



March 17, 2020

via electronic mail

Jennifer Gottlieb-Elazhari, Director
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Suzanne Piacentini, Field Office Director
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Seila Mosquera-Bruno, Commissioner
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Dear Directors Gottlieb-Elazhari, and Piacentini, and Commissioner Mosquera-Bruno:

As you undoubtedly know, the COVID-19 pandemic, which President Trump has declared a National Emergency, will have both a tremendous impact on your housing programs as well as the people you serve. Since housing is a major social determinant of health, we are sure you agree that the best way to protect tenants and the larger community is to ensure that tenants remain in stable and affordable housing, whether with Housing Choice Vouchers and RAP certificates, or in RAD, or public and project-based section 8 housing. Your tenants need to remain safely and stably housed as they may be experiencing significant upheaval in their personal lives in terms of employment, childcare, and very likely their health. As this public health crisis continues, parents are facing the additional complication of school closures, necessitating finding and affording childcare so they can continue to work (if they still have jobs to go to).

Evictions in a time of a public health crisis simply means that families—including many children—will become homeless. Those experiencing homelessness are perhaps the demographic most at risk for contracting and transmitting the virus. Even as the Judicial Branch has suspended eviction trials in Connecticut, tenants may still have to get to the courthouse and file appearances and other pleadings, which undermines the public health directive to practice “social distancing” and social isolation to prevent spread of the virus. We are also concerned about a flood of evictions overwhelming the Courts when any moratorium ends.

Accordingly, we, the undersigned legal services providers, request that you seek to implement the following measures for the subsidized housing programs you oversee. To the extent that these programs have already implemented one or more measures, we are appreciative.

For all public housing (state, federal, mixed-finance) and RAD we request the following:

- Suspend all pretermination notices and Notices to Quit for all cases except violent or drug-related criminal activity that affects the health and safety of other residents. The grievance process, which is available for most evictions, only places both tenants and housing authority staff at risk.
- Encourage and allow tenants to report by phone that they have a loss of income that would necessitate an interim recertification. Where possible, use releases you have on file from annual recertifications to contact employers to verify information, and allow the tenant to conduct their interim recertification by mail or over the phone. When the crisis is over, we do not want tenants to have huge balances as they struggle to restore normalcy in their lives.
- Suspend the time for tenants to report increases in income until their next regularly scheduled recertification if your program does not already do so.
- Suspend annual recertifications if they cannot be completed by mail and do not penalize tenants who cannot provide documentation timely because of health or safety (e.g. a tenant who cannot get to a bank to get their bank statements or go to DHS to get their benefits information).
- Conduct retroactive recertifications for tenants who were not able to report their decrease in income.
- Suspend any work and/or community service requirements.
- Ensure tenants can assert their VAWA rights, including through emergency transfers.
- Use flexible policies to allow that guests can remain in homes without jeopardizing the housing assistance of their friends or loved ones.
- Permit extended absences from assisted units without permission or a threat of termination.
- Identify available housing units for individuals who are homeless or housing unstable, who should qualify for priority under most disaster relief admission policies.

We request the following for all Project-Based programs:

- Suspend all pretermination notices and Notices to Quit for all cases except violent or drug-related criminal activity that affects the health and safety of other residents. The “ten days to discuss” which must be afforded to all tenants with a Notice to Quit only places both tenants and staff at risk.
- Encourage and allow tenants to report by phone that they have a loss of income that would necessitate an interim recertification. Where possible, use releases you have on file from annual recertifications to contact employers to verify information, and allow the tenant to conduct their interim recertification by mail or over the phone. When the crisis is over, we do not want tenants to have huge balances as they struggle to restore normalcy in their lives.

- Suspend the time for tenants to report increases in income until their next regularly scheduled recertification if your program does not already do so.
- Suspend annual recertifications if they cannot be completed by mail and do not penalize tenants who cannot provide documentation timely because of health or safety (e.g. a tenant who cannot get to a bank to get their bank statements or go to DHS to get their benefits information).
- Conduct retroactive recertifications for tenants who were not able to report their decrease in income.
- Ensure tenants can assert their VAWA rights, including through emergency transfers.
- Use flexible policies to allow that guests can remain in homes without jeopardizing the housing assistance of their friends or loved ones.
- Permit extended absences from assisted units without permission or a threat of termination.
- Identify available housing units for individuals who are homeless or housing unstable, who should qualify for priority under most disaster relief admission policies.

We request the following for the Housing Choice Voucher Program, HUD-VASH, and RAP:

- Suspend termination of assistance in all cases except violent or drug-related criminal activity that affects the health and safety of other residents. In those cases, where facts may be disputed and credibility is at issue, we seek to have hearings conducted by video recognizing the many challenges this may pose to low-income families.
- Allow tenants to report by phone that they have a loss of income that would necessitate an interim recertification. Where possible, use releases you have on file from annual recertifications to contact employers to verify information, and allow the tenant to conduct their interim recertification by mail or over the phone.
- Suspend the time for tenants to report increases in income until their next regularly scheduled recertification if your program does not already do so.
- Suspend annual recertifications if they cannot be completed by mail and do not penalize tenants who cannot provide documentation timely because of health or safety (e.g. a tenant who cannot get to a bank to get their bank statements or go to DHS to get their benefits information).
- Conduct retroactive recertifications for tenants who were not able to report their decrease in income.
- Suspend all search-times without requiring requests for extensions.
- We hope that you continue to conduct emergency inspections, inspections for people whose current units are abated and must move as quickly as possible, and inspections for people who have final stays pursuant to court order.
- Ensure participants can assert their VAWA rights, including through emergency transfers.

- Use flexible policies to allow that guests can remain in homes without jeopardizing the housing assistance of their friends or loved ones.
- Permit extended absences from assisted units without permission or a threat of termination.
- Identify available Vouchers/Certificates for individuals who are homeless or housing unstable, who should qualify for priority under most disaster relief admission policies.

We request you take action to protect the health of your participants by modifying your policies to avoid exposing them to unnecessarily to a deadly virus and the loss of critically important housing. We would welcome the opportunity to talk with you about these and the other issues that will affect our mutual clients in the coming months.

Sincerely,

Nilda R. Havrilla, Litigation and Advocacy
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cc: All Connecticut Public Housing Authorities and Administrators
United States Senator Richard Blumenthal
United States Senator Chris Murphy
United States Representative John Larson
United States Representative Joe Courtney
United States Representative Rosa DeLauro
United States Representative James Himes
United States Representative Jahana Hayes