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August 27, 2021

Texas Housers calls for immediate State and local action to prevent mass displacement following abrupt lift of federal CDC Moratorium on evictions

With the [Supreme Court's ruling](#) on August 26th that ended the CDC's federal eviction moratorium, the only thing that will now keep hundreds of thousands of Texans from being evicted is for local and State government to deliver the billions of dollars they were allocated in federal rent assistance funds directly to renters so they can pay their back rent.

Today the fate of Texas renters shifts from federal officials to State and local government. Given the subpar performance of our State and local government in economically providing for low-income Texans, we should all be deeply concerned. The lives of an unprecedented number of tenants in Texas now depend on how well our State and local officials can speed up the distribution of rent assistance, lest thousands end up displaced or homeless during the surging pandemic.

Almost 700,000 Texan households are currently behind on rent and at risk of eviction in the coming days and weeks according to the latest [Census Bureau Household Pulse Survey](#). At the current slow-moving rates of relief disbursement, many renters have been waiting as many as six months for rental assistance. This puts renters at extreme risk of eviction, with wait times for relief in Texas cities potentially lasting well into 2022. Many landlords will not wait that long. In fact, landlords in Texas have been filing evictions during the moratorium, but by law those evictions were put on hold. With the Supreme Court's ruling, landlords can now proceed with those eviction cases in court.

Landlords must work with their tenants who have applied for rent assistance and should help spread awareness of State and local rent assistance, as well as assist tenants with the application process as soon as possible. It is in the landlord's interest to work with their tenants because the eviction process is expensive and does not guarantee a renter will be able to pay off their judgement, meaning a landlord is not likely to recover the back rent. With patience, it is possible for landlords to recoup their rent while keeping tenants stably housing as the COVID-19 pandemic surges across Texas.

Recent improvements in the rate at which Texas is distributing federal rent assistance is encouraging, but in this emergency, the State still needs to move faster. Some cities are also speeding up getting the rent assistance out, but too many cities and counties are still not getting the rent payment funds out.

According to Texas Housers' survey of 26 local Emergency Rent Assistance (ERA) programs in Texas (out of the 36 in operation), the average program had distributed just 22.9% of its total allocation of ERA Round 1 funds by mid-to-late July. Our survey revealed stark geographical disparities — while several major cities had distributed over 75% of their funds, eight jurisdictions (predominantly smaller cities and more rural counties) had distributed less than 10%. Four additional jurisdictions had not disbursed any funds. Renter protections across Texas can thus be described as a patchwork landscape - some tenants in major cities may be served by a high-functioning local ERA program and moratorium on evictions, while tenants in other cities and more rural areas are left wholly unprotected without either local support.

We call on the State of Texas, county commissioners, and city governments to cooperate on a five-step emergency plan to keep Texans housed.

1. **Enact a short moratorium for those waiting for rent assistance.** The Governor and the Texas Supreme Court should order an eviction moratorium of up to 90 days for tenants who have applied for rent assistance and are waiting on their application to be processed by State or local government.
2. **Award all rental relief in 90 days.** The Governor, county commissioners, and city councils should direct State, city, and county officials to disburse all rental assistance to landlords and tenants in no more than 90 days. State and local rental relief programs must commit to further [streamlining](#) the rental relief application process to ensure rental relief is disbursed more quickly.
3. **Reduce wait time for rent assistance to 2 weeks.** State and local rental relief programs must commit to reducing application-to-disbursal waiting period to 14 days or less, by any means possible.
4. **Help tenants and landlords get the assistance.** State and local governments will assign workers to eviction courts to work with tenants and landlords before eviction hearings to abate cases through expedited rent assistance. Rent relief applications will permit tenants to release their phone number to trusted social service organizations.
5. **Appropriate federal funds for rent and affordable housing.** The Texas Legislature will allocate a significant portion of the of \$15.8 billion in federal American Rescue Plan funds the State of Texas has received to be used for rent relief and the construction of new affordable rental housing.

Texas renters are facing an unprecedented economic and social crisis, as COVID infections, hospitalizations and deaths reach record levels. No one should be forced out of their home to live in the streets, especially not amid a global health emergency.

Our cities and our State government officials must act to protect Texans and provide people with what they need to hold onto a place to shelter.