



September 13, 2021

The Honorable Maxine Waters  
Chairwoman  
Committee on Financial Services  
Washington, DC 20515

The Honorable Patrick McHenry  
Ranking Member  
Committee on Financial Services  
Washington, DC 20515

Dear Chairwoman Waters and Ranking Member McHenry:

On behalf of the undersigned organizations, thank you for your efforts to accelerate the distribution of federal Emergency Rental Assistance Program (ERAP) funds to renters and housing providers in need. It is a herculean task to mitigate the extensive damage from the COVID-19 housing crisis in a way that balances everyone's needs. You have maintained your resolve in the face of this challenge and continued to work with all sides of the debate to find workable solutions. Specifically, we appreciate the efforts made in the amendment in the nature of a substitute for the "Expediting Assistance to Renters and Landlords Act of 2021, H.R. 5196," to respond to the concerns of housing providers.

The revisions in H.R. 5196 do represent real progress towards addressing the challenges that get in the way of efficient and effective distribution of ERAP dollars. However, we strongly oppose the continued inclusion of a four-month eviction moratorium with no certainty of assistance from ERAP grantees. In fact, it has been programmatic barriers such as these that have deterred housing provider participation in some jurisdictions across the country and frustrated our shared efforts of protecting the stability of the rental housing sector. The state of California originally instituted well-meaning legislation that would reimburse landlords for 80% of an eligible tenant's unpaid rent if landlords waived 20% of the rent owed. The Governor and state legislature quickly realized that neither tenants nor landlords had applied for rental assistance in sufficient numbers and enhanced the law to pay 100% of back rent as well as future months.

Eviction moratoria have been a core concern of housing providers since the start of the pandemic. They remain of critical concern 18 months into the pandemic as housing providers continue to balance lost rent with continuing to house residents. As written, this mandate could leave housing providers without the rental income that they rely on to operate their business, pay their employees and importantly, maintain the structural integrity and quality of the housing for their resident communities.

We believe that further revisions would reduce the barriers to housing provider participation in ERAP-funded programs and increase positive outcomes for participating renters and housing providers alike. We encourage the Committee to work together in bipartisan fashion to remove barriers such as these from the ERAP program.

Our focus as an industry and yours as leaders in Congress have always been to relieve the unprecedented strain from COVID-19 on renters and individual housing providers, and to support the continued viability of the rental housing industry. Our hope is that the spirit of that shared commitment will allow us to work together as this bill continues through the legislative process to find consensus and develop solutions that achieve stability within rental housing in every community impacted by the pandemic.

As always, thank you for your consideration of our perspective.

Sincerely,

CCIM Institute  
Institute of Real Estate Management  
Manufactured Housing Institute  
Mortgage Bankers Association  
National Affordable Housing Management Association  
National Apartment Association  
National Association of Home Builders  
National Association of Housing Cooperatives  
National Association of REALTORS®  
National Multifamily Housing Council

cc: U.S. House Committee on Financial Services  
U.S. Senate Committee on Banking, Housing, and Urban Affairs  
House and Senate Leadership