



Lina Hidalgo, Judge  
Harris County



Sylvester Turner, Mayor  
City of Houston

June 3, 2020

Judge David Patronella  
Harris County Justice of the Peace for Precinct 1, Place 2  
1302 Preston  
Houston, TX 77002

Dear Judge Patronella,

Since March, our community has suffered great economic damage resulting from the impact of the COVID-19 pandemic. Thousands of our residents, through no fault of their own, have lost their jobs and the primary source of income they require for basic necessities like food, medicine, and housing. They are hurting, and many of them are struggling to pay their rent. That is why we remain deeply concerned over plans to continue evictions proceedings in Harris County.

Today, our community finds itself in the midst of the worst pandemic in a century. With no vaccine or treatment, we remain on the precipice of a dangerous outbreak. We have worked hard to urge residents to stay at home and social distance as much as possible. But without a home to go to, families cannot social distance and we place many more at risk to their health. We remain very concerned that pursuing eviction proceedings will contribute to a wave of homelessness that would be catastrophic to the health and safety of the families involved and of the community at large.

According to a memorandum (attached) from the Harris County Attorney's Office, while the Texas Supreme Court's 15th Emergency Order of May 14th, 2020 permitted the resumption of residential eviction proceedings on May 19th, 2020, **the order does not require the resumption of eviction proceedings. In fact, the Supreme Court's Emergency Orders authorize each judge to "modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order" until a date no later than September 30th.**

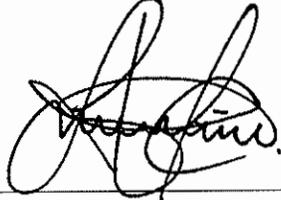
Moreover, The CARES Act, which became law on March 27th, contains a 120-day moratorium on evictions for renters from certain properties that expires on July 25th. The moratorium covers properties with federally backed mortgages - Low Income Housing Tax Credit properties, single-family and multifamily properties backed by federal loans (i.e., Fannie Mae/Freddie Mac); and most federally-subsidized rental housing properties (e.g., public housing, Section 8 vouchers, project-based Section 8 and others).

Under the eviction moratorium, landlords of covered properties may not provide a notice to vacate and are barred from filing an eviction for nonpayment of rent or other charges. Landlords of covered properties are also prohibited from charging tenants any fees, penalties, or other charges related to nonpayment of rent during the 120-day period. After the moratorium ends on July 25th, 2020, landlords must provide tenants with a 30-day notice to vacate the property before proceeding with an eviction action. That means that, in practice, tenants living in housing protected from evictions by the CARES Act cannot be evicted until August 24th.

As Harris County Judge and Mayor of the City of Houston, we urge you to use your discretion to extend to your cases the same allowances for tenants that are under the CARES Act. Within your discretion, **we call on you to formally commit to postponing evictions hearings filed after March 27th until August 24th, in line with the CARES Act timeline.** Doing so is not only the right thing to do given the current crisis, but will contribute to our effort to protect public health and eliminate confusion surrounding the Federal eviction moratorium.

Please do not hesitate to contact us if you have any questions.

Respectfully,



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Lina Hidalgo, County Judge  
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