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GUEST ESSAY

‘The Moratorium Saved Us. It Really Did.’

Sept. 30, 2021

By Matthew Desmond
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Lakia Higbee thinks she got Covid-19 at the Amazon warehouse near Cleveland where she worked as a picker, filling orders for bleach and cat food and anything else customers wanted. She was sent home in November 2020. She was 43 and in decent health, but suddenly she felt she was breathing through a pillow.

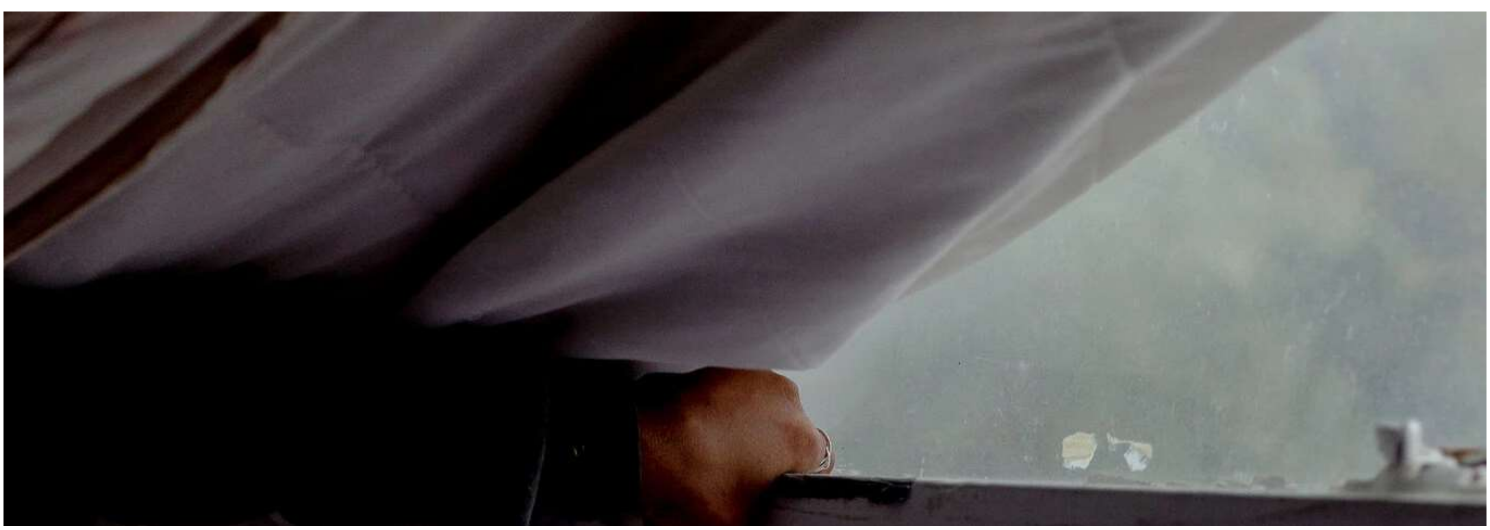
Ms. Higbee slowly recovered, but it was “a month of no money,” she told me. She hadn’t worked long enough at Amazon to qualify for paid time off, and her two adult daughters, who live with her, had lost their jobs too. Also in her home were Ms. Higbee’s 16-year-old son and her two granddaughters, 6 and 3, who call her Mom.

