

United States House of Representatives
Committee on Financial Services
2129 Rayburn House Office Building
Washington, D.C. 20515

Dear Colleague,

Last night the Supreme Court, along partisan lines, decided that the CDC eviction moratorium in areas experiencing high rates of the coronavirus could not continue, putting millions of renters at risk of eviction as the pandemic continues to surge. As the CDC moratorium would have expired on October 3, we always knew that the window to protect renters and help landlords was narrow. Accordingly, after we were unable to pass an extension of the eviction moratorium in July, I immediately set to work on a legislative solution to address issues with the slow implementation of the emergency rental assistance programs Congress passed in December 2020 and in February 2021. I have also continued to work with the Department of the Treasury (Treasury) to identify ways to improve the distribution of assistance by grantees, who so far have only distributed a fraction of the funding provided by Congress.

When Congress established the Emergency Rental Assistance program, we directed Treasury to administer the program. In addition to distributing funds to grantees, Treasury has a responsibility to ensure state and local grantees distribute funds to tenants and landlords as efficiently as possible to meet the overwhelming need for emergency assistance. That includes providing oversight and guidance to grantees to ensure they are meeting their obligations under the program and are adopting best practices to better administer their programs. The Treasury Department has taken steps to improve the delivery of emergency assistance,¹ and I welcome those changes, but legislation is needed to further reform this program to greatly strengthen its effectiveness.

According to the latest data from Treasury, only \$5.1 billion or 11% of the \$46.6 billion in emergency rental assistance funds has been spent by state and local governments to aid struggling renters and landlords.² While just under one million renter households have received assistance through the program, data published by the U.S. Census on August 25th reported that more than 3 million renter households believed that they were very or somewhat likely to be evicted in the next two months.³ Many renters and landlords have applied to receive assistance through local and state programs but have been left waiting due to delays by grantees in reviewing and processing applications, which too often have included overly burdensome documentation requirements. Other renters lack internet access or the technology needed to apply online and require additional supports to access assistance. Equally troubling is the number of renters and landlords who remain unaware of the availability of assistance. According to the Urban Institute, “[m]ore than half of renters and 40 percent of landlords are still unaware of federal assistance.”⁴

¹ See U.S. Department of the Treasury [Press Release: Treasury Announces Seven Additional Policies to Encourage State and Local Governments to Expedite Emergency Rental Assistance](#) (Aug. 25, 2021).

² *Id.*

³ U.S. Census Bureau, [Week 35 Household Pulse Survey: August 4-August 16](#) (Aug. 25, 2021).

⁴ Urban Institute, With Just a Month Left, of the Eviction Moratorium, [Many Mom-and-Pop Landlords and Tenants Are Still Unaware of Federal Rental Assistance](#) (June 30, 2021).

To address these issues and others within the emergency rental assistance program, I plan to advance a bill to:

- Remove the barriers preventing tenants from receiving assistance, including by requiring grantees to accept the self-attestation of a tenant and to provide assistance directly to tenants in certain circumstances;
- Allow landlords to directly apply for back rent after providing notice to their tenants that they intend to apply, and conditioning the federal assistance the landlord receives on certain requirements, such as the tenant being able to remain stably housed for at least 120 days after receiving the assistance;
- Direct Treasury and grantees to conduct additional outreach to prospective tenants and landlords, including by sending mailings to all taxpayers stating that they may be eligible to apply, and taking out radio, tv, and internet ads to promote the program. The bill would provide Treasury with an additional \$25 million to conduct such outreach;
- Direct Treasury to provide more guidance to grantees on how they can engage with local governmental bodies, such as schools and libraries, to better facilitate the awareness and distribution of emergency rental assistance; and,
- Require poor performing grantees to develop a performance improvement plan that describes how they will adopt best practices to improve the distribution of relief.

As the Delta variant once again threatens the health and safety of households everywhere, we must move quickly to ensure that the emergency funding available reaches our constituents in need. I plan to proceed by marking up this legislation on September 13th and will work with our leadership to promptly bring it to the floor for its consideration. With this bill, tenants and landlords in need will not only be more aware of the available resources to help them but will be able to quickly access those funds.

I look forward to sharing more information with you as this legislation moves forward.

Sincerely,



MAXINE WATERS
Chairwoman

cc: The Honorable Patrick McHenry, Ranking Member