

Tenants Waiting on Rental Assistance Should Not Face Eviction: Sign-on Letter to Gov. Polis

The Honorable Jared Polis

Dear Governor Polis:

Thousands of Colorado renters are waiting in line for rental assistance, with many more submitting new applications each week, and others still unaware that help is available. This is resulting in considerable unpaid housing debt, and instability for tenants and landlords alike. No one eligible for rental assistance should be put out of their homes, especially because of systemic factors beyond their control. Allowing hardworking renters to be evicted at this point in Colorado's recovery would cause particular harm to individuals, families, and our community.

We therefore urge you to take action to ensure that no tenant working to obtain rental assistance is evicted while awaiting funds. An executive order making a tenant's good faith effort to obtain assistance a full defense against eviction for nonpayment is warranted from August 1 through September 30. Starting October 1, the legislature has given tenants up to the point of judgment in eviction court to secure and pay outstanding rent and remain housed.

As you noted in EO 122 in allowing the current 30-day "right to cure" executive order to stand even as you moved to end many others: "The demand for this State and federal [rental assistance] has been immense, and these programs need time to provide aid to tenants." That time will still be much-needed even after your latest extension of this order and the Centers for Disease Control & Prevention's eviction moratorium expire simultaneously on July 31.

The State Division of Housing reports that as of the first week of July, 36,606 applications for assistance have been approved since March 2020, totaling just over \$100 million—though many tenants with approved applications are likely still awaiting the arrival of a check and remain at risk of eviction. And requests for rental assistance are growing each week. DOH further reports that 12,235 applications representing nearly \$78 million in assistance as outstanding or currently in-process. Fifty-seven percent of these have been reviewed but require further information from the landlord or tenant, often requiring time—and resource-intensive outreach. Notably, these numbers exclude 3,293 "inactive" applications that could become active again with a response from a tenant, landlord, or financial institution, or 9,079 rejected applications, some of which could be revisited and validated with further help.

And even as many Coloradans are beginning to feel relief from the pandemic, many of those hardest-hit face a longer road to recovery. DOH data demonstrates the heavy burden of housing

instability borne by BIPOC Coloradans, with disproportionate request for assistance among Black, Latino, Native American, and individuals who identify as multi-racial. And because eligibility for currently available rental assistance is capped at 80% of area median income, these households by definition have lower incomes.

We appreciate your leadership through the public health and economic crises caused by the COVID-19 pandemic. Even as you rescind public health emergency orders, we appreciate your and your staff's efforts to continue to provide for those most impacted by COVID-19 and facing longer roads ahead to recovery. Thank you for your consideration.