

Respect State Housing Laws Act

In March 2020, Congress enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which included a temporary 120-day moratorium on evictions and late fees due to nonpayment of rent, applicable to federally-backed and federally-assisted housing. The CARES Act also instituted what should have been a temporary, federal notice procedure, requiring at least 30-days' notice prior to filing for eviction for nonpayment of rent in covered housing, while states' established notice procedure is 6 days on average.

Because of ambiguous language in the statute, the Biden Administration enforced the COVID-era eviction notice requirement for covered housing (e.g., Section 8 and Enterprise-backed housing) contrary to Congressional intent that the requirement be a temporary, emergency measure.

It remains a contested issue in already-backlogged courts today nearly five years after the temporary eviction moratorium expired on July 24, 2020. This confusion leads to more lost, potentially unrecoverable rent for housing providers, while impacted renters become increasingly unable to repay mounting rent debt. This situation is particularly damaging for "mom-and-pop" and affordable housing providers, and ultimately hurts residents' long-term housing opportunities.

For professional owners and operators of rental housing, their businesses do better when units are occupied and they can meet their obligations to their residents, employees, creditors and the communities that they serve. In cases of nonpayment, housing providers turn to eviction only after residents become unresponsive to their repeated attempts to communicate and resolve the underlying issue.

Ninety-three cents of every rent dollar [cover necessary operational expenses](#), such as maintenance, insurance and staffing, and go back to the local community through property taxes. Even a small increase in costs can upend an apartment community's financial health. In fact, a [2023 report](#) found that property insurance costs have risen a staggering 26 percent on average over the past year. When expenses exceed income, the economic impacts touch housing providers and residents alike.

The National Apartment Association (NAA) urges Congress to pass the Respect State Housing Laws Act ([H.R. 1078/S. 470](#)). This legislation strikes the temporary, federal notice language from the CARES Act and returning eviction policies back to the states, eliminating any ambiguity about the requirement's expiration.