

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Calling on the Allegheny County Sheriff's Office, the Fifth Judicial District of Pennsylvania, and landlords, property management companies, and utility companies leasing property or providing utility service within Allegheny County to explore residential rental rate freezes, residential rental payment abatements, temporary moratoriums on evictions, residential foreclosures, tax liens on residential properties, and an extended moratorium on utility shut-offs in response to the COVID-19 health emergency.

WHEREAS, it is axiomatic that economic security is fundamental to public health, and that we as a society are only as healthy as those most vulnerable, least economically secure, and least covered by our social services; and

WHEREAS, it is accordingly clear that we must do all we can to keep people secure enough to take care of themselves, practice social distancing, have a location in which to shelter and store supplies, and endure a quarantine or treatment if required; and

WHEREAS, the World Health Organization ("WHO") has declared the COVID-19 outbreak a global pandemic, defined as the worldwide spread of a new virus for which most people do not have immunity; and

WHEREAS, as of April 2, 2020, the Centers for Disease Control ("CDC") report that 213,144 Americans have confirmed cases of COVID-19, and that 4,513 Americans have died from the effects of the disease, with cases in all 50 states, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands; and

WHEREAS, as of April 2, 2020, the CDC reports 5,805 confirmed cases of COVID-19 in the Commonwealth of Pennsylvania, with community spread of the disease also confirmed; and

WHEREAS, as of April 2, the Allegheny County health Department ("ACHD") reports 419 confirmed cases within Allegheny County, with 70 patients requiring hospitalization and two confirmed deaths as a result of the disease; and

WHEREAS, significant delays in testing have placed testing rates throughout the United States far behind other countries, suggesting that many potential cases have gone untested and, thus potentially uncontained; and

WHEREAS, because COVID-19 does not necessarily cause infected individuals to show symptoms immediately upon exposure, and because the symptoms are not necessarily more severe than allergies, the common cold, or influenza, individuals may be infected for days or weeks before being tested; and

WHEREAS, while it is difficult to determine numbers of individuals who test positive for COVID-19 but who remain asymptomatic throughout the virus' presence in their systems with precision, various recent studies have placed this rate at between 15% and 35% as reported by Forbes magazine on March 18, with some more recent results from studies performed in Iceland suggesting that the rate of asymptomatic COVID-19 cases may be as high as 50%, as reported by the International Business Times on April 2; and

WHEREAS, it is therefore clear that it is impossible to determine who may be carrying COVID-19 merely by observing them, and that substantial numbers of individuals may be contagious without even knowing it, thus increasing the importance of maintaining the ability of the County's residents to remain in their homes in order to slow the spread of the disease; and

WHEREAS, On March 6, 2020, Governor Wolf issued an emergency disaster declaration specifically noting a "threat of imminent disaster and emergency" with the potential to "cause significant adverse impacts" throughout the Commonwealth; and

WHEREAS, on April 1, 2020, Governor Wolf extended his "stay at home" orders to include all counties within the Commonwealth, noting that "[t]his virus is spreading rapidly. It's in every corner of our state."; and

WHEREAS, it is glaringly obvious that it is impossible for anyone to comply with Governor Wolfe's "stay at home" order if they have no home; and

WHEREAS, in preparation for a likely health emergency, the County of Allegheny began implementing precautionary measures, such as issuing countywide health guidelines and canceling large-scale public gatherings; and

WHEREAS, the Allegheny County Chief Executive declared a health emergency in Allegheny County on March 12, 2020, noting that the COVID-19 virus constitutes and "imminent threat to public health, safety and welfare of the citizens of Allegheny County"; and

WHEREAS, Council is firmly in agreement with the Chief Executive that COVID-19 presents severe challenges for the public health and economic wellbeing of communities, and also shares health experts' fears that the consequences of COVID-19 are likely to be most dire for vulnerable populations, such as the elderly, individuals with chronic conditions, and low-income populations who lack access to proper resources and care; and

WHEREAS, it is the judgment of Council that global pandemic presents not only a public health crisis, but also an economic one; while some workers are afforded the option of working from home and can continue to both care for themselves and participate in the workforce, many others—including workers in the gig economy, hourly and part-time employees, and service sector workers—may not have this privilege, and in the event of illness, or even possible quarantine, they are especially susceptible to further economic instability; and

WHEREAS, unemployment has become a tragically common consequence of the COVID-19 outbreak and the impacts that it has had on businesses, with nearly 1 million Pennsylvanians having filed for unemployment compensation benefits between March 15 and April 2, according to data from the Pennsylvania Office of Unemployment Compensation; and

WHEREAS, unemployment is becoming a disturbingly common condition throughout the nation, as 3.3 million new unemployment claims were filed in the United States in the week beginning March 23 alone, which is nearly five times the previous seasonally adjusted record high for a one week period since records for total filings were first kept in 1967, according to NBC News; and

