



NEW YORK STATE SENATOR

George M. Borrello

Statement from Senator Borrello on Eviction Moratorium Extension

GEORGE M. BORRELLO September 1, 2021

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ALBANY – In response to the Senate’s return to Albany to pass an extension to the state’s eviction moratorium, Senator Borrello issued the following statement:

“The harm inflicted on our state’s small property owners, struggling tenants and housing market during the pandemic is one of the state’s greatest failures of the past 18 months. Unconstitutional eviction moratoriums followed by an incompetent rollout of the \$2.7 billion Emergency Rental Assistance Program (ERAP) has pushed small property owners to the financial brink and left tenants with mounting debts and confusion about why promised relief hasn’t materialized.

While Governor Hochul has expressed new urgency in fixing the program’s delays and getting the funds flowing, that urgency will be undermined by extending the eviction ban, which will enable tenants to fall

further behind in their rent and push property owners deeper into debt and financial despair.

The moratorium's self-attestation of hardship, which required zero proof the tenant suffered financial loss, was appropriately struck down by the U.S. Supreme Court. However, the minor changes of the amended moratorium are insufficient to bring any true fairness to this situation. The housing courts should have been allowed to resume eviction proceedings as the state works on expediting the distribution of ERAP funds.

Evictions aren't immediate; they are a slow-moving legal process, which can take months, even in ordinary times, and have numerous safeguards for tenants. With an already-substantial backlog of cases from the pandemic, this extension is going to cause historic delays in the housing courts once the ban ends.

While I could not support an extension of the moratorium, I supported appropriation changes to the program which will establish a fund to help both tenants and landlords in special circumstances who cannot apply for ERAP funds, including tenants who are above the income limits and landlords with uncooperative tenants who refuse to apply for funds to repay their debt.

It is discouraging that our Democratic colleagues have bowed to the pressure of the 'cancel rent' activists. This push to further punish property owners has a sinister undercurrent that is less about compassion and more about advancing a radical agenda. There are some on the left who fundamentally don't believe in private property rights. They believe we need a major expansion of government-controlled housing and they are using this pandemic as their opportunity to push that agenda forward.