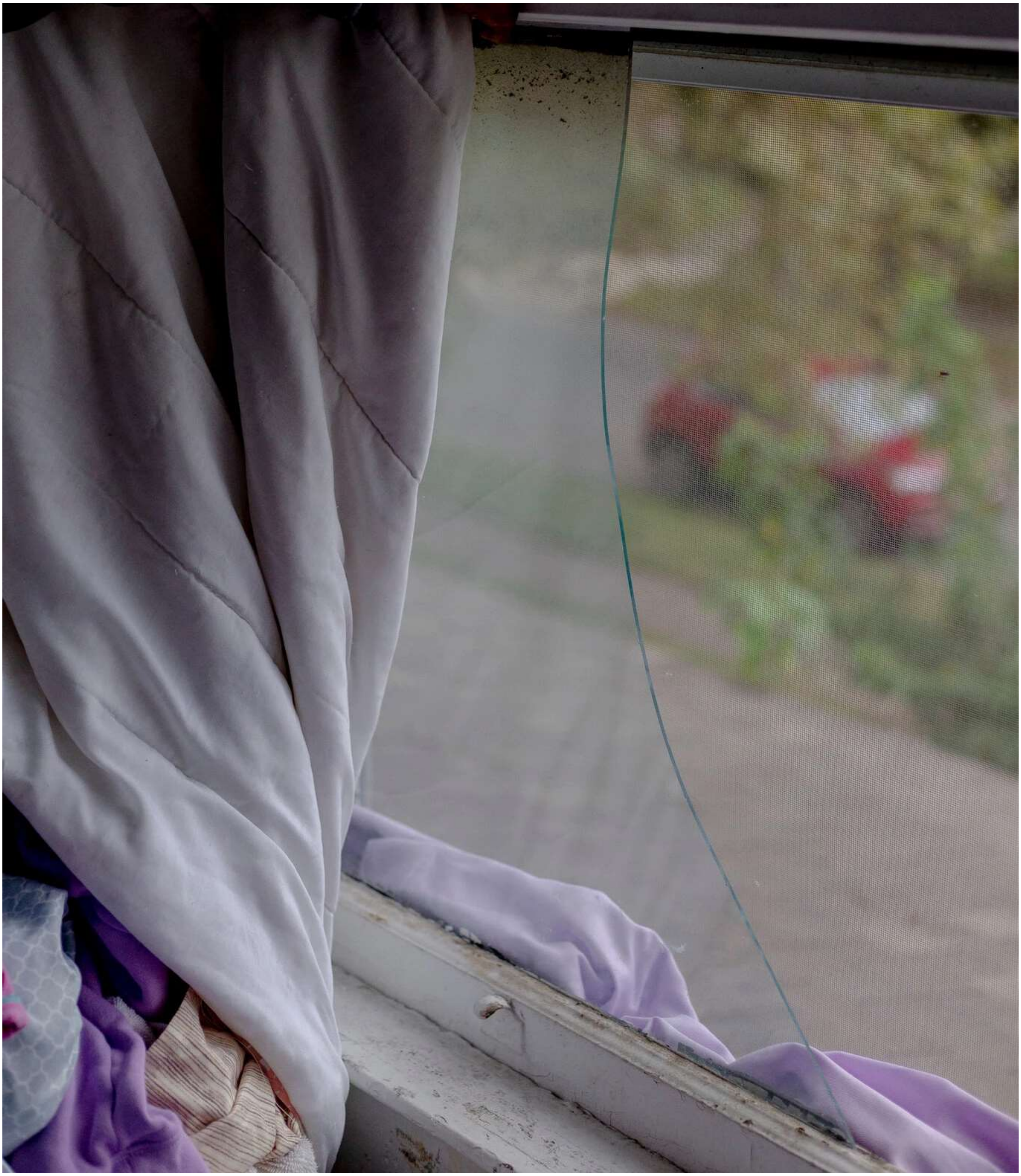
Ms. Higbee clocked back in at Amazon in December. Her rent was $950 a month, not bad, she thought, for a four-bedroom house, even if the windows were so thin and drafty that the monthly heating bill could reach $500. During the first months of winter, Ms. Higbee managed to stay current on her rent but often paid late, incurring a $47.50 fee.

Then February arrived, and Ms. Higbee’s life began to unravel. Out of the blue, she started having seizures. She’d convulse while on Zoom with her psychiatrist or while playing with her granddaughters. That month, after learning that a man who had assaulted her had been released from prison, Ms. Higbee began having panic attacks and drifted into a depression. She was her family’s breadwinner, but the seizures and anxiety kept her from returning to work.

When Ms. Higbee missed March’s rent payment, her property management company served her with an eviction notice — her first, she told me. She was terrified but had heard that the government wasn’t allowing evictions like hers to move forward during the pandemic. Ms. Higbee filled out the paperwork, claiming sanctuary.

Ms. Higbee with her son, Edward. Sylvia Jarrus for The New York Times





A window in Ms. Higbee’s house. Sylvia Jarrus for The New York Times

On Sept. 4, 2020, the Centers for Disease Control and Prevention issued a national eviction moratorium that lasted for 331 days. During this time, people who fell behind in rent because of financial hardship stemming from the pandemic, and who met conditions that included doing their best to make partial rent payments and obtain government assistance, were shielded from displacement. If the moratorium wasn’t in place, Ms. Higbee, her children and her grandchildren would have probably lost the home they have lived in for the past three years.

