



Dear Friends,

First of all, I hope this email finds you and your family safe and well following Tropical Depression Ida, which slammed Long Island, New York City and the Hudson Valley, leading to widespread flooding, property damage and power outages. As a result, [Governor Hochul declared a State of Emergency](#) in 14 downstate counties, including Westchester. At her request, President Biden likewise declared a federal state of emergency for these counties, which will allow critical federal resources to flow to the region. I am working with the municipalities in my Assembly District to assist them in the process of receiving disaster response funds.

Unfortunately, with climate change upon us, these kinds of storms have become more frequent and ferocious. And more dangerous. My heart goes out to the families and friends of those we lost during the storm.

**Although most residents of the district have had their power restored, if you are continuing to experience outages or other storm-related issues, please do not hesitate to reach out to my office at (914) 244-4450 or [burdickc@nyassembly.gov](mailto:burdickc@nyassembly.gov). We will do all that we can to assist you.**

Before moving on to the other subjects of this newsletter, I also would like to say how disturbed I was by the recent decision of the Supreme Court, declining to block Texas' law banning abortion after 6 weeks. This law – which also allows no exceptions for rape or incest – clearly violates tenets of *Roe v. Wade*. Moreover, the law gives *any* private citizen (with or without a connection to the patient), the right to sue for money damages any clinic or person who "aids or abets" an abortion after a fetal heartbeat is detected. This law is absolutely outrageous, as was the refusal to block it.

Whether this means the Supreme Court will overturn *Roe* in the near future is an open question – the ruling was based on procedural grounds rather than the merits of the law – although they certainly seem poised to do so. Regardless, this ruling demonstrates clearly that it is more essential than ever that New York protects a woman's right to choose. I strongly support the legislative and NYS budgetary agenda of Planned Parenthood to protect these rights, particularly its goals of assisting women with limited financial means and/or in marginalized communities with scant access, and providing sex education in schools.

I also would like to say how proud I am to live in a state that understands the importance of this issue and safeguards the rights of women to make decisions concerning their own bodies.

## **Eviction Moratorium Extension, Additional Landlord Protections & Improvements to ERAP**

Last Wednesday I was up in Albany for a special session, called by Governor Hochul. The session focused on three main topics: extension of the eviction moratorium, improvements to the Emergency Rental Assistance Program (ERAP), and changes to the Open Meetings Law (*discussed in the next section*).

Following the Supreme Court's ruling, which struck down the Biden Administration's national eviction moratorium, the legislature passed – and Governor Hochul signed – **a new state-level moratorium on residential and small business evictions**, as well as a suspension of mortgage and tax foreclosures. The moratorium runs through January 15, 2022.

**Recognizing the struggles that landlords face**, unable to evict tenants who are not paying rent for reasons other than COVID-related financial hardship, **the legislation also establishes a mechanism for landlords to be heard in court to challenge a tenant's hardship declaration** (this change also addresses the recent Supreme Court ruling that a "self-attestation" hardship declaration – without offering a means for the property owner to be heard – violates constitutionally protected due process). Also to better protect landlords, legislation passed clarifies that tenants can still be evicted for criminal or nuisance complaints and for the destruction of property.

By extending this moratorium, we are giving our new governor time to ramp up pandemic relief programs like the ERAP, which until now has not distributed funds as quickly as expected (as I discussed recently in my newsletter, [there have been many problems](#) with the state's administration of the program). **I sincerely believe that Governor Hochul is committed to getting the program on track, and getting funds to the tenants and landlords who so desperately need them.** She has announced that New York will be investing \$1 million towards ERAP outreach, and to add staff to process claims and help landlords and tenants in completing their applications. It is essential that more New Yorkers know that funding is available to help them and that they get the assistance they need in applying for those funds.

Regarding ERAP, New York has received and allocated an additional \$300 million for the program, building on the \$2.3 billion in combined federal and state rental aid that was included in the state budget. These additional funds will help even more families.

Meanwhile, not wanting to leave small landlords behind, the legislator also added \$150 million, for a total of \$250 million, to a program helping small, struggling landlords with tenants who have simply refused to pay rent, or who were not eligible for the federal funding because they earn over 80% of the Area Median Income (AMI) or may no longer live in the rental unit but still owe back rent.

**As we continue navigating the pandemic while trying to live life in this new normal, there are still thousands of New Yorkers facing unprecedented financial hardship from the months of strict safety precautions and business closures.** The Delta variant has thrown an additional curveball. Our families, businesses and the economy need time to heal, and hopefully the extension of the moratorium, additional protections for landlords, and improvements to the ERAP and other pandemic relief programs, will allow us to do just that.

