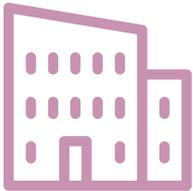


# GUIDELINES: ARE WE IN THIS TOGETHER? RENT CANCELLATION AND COVID-19

Dr. Raphael Magarik and Tamar Zaken



A Jewish legal and ethical perspective offers the following guidelines for responding to those unable to pay rent during the COVID-19 pandemic:

- **Renters are an unprotected, exploited population:** Seeing renters as half-slave/half free is an important prism through which to think about our question of what to do about rent during this crisis. We have the responsibility to empathize and understand the precarious situation renters are in and fight to change this