RESOLUTION NO. 20-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA RELATING TO NORTH CAROLINA HOUSE BILL 1200, FORECLOSURE GRANTS/RENTAL AND UTILITY ASSISTANCE

WHEREAS, on March 12, 2020, the County of Buncombe declared a state of emergency in response to the global spread of COVID-19; and

WHEREAS, on March 12, 2020, the City of Asheville declared a State of Emergency based on the public health emergency posed by Covid-19; and

WHEREAS, there has been significant unemployment as a result of the pandemic which has resulted in an 11.5% unemployment rate in City of Asheville in June of 2020, which equates to 5,911 unemployed persons; and

WHEREAS, there has been significant unemployment as a result of the pandemic which has resulted in an 9.8% unemployment rate in County of Buncombe in June of 2020, which equates to 13,340 unemployed persons; and

WHEREAS, without the $600 federal unemployment enhancement that expired July 31, 2020, the average unemployment benefit in North Carolina is $277 per week; and

WHEREAS, there are likely to be more eviction filings due to the expiration of the $600 federal unemployment enhancement and expiration of the CARES Act moratorium on evictions; and

WHEREAS, HUD finds the Fair Market Rent for a two bedroom apartment in Buncombe County is $1255, which a Buncombe County resident receiving $227 per week or $1108 a month cannot afford; and

WHEREAS, federal legislation was intended to help individuals and housing situations with various support, but there are serious issues with evictions from rental residences and North Carolina no longer has a moratorium on such actions; and

WHEREAS, HUD provided the City of Asheville with $615,934 in response to COVID-19 of which approximately $400,000 will be allocated for rental assistance and homelessness prevention which will help at least 100 households but not many more; and

WHEREAS, Governor Roy Cooper signed Executive Order No. 142 on May 30, 2020, to extend the prohibition of utility shut-offs and implement a moratorium on evictions to help aid North Carolinians that need relief to help make ends meet during the pandemic and which expired July 31, 2020; and

WHEREAS, Pisgah Legal Services estimates residents with existing eviction filings owe $250,000 in back rents; and

WHEREAS, there are limited defenses for non-payment of rent in North Carolina and residents that can not pay their rent will likely be evicted; and

WHEREAS, none of the dollars allocated for rental assistance have become available, yet all protective programs have expired; and

WHEREAS, The highest known predictor of homelessness is previous homelessness; and

WHEREAS, North Carolina House Bill 1200 was originally written to allocate $100M for rental assistance in North Carolina and $100M for mortgage assistance in North Carolina; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The City Council of Asheville urges legislators to restore North Carolina House Bill 1200 to its original intent of providing $100 million for rental assistance in North Carolina and $100 million in mortgage assistance in North Carolina and to pass this bill upon reconvening on September 2.
2. The City Council of Asheville urges Governor Cooper to reenact a statewide moratorium on eviction actions on residential rental property and a moratorium on the assessment of late fees on rental payments, as well as reporting such situations to a credit bureau or debt collection agency.
3. The City Council of Asheville urges landlords of residential property within the City currently pursuing an eviction action to voluntarily dismiss such action until the unemployment levels fall back to pre COVID-19 figures.
4. The City Council of Asheville urges landlords of residential property within the City to not pursue an eviction action nor charge or assess any late payment fees against the tenant until the unemployment levels fall back to pre COVID-19 figures.

Read, approved and adopted this 25th day of August, 2020.

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CITY CLERK MAYOR

Approved as to form:

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CITY ATTORNEY