

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

FOR IMMEDIATE RELEASE
December 17, 2012

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Report: Millions of Renters at Risk of Eviction and Homelessness *Congress Must Take Action to Protect Families in Poverty*

WASHINGTON, D.C. – Today, the National Law Center on Homelessness & Poverty released a report showing that, for many low-income renters, the Protecting Tenants at Foreclosure Act is all that stands between housing and homelessness. But if Congress fails to act, that law will expire at the end of 2014.

Homelessness has risen dramatically since the beginning of the foreclosure crisis—including a 16 percent increase among families in major cities. But while public attention has been focused on homeowners, research shows that 40 percent of families facing evictions due to foreclosures are renters. In some populous cities, renters make up the majority of households.

Eviction (Without) Notice reveals that many states lack adequate protections for renters of foreclosed properties. If not for the federal Protecting Tenants at Foreclosure Act (PTFA), lenders would have the right to kick families in good standing out of their homes without notice in the majority of states.

Passed in 2009 following advocacy by the Law Center, PTFA guarantees renters the right to remain in their home through the end of their lease or, if they have no lease, for a minimum of 90 days with notice before eviction. This critical law, set to expire after 2014 if Congress does not act, has prevented eviction and homelessness for millions of people.

“This report shows how important PTFA’s protections are, and the need to make them permanent,” said Maria Foscarinis, executive director of the Law Center. “But it also shows that, because many people are not aware of the law and oversight is limited, PTFA rights are often violated—leaving families across the country out on the street.”

According to a nationwide survey of tenants’ rights advocates in *Eviction (Without) Notice*, violations are numerous and take many forms. The most common violations reported by respondents are:

- Lack of communication from the new owner (85.9%);
- Illegal, misleading, or inaccurate written notices (68.1%);
- Harassment from real estate agents, law firms, or bank representatives (61.1%); and

- Failure to maintain the property (64.3%).

The Law Center also conducted a survey of renters. The most common violations they reported include:

- New owners' bad faith assertions that respondents' tenancies are not bona fide;
- Failure of new owners to determine the occupancy status of residents in foreclosed properties; and
- Failure of new owners to provide information on where to pay rent and/or request property maintenance.

"PTFA has been a tremendous force for good, but our work is not done until every renter enjoys its protections—now and in the future," said Tristia Bauman, housing attorney at the Law Center and primary author of the report. "*Eviction (Without) Notice* offers common sense recommendations to ensure families in all 50 states get to stay in their homes."

The report's recommendations include:

- Congress should pass legislation to make PTFA permanent federal law.
- Congress should amend PTFA to include a "private right of action" that lets renters sue owners for misconduct under the law; and
- State legislatures should enact increased protections for renters living in foreclosed properties.

"The number of Americans renting continues to increase—5.1 million since 2000—making PTFA more and more important every day," said Foscarinis. "No one should have to face loss of housing and homelessness—especially people who have played by the rules."

To read the report, [click here](#).

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The National Law Center on Homelessness and Poverty is a leader in the movement to prevent and end homelessness. To achieve its goal, the Law Center uses three main strategies: policy advocacy, public education, and impact litigation.