*If you are a tenant or landlord who could benefit from ERAP, the application is available [by clicking here](#). Applicants are automatically protected from eviction while their application is pending -- no matter when an eviction proceeding was brought against them -- and if they qualify, will receive up to*

a year's worth of rental assistance. My office continues to help tenants and small landlords alike, one-on-one to help them through this ordeal. Please reach out to my office for assistance if needed.

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## Temporary Changes to the Open Meetings Law

With the Delta variant leading to a rise in COVID cases all across the state, **the legislature passed – and Governor Hochul signed – legislation that would allow local governments to conduct their meetings virtually through January 15, 2022.** This option had previously been available while New York was under a State of Emergency; however, when that ended on June 25th, so too did the option for local governments to hold meetings virtually (although many continued to provide a virtual component for those who could not attend).

Under this law, local governments (including county governments) at their discretion may choose to conduct meetings virtually over a video service (such as Zoom) or by phone. The requirements that the public be given notice, and informed how to access the meetings, remain intact.

I would like to note that while this change also allows state agencies to conduct meetings virtually, as of now the state legislature (Assembly and Senate) must continue to conduct its business in-person.

I also would like to stress that this change is *temporary*. If the legislature were to make any changes like this permanent, it would be essential that the public have an opportunity to weigh in. I anticipate we will be holding hearings in the fall on this very issue, so if you have any thoughts, please reach out.

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## Reminder: Federal Unemployment Benefits Expire TODAY



A reminder for those receiving unemployment that **a number of federal unemployment benefit programs are scheduled to expire today (September 5).**

- **Pandemic Unemployment Assistance (PUA)** (*for those who are self-employed, seeking part-time employment, or who otherwise would not qualify for regular unemployment compensation*)
- **Pandemic Emergency Unemployment Compensation (PEUC)** (*which provides up to an additional 53 weeks of benefits for those who qualify*)
- **Extended Benefits (EB)** (*which provides up to an additional 20 weeks [later reduced to 13 weeks] of unemployment for those who qualify*)
- **\$300 Federal Pandemic Unemployment Compensation (FPUC)** (*an additional \$300 on top of the benefit provided by New York Unemployment Insurance*)
- **\$100 Mixed Earner Unemployment Compensation (MEUC)** (*an additional benefit for those who qualify for Unemployment Insurance, but who also earn \$5,000+ per year from self-employment*)

Eligible claimants can still file for Unemployment Insurance (UI) benefits. To be considered eligible for UI after September 5, a claimant must be unemployed **and** in their first 26 weeks of benefits. Please note after today eligible claimants will no longer receive the additional \$300 FPUC. Instead, they will receive only the benefit available to them under the state's UI Program (maximum benefit is \$504).

To learn more about the changes to the program, [please click here](#).

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## [Celebrating Labor](#)

**Tomorrow is Labor Day, observed in recognition of the brave people that launched the labor movement in the United States.** They fought hard not only to protect the common interest of organized labor unions, but for all workers. They fought for better wages, reasonable working hours, and safer working conditions. The labor movement led to child labor laws, health care benefits, and aid to workers who were injured or retired. The labor movement also supported the establishment of Social Security and Medicare.



Without the ardent advocates in the Labor movement who were willing to lay everything on the line for an eight-hour workday, future workers would not have had the foundation on which to fight for a minimum wage, for shorter work weeks, and to limit child labor. There would be no means by which to organize into unions and fight for safer working conditions.

The labor movement played a key role in building the middle class in this country and improving lives for millions of Americans, past, present and future. **So as we enjoy the last barbecues of the waning summer, let's remember those who founded the labor movement, and give thanks to those who keep it going today.**

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## Happy New Year!

Finally, to all those who celebrate Rosh Hashanah, L'Shana Tova! It is so important, even in these continued difficult times, to remember the importance of being together (which many of us finally can be!) and celebrating. May this New Year bring you peace, hope and joy.



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As always, if there are any issues that you would like to see covered in a future newsletter, please don't hesitate to reach out to me at [burdickc@nyassembly.gov](mailto:burdickc@nyassembly.gov) (or simply reply to this email). **Please also follow me on [Facebook](#) and [Twitter](#) for the most up-to-date information.**

Miss any of our previous newsletters? You can [find them here](#).

Sincerely yours,

*Chris Burdick*

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