



New York State Association of REALTORS®, Inc.

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130 Washington Avenue | Albany, NY 12210-2220

P 518.463.0300 | F 518.462.5474

info@nysar.com | www.NYSAR.com

TESTIMONY OF THE NEW YORK STATE ASSOCIATION OF REALTORS® TO THE  
COMMITTEE ON HOUSING AND BUILDINGS AND THE COMMITTEE ON CONSUMER  
AFFAIRS AND BUSINESS LICENSING OF THE NEW YORK CITY COUNCIL ON INTRO NO.  
1912, AS PART OF THE COVID-19 PACKAGE

April 28, 2020

On behalf of the New York State Association of REALTORS®, which represents more than 59,000 licensed real estate professionals statewide, including 12,000 members residing in New York City, we write in opposition to Intro No. 1912. This bill prohibits the marshals and the City's sheriffs from the taking and restitution of property or the execution of money judgments until the later of the end of the state of emergency or September 30, 2020. For New Yorkers impacted by COVID-19, marshals and sheriffs would be barred from the taking and restitution of property or the execution of money judgments until April 2021.

We applaud Speaker Corey Johnson and the members of the City Council for drawing attention to the personal and financial struggles that so many New Yorkers are facing. The covid-19 pandemic has placed financial stress on all facets of our state. Thousands of New Yorkers have been furloughed or simply laid off. Countless businesses have closed, and many will never open again. We appreciate the Council's efforts to make apartment rentals and housing ownership accessible to all New Yorkers. We look forward to continuing to work with the Council on issues of common concern, including collaborating to assist NYSAR members get back to work in all the neighborhoods throughout New York City when the crisis subsides.

While we recognize these challenges, we must oppose this legislation for several reasons.

First, we believe this proposal is excessively extreme in that it attempts to prohibit evictions for essentially the next twelve months. As you know, Governor Cuomo's Executive Order prohibiting evictions remains in effect through June 20. New York State courts are also not accepting any new eviction or foreclosure cases. Why rush to make a decision as drastic as prohibiting evictions through April of 2021 while we are uncertain if the current Executive Order will be extended?

Second, this proposal may not be legally sound. The authority of sheriffs and marshals to effectuate evictions is provided to them via New York State law. Yet, this proposal attempts to inhibit the court-ordered direction of these public servants by amending a local law.

Last, we believe that current state laws regarding evictions provide tenants with appropriate protections against unjust or unwarranted evictions. The Housing Stability and Tenant Protections Act that was signed into law in June of 2019 includes the strongest eviction protections in the country. The impact of this law has led to an immediate and dramatic decrease in evictions in New York State. The Wall Street Journal recognized this in their story on November 26, 2019 finding that evictions for non-payment of rent was down by over 35,000 when compared to the same timeframe just a year earlier.<sup>i</sup>

It should also be noted that landlords are in no hurry to evict tenants. Landlords would rather work with tenants to find an alternative financial agreement when necessary versus the arduous and often, unfruitful path of resolution through housing court. Evictions are expensive and often not beneficial for either party, the landlord or the tenant. Nobody thinks going to housing court is a good thing, not landlords and not tenants.

In summary we believe extending an eviction prohibition in New York City to April 2021 is simply premature, legally unstable and unnecessary. For these reasons, the New York State Association of REALTORS® opposes Intro No. 1912 as currently drafted.

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<sup>i</sup> *New York Evictions are Plunging Under New Rent Control Law*, by Josh Barbanel, Wall Street Journal, November 26, 2019