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Biden Calls on Congress to Extend Eviction Moratorium as July 31 Expiration Looms

Coronavirus / **Published On July 29, 2021 04:07 PM /**

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President Joe Biden on Thursday called on Congress to extend the federal eviction moratorium which expires on Saturday, stating that a recent Supreme Court ruling on the matter made an extension action by the Centers for Disease Control and Prevention unlawful. Mr. Biden said his administration would have "strongly supported" an extension.

Covid relief funds are already available to help tenants who have fallen behind on their rent as a result of the pandemic. But state and local governments have struggled to distribute the roughly \$47 billion made available, a situation that leaves tenants at risk of being forced out their dwellings.

Approximately one month ago, Governor Albert said during his weekly Covid press briefing that the goal was to start issuing payments by the second week of July. On Thursday, Mr. Bryan reminded the Consortium that the local eviction moratorium is different from the national order. The governor said the local order prohibits landlords from evicting tenants for nonpayment. "The [federal] moratorium don't have no effect on our moratorium, which says that you could only be evicted for non-monetary reasons," Mr. Bryan said.

"So if you violate your lease in some other way" you can be evicted, "but once you have an application in you can't get evicted," he added, referring to the application for rental support through [the Emergency Rental Assistance Program](#).

According to a U.S. Treasury Department report released last week, only \$3 billion in aid approved by Congress in December and March had been delivered to landlords and tenants as of June 30.

According to a Census Bureau survey (via the Wall Street Journal), about 8.2 million adults were behind on their rent or mortgage as of July 5. Those individuals have low confidence they can pay on time next month.

The Biden administration said its options were limited because of litigation pursued by some landlords and real-estate companies, who sought to lift the national moratorium. The moratorium was thrown out in May by a federal judge, however the judge stayed the effect of the ruling while litigation continued, according to WSJ. In June, the Supreme Court took up the matter and rejected an emergency request to allow evictions to resume as the Biden administration had extended the moratorium to July.

Yet Justice Brett Kavanaugh, who voted with the 5-4 majority to keep the moratorium in place, said it was unlawful. In a one-paragraph concurrence of the ruling, he wrote, "In my view, clear and specific congressional authorization (via new legislation) would be necessary for the CDC to extend the moratorium past July 31."