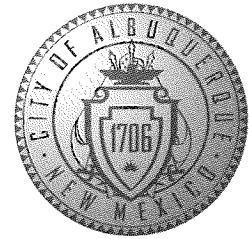


CITY OF ALBUQUERQUE



March 18, 2020

Chief Justice Judith Nakamura
New Mexico Supreme Court
P.O. Box 848
Santa Fe, NM 87504-0848

Dear Honorable Chief Justice Nakamura:

The City of Albuquerque requests that the Supreme Court issue an immediate, temporary moratorium on *all* eviction trials related to evictions for non-payment during the Public Health Emergency declared by the State of New Mexico. We also encourage you to include a provision that extends this period of relief to give tenants adequate time to make up rent after the abatement of the public health emergency.

We join the New Mexico Commission on Access to Justice, the New Mexico Legal Aid Society and the voices of many community organizations providing services to at-risk families living in Albuquerque in seeking action from the Supreme Court at this critical time. The Courts have the authority and jurisdiction to take immediate action to stem the adverse impact should families face evictions at this time. This impact not only includes loss of housing, an increase in homelessness, but also an exponential growth in public health consequences and increased strain on already overwhelmed social services.

The growing numbers of people experiencing homelessness and people who are precariously housed, across New Mexico and especially in Albuquerque, has been well documented. Notably, the U.S. Department of Housing and Urban Development reported that New Mexico had the nation's largest percentage increase – an increase of 27% - in homelessness from 2018 to 2019.

As the Court is aware, this national emergency will have a particularly significant impact on low-and moderate-income families who already live paycheck-to-paycheck. These families typically have hourly wage jobs and are likely to be adversely impacted by the pandemic through a lack of sick leave, layoffs, the close of businesses and the loss of jobs. While the City will do everything it can to provide eviction rental assistance to impacted households, our current funds are limited and we do not anticipate having the ability to provide sufficient funds to all of those likely to be impacted.

The City also recognizes that this will have a cascading impact on landlords, many of whom will also face financial difficulties if rent is not paid. We are also asking federal authorities to address the impact of these issues on landlords as well.

PO Box 1293

Albuquerque

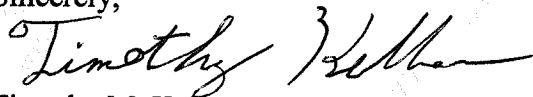
NM 87103

www.cabq.gov

We note that placing a moratorium on evictions is not a novel strategy at this time. States, courts, cities and counties throughout the country – including New York City, Miami-Dade (Florida), Kentucky courts, Delaware courts, North Carolina, Maryland, Denver, Austin (Texas)- have announced moratoriums on tenant evictions during the pandemic. These jurisdictions have recognized that requiring appearances by tenants will contribute to public health risk. These jurisdictions also stress that the risk of homelessness, financial instability, and family crises will only increase if families face evictions while also grappling with the impact of COVID-19.

The City thanks the Court for considering this action and asks that the Court keep all municipalities informed regarding what actions it will take and how we can support these efforts. If you wish to discuss this or any other issues related to the current public health emergency, please do not hesitate to contact me, Chief Administrative Officer Sarita Nair, or the head of our Consumer Financial Protection Division, Karen Meyers, at kmeyers@cabq.gov or 505-768-4595.

Sincerely,



Timothy M. Keller, Mayor

cc: Governor Michelle Lujan Grisham, State of New Mexico
Secretary Kathyleen Kunkel, New Mexico Department of Health
Chief Judge Stan Whitaker, Second Judicial District Court
Presiding Judge Beatrice Brickhouse, Second Judicial District Court, Civil Div.
Chief Judge Sandra Engel, Metropolitan Court
Presiding Judge Frank Sedillo, Metropolitan Court, Civil Division