When the moratorium expired at the end of July, the C.D.C., under the direction of the Biden administration, imposed a new moratorium, buying most renters 24 more days before the Supreme Court overturned the C.D.C. order on Aug. 26.

What have we learned from this brave national policy and historic experiment? We can start by asking if it worked. Did the moratorium prevent evictions? Did it promote public health? The answer to both of those questions is a resounding yes. The eviction moratorium was among the most important public health interventions of the pandemic. It saved lives, and the Supreme Court's decision to vacate the moratorium will cost lives.

The Eviction Lab at Princeton, which I direct, estimates that the eviction moratorium helped prevent 1.55 million eviction filings, affecting more than 3.7 million people. This number is almost certainly an underestimate of the moratorium's true reach, since it's based on data covering most but not all of the country and since it reflects the difference between the average number of evictions initiated in previous years — years without a pandemic and the resulting economic fallout — to the number initiated after the moratorium went into effect. (It should also be noted that the C.D.C. order did not cover all evictions, and some judges flat-out ignored it anyway.)

A study by researchers at Duke found that eviction-prevention policies reduced the pandemic death rate by 11 percent. If the federal eviction moratorium had been enacted at the start of the pandemic instead of several months into it, it could have lowered the death toll by even more.

Another study, published in July in The American Journal of Epidemiology, found that states that ended their own eviction moratoriums in the months before the federal moratorium went into effect (like Pennsylvania and Texas) experienced significantly higher mortality rates than states that did not (like Minnesota and New York). Nationally, this resulted in an estimated 433,700 excess Covid-19 cases and 10,700 excess deaths.

Today, transmission rates are roughly what they were in early February, hospital I.C.U.s are at capacity, and about one in six renting families is behind in rent, yet many tenants are now exposed to eviction. Only six states and the District of Columbia have eviction moratoriums still in place, with protections in California and Illinois set to expire in October. Various states have passed limited renter protections, such as requiring landlords to apply for the federally financed Emergency Rental Assistance Program before filing for eviction.

With the exception of Virginia, no Southeastern state has retained full or partial eviction restrictions. Yet this is the region of the country where evictions are typically the highest and where the risk of infection, particularly for the unvaccinated, remains significant. In September, Covid-related deaths in Florida hit a record, but the state's eviction courts are now open for business.

From the start, many landlords opposed the moratorium. After the Supreme Court ruling, David Brogan, the director of the New Jersey Apartment Association, captured a widespread sentiment among property owners when he declared: "The expectation that landlords can continue to meet their financial obligations without rent revenue is completely unreasonable. Rent revenue is the lifeblood of the multifamily ecosystem, and government cannot expect private sector landlords to continue to provide housing for free."

Did the eviction moratorium push landlords, including small operators with thin margins, into foreclosure?

Here are the hard numbers. In the first half of this year, 65,082 properties were in foreclosure across the whole country, typically because their owners had defaulted on their mortgage. That was equivalent to the number of evictions initiated during that time in just four states: Indiana, Oklahoma, Kentucky and Missouri (65,021). There were not only far more people threatened with eviction (typically for nonpayment of rent), but foreclosures were down 78 percent from the same period two years ago.

Why? Because landlords and homeowners caught a break too. The federal government issued a foreclosure moratorium and allowed borrowers to pause payments on federally backed mortgages, with many private lenders following suit. Last May, 4.66 million property owners had enrolled in forbearance; that number was down to about 1.57 million as of last week.

Still, Fannie Mae, a leading mortgage financier, recently extended forbearance indefinitely to multifamily property owners and renters facing financial hardship owing to the pandemic. As some federal protections expire, it will be important to keep a close eye on foreclosure trends. For now, one thing is clear: The eviction moratorium did not make scores of landlords lose their properties. In fact, the opposite happened.

Ms. Higbee's house. Sylvia Jarrus for The New York Times

That doesn't mean that landlords haven't lost a lot of money. But Congress has a solution to that, which turns out to be a lot of money, more than $46.5 billion for the Emergency Rental Assistance Program. Distributing the funds has proved to be a novel challenge, but more than 420,000 households received assistance in August. An organization called CHN Housing Partners, with funds from the program, recently paid off Ms. Higbee's back rent and late fees.