WHEREAS, also according to NBC News, some economists fear that nearly 20 million Americans may ultimately become unemployed as a result of the impact of COVID-19, which would result in a national unemployment rate of approximately 13% by the end of May, which is significantly higher than the peak rate of 10% experienced during the 2009 Great Recession; and

WHEREAS, housing stability is absolutely crucial in a public health emergency in which containment and treatment rely on individuals staying indoors and not being forced to seek shelter or experience homelessness; and

WHEREAS, significant reductions in working hours, wages, or travel restrictions pose a hardship to County residents who already struggle to make rent or mortgage payments; and

WHEREAS, evictions and foreclosures often disproportionately impact African American neighborhoods and middle neighborhoods that have yet to recover from the Great Recession of 2009; and

WHEREAS, it is the judgment of Council that subjecting residents to increasing rental rates even as their financial futures are gravely endangered by the impacts of the COVID-19 outbreak is inherently inequitable and shortsighted, as pricing individuals out of their residences and forcing them to move during the outbreak runs directly contrary to the Governor's "stay at home" order, and would ultimately force more individuals into unnecessary social interactions even as social distancing is recommended as one of the most effective methods for protecting the public health and well-being; and

WHEREAS, it is further the judgment of Council that partial or full residential rental payment abatements should be implemented to the extent practicable by property owners in order to protect individuals residing in rented properties within the County from the specter of mass evictions at the conclusion of the emergency, should multiple months of full rental payments accrue during the course of the epidemic and before new employment even becomes available; and

WHEREAS, potential utility shut-offs also pose a significant risk to the health and safety of Allegheny County families, leading to housing instability and even the potential intervention of child protective services; and

WHEREAS, in the event of quarantine, residents must be guaranteed access to utilities that make their homes habitable, including access to heat, light and water as well as telephone and internet services that provide essential connectivity and may be necessary for individuals to work from home and maintain their employment; and

WHEREAS, a moratorium on utility shut-offs has already been established by the Pennsylvania Public Utilities Commission (“PUC”), to run concurrently with the Governor’s state of emergency declaration; and

WHEREAS, while the Council endorses and commends this action by the PUC, given the predicted extent of unemployment and bearing in mind that the deleterious effects of the epidemic are not predicted to reach their peak until at least mid-April, it is the judgment of Council that it is essential that the PUC and/or all utility companies extend the moratorium on utility shut offs through at least the month of June in order to allow for effective financial planning by utility customers, and to avoid placing families at risk, regardless of their income; and

WHEREAS, it is further the judgment of Council that, as strong partners in growing the County’s local economy, telephone and internet providers similarly have the responsibility to provide for connectivity to access key public health information in the midst of a global health pandemic; and

WHEREAS, as communities deal with the spread of COVID-19, it is incumbent for local governments to lead an efficient and bold response that protects the safety of all residents as well as the public health;

The Council of the County of Allegheny therefore hereby moves as follows:

Council hereby calls on the Allegheny County Sheriff’s Office, the Fifth Judicial District of Pennsylvania, and landlords, property management companies, and utility companies leasing property or providing utility service within Allegheny County to explore residential rental rate freezes, residential rental payment abatements, temporary moratoriums on evictions, residential foreclosures, and tax liens on residential properties, and an extended moratorium on utility shut-offs in response to the COVID-19 health emergency.

The Council of the County of Allegheny further moves:

Council hereby calls upon the Allegheny County Sheriff's Office, the Fifth Judicial District of Pennsylvania, and landlords, property management companies, and utility companies leasing property or providing utility service within Allegheny County to explore keeping the moratoriums on evictions, residential mortgage and tax foreclosures, tax liens on residential properties, and utility shut-offs in place until at least June 30, 2020.

The Council respectfully requests:

That the Fifth Judicial District of Pennsylvania explore creating a mandatory eviction and foreclosure diversion program, to be put in place upon expiration of the moratoriums described herein, in order to ensure that parties explore all avenues to resolve delinquencies prior to utilizing judicial resources.

The Council further moves:

Council hereby calls upon all Allegheny County residential landlords to take every measure to stay safe in their homes and to ensure that their tenants can stay safely in their homes, including by signing up for mortgage deferral or forbearance with their lender(s) if their tenant(s) cannot pay rent at this time, and by offering debt forgiveness and/or affordable repayment plans to ensure that any such tenants can remain in their homes both during the declared emergency period and after the emergency declaration expires.

PRIMARY SPONSOR: COUNCIL MEMBER HALLAM

CO-SPONSORS:

Read and approved in Council, this _____ day of _____, 2020,

Council Agenda No. _____

**Patrick Catena
President of Council**

Attest: _____
**Jared E. Barker, Chief Clerk
Allegheny County Council**