



Coalition of Western  
NY Property Owners



March 30, 2021

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS Capitol Building  
Albany, NY 12224

Senator Roxanne J. Persaud  
Chair, Senate Committee on Social Services  
LOB 409  
Albany, NY 12247

Senate Majority Leader Andrea Stewart-Cousins  
Chair, Committee on Rules  
LOB 907  
Albany, NY 12224

Assemblymember Linda B. Rosenthal  
Chair, Assembly Committee on Social Services  
LOB 844  
Albany, NY 12248

State Assembly Speaker Carl Heastie  
Chair, Committee on Rules  
LOB 932  
Albany, NY 12248

Commissioner Michael P. Hein  
New York State Office of Temporary and  
Disability Assistance  
40 North Pearl Street  
Albany, NY 12243

Senator Brian Kavanagh  
Chair, Senate Committee on Housing,  
Construction and Community Development  
LOB 512  
Albany, NY 12247

Commissioner RuthAnne Visnauskas  
New York State Division of Homes and  
Community Renewal  
38-40 State Street  
Albany, NY 12207

Assemblymember Steven Cymbrowitz  
Chair, Assembly Committee on Housing  
LOB 943  
Albany, NY 12248

Dear Governor Cuomo, Majority Leader Stewart-Cousins, Speaker Heastie, Senator Kavanagh,  
Senator Persaud, Assemblymember Cymbrowitz, Assemblymember Rosenthal, Commissioner  
Hein, and Commissioner Visnauskas:

We write you to emphasize the importance of getting a state program set up to distribute the  
billions allocated to New York State and its municipalities for rental arrears and assistance.

Recent press articles may have caused confusion as to whether property owners support federal assistance in this area, so let us take a moment to make clear what property owners do support:

- Property owners will accept rental arrears payments for eligible tenants who owe rental arrears due to COVID hardship, and will not evict for non-payment those tenants for those months of non-payment once that obligation is met.
- We encourage clarifying that undocumented and mixed status households are eligible.
- We support self-attestation to need.
- We stand ready to assist in getting the word out, and working with our tenants to apply for the relief program.
- We also support a tenant option for those instances when an owner does not participate.

The undersigned organizations are proud of their members who have worked with tenants during this crisis. Our members are in the business of housing New Yorkers and have been focused during the pandemic on how to keep tenants, not lose them. During this time of crisis, property owners are doing all they can to meet their responsibility of providing quality and safe housing for their tenants. However, as is the case with most businesses in this crisis, it has become increasingly difficult financially to find ways to cover the costs for utilities and maintenance, COVID-19 related cleaning and safety precautions, and the other already burdensome financial obligations they have including property taxes.

It is important that the eventual program successfully and expediently move money out the door to tenants in need. This will ensure rental arrears are satisfied and the housing ecosystem maintained. Consistent with the Treasury guidance, it is important that the receipt of the rental arrears monies does not eliminate the obligation to pay rent on an ongoing basis, and protection for non payment evictions should not extend to a refusal to pay current and future rent past the coverage period of the assistance. Furthermore, the right to move forward with the commencement of a court proceeding for lease violations and nuisance conduct, especially that which puts other tenants in harm's way, would appropriately balance tenant and owner protections.

A program that attaches onerous conditions, eligibility criteria, ramifications and restrictions that are tied to participation in the program will only serve to reduce participation. They also are completely contrary to the best practices laid out by the National Low Income Housing Coalition and will make the worst case scenario laid out in the press for California happen here. The goal should be full participation by tenants in need and owner acceptance of the rental arrears to prevent evictions for nonpayment that was beyond the tenant's control – anything more over complicates and delays program implementation.

The pandemic has offered many lessons – we hope that one is the need for cooperation between property owners and tenants, the private sector and government, to keep New Yorkers safely housed. We look forward to participating in outreach efforts on this program and urge swift action to have that program up and running.

The Building and Realty Institute of Westchester  
Community Housing Improvement Program  
Under One Roof  
Coalition of Western NY Property Owners  
The Real Estate Board of New York  
Hudson Gateway Association of Realtors

Rent Stabilization Association  
The Small Property Owners of New York  
Long Island Builders Institute  
New York State Association of Realtors  
New York State Builders Association