

June 9, 2020

Governor Michelle Lujan Grisham
490 Old Santa Fe Trail #400
Santa Fe, NM 87501

Dear Governor Lujan Grisham,

Thank you for your leadership during these difficult times and the proactive measures you have taken to save lives and keep New Mexicans safe. As you know, the economic ramifications of the COVID-19 pandemic are threatening the financial well-being of our communities. Over 100,000 New Mexicans have filed for unemployment insurance in recent months and many more are struggling to pay their bills. The virus will continue to create economic hardship on New Mexicans for months and years to come. Immediate action is necessary to help New Mexicans with housing costs to mitigate this financial devastation and prevent a dramatic rise in homelessness.

The undersigned organizations and individuals therefore urge you to support housing relief measures, including a fund to assist families with housing costs, a legislative moratorium on evictions, and expanded protections for low-income homeowners in the special session. This should be a part of a comprehensive and long-term approach to ensure New Mexico's families stay safely housed throughout the public health emergency and beyond.

Current legal protections only delay evictions and foreclosures, and without further relief, New Mexicans will lose their homes. On March 24, 2020, the New Mexico Supreme Court issued an order directing all lower courts to stay writs of restitution for eviction hearings. And on March 27, the federal Coronavirus Aid Recovery and Economic Securities (CARES) Act placed a moratorium on foreclosure and evictions on all properties with federally backed mortgages or which participate in a federal housing subsidy program. These temporary legal fixes only stave off immediate foreclosures and evictions for inability to pay rent. But evictions continue to be entered by the Courts, and New Mexico's families will face immediate loss of their homes when the moratoria and stay are lifted. This problem will be compounded when workers lose access to unemployment benefits or experience a sharp drop in benefits over the next several months.

New Mexico was already struggling with a crippling housing crisis before the COVID-19 pandemic, and our communities cannot afford for this problem to get any worse. New Mexico has the highest rate of low-income homeowners per capita than any other state in the country. Many of these homeowners are not only low-income, they are families with school age children and many are also elderly. With regard to renters, the most recent data from the Mortgage Finance Authority shows that 50% of New Mexico's renters are housing cost burdened, meaning

they spend upwards of 30% of their income on housing costs.¹ And New Mexico had the nation's largest percentage increase in homelessness from 2018 to 2019 – 27% - and a 57.6% increase in chronic homelessness last year, also the highest in the nation.² Despite this local rent control ordinances are illegal under New Mexico law.

Small landlords and renters depend on each other, and both need emergency assistance to stay afloat during this time. Property rentals comprise a large, but often overlooked segment of small businesses. Landlords and property owners will be put in an increasingly difficult position due to the loss of rental payments. Dwindling rent collections are more likely to affect smaller landlords, who tend to have limited financial reserves, the inability to absorb a missed month, and less capacity to borrow. These landlords play an important role in New Mexico's housing market, especially for lower-income tenants as many of the homes and apartments owned by smaller landlords carry below-market rents even for those who do not receive a subsidy.

For homeowners facing imminent foreclosure, it is imperative that they are given the opportunity to work with a court mediator and a HUD certified housing counselor to resolve delinquencies and close foreclosure cases pending on court dockets. The Foreclosure Settlement Program (FSP) that currently exists in the First, Second and Thirteenth Judicial Districts has proven effective at helping homeowners keep their homes after becoming delinquent on their mortgages but this program is only currently available to a fraction of our state's homeowners.

Without bold housing relief measures, tens of thousands of New Mexico's families will be faced with swift evictions and impending homelessness. Your actions during the special session can help reduce the compounding effect of this crisis. We urge you to place the following measures on the Governor's call for the 2020 special session:

- Invest in a statewide rental assistance program that will provide monetary assistance to our state's hardest hit tenants and landlords;
- Enact a statewide eviction moratorium which halts evictions throughout the duration of the public health emergency and phases out as our state begins to recover;
- Repeal antiquated legislation that illegally prohibits cities and municipalities from enacting rent control ordinances that keep families housed and financially stable.
- Expand the Foreclosure Settlement Program that currently exists in the First, Second and Thirteenth Judicial Districts statewide to all thirteen judicial district courts.

¹ New Mexico Mortgage Finance Authority, *DRAFT 2020-2024 New Mexico Consolidated Plan & 2020 Annual Action Plan*, p. 24, available at:

http://www.housingnm.org/assets/content/Consolidated_Plan_Draft_09-27-19.pdf

² Rick Nathanson, *NM's Rise in Homelessness Highest in the Nation*, Albuquerque Journal, 2020, available at: <https://www.abqjournal.com/1408348/nms-rise-in-homelessness-tops-nation-hud-reports-27-increase-in-one-year.html>

We trust that your administration will act quickly to protect New Mexico's families – keeping them housed and supporting their financial wellbeing. With your continued leadership, we believe New Mexico will come out of this pandemic stronger than ever.

If you have any questions, or wish to further discuss these matters, please contact Maria Griego at the New Mexico Center on Law and Poverty at 505-920-8768, or Tomas Rivera at Chainbreaker Collective at 505-310-0609.

Sincerely,

**New Mexico Center on Law and Poverty
(NMCLP)**

NMCLP is dedicated to advancing economic and social justice through education, advocacy and litigation. NMCLP works with low-income New Mexicans to improve living conditions, increase opportunities and protect the rights of people living in poverty.

Chainbreaker Collective

Chainbreaker works to support economically and environmentally sustainable communities for low-income people in Northern New Mexico.

