

**House Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties
Hearing on “Potential Remedies for Unlawful Evictions in Federal Emergency Areas”
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**Testimony submitted by
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Good afternoon, Chairman Cohen, Ranking Member Johnson, and esteemed Members of this subcommittee. I would like to thank you for inviting me to be here today to discuss a pressing topic as we fight against the unlawful evictions of tenants taking place even during the middle of a national health emergency. This issue is especially concerning to me and the National Association for the Advancement of Colored People (NAACP) because of its disproportionate impact on communities of color.

My name is Hilary Shelton, and I am the Director of the NAACP Washington Bureau and the Senior Vice President for Policy and Advocacy. I have been with the NAACP Washington Bureau for over 20 years. Founded in 1909, the NAACP is our nation’s oldest, largest, and most widely recognized grassroots based civil right organization. We currently have over 2200 membership units in every state throughout our nation, as well as on American military installations in Asia and Europe. Our mission statement declares that our goal is “...to ensure the political, educational, social and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination.”

As you all know, the COVID-19 pandemic and the economic crisis that followed had a direct and negative impact on many Americans in several aspects of their lives, whether it be on their physical health, mental wellbeing, or financial situations. For those already in economic distress, those living paycheck to paycheck, struggling to afford rent and pay bills, the pandemic exacerbated an already dire situation. The severe lack of affordable housing in this country and the high rate of evictions among people of color long preceded the COVID-19 pandemic, but this crisis has brought this issue to the forefront of the national conscience and shined a light on the pain many individuals and families are experiencing right now and have experienced for decades. Now, I don't want to get into a debate over "who's pain hurts more", however, during all of this a common theme that we see in this country has been made evident once again: whenever America goes through a storm, African Americans and communities of color are hit the hardest.

As the country locked down and economic activity slowed, millions lost their jobs and their only means to pay for the basics like housing and food. So, as we saw hospitals fill up with sick Americans, we also saw and still see today thousands of individuals forced out of their homes because they can no longer pay rent.

In light of the massive wave of evictions and the potential for millions more due to the course of the pandemic and the slow economic recovery, the federal government stepped up and implemented a moratorium on evictions to provide much-needed temporary relief for families in distress.

Though this moratorium was a necessary step to cushion the crushing blow on American families, this can only be looked at as a “band-aid” solution at best. Despite its good, this wall of protection is slowly crumbling, as a federal district court in Memphis, Tennessee recently ruled in favor of landlords and allowed evictions to proceed. These “self-help” evictions, where landlords take it upon themselves and circumvent eviction moratoriums to remove tenants from their dwellings, are displacing already vulnerable families and once again disproportionately hurting people of color throughout this country. Even as this country begins to get back to its feet and we see the economy start to roar again, millions of families are still in dire financial circumstances and need the time and support to recover from the hardships of the past year. As long as these moratoriums are in place, tenants should remain temporarily protected from the fear of becoming homeless and thrown into the spiral of poverty. This is why Congress must fight to ensure that eviction moratoriums put in place due to the

public health emergency are not being ignored by landlords who are eager to get back to “business as usual.”

In all of this, I believe it is vital that this issue is not looked at solely as one concerning housing, but as one of racial equity and fighting to ensure that it exists in all facets of our society.

That is why I am here to strongly support and advocate wholeheartedly for H.R. 1451, the Emergency Eviction Enforcement Act of 2021. This bill will go a long way towards providing tenants the protection and level-playing field that they deserve when they are in dispute with their landlords. Landlords would no longer be able to ignore eviction moratoriums or try to create hostile environments to push tenants off of their property. To understand the potential impact of this bill, you only need to look at the crisis taking place in Congressman Cohen’s very own district in Memphis, Tennessee. Though a federal order will protect Americans from eviction until July, at least in word, the reality on the ground right now is much different since a federal court essentially invalidated this moratorium on evictions. As local and national restrictions on evictions begin to ease, thousands will be forced from their homes and into distress, especially Black renters, whom we know are more likely to face eviction compared to their white counterparts.

If we as a nation want to address racial disparities in a serious manner, this is the fight to get behind. We must ensure that renters and tenants of color have the support they need to get back on their feet. Momentum is shifting towards landlords as the economy recovers, vaccines become widespread, and eviction moratoriums get nullified, but this does not change the reality that millions of Americans are still in dire financial situations and hanging on the edge.

H.R. 1451 will work to prevent so-called “self-help” evictions from taking place as they will ensure that federal orders are followed and eviction proceedings do not take place without a judge’s consent. Tenants will be treated with the dignity that they deserve as their landlords cannot harass, intimidate, or threaten them into leaving and they become entitled to injunctive relief and damages in the case that they are wrongfully treated by their landlords. Until this pandemic is fully behind us and the economy has stabilized, Americans need the support of their government to stay on their feet. As long as there is a public health emergency and eviction moratoriums are in place, landlords are obligated to treat their tenants with respect and not try to circumvent the law.

The Emergency Eviction Enforcement Act of 2021 will ensure tenants are supported during this devastating pandemic or any other national emergency, and that is why the NAACP supports this bill. We owe it to the families who

have suffered tremendously over the past year. We want to again thank Chairman Cohen and the many others that have endorsed and support this crucial legislation. I also hope you will all consider the good that can come out of a bill like this and the many lives you will help by stepping up to the challenge.

Thank you again for inviting me here today to speak to you about evictions in this country and their connection to the fight for racial equity. I stand ready to answer any and all of your questions.