



December 14, 2020

The Honorable Andy Beshear, Governor  
700 Capital Ave., Ste. 100  
Frankfort, KY 40601  
*Via email*

Dear Governor Beshear:

The Homeless and Housing Coalition of Kentucky is a statewide coalition of partners and advocates working to end homelessness and create opportunities for low-income Kentuckians to live in affordable homes. Since 1987, HHCK has advocated at the federal and state levels of government for the housing needs and opportunities for low-income Kentuckians and our member organizations. As a direct service provider of permanent supportive housing for chronically homeless families and individuals, we are in a unique role to support state government in making good housing policy, as we see its effects on a daily basis. We act as convener for the Kentucky Interagency Council on Homelessness, as authorized by [KRS 194A.735](#), to serve as the single statewide homeless planning and policy development resource for the Commonwealth of Kentucky.

As we have communicated with your office directly and through other partners since [April 2](#), we remain extremely concerned about the ability of Kentuckians to remain healthy at home throughout the COVID-19 pandemic. There are steps you have the authority and obligation to take to minimize homelessness and community spread of the novel coronavirus.

### **Statewide Eviction Moratorium**

We have been grateful for your initial executive order in March establishing a statewide eviction moratorium, as well as the executive order in August conforming to the Centers for Disease Control's (CDC) eviction moratorium and establishing the Healthy at Home Eviction Relief Fund. But the CDC order was not comprehensive and in fact later, through an FAQ document disseminated widely, articulated loopholes to evict people for pretextual reasons other than nonpayment of rent. And it expires on December 31.

Let us be clear: the coronavirus will still spread if you are doubled up with another household because you were evicted for "other lease violations" or nonpayment of rent due to COVID-19 economic hardship. Similarly, court records of eviction filings do not specify whether the household evicted is a single man or a mother with school aged children. They all get set out regardless. And that has continued to happen daily, all across Kentucky, since August.

**In the absence of leadership from the federal government, Kentuckians need you to take action by issuing a new executive order prohibiting all steps of the eviction process (from notice to court filing to writ of possession) for any reason, including expiration of lease or other lease violations. Any exception to this order must put the burden on the filing party that the reason for the filing is due to criminal violations beyond a reasonable doubt.**

306 W. Main Street, Suite 207  
Frankfort, KY 40601  
502.223.1834  
[www.hhck.org](http://www.hhck.org)

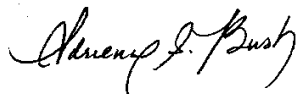


In a study published in the Journal of Urban Health<sup>1</sup> just last month, Emily Benfer et al argue that eviction increases the risk of COVID-19 acquisition and transition, moratoria can effectively limit eviction, and the lifting of such orders translated to a total of 433,700 excess cases and 10,700 excess deaths between March 1 and September 3 of this year. According to the most recent data from the Census Household Pulse Study, 15% or 115,208 Kentucky households are behind on rent, and 32% of renters think it is somewhat to very likely they will have to leave their home within the next 2 months due to eviction.<sup>2</sup>

By any objective measure, conditions of community spread are worse now than in the spring, or even in August, when you last issued an executive order concerning evictions. On December 10, Kentucky reported the highest number of daily coronavirus case to date.<sup>3</sup> When the CDC order expires in two weeks, the virus will still be spreading across Kentucky. Already several states have acknowledged the weakness and temporary nature of the CDC's order, including California, Colorado, Illinois, Kansas, New Jersey, and Vermont.<sup>4</sup>

**Please extend and expand the current moratorium today.**

Sincerely,



Adrienne S. Bush, MPA  
Executive Director

In addition to our organizational members across the Commonwealth, the undersigned organizations and coalitions co-sign this letter:

*American Civil Liberties Union of Kentucky*  
*Coalition for the Homeless, Louisville/Louisville Continuum of Care*  
*Kentucky Coalition Against Domestic Violence*  
*Kentucky Council of Churches*  
*Kentucky Equal Justice Center*  
*Kentucky Mental Health Coalition*  
*KyPolicy*  
*Kentucky Voices for Health*  
*Mental Health America - Kentucky*  
*ThriveKY Coalition*  
*United 874K Disabilities Coalition*

Cc: Rocky Adkins, Senior Policy Adviser  
Winston Miller, Kentucky Housing Corporation  
Morgan Eaves, Administrative Assistant  
Eric Friedlander, Cabinet for Health and Family Services  
Jonathan Smith, Deputy Chief of Staff

---

<sup>1</sup> Benfer, Emily and Vlahov, David and Long, Marissa and Walker-Wells, Evan and Pottenger, J.L. and Gonsalves, Gregg and Keene, Danya, Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy (November 1, 2020). Journal of Urban Health (2020), Available at SSRN: <https://ssrn.com/abstract=3736457> or <http://dx.doi.org/10.2139/ssrn.3736457>

<sup>2</sup> <https://www.census.gov/data/tables/2020/demo/hhp/hhp18.html>

<sup>3</sup> <https://www.courier-journal.com/story/news/2020/12/10/gov-beshear-reports-its-highest-number-coronavirus-cases-day-kentucky/3882821001/>

<sup>4</sup> <https://www.nolo.com/legal-encyclopedia/emergency-bans-on-evictions-and-other-tenant-protections-related-to-coronavirus.html>