

# WINTER EVICTION MORATORIUM:

## A CAMPAIGN TO KEEP NEW YORKERS IN THEIR HOMES AND OUT OF THE COLD

Our Winter Eviction Moratorium (S1403/A4093), sponsored by Assembly Member Anna Kelles and Senator Zellnor Myrie, will ensure that landlords cannot evict tenants from their homes and into the brutal cold during the winter. The Winter Moratorium will:

- ❄️ Automatically pause any eviction scheduled to take place between November 1st and April 15th.
- ❄️ Ensure that tenants' rights are maintained throughout the Winter Moratorium, including the right to a livable, safe, and sanitary home and the right to be free from harassment and discrimination.
- ❄️ Strengthen consequences for landlords who harass or illegally evict tenants during the Winter Moratorium.
- ❄️ Help tenants in non-payment cases who can clear their rent debt during the moratorium remain in their homes after the moratorium ends.
- ❄️ Require that landlords who sue for eviction notify tenants of the Winter Moratorium in their court papers.

### POLICY PRECEDENTS

Many European countries have versions of a Winter Eviction Moratorium:



**FRANCE**

France's "winter truce" covers evictions and gas/electricity shut offs.

### HOW IT WILL WORK

The Winter Eviction Moratorium is simple. If a judge issues a judgment of eviction against the tenant, their eviction can't be scheduled between Nov 1-April 15. It costs no money. Instead it **helps kids stay in school and saves lives.**

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## WHO WE ARE

**The Right to Counsel NYC Coalition** (RTCNYC) is a tenant-led coalition that formed in 2014 to change housing courts, prevent displacement, and stop the eviction crisis. RTCNYC is made up of tenants, organizers, advocates, legal services organizations and more!

The Winter Eviction Moratorium legislation is a part of RTCNYC's **Housing Courts Must Change! (HCMC) Campaign**, a campaign launched with statewide partners in 2020 to transform the courts from "eviction machines" to places that hold landlords accountable, uphold tenants' rights, and enable tenants to remain in their homes.



# WINTER EVICTION MORATORIUM: WHY ALL NEW YORKERS WILL BENEFIT

**Evictions cause long-lasting harm to New Yorkers, especially New Yorkers of color:** Evictions harm people's mental and physical health, leading to higher rates of emergency room use, mental health hospitalizations, suicide, children's hospitalization, and depression. They directly result in job loss and disruption to children's education. All these consequences disproportionately affect Black and brown New Yorkers, who face the highest rates of eviction.<sup>1</sup>

**Evictions cause homelessness, both directly and indirectly:** People who have been evicted are more likely to live in substandard housing and have more housing insecurity. In the long-term, they are less likely to secure safe and affordable housing. In NYC, 25% of shelter residents and 12% of unsheltered New Yorkers are homeless because a landlord evicted them.

**Eviction and homelessness in the winter can be a death sentence:** Unsheltered people are at higher risk of cold-related health problems. In NYC, unhoused people accounted for at least 25% of all cold-related hospitalizations between 2003 and 2015<sup>2</sup>. Temperatures below 32°F increase unhoused peoples' overall risk of death by 84%, a risk that rises to 321% below 9°F.<sup>3</sup> For example, every year Ithaca's lowest recorded temperature, is always in the negative, often below -10°F. New York State does have "Code Blue" emergency shelter policies that kick in at temperatures below 32°F, yet hypothermia can kill or injure people even when temperatures are above 40°F.<sup>4</sup>

**Extreme weather will only increase as climate change progresses.** Single cold weather incidents are deadly, such as the December 2022 storm that killed dozens of Buffalonians.<sup>5</sup>

## PROTECTING NEW YORKERS FROM INFECTIOUS DISEASE

Researchers have found that *allowing evictions increases the risk of infection for ALL members of society, not just people experiencing eviction.*<sup>6</sup>

A winter eviction moratorium would protect ALL New Yorkers against infectious and lethal disease like COVID-19!<sup>6</sup>

<sup>1</sup> Stout Risius Ross, Inc, [The Estimated Cost of an Eviction Right to Counsel Outside of New York City](#)

<sup>2</sup> NYC Department of Health, [Winter Weather Health Statistics](#).

<sup>3</sup> Romaszko et. al, [Mortality among the homeless: Causes and meteorological relationships](#).

<sup>4</sup> Centers for Disease Control and Prevention, [Prevent Hypothermia & Frostbite](#).

<sup>5</sup> The Guardian, [New York winter storm death toll at 34 with more snow on the way](#).

<sup>6</sup> Nande et. al, [The effect of eviction moratoria on the transmission of SARS-CoV-2](#).

