



Senate of Pennsylvania

August 27, 2021

The Honorable Max Baer
Chief Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

The Honorable Thomas Saylor
Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

The Honorable Debra Todd
Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

The Honorable Christine Donohue
Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

The Honorable Kevin Dougherty
Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

The Honorable David Wecht
Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

The Honorable Sally Updyke Mundy
Justice
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, Pennsylvania 17106

Dear Justices of the Supreme Court:

We are writing to request the court take action to halt evictions for those individuals who have applied for one of the emergency rental assistance programs but the submitted application has not yet been reviewed.

As you may be aware, Congress has appropriated more than \$1.5 billion in emergency rental assistance to the Commonwealth to address rent and utility delinquencies created due to the COVID-19 pandemic. Unfortunately, the United States Supreme Court recently invalidated the Centers for Disease Control's (CDC) eviction moratorium.

Very few counties had a rental assistance program ready for the sudden influx of money for emergency rental assistance from the Consolidated Appropriation Act of 2020 and the American Rescue Plan. The lack of existing programs required counties to build new programs before assistance could begin flowing to landlords and tenants.

The creation of new programs has caused a significant delay in the review and approval of applications which will leave many renters facing the possibility of an eviction before their application has even been reviewed. Based off available data, less than 24% of the direct and state allocations of rental assistance has been spent. To date, Philadelphia has received more than 50,000 applications for rental assistance but has only reviewed 26,707 of those applications. This leaves nearly 50% of the applications unreviewed. In Allegheny County, 14,194 applications have been received to date but only 4,940 applications have been finalized.

According to the June 2021 report from Pennsylvania's Department of Human Services, \$459.586 million of the \$564.109 million appropriated to counties for emergency rental assistance remains unspent. Several counties, including Lancaster, Lehigh and York, have yet to commit any money received. Publicly available data from Philadelphia and Allegheny Counties show that nearly half of the applicants for assistance are families, and a majority of the applicants identify as black.

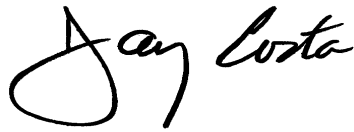
While these numbers are alarming, they are not unique to Pennsylvania. According to data available from the U.S. Treasury Department, more than 341,000 households received assistance in July, an increase from the 183,000 households since May, but as noted "...there is still much further work to go to ensure tenants and landlords take advantage of the historic funding available to help cover rent, utilities, and other housing costs to keep people in their homes."

Previously our caucus has worked with the Court to protect homeowners and renters during the devastating COVID-19 crisis. We are again asking the Court to take statewide action to protect renters across the Commonwealth by imposing a statewide pause to evictions filed when an individual applies for assistance through the Emergency Rental Assistance Program (ERAP).

Our request is narrowly tailored to allow counties the time they need to get through the unprecedented number of applications for assistance received and ensure that no renter loses their home before an application for assistance has been reviewed.

We believe the necessary funding is available to alleviate the economic stresses the pandemic has put on landlords and tenants alike and that an additional pause on evictions will ensure that funding gets to those who need it.

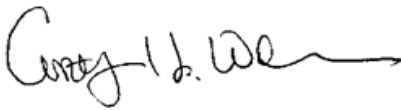
Thank you for your time and attention to this matter.



Senator Jay Costa
Democratic Leader
43rd Senatorial District



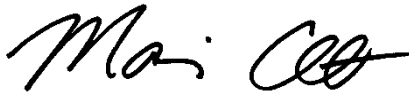
Senator Vincent J. Hughes
Democratic Chair
Senate Appropriations Committee
7th Senatorial District



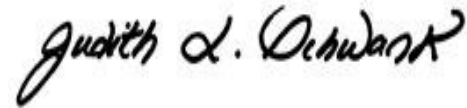
Senator Anthony H. Williams
Senate Democratic Whip
8th Senatorial District



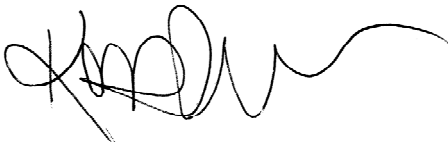
Senator Wayne D. Fontana
Democratic Caucus Chairman
42nd Senatorial District



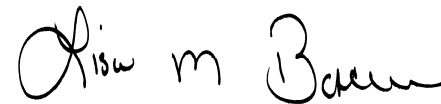
Senator Maria Collett
Democratic Caucus Secretary
12th Senatorial District



Senator Judith L. Schwank
Democratic Caucus Administrator
22nd Senatorial District



Senator Katie J. Muth
Democratic Caucus Policy Chair
44th Senatorial District



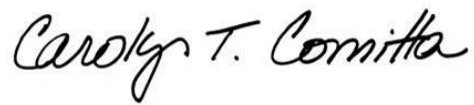
Senator Lisa M. Boscola
18th Senatorial District



Senator James Brewster
45th Senatorial District



Senator Amanda Cappelletti
17th Senatorial District



Senator Carolyn Comitta
19th Senatorial District



Senator Marty Flynn
22nd Senatorial District



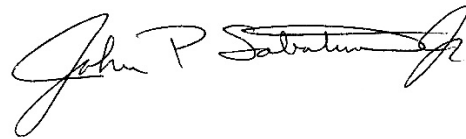
Senator Art Haywood
4th Senatorial District



Senator John Kane
9th Senatorial District



Senator Tim Kearney
26th Senatorial District



Senator John Sabatino
5th Senatorial District



Senator Steve Santarsiero
10th Senatorial District



Senator Nikil Saval
1st Senatorial District



Senator Sharif Street
3rd Senatorial District



Senator Christine M. Tartaglione
2nd Senatorial District



Senator Lindsey Williams
38th Senatorial District