

Nearly 10,000 eviction actions filed across the US since September despite CDC moratorium

Aaron Murch
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According to a recent report by NBC News, some 10,000 families face eviction from their homes due to a surge in filings by big residential landlord companies since the beginning of September.

If approved, these evictions will be carried out across the country in several states hit hard by the COVID-19 pandemic and despite a federal moratorium on evicting those affected by the virus.

In Arizona, Florida, Georgia, Tennessee and Texas, large corporate landlords such as Progress Residential, have filed eviction proceedings for thousands of residents as a dramatic explosion in the homelessness crisis looms due to the devastating economic impact of the pandemic and the expiration of local, state and federal restrictions put in place earlier this year.

Millions of American workers have lost their jobs and some 12.6 million have suffered heavy cuts in income since March, resulting in millions of families falling behind on monthly rent.

One worker interviewed by NBC News, Cristina Velez, lost her job and was facing an over \$2,000 rent bill she could not afford. Her landlord, Progress Residential, she says was unsympathetic and uncooperative in working with her considering her economic situation.

Landlords are not required by law to inform tenants of any protections they may have and can proceed with evictions when rent is late.

“There’s got to be something for people affected by COVID and being furloughed,” Velez told NBC. A representative for Progress replied, “There’s nothing we can do” and served Velez with a bill for over \$4,000 in rent and legal fees or else an order to vacate the premises. “I told them I was affected by COVID, but it didn’t matter to them. They are not very patient,” Velez said.

According to the Centers for Disease Control and Prevention (CDC) moratorium on evictions, which went into effect in early September and expires at the end of December, landlords cannot evict tenants affected by COVID-19 as long as they can show that the pandemic has negatively impacted their ability to pay rent.

In order to be protected, the CDC stipulates the tenant must prove that they meet 5 criteria: that they sought government assistance, make less than \$99,000 a year, have suffered a “substantial loss of income” due to the pandemic, they must show they are making an effort to pay as much of the rent as they can, and that eviction would leave them homeless.

However, according to a clarification by the CDC, landlords can proceed with the legal procedures of an eviction as long as tenants are not forced out before the end of the year and landlords are also not required to tell residents of the federal ban.

Landlords can also challenge their tenants’ claims of COVID-19 impact and deny their claims without an appeal process in place. This caveat was implemented in part due to landlord lobbying groups directly appealing to the Trump administration.

This whittling down of the formerly broad-based ban on evictions by the CDC has essentially placed all the power in the hands of landlords, resulting in the current deluge of evictions.

Diane Yentel of the nonprofit National Low Income Housing Coalition told NBC News the weakening of the formerly broad-based ban on evictions “puts more power back in the hands of landlords at the expense of low-income renters.” Yentel said of the CDC’s clarification, “It creates new burdens for renters and creates new holes in protections for renters.”

The clarification was posted on October 9 and almost

immediately there was a jump in eviction proceedings with some 2,000 having been filed across five states during the week of October 12.

For their part, the landlord companies carrying out these evictions have told reporters that they are doing everything according to the law and the rules of the CDC moratorium.

Landlord lobbying groups have fought such bans since the beginning of the pandemic, calling them an overreach and an obstruction on landlords' ability to make profits. In September, according to a recent report, some 6 million households were unable to make rental payment.

Many of the largest landlord companies are controlled by private equity firms whose stock holdings have soared in value since the beginning of the pandemic. One of these big firms, Invitation Homes, owns some 80,000 homes across the country and has filed 122 evictions over the last six months while its stock has climbed 80 percent, according to the nonprofit Private Equity Stakeholder Project which has compiled statistics on private equity firms buying up community properties across the country.

Progress Residential has filed 97 evictions since the beginning of the CDC moratorium. The company is itself owned by an equity firm called Pretium which is run by former Goldman Sachs partner David Mullen, a credit and mortgage manager who was investigated by a Senate committee following the housing crisis of the late 2000s.

Progress Residential defends its actions as being fully within the law while at the same time many of the actual evictions do not comply even with the laws as favorable as they are for the landlords.

According to renters' advocacy groups, most judges accept the terms of an eviction even if it technically falls within the stipulations for protection. For the vast majority of those facing eviction finding a new home will be increasingly difficult as evictions often appear on the resident's credit report and landlords often use such black marks to refuse to rent.

Since the CDC now allows landlords to file eviction proceedings, they are able to use this as an intimidation tactic, forcing residents to move who may otherwise have been protected by the moratorium without going through the full eviction process.

For millions of workers across the country the threat

of homelessness is ever present and with the moratorium set to expire at the end of the year the crisis is set to explode even further. For many workers even the threat of an eviction represents a plunge into deeper poverty as landlords are free to pile on late charges and legal fees in addition to the past due rent.

The housing crisis and spike in poverty are only exacerbated in the backdrop of a pandemic that has shown no sign of slowing as the current "third wave" of infections wreaks havoc leading to deeper strains on an already brutalized working class facing sickness and job loss and homelessness, while the big banks and corporations were handed trillions of dollars in bailout funds.



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