



MAYOR & COUNCIL MEMORANDUM

July 12, 2022

Subject: Eviction Moratorium for Public Housing Residents (City Wide) Page: 1 of 2

Issue – Public housing residents have been under an eviction moratorium for nonpayment of rent since 2020 as directed by Mayor and Council through June 30, 2022. The City’s eviction moratorium expired on June 30, 2022. Staff request Mayor and Council provide direction on the moratorium.

City Manager’s Office Recommendation – Lift moratorium effective August 1, 2022. Residents who do fail to pay rent as of August 1st will incur late fees and will receive a notice for nonpayment of rent. HCD staff will continue to work with Public Housing residents on payment plans or to assist with application to the Emergency Rental Assistance Program.

Background – From March 2020 through June 2022, there was a moratorium on evictions for nonpayment of rent for residents living in City-owned housing.

CARES Act Eviction Moratorium

Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act in March 2020 to aid individuals and businesses adversely affected by COVID-19. The CARES Act eviction moratorium prohibited landlords from initiating eviction proceedings against a resident living in public housing for the nonpayment of rent and related fees. The CARES Act eviction moratorium began on March 27, 2020 and ended on July 24, 2020.

CDC Eviction Moratorium

The Centers for Disease Control and Prevention (CDC) imposed a nationwide moratorium on residential evictions for nonpayment of rent on September 4, 2020. The CDC extended the order several times, until it expired on July 31, 2021. When the CDC eviction moratorium expired, Congress did not reauthorize it. Instead, on August 3, 2021, the CDC issued a new order temporarily halting residential evictions in communities with substantial or high levels of community transmission of COVID-19. However, on August 26, 2021, the Supreme Court blocked enforcement of the moratorium.

City of Tucson Eviction Moratorium

Since the beginning of the pandemic, the City of Tucson has had its own eviction moratorium for residents living in City-owned housing for nonpayment of rent. On December 21, 2021, Mayor and Council voted unanimously to extend the moratorium through June 30, 2022.

During the City’s moratorium, HCD staff reached out to residents who lost income during the pandemic and either reduced the rent or allowed the resident to live rent-free. In some instances, HCD was able to refer residents to the Emergency Rental Assistance Program, which was able to cover the past due rents owed.

Present Consideration(s) – HCD reports that approximately 190 households owe a total of \$135,356 in unpaid rent from April 1, 2020 through May 31, 2022. The U.S. Department of Housing and Urban Development (HUD) has reached out to HCD to inquire about the rate of rent

collection, which is currently at 79%. HUD has urged all PHA's to take additional steps to increase rent collection. If Mayor and Council direct HCD to lift the moratorium, HCD will send out notices in English and Spanish to notify residents of this decision and provide time to meet with staff to set up payment agreements for those who have balances on their rental accounts. HCD will assist the residents who have a balance of unpaid rent, and eviction will be the last recourse. Individuals with unpaid balances are electronically reported to HUD, which is a requirement of HUD and only can be seen by other PHAs.

Plan Tucson Consideration(s) – This item relates to the *Plan Tucson* elements of Housing and is supported by the following policies:

H7 – Increase access to safe, healthy, and affordable housing choices, including mitigating the impacts of foreclosure.

H8 – Address the housing needs of the most vulnerable populations in the community, including those at risk of homelessness.

H9 – Promote safe, decent, and affordable housing and neighborhoods that support aging in place.

Financial Considerations – The PHA programs are entirely federally funded and have no impact on the General Fund.

Legal Considerations – The City Attorney's Office reviewed and approved this Memorandum.

Respectfully submitted,



Timothy Thomure, PE, ENV SP
Assistant City Manager

TT: Liz Morales
Housing and Community Development