



April 3, 2020

Seila Mosquera-Bruno, Commissioner
Connecticut State Department of Housing
505 Hudson Street
Hartford, CT 06103

Re: Meeting with Conn NAHRO

Dear Commissioner Mosquera-Bruno:

On March 17, 2020, a coalition of low-income housing advocates sent you, officials from HUD, and all of the housing authorities and subsidized housing administrators a letter asking that the public and subsidized housing administrators prevent evictions and keep people housed during the COVID-19 crisis. I have attached a copy of that letter. On March 31, 2020, ConnNAHRO responded rejecting nearly all of the advocates' requests. I have attached a copy of ConnNAHRO's response.

Since the March 17, 2020 letter was sent, the Center has reviewed nearly every Connecticut housing authority's website to determine what they were telling tenants about the housing authority's practices and policies in response to the current pandemic. There is little if anything on any site and the majority of what is posted is not translated into Spanish. In addition, given that more than 220,000 Connecticut residents have applied for unemployment benefits, it is likely that many housing authorities have people living in their units who need to have their rent recalculated. Yet it does not appear that any of the housing authorities have notified their tenants of their right to have their rent recalculated when there has been a change in income where that would make a difference in the amount of rent paid.

Contrary to ConnNAHRO's response in numbered paragraph 1 of its letter, the closing of the courts is not protecting tenants. Too many believe that when they receive a notice to quit, they must leave within the time stated and that if they do not respond to a summary process complaint, they will be forcibly moved out. In addition, according to the Judicial Branch's website there have been 700 new summary process actions filed since March 11, 2020 when the Governor declared a state of emergency, with more than 500 filed since March 16 when the Judicial Branch stopped issuing executions. Every summons orders the tenant to respond within 10 days by filing an appearance in a court that is most likely closed or will not allow them to enter to file papers.¹ While the housing authorities and subsidized housing providers may not be the ones filing these complaints, the business of eviction is still going strong. Commencing an

¹ Additional courthouses have been closed and there no longer is one courthouse open per judicial district.

eviction that cannot proceed is unnecessary for the housing provider but will irreparably damage the tenants' public records and prevent the tenant from obtaining housing in the future.

Despite ConnNAHRO's assertion that the advocates' requests are unworkable and will cause harm to tenants and housing authorities, my understanding is the DOH and its RAP and housing voucher administrator, J. D'Amelia (JDA), have implemented many of the procedures requested on March 19. In addition, the newly enacted CARES Act requires federally subsidized housing and housing with federally backed mortgages to implement many of these same procedures. Unfortunately, tenants living in properties subsidized by the State of Connecticut, many of whom are elderly and/or disabled, have no additional protections as of now.

As a result, we ask the Department of Housing to use its authority to implement the following procedures for all state funded housing until at least 30 days after the Governor's state of emergency expires:

- Stop the imposition of late fees and other costs associated with non-payment of rent.
- Suspend all pre-termination notices and Notices to Quit for all cases except violent or drug-related criminal activity that affects the health and safety of other residents.
- Allow tenants to report by phone or email that they have a loss of income that would necessitate an interim recertification.
- Suspend the time for tenants to report increases in income until their next regularly scheduled recertification if the program does not already do so.
- Suspend annual recertifications if they cannot be completed by mail and do not penalize tenants who cannot provide required documentation.
- Conduct retroactive recertifications for tenants who were not able to report their decrease in income within typically required timeframes
- Suspend any work and/or community service requirements.
- Ensure tenants can assert their VAWA rights, including through emergency transfers.
- Respond to requests for reasonable accommodations in a timely manner to ensure tenants can live in and use their housing.
- Use flexible policies to allow t guests to 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.

Notice of the policy changes should be posted on every housing authority website and sent to every tenant in English and Spanish within 7 days of the changes.

With regard to ConnNAHRO's March 31, 2020 letter:

- Tenants should be able to pay rent since many will receive enhanced unemployment checks: The organization's assertion that unemployment compensation along with an

additional \$600 per week under the new CARES Act ignores the fact that unemployment benefits and any federal stimulus checks will take weeks to arrive and some will not receive anything for more than five weeks resulting in tenants receiving notices to quit or incurring late fees for rent not paid in March, April, or May. In addition, the Economic Policy Institute is projecting that Connecticut will lose 213,973 jobs by July 2020, and most of the job loss will occur in the service, leisure, hospitality, and retail sectors, which are the jobs more likely to be held by lower income people, who are more likely to be renters. It is likely that the loss of income will extend well beyond the length of time most people can collect unemployment. Individuals are not losing jobs through any fault of their own but rather as a result of an order of the Governor. Therefore, we continue to ask that public and subsidized housing authorities not impose late fees or issue pre-termination notice for nonpayment of rent until at least 30 days after the Governor's state of emergency expires.

- Housing authorities must be able to send pre-termination notices for nuisance, serious nuisance and other breaches of lease cases: Contrary to ConnNAHRO's assertion that nuisance and lease violations terminations would be unrelated to the pandemic, the Center has received numerous calls over the last two weeks in which tenants have been threatened with eviction for children making noise during the day, people playing music during the day, and other "nuisance" complaints. While none of these have been from people living in public or subsidized housing, it is clear that nuisance and lease violations are related directly to the current pandemic. Children are home from school and making noise since they cannot go outside. Parents are out of work and may play music during the day. Everyone is forced to stay inside which may result in additional noise or other perceived lease violations. No pre-termination notices should be given except for violent or drug-related criminal activity that affects the health and safety of other residents.
- No flexible policy regarding guests in units: ConnNAHRO asserts that tenants who allow guests into their units will spread the virus to other occupants. While this may have some validity, the alternative is to allow people to become homeless. DOH's staff know homeless shelters are closing and the CDC has recommended social distancing in the shelters that remain. To adhere to this request, DOH has been leasing hotel rooms to move people from shelters. While allowing additional people into public housing is not an ideal solution, it is one that is likely to help slow the spread of the virus.

Thank you for your consideration. I would be happy to respond to any questions you may have. I will be available all day at 860-263-0723.

Very truly yours,



Erin Kemple
Executive Director