



National
Urban League



August 27, 2021

U.S. House of Representatives
Washington, D.C. 20515

United States Senate
Washington, D.C. 20515

Dear Member of Congress:

On behalf of the below civil and human rights organizations—and in light of the Supreme Court’s recent decision in *Alabama Association of Realtors v. Department of Health and Human Services*—we write urging you to take immediate congressional action to extend the Center for Disease Control and Prevention’s (CDC) federal moratorium on evictions to ensure that vulnerable families are protected from the threat of eviction during this unprecedented public health and economic crisis.

Communities of color have disproportionately borne the brunt of the hardships brought about by the COVID-19 pandemic. Black, LatinX, and Indigenous Americans are more likely to be hospitalized and die from the coronavirus, and more likely to be to face increased financial insecurity as a result of this crisis. A dizzying array of longstanding factors—notably, our nation’s long and unfortunate legacy of segregation and discrimination, and the concentration of contaminated land, air, water, and food deserts in communities of color—left communities of color especially vulnerable to the devastating economic and public health impacts of the COVID-19 pandemic.

After months of declining COVID-19 infections nationwide, the extremely contagious Delta variant has led to a shocking increase in new reported cases, even among those who have been vaccinated. The disconcerting growth in new COVID-19 cases comes at a time when 6-17 million¹ U.S renters—the vast majority of whom live in communities that experienced surges in new COVID-19 infections in recent weeks—report being behind on rent. According to new Census² data, nearly 1.2 million renters are facing the immediate risk of eviction over the course of the next two months as a result of financial hardships that have left them unable to meet their monthly rent payments, among other challenges.

Moreover, the bulk of congressionally-approved emergency rental assistance funding has yet to reach struggling families, making clear the need for congressional action to extend the CDC’s eviction moratorium amid rising Delta COVID-19 infections nationwide. According to the Treasury Department, only \$1.7 billion of the \$46.5 billion allocated for the rental assistance program has been allocated to

¹ Supreme Court of the United States, *Alabama Association of Realtor v. Department of Health and Human Services* (August 26, 2021). Available at: https://www.supremecourt.gov/opinions/20pdf/21a23_ap6c.pdf

² U.S. Census Bureau, Week 35 Pulse Survey August 4-16, Available at: <https://www.census.gov/data/tables/2021/demo/hhp/hhp35.html>

families in need at this juncture.³ Additionally, of the 2.8 million families that have applied for emergency rental assistance support, only 500,000 have reported receiving assistance to date.

To date, the pandemic has severely harmed the health and economic security of households and neighborhoods of color. Nearly 58% and 53% of LatinX and Black households, respectively, reported experiencing declines in employment income since March 2020, significantly higher than the share of White households—39%— that experienced similar challenges. Moreover, Black and Brown Americans disproportionately work in front-line jobs deemed “essential” during the pandemic, putting them at additional risk of contracting COVID-19. The Department of Labor found that, in 2017 and 2018, nearly 30% of White employees had jobs they could do from home, compared to just 20% of Black workers and 16% of LatinX workers. Additionally, 61% of the workers in the top quarter of earners could work from home, while only 9% of those in the bottom quarter could work from home.⁴ These glaring discrepancies help explain why Black and Brown U.S. households have continued to report significant financial and housing insecurity challenges during the course of this pandemic.

In a recent Pew Research Center survey, Black, LatinX, and Asian American adults were significantly more likely than White respondents to report struggling to pay their bills, using money from savings and retirement funds, borrowing money from friends and family to make ends meet, paying their rent or mortgage on time, and losing health insurance coverage. For example, 43% of Black adults and 37% of LatinX surveyed adults reported having trouble paying their rent or mortgage compared to just 18% of White adults.⁵ Publicly available data also continues to show that Black and LatinX homeowners are having the most difficulty paying their mortgage.⁶ Worse yet, a third of U.S. homeowners—many of whom are people of color—have not been eligible for forbearance because they do not hold federally-backed mortgages.

Research has long shown that communities of color are disproportionately rent-burdened and at risk of eviction. People of color are twice as likely to be renters and are disproportionately likely to be low-income and rental cost-burdened. In nearly every metropolitan city in the U.S., Black and LatinX people constitute the majority of renters who would be at risk of eviction. A recent study found that Black households are more than twice as likely as White households to be evicted after controlling for education.⁷

Without immediate congressional action, 6-17 million renter households face the risk of losing access to the very housing protections that are key to stemming the spread of new COVID-19 infections at a time when communities nationwide are struggling to combat the surge of new Delta COVID variant cases. Left unaddressed, the next wave of evictions and foreclosures would fall hardest on the most financially

³ U.S. Department of the Treasury, “Emergency Rental Assistance—Frequently Asked Questions,” August 25, 2021. Available at: <https://home.treasury.gov/system/files/136/ERA-FAQ-8-25-2021.pdf>

⁴ Eric Morath, Theo Francis, and Justin Baer, “The Covid Economy Carves Deep Divide Between Haves and Have-Nots,” The Wall Street Journal, October 5, 2020, <https://www.wsj.com/articles/the-covid-economy-carves-deep-divide-between-haves-and-have-nots-11601910595>.

⁵ Kim Parker, Rachael Minkin, and Jesse Bennett, “Economic Fallout from COVID-19 Continues to Hit Lower-Income Americans the Hardest,” Pew Research Center Social & Demographic Trends, September 24, 2020, <https://www.pewsocialtrends.org/2020/09/24/economic-fallout-from-covid-19-continues-to-hit-lower-income-americans-the-hardest/>.

⁶ Urban Institute, “Measuring the Crisis: Housing Data during the COVID-19 Pandemic,” October 26, 2020, <https://www.urban.org/events/measuring-crisis-housing-data-during-covid-19-pandemic>.

⁷ Harvard Civil Rights-Civil Liberties Law Review. Mathew Desmond, Deena Greenberg, Carl Gershenson. Available at: https://scholar.harvard.edu/files/mdesmond/files/greenberg_et_al._.pdf

vulnerable in our society, with Black and Brown working families—for whom the COVID-19 pandemic continues to disproportionately harm—faring the worst.

In light of the concerns outlined above, we urge you to extend the CDC moratorium through December 31, 2021, and to work to secure inclusion of an eviction moratorium in any legislative package that may come to the floor for consideration in the near future.

Should you have any questions, please feel free to contact Julius Niyonsaba (jnyonsaba@nul.org) at the National Urban League or Jorge Soto (jsoto@nationalfairhousing.org) at the National Fair Housing Alliance.

Thank you for your attention and consideration on this important matter.

Sincerely,

National Urban League
National Fair Housing Alliance
National CAPACD
NAACP Legal Defense and Educational Fund, Inc. (LDF)
Leadership Conference for Civil and Human Rights
UnidosUS
National Partnership for Women and Families
Lawyers' Committee for Civil Rights Under Law

cc: The Honorable Maxine Waters, Chairwoman
U.S. House Committee on Financial Services

The Honorable Sherrod Brown, Chair
U.S. Senate Committee on Banking, Housing, and Urban Affairs

The Honorable Pat Toomey, Ranking Member
U.S. Senate Committee on Banking, Housing, and Urban Affairs

The Honorable Patrick McHenry, Ranking Member
U.S. House Committee on Financial Services