ABC Community School Partnership

Community Schools focus on the integration of academics, health and social services, and youth, family and community engagement, and development, as a strategy to improve student learning and facilitate stronger families and healthier communities.

ABQ FaithWorks Collaborative

ABQ FaithWorks Collaborative is an alliance of congregations seeking wholeness for our community as we learn, serve, and advocate with those living on the margins.

Adelante

Adelante works to improve our community - especially the lives of people with disabilities and seniors.

**Albuquerque Health Care for the Homeless
(AHCH)**

AHCH provides caring and comprehensive health and integrated supportive services, linking people

experiencing homelessness to individual and collective solutions.

Bueno Para Todos (BPT)

BPT creates rural economic development through sustainable agriculture in the Pecos River Valley.

Casa Cerrillos Supportive Housing

Casa Cerrillos provides income-based affordable housing, case management, substance-abuse counseling, life-skills training, referrals, and supplies to the local community.

Casa Q

Casa Q provides safe living through housing, services and advocacy to build resiliency, self-determination and self-efficacy for every young persons in need.

Catholic Charities (Archdiocese of Santa Fe)

Catholic Charities provides services to promote self-sufficiency, strengthen families, fight poverty and build community.

Crossroads for Women

The mission of Crossroads for Women is to provide comprehensive, integrated services to empower women emerging from incarceration to achieve safe, healthy, and fulfilling lives in the community, for themselves and their children.

Disability Rights New Mexico (DRNM)

DRNM is a private, non-profit organization whose mission is to protect, promote and expand the rights of persons with disabilities.

El Refugio, Inc.

El Refugio empowers all persons affected by domestic and sexual violence by providing advocacy, education and services in a safe and supportive environment.

El Valle Women's Collaborative (EVWC)

EVWC promotes women and their families through education, community events & collaborative services in a safe and loving environment.

Enlace Comunitario

Enlace Comunitario transforms lives of individuals and their families experiencing domestic violence by working to decrease gender inequity and intimate partner violence in the Latino immigrant community in Central New Mexico.

First Congregational United Church of Christ

A church that reaches out to invite and include persons of every age, tongue, race, gender identity, sexual orientation, and religious background.

First Unitarian Church of Albuquerque

A church that promotes the spiritual, intellectual, and personal growth of each member.

HopeWorks

HopeWorks is the largest nonprofit organization in New Mexico working to end homelessness among individuals and families.

The Life Link

The Life Link is committed to improving individual and community health through breaking cycles of chronic homelessness, mental illness, trauma, exploitation, and addiction.

Mental Health Association of New Mexico (MHANM)

MHANM provides mental health and crisis intervention services and assists with social security, general assistance and food stamp entitlements.

Mesilla Valley Community of Hope

The mission of Mesilla Valley Community of Hope is to promote dignity and empowerment among the homeless population by providing shelter services, case management, income support and permanent housing programs in Las Cruces and Dona Ana County, New Mexico.

mim.fm

The mission of mim.fm is to use music as the common denominator in both social and personal healing efforts, by working with local humanitarian organizations to draw attention to pressing social issues and raise revenue to help solve them.

New Mexico Crisis and Access Line (NMCAL)

NMCAL is a statewide mental health crisis line for anyone who resides in the State of New Mexico and is concerned with suicidal thoughts, substance use, grief, and other behavioral health issues.

New Mexico Inter-Faith Housing

The development, production and management of high-quality affordable housing in stable communities. Providing supportive services at no cost to residents for educational purposes and economic self-sufficiency. Participating in government housing programs designed to provide affordable housing.

Prosperity Works

Prosperity Works advocates across public and private sectors to change attitudes, behaviors and policies that reinforce systemic poverty.

The Samaritan House Inc.

The Samaritan House collaborates with public, non-profit and interfaith agencies to provide a continuum of care to those in crisis due to homelessness and poverty while seeking social transformation by identifying and addressing the causes of poverty at the local level.

Santa Fe Community Housing Trust

The Santa Fe Community Housing Trust is a non-profit community development organization that assists residents of northern New Mexico to gain access to affordable housing.

Santa Fe Housing Action Coalition (SFHAC)

SFHAC is a broad-based community coalition dedicated to expanding the accessibility and affordability of quality housing options in Santa Fe through systemic change that benefits all residents.

Senior Citizens' Law Office, Inc. (SCLO)

SCLO provides critically needed advocacy and legal representation to residents sixty years of age and older in order to uphold their rights, maximize their autonomy and ensure that they receive the benefits to which they are entitled.

St. Elizabeth Shelters & Supportive Housing

St. Elizabeth Shelter and Supportive Housing is dedicated to assisting homeless individuals and families by providing emergency shelter, food, case management, and counseling, as well as supportive housing and referrals to partnering human service agencies.

Street Safe New Mexico

Street Safe New Mexico is an all-volunteer nonprofit that follows a harm-reduction philosophy by striving to reduce the harmful consequences associated with life on the street.

Supportive Housing Coalition of New Mexico (SHCNM)

SHCNM seeks to end homelessness by providing affordable, permanent, and supportive housing to individuals and families in New Mexico.

United South Broadway Corporation (USBC)

USBC is a non-profit community development corporation founded in 1986 to revitalize historic neighborhoods in Albuquerque. USBC seeks to increase the availability of safe, decent and affordable housing for low- and moderate income home buyers.

Valencia Shelter Services (VSS) Child Advocacy Center

VSS provides confidential services and, most importantly, hope to individuals and families affected by domestic violence, sexual assault, and child abuse.

UNM School of Law**Karen J. Meyers**

Private Attorney