

# NAR Advocacy Actions: CDC Eviction Moratorium

March 31, 2021

Since the beginning of the COVID-19 pandemic, NAR has been at the forefront of the eviction moratorium/rental assistance issue. Since March 2020 NAR has communicated a clear message to Congress and the Administration: any eviction moratorium to protect renters should be limited in time and scope, targeted to those who can demonstrate the need, and must provide relief as well for housing providers who are impacted by the loss of rent. NAR has stressed that an eviction moratorium merely temporarily shifts the underlying economic issue. NAR spoke with both the Trump and Biden Administrations to express our issues with the moratorium and the problems it is causing for the stability of the rental housing market, on top of our advocacy in the House, Senate, and several federal agencies including the Treasury Department, the CDC, and HUD.

To amplify our advocacy work on this issue, NAR is a member of a coalition of housing provider and real estate groups – including IREM, CCIM, the National Multifamily Housing Coalition (NMHC), the National Association of Housing Builders (NAHB), the National Apartment Association (NAA), and the Mortgage Bankers Association (MBA) – committed to advocating for rental housing providers and finding common-sense solutions to the challenges they face due to COVID-19.

Since last March, NAR has provided over thirty letters/communications with feedback and comments to Congress and both the Trump and Biden Administrations on the eviction moratorium and the need for federal rental assistance. At the bottom of this email you can find links to these letters and comments.

In addition to our advocacy work, NAR is also engaged with litigation brought by state associations regarding the eviction moratorium. NAR has been actively involved in supporting this legal action filed by the Alabama Association and Georgia Associations of REALTORS®, plus two housing providers, in seeking a nationwide injunction against the CDC order. To better explain the national impact, NAR also submitted a declaration illustrating the economic impact of the eviction moratorium/unpaid rent across the country.

In this case filed in the District of Columbia, NAR has been helping the state associations argue against the legality of the CDC order. The complaint states how the order: (1) violated the Administrative Procedures Act and Regulatory Flexibility Act; (2) how the CDC exceeded its statutory authority when issuing the Order; (3) how the Order constituted an unconstitutional taking under the Fifth Amendment; and, (4) how the Order violated due process rights. The government has argued existing authority under the Public Health Services Act to issue the order as a public health measure in response, similar to the other cases on this. This case is still pending before the D.C. District Court with a decision expected in the very near future. In the meantime, three other cases (Western District of TN, Northern District of OH, and Eastern District of TX), have held against the CDC and been persuasive to the D.C. litigation. NAR is tracking each of these and ensuring the district court is aware of the holdings supporting the arguments against the CDC's actions.

NAR is committed to keeping REALTORS® informed and up-to-date on this and other COVID-19 related issues, which is why we have created [a dedicated webpage for COVID-19 resources and information](#). On that page you can find weekly updates, news articles, and other resources, including our [Housing Provider FAQ](#), which has up-to-date information on the CDC Eviction Moratorium as well as the federal Emergency Rental Assistance Program. You can also find updates on federal actions, as well as NAR's advocacy work, from [NAR's Washington Report \(which you can subscribe to and receive via email on that page as well\)](#).



# NAR Advocacy Actions: CDC Eviction Moratorium

March 31, 2021

March 2020 – March 2021

## NAR Federal Advocacy Materials: Eviction Moratorium and Rental Assistance

- [March 19, 2020 Coalition Letter to House and Senate Leadership re: federal rental assistance](#)
- [April 7, 2020 Coalition Letter to House and Senate Leadership re: relief for the rental housing industry](#)
- [May 4, 2020 Coalition Letter to House and Senate Leadership re: emergency rental assistance](#)
- [May 7, 2020 NAR and MBA Coalition Letter in support of Emergency Rental Assistance and Rental Market Stabilization Act of 2020](#)
- [June 1, 2020 Coalition Letter to Senate Banking Committee re: CARES Act and the need for Emergency Rental Assistance, Financial Mitigation/Mortgage Forbearance Protections for housing providers](#)
- [June 4, 2020 NAR Letter to President Trump re: COVID-19 Relief, including emergency rental assistance](#)
- [July 7, 2020 Coalition Letter to House Transportation, Housing and Urban Development Committee re: the need for an emergency rental assistance program, rural housing assistance funding](#)
- [July 8, 2020 NAR Letter to Senate Banking Committee and House Financial Services Committee re: Housing Priorities, including rental assistance and clarity for housing providers on eviction policies](#)
- [July 15, 2020 Coalition Letter to Congressional Leadership on COVID relief, stressing the need for an emergency rental assistance program; limiting/targeting the eviction moratorium; and providing financial support for rental property owners](#)
- [July 17, 2020 NAR Letter to Congressional Leadership re: COVID relief needs, including rental assistance multifamily forbearance options](#)
- [July 31, 2020 Coalition Letter to Congressional Leadership urging action on emergency rental assistance](#)
- [August 7, 2020 Coalition Letter to President Trump urging support for emergency rental assistance and limiting/targeting eviction moratoriums](#)
- [August 21, 2020 Coalition Letter to the White House, Congressional Leadership, the National Economic Council, the Treasury Department, and the Department of Housing and Urban Development re: the need for stimulus legislation to protect housing providers, renters, and to provide stability to the nation's rental housing sector](#)
- [September 3, 2020 Coalition Letter to Congressional Leadership re: the CDC Eviction Moratorium and the need for housing provider relief through a rental assistance program to protect the rental housing sector](#)
- [September 21, 2020 NAR Letter to the White House re: the CDC Eviction Moratorium](#)
- [September 22, 2020 Coalition Letter to the House Financial Services Committee re: the CDC Eviction Moratorium](#)
- [September 23, 2020 Coalition Letter to the Senate Committee on Health, Education, Labor and Pensions for its hearing on the COVID-19 federal response and the need for emergency rental assistance](#)



# NAR Advocacy Actions: CDC Eviction Moratorium

March 31, 2021

- [October 8, 2020 Coalition Letter to the White House re: the need for federal assistance for housing providers](#)
- [October 8, 2020 Coalition Letter to Congressional Leadership re: the need for federal assistance for housing providers](#)
- [November 9, 2020 Coalition Letter to Congressional Leadership re: support for renters and housing providers to stabilize the rental housing industry](#)
- [November 30, 2020 Coalition Letter to Congressional Leadership to extend the deadline for states' use of CARES Act funding to provide rental assistance to residents/housing providers](#)
- [December 4, 2020 NAR Letter to the full Senate with COVID-19 relief priorities, including emergency rental assistance](#)
- [December 4, 2020 NAR Letter to the full House with COVID-19 relief priorities, including emergency rental assistance](#)
- [January 7, 2021 Coalition Letter to the Department of the Treasury and the Department of Housing and Urban Development re: implementation of the federal Emergency Rental Assistance Program](#)
- [January 15, 2021 Coalition Letter to President-Elect Biden urging a more tailored federal solution than a "one-size-fits-all" eviction moratorium with funding that aligns with the scope of the problem](#)
- [January 21, 2021 Coalition Letter to President Biden regarding the Emergency Rental Assistance Program created by the FY 2021 Appropriations Act](#)
- [January 28, 2021 Coalition Letter to the Department of the Treasury and the Department of Housing and Urban Development re: program requirements for the federal Emergency Rental Assistance Program](#)
- [February 1, 2021 Coalition Letter to the full House regarding COVID-19 relief priorities, including the federal Emergency Rental Assistance Program and the need for additional funding](#)
- [February 1, 2021 Coalition Letter to the full Senate regarding COVID-19 relief priorities, including the federal Emergency Rental Assistance Program and the need for additional funding](#)
- [February 3, 2021 Coalition Letter to Congressional Leadership re: the need to limit and target eviction moratoria, provide additional rental assistance funding, and prioritize efficiency in the federal Emergency Rental Assistance Program guidelines](#)
- [February 3, 2021 Coalition Letter to the House Financial Services Committee for its hearing on COVID-19 stimulus needs, urging more support for rental housing](#)
- [February 5, 2021 Coalition Letter to the Department of Housing and Urban Development, the CDC, and the White House Domestic Policy Council re: the need for more funding for rental assistance and the CDC Eviction Moratorium](#)
- [February 9, 2021 Coalition Letter to the House Financial Services Committee re: the FY 2021 Budget Reconciliation urging support for further rental assistance funding and efficiency in the federal Emergency Rental assistance Program](#)
- [February 11, 2021: NAR Speakers to White House on Eviction Moratorium](#)
- [February 24, 2021 NAR Letter to the House Leadership in support of the American Rescue Plan, which included \\$21.55 billion in additional funds for the federal Emergency Rental Assistance Program](#)

