

The Honorable Governor Tom Wolf
508 Main Capitol Building
Harrisburg, PA 17120

October 1, 2020

Dear Governor Wolf

We write as tenant advocates and community organizations to urge you to take immediate action to ensure Pennsylvania's full cooperation with enforcement of the September 1, 2020 order by the Centers for Disease Control placing a temporary halt on residential evictions to prevent the further spread of COVID-19. The Pennsylvania Budget and Policy Center estimates that as many as 710,846 renter households – roughly 1.7 million Pennsylvanians in total – could lose their homes during this pandemic due to non-payment of rent.¹

The day after your Executive Order suspending eviction and foreclosure notices expired on August 31, 2020, the CDC issued an order halting certain residential evictions throughout the country, effective September 4, 2020 through December 31, 2020. The CDC order imposes criminal penalties for landlords who violate the order and specifically requests the cooperation of state and local officials:

NOTICE TO COOPERATING STATE AND LOCAL OFFICIALS:

Under 42 U.S.C. 243, the U.S. Department of Health and Human Services is authorized to cooperate with and aid State and local authorities in the enforcement of their quarantine and other health regulations and to accept State and local assistance in the enforcement of Federal quarantine rules and regulations, including in the enforcement of this Order.

Some Pennsylvania Courts have begun cooperating with the enforcement of the CDC order by adopting procedures to halt some - but not all - of the eviction cases that are halted by the order. Commonwealth agencies could also cooperate by ensuring that landlords understand their legal obligations and that tenants understand their legal rights, and by assisting in the defense of the CDC order against legal challenges.

We ask that you direct Commonwealth agencies to take every possible action to cooperate with enforcement of the CDC order.

We also ask that you issue an Executive Order re-establishing an eviction moratorium consistent with the CDC order. The initial cooperative efforts undertaken by Pennsylvania Courts fail to

¹ Stier, *Here's How We Stop the Coming Eviction and Foreclosure Tsunami*, Pennsylvania Capital-Star, August 28, 2020.

cover large numbers of tenants who are entitled to protection under the CDC order. We ask that you close that loophole and ensure that the CDC order is enforced within the Commonwealth to its fullest extent.

Full cooperation with the enforcement of the CDC order could potentially avert the mass eviction catastrophe. Unfortunately, Pennsylvania is off to a bad start. Following guidance issued by the Administrative Office of Pennsylvania Courts, most, if not all, of the Court administrative orders that have been entered in response to the CDC order provide that only evictions for non-payment of rent can be stayed. The CDC order is broader – it applies to all evictions except for those that fall within certain listed categories. Importantly, the CDC order covers evictions for end of lease term,² while local Court orders in Pennsylvania do not.

The failure to cooperate with the full enforcement of the CDC order effectively means that any tenant with a month-to-month lease in Pennsylvania will be denied the protection of the order. Reinvestment Fund estimated that 16.8% of all evictions filed in Philadelphia in 2019 were for end of lease term. Although a precise statewide estimate is difficult given the lack of data from other counties, the number of Pennsylvanians who would be needlessly exposed to the risk of becoming homeless if the Commonwealth fails to cooperate with enforcement of the CDC order to its full extent could easily be in the hundreds of thousands.

We are sure you will agree that Pennsylvania's cooperation with enforcement of the CDC order should not allow hundreds of thousands of Pennsylvanians to fall through the cracks. The CDC order is very clear that measures by states and localities that do not meet or exceed the minimum protections of the order are insufficient to prevent the interstate spread of COVID-19. Only you can ensure that enforcement of the CDC order within the Commonwealth is comprehensive, uniform and effective.

For these reasons, we ask that you issue an Executive Order directing Commonwealth agencies to take every possible action to cooperate with enforcement of the CDC order and re-establishing an eviction moratorium that halts evictions for both non-payment of rent and end of lease term through December 31, 2020.

Thank you for your continued leadership through this difficult time. If any of us can be of assistance, please do not hesitate to ask.

SIGNATORIES:

Elected Officials

Senator Judy Schwank
Senator Lindsey M. Williams

² See the attached legal analysis by the National Housing Law Project.

State Representative Sara Innamorato
State Representative Elizabeth Fiedler
State Representative Peter Schweyer
State Representative Mike Schlossberg
State Representative Mary Isaacson
State Representative Tom Caltagirone
State Representative Kyle Mullins
State Representative Jeanne McNeill
State Representative Maureen Madden
State Representative Austin Davis
State Representative Joseph Hohenstein
State Representative Eddie Day Pashinski

Allentown City Councilman Joshua Siegel
Lehigh County Commissioner at Large Dave Harrington

Reading City Council Member Donna Reed
Reading City Council Member Johanny Cepeda
Reading City Council Member Melissa Ventura

Community Based Organizations, Unions

Make the Road Pennsylvania
Pittsburgh United
Pennsylvania United
One Pennsylvania
CASA
Pennsylvania Budget and Policy Center
We The People Campaign
Jackie Smith, Pittsburgh Human Rights City Alliance
Dawn Plummer, Pittsburgh Food Policy Council
Sonya Tilghman, Hazelwood Initiative, Inc.
Bloomfield Development Corporation
Anne Wright, CMU CREATE Lab
UrbanKind Institute
Berks Stands Up
Planned Parenthood Pennsylvania Advocates
Center for Coalfield Justice
Pittsburgh LCLAA
Philadelphia Neighborhood Networks
SEIU Local 668
Hill District Consensus Group
Casa San Jose

CAIR-Philadelphia
Cumberland Valley Rising
Tuesdays with Toomey Harrisburg
District 10 Indivisibles
Japanese American Citizens League, Philadelphia Chapter
The Movement for Immigrant Leaders in Pennsylvania
POWER Lehigh Valley
Havertown-AreaCommunity Action Network (H-CAN)
Disciples Refugee & Immigration Ministries
La Puerta Abierta (The Open Door)
Pennsylvania Interfaith Impact Network, Pittsburgh
1Hood Media
Sierra Club Pennsylvania Chapter

Tenant Advocates

Regional Housing Legal Services
Coalition of Organized Residents of East Liberty, Inc.
The Pittsburgh Union of Regional Renters (PURR)
Landless People's Alliance
City of Bridges Community Land Trust
Community Legal Services of Philadelphia
Penn Plaza Support and Action Coalition