



NEW YORK STATE SENATOR

Brian Kavanagh

Letter from NYS Legislature to Treasury re: Homeowner Assistance Fund

BRIAN KAVANAGH November 15, 2021



THE NEW YORK STATE LEGISLATURE

October 29, 2021

Secretary Janet Yellen

United States Department of the Treasury

1500 Pennsylvania Avenue NW

Washington, DC 20220

Dear Secretary Yellen:

As you know, on March 11, 2021, President Biden signed the American Rescue Plan, which included nearly \$10 billion of dedicated financial relief for homeowners, a critical component of the larger effort to respond to the COVID-19 crisis. This funding is intended for homeowners with incomes at or below 150% of the area median income for their household size who have experienced financial hardship after January 2020. The relief can be applied toward a wide range of eligible expenses, including mortgage costs, tax payments, utilities, certain necessary repairs, and more. States seeking to participate in the program are required to submit a Homeowner Assistance Fund (HAF) application to the Treasury Department specifying how the funds would be spent; the NYS Division of Housing and Community Renewal (DHCR) submitted New York's draft plan on August 20, 2021, the first day the Treasury Department's online portal opened.

Unfortunately, while funds from the American Rescue Plan have been broadly deployed to provide many other types of relief, homeowners in New York have yet to access a single dollar from the nearly \$540 million in funding allocated to our state, because the Treasury Department has not yet approved New York's HAF plan. We understand that the Department has not approved any other state's plan either. As members of the New York State Legislature who have worked hard with our colleagues in Congress to ensure that federal and State funds address the tremendous need for relief from pandemic-related hardships in our communities, we urge you to ensure that the Treasury Department expeditiously reviews New York's application, works with the State to promptly address any concerns that may arise, and approves the distribution of this funding as soon as possible.

Since the start of the pandemic we have been committed to the principle that no New Yorkers should lose their housing because of health-related or financial hardships caused by COVID-19. While we have enacted comprehensive foreclosure and eviction moratoria that have prevented mass displacement, only substantial public funding can provide long-term relief. As New York has shown through our increasingly successful implementation of the Emergency Rental Assistance Program—which has been greatly enhanced in recent months in part as a result of significant legislative oversight—we have the ability to distribute large amounts of federal funding to those in need.¹

¹After encountering initial implementation hurdles in June and July, New York's Covid-19 Emergency Rental Assistance Program (CERAP) has obligated or paid a nation-leading \$1.8 billion in rental assistance as of October 19th.

Approving our HAF program will enable DHCR to prevent displacement of homeowners and mitigate financial hardships associated with the pandemic by preventing homeowner mortgage delinquencies, defaults, foreclosures, and loss of utilities or home energy services.

Should you or your staff wish to discuss this matter, please do not hesitate to reach out to any of us directly or via Daniel Mosher, Legislative Director in Senator Kavanagh's office, at 518-455-4654 or dmosher.nysenate@gmail.com.

Thank you for your attention to this urgent matter and for all that you and your colleagues at the Treasury Department are doing to ensure the nation's recovery from this devastating pandemic.

A handwritten signature in black ink, appearing to read "Steven Lubowitz". The signature is written in a cursive, flowing style with a large loop at the end.

Sincerely,



Sen. Brian Kavanagh

Chair, Committee on Housing, Construction, and Community Development

Assemblymember Steven Cymbrowitz Chair, Committee on Housing

Additional Signatories from the New York State Legislature:

State Sen. Joseph Addabbo, Jr. State Sen. Jamaal Bailey State Sen. Alessandra Biaggi State Sen. Jabari Brisport State Sen. Samra Brouk State Sen. Leroy Comrie State Sen. Jeremy Cooney State Sen. James Gaughran State Sen. Michael Gianaris State Sen. Andrew Gounardes State Sen. Peter Harckham State Sen. Michelle Hinchey State Sen. Brad Hoylman State Sen. Robert Jackson State Sen. Anna Kaplan State Sen. Tim Kennedy State Sen. Liz Krueger

State Sen. John Liu

State Sen. John Mannion

State Sen. Rachel May

State Sen. Shelley Mayer

State Sen. Zellnor Myrie

State Sen. Kevin Parker

State Sen. Roxanne Persaud

State Sen. Jessica Ramos

State Sen. Elijah Reichlin-Melnick State Sen. Gustavo Rivera

State Sen. Julia Salazar

State Sen. James Sanders

State Sen. Diane Savino

State Sen. Jose Serrano

State Sen. James Skoufis

State Sen. Toby Ann Stavisky State Sen. Kevin Thomas

Assemblymember Peter J. Abbate, Jr. Assemblymember Thomas J. Abinanti

Assemblymember Brian Barnwell Assemblymember Charles Barron Assemblymember Sarah Clark

Assemblymember Inez E. Dickens Assemblymember Jeffery Dinowitz Assemblymember Steve Englebright Assemblymember Sandy Galef

Assemblymember Anna Kelles

Assemblymember John T. McDonald, III Assemblymember Catherine Nolan

Assemblymember Daniel O'Donnell Assemblymember Amy Paulin

Assemblymember Linda B. Rosenthal Assemblymember Jo Anne Simon Assemblymember
Michaëlle C. Solages Assemblymember Fred W. Thiele, Jr. Assemblymember Monica Wallace

cc: U.S. Sen. Charles Schumer U.S. Sen. Kirsten Gillibrand

U.S. Rep. Lee M. Zeldin

U.S. Rep. Andrew R. Garbarino U.S. Rep. Thomas Suozzi

U.S. Rep. Kathleen M. Rice

U.S. Rep. Gregory Meeks U.S. Rep. Grace Meng U.S. Rep. Nydia Velázquez U.S. Rep. Hakeem
Jeffries U.S. Rep. Yvette D. Clarke U.S. Rep. Jerrold Nadler

U.S. Rep. Nicole Malliotakis U.S. Rep. Carolyn Maloney U.S. Rep. Adriano Espaillat

U.S. Rep. Alexandria Ocasio-Cortez U.S. Rep. Ritchie Torres

U.S. Rep. Jamaal Bowman

U.S. Rep. Mondaire Jones

U.S. Rep. Sean Patrick Maloney U.S. Rep. Antonio Delgado

U.S. Rep. Paul D. Tonko U.S. Rep. Elise M. Stefanik U.S. Rep. Claudia Tenney U.S. Rep. Tom
Reed U.S. Rep. John M. Katko U.S. Rep. Joseph Morelle U.S. Rep. Brian D. Higgins U.S. Rep.
Chris Jacobs

RuthAnne Visnauskas, Commissioner, NYS Homes and Community Renewal Drew Maloney,
Assistant Secretary for Legislative Affairs, Treasury Jennifer Debes Bang, Deputy Assistant
Secretary for Legislative Affairs, Treasury