." Rebecca Garrard, Campaigns Manager for Housing Justice, Citizen Action of New York

"New Yorkers who need help understanding the eviction moratorium and/or the Hardship Declaration form and tenants with housing-related concerns during COVID can call NYLAG's NY COVID-19 Legal Resource Hotline at 929.356.9582 or visit [nylag.org/hotline](https://nylag.org/hotline). One of our legal advocates can help in a variety of languages. It's important that impacted

tenants not only send their Hardship Declarations by February 26, 2021 but also keep a copy for themselves. Sending Hardship declarations to landlords by email or using [evictionfreeny.org](https://www.evictionfreeny.org) is a great way to ensure there's proof it was sent," said Jonathan Fox, Director of Tenants' Rights at New York Legal Assistance Group (NYLAG).

"This eviction moratorium is a vital stopgap for renters who would otherwise face eviction and homelessness in the dead of winter during the pandemic," said Aaron Carr, Founder and Executive Director of Housing Rights Initiative, a nonprofit housing watchdog group. "As is always the case, but particularly during a pandemic, many landlords are trying to find openings to kick tenants out to the curb. This hardship declaration is their lifeline and we are urging all eligible tenants to fill it out."

The form is available at

<https://www.nycourts.gov/Courts/nyc/SSI/images/corona/HardshipDeclaration.pdf> or [evictionfreeny.org](https://www.evictionfreeny.org).

Additionally, for help filling out a form or to see if you qualify for free legal assistance in a housing matter, tenants can call The Legal Aid Society housing helpline, Tuesdays only from 9 am- 5pm at 212-298-3333, or call a neighborhood office in your borough:

- Manhattan: 212-426-3000
- Brooklyn: 718-722-3100
- Bronx: 718-991-4600
- Queens: 718-286-2450
- Staten Island: 347-422-5333

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