Other property owners have rejected the aid, perhaps figuring that tenants who cannot pay now will probably not be able to pay later, or perhaps preferring the power to evict over the balm of cash. Houston Public Media recently reported on a couple whose landlord returned $7,000 in rent relief in order to push ahead on their eviction, which subsequently resulted in their being separated from their 18-month-old daughter after child welfare officials were called.

That's the dirty work of eviction. It separates families from homes, children from parents, workers from jobs, students from schools, neighbors from communities. It provokes sickness and suicide. A study published this year in JAMA Pediatrics that I co-authored found that women who faced eviction during their pregnancies had elevated rates of premature births and low-birth-weight babies, health problems that can have lifelong and even generational effects. Evictions represent a public health crisis now and will do so after the pandemic has passed.

If the main lessons we take from the eviction moratorium have to do with how to configure a better moratorium for the next national emergency, we will have failed. We should be dedicating ourselves to building a better housing system, one that ensures we don't face an eviction crisis come next pandemic — or next year. Under normal circumstances, seven evictions a minute are filed nationwide; that rate is roughly more than three times that in Spain, France, England and several other industrialized countries. That the pandemic immediately set off an eviction crisis in the United States revealed our rental sector to be deeply unsustainable.

But now, we finally have a chance to act boldly on housing. After years of congressional negligence, federal lawmakers are currently considering the Build Back Better Act, which would invest $327 billion in affordable housing over the next decade. That money would be used to expand rental assistance to millions of struggling families, upgrade public housing, finance the construction of rental homes, and more. This would be a long-overdue investment in housing the likes of which we haven't seen in generations.

As legislators debate what gets included in the final bill, cutting deals between moderates and progressives, I hope they remember that any comprehensive plan to alleviate poverty must include investments in affordable housing. When we lift incomes at the bottom — say, by expanding the Child Tax Credit, a laudable program in itself — without addressing the housing crisis, those gains are often recouped by landlords, not wholly by the families.

A study conducted by the Federal Reserve Bank of Philadelphia in 2019 found that when states raised minimum wages, that initially made it easier for families to pay rent. But landlords quickly responded to the wage bumps by increasing rents, which diluted the effect of the policy. This is already happening today, but we prefer to discuss it using the bloodless language of inflation.

When the eviction moratorium was in place, millions of Americans could worry about something else for a change. For Ms. Higbee, it was her health. She was able to assemble a care team focused on her seizures. She found a lawyer to help her apply for disability. With the moratorium covering her family, Ms. Higbee was able to go to the hospital for a neurological assessment. “The moratorium saved us,” she said. “It really did.”

I, for one, am grateful it did. But I want to live in a country where Ms. Higbee didn’t need saving in the first place. I want to live in a country that “is concerned more with the good condition of human beings than with a good condition of property,” as Aristotle put it in “Politics.”

We can collectively recognize the fundamental human need of housing by finally establishing it as a right in this country. We’d be late to the party — Canada, Spain, Belgium and several other nations have already recognized housing as a right — but we could make up for it by increasing housing options in creative ways.

Besides deepening our investment in existing housing programs that work, we could expand land trusts and housing cooperatives, promoting apartment buildings collectively owned and democratically run by tenants. We could erase exclusive zoning regulations that not only jack up housing costs but also entrench classist and racist segregation. The Federal Housing Administration could expand access to small-dollar mortgages, providing a way for first-time home buyers to purchase low-cost homes still available in many parts of the country, both urban and rural.

We are not short on ideas. We are short on investment. That’s where Congress comes in. In this precious, perhaps once-in-a-generation moment of social transformation, investing in affordable housing isn’t only necessary to prevent evictions and end homelessness. It is also essential because the success of all other opportunity-expanding initiatives depends on it.

Want to give children a better education? Start by making sure they have a decent home to return to after school, a safe place to study and sleep.

Want to expand economic opportunities? Find a way to help poor renting families — most of whom are spending at least half of their income on housing costs — afford community college courses or child care or transportation to better jobs.

Want to deepen civic culture and enrich our neighborhoods? Then stabilize them, ensuring that neighbors have a chance to put down roots and build something together. The road to more opportunity and less inequality runs through affordable housing.

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Correction: Sept. 30, 2021
An earlier version of this essay mischaracterized the consequences of an eviction proceeding in Houston. The parents facing eviction were separated from their 18-month-old child after child welfare officials were called; the child welfare officials did not take the child from them.

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