

Congress of the United States
Washington, DC 20515

March 18, 2020

Hon. Andrew M. Cuomo
Governor
State of New York
Capitol Building
Albany, NY 12224

Hon. Andrea Stewart-Cousins
Majority Leader
New York State Senate
LOB 907
Albany, NY 12248

Hon. Carl E. Heastie
Speaker
New York State Assembly
LOB 932
Albany, NY 2248

Dear Governor Cuomo, Majority Leader Stewart-Cousins, and Assembly Leader Heastie,

We respectfully ask the leaders of the New York State Senate and Assembly when they reconvene this week to introduce legislation that would set a ninety day moratorium during which time a landlord may not evict a commercial renter such as a local restaurant, bar, bodega, and other Minority and Women-Owned Business Enterprises (MWBs) unable to make a full and on-time rental payment due the construction of the state emergency declaration or executive order. This ninety-day moratorium would begin contemporaneously on the date of enactment of the state emergency declaration or executive order and permit a window retroactive coverage beginning on the same date.

The recent executive orders issued by New York City Mayor Bill de Blasio and New York Governor Andrew M. Cuomo instructing all restaurants or bars in the state of New York to cease serving patrons effective 8:00 p.m. on Monday, March 16 until further notice will limit revenue and cash-flow leading to further financial uncertainty.¹ As Governor Cuomo has said consistently, these are actions being taken are for the greater public health.² These actions intended to limit contact and community transfer of the novel coronavirus 2019 ("COVID-19") are for the health, well-being, and safety of all New Yorkers including entrepreneurs who employ hard-working New Yorkers and constitute their livelihoods.

With all the anxiety and disruption caused by this novel coronavirus 2019 ("COVID-19"), we hope that we can all work together to find a solution to keep these vital restaurants and commercial businesses whole. But the consequences are already being felt by local small businesses and operators are seeing their revenue decreased based in part of customer apprehension and will see these losses further compounded.³ These losses and impacts are not limited to restaurants, bars, bodegas but also the local enterprises whose loan burdens will grow commensurately. We must also recognize that many property owners themselves are debt-burdened and their tenants' inability to pay may cause further defaults and escalating economic damage. We cannot consider this moratorium on evictions for commercial renters in isolation and must also address the real

¹ https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.3.pdf; Executive Order No. 202.3. Signed March 16, 2020.

² <https://www.governor.ny.gov/news/audio-rush-transcript-governor-cuomo-guest-cnns-cuomo-prime-time-0>: "Governor Cuomo: ... It will ratchet up if the numbers don't come down. This is pure data and science. You watch those numbers, the numbers keep going up, you tighten the valve more to get less density, less density, less spread"

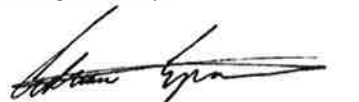
³ <https://www.governor.ny.gov/news/audio-rush-transcript-governor-cuomo-guest-cnns-cuomo-prime-time-0>: "Governor Cuomo: ... You just start to add up, because we've never done this, Chris. Add up all the costs. Add up all the businesses closed. All the people who are going to be unemployed... You'll have businesses close that never re-open, Chris. And you'll have billions of dollars, not just in loss, but billions of dollars spent in getting ready for everything that we have to do."

concerns of owners to avoid a cascading credit crisis, such as increasing access to small business loans and debt relief where appropriate.

Many will not be able to maintain their revenue streams due to the limitations on number of customers allowed to be physically present, reducing hours of business, and wholesale changes in service from in-person to take-out and delivery. Employers in these industries will likely turn to reducing the number of employees, limiting hours of work, or in many cases find themselves unable to pay in full their rental obligations. And even if wholesale changes are made, they may still go out of business because their cash-flow will not allow for full and on-time rental payments. We cannot allow that to happen. We must make sure that all industries are supported in this crisis.

We respectfully urge New York State legislature to consider this proposal for a ninety-day moratorium to allow for impacted industries to have a fighting chance to remain economically viable and allow New York to soon return to a semblance of normalcy and prosperity.

Respectfully,



Adriano Espaillat
Member of Congress
New York 13th District



Eliot L. Engel
Member of Congress
New York 16th District



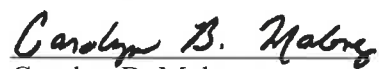
José E. Serrano
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New York 15th District



Jerrold Nadler
Member of Congress
New York 10th District



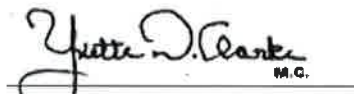
Hakeem Jeffries
Member of Congress
New York 8th District



Carolyn B. Maloney
Member of Congress
New York 12th District



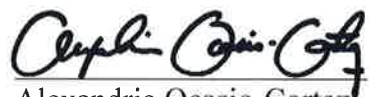
Nydia M. Velázquez
Member of Congress
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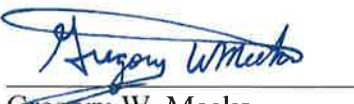
Yvette D. Clarke
Member of Congress
New York 9th District



Grace Meng
Member of Congress
New York 6th District



Alexandria Ocasio-Cortez
Member of Congress
New York 14th District



Gregory W. Meeks
Member of Congress
New York 5th District



Max Rose
Member of Congress
New York 11th District

CC:

The Honorable Bill de Blasio, Mayor, City of New York