

# *U.S. landlords sue Biden administration over new ban on evictions of renters*

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New York, August 5 (RHC)-- U.S. President Joe Biden is facing legal action from a coalition of housing industry groups for a decision to impose a new, more limited moratorium on evictions of renters during the coronavirus pandemic.

At Biden's request, the U.S. Centers for Disease Control and Prevention (CDC) issued a revised national ban on evictions on Tuesday.

The new ban covers parts of the country that are experiencing what the CDC calls "substantial" and "high" spread of the coronavirus — currently about 80 percent of counties. "Without this Order, evictions in these [higher transmission] areas would likely exacerbate the increase in cases," said the CDC.

About 11 groups, representing property owners, sued to block the ban on Wednesday, saying that their members are facing substantial financial losses from the moratorium. They said in a legal filing that they opposed the new ban and that "the administration itself noted it lacks the legal authority for a more targeted eviction moratorium."

"A majority of the Supreme Court made clear that the eviction moratorium exceeds the CDC's statutory authority and could not be extended beyond July 31, thus vindicating this court's first merits ruling," they said.

They referred to a Supreme Court ruling in June, which had allowed the CDC's previous ban on evictions to remain in place temporarily. The court signaled in its opinion that it doubted the CDC's legal standing without specific authority from Congress. "The CDC appears to have acted in bad faith," the groups said.

Los Angeles Mayor Eric Garcetti has signed a sweeping new rule making it illegal for homeless people to be in almost all places across the city, according to a report. One of the groups, National Association of Realtors President Charlie Oppler, said, "About half of all housing providers are mom-and-pop operators."

"Without rental income, they cannot pay their own bills or maintain their properties," it added.

The original ban that was first implemented in September, last year, expired Saturday night. An estimated 6.5 million households presently are facing eviction for unpaid rent in the United States.

A Republican candidate running for the US Senate described the new ban as "unconstitutional" and "unfair." "The Biden administration just stuck its finger in the eye of the United States Supreme Court and our Constitution with its illegal eviction ban," said Pennsylvania Republican Sean Parnell.

White House officials had also acknowledged on Monday they did not have the legal authority to reissue the ban. White House press secretary Jen Psaki, however, defended the decision at a media briefing on Wednesday. "The president would not have moved forward with a step that he did not feel comfortable in the legal justification," Psaki said.

"This is a narrow, targeted moratorium that is different from the national moratorium," she added. A lower court in May had ruled in favor of a coalition of landlords, who argued that "Congress never gave the CDC the staggering amount of power it now claims."

The Biden administration had previously admitted it didn't have the legal authority to issue such a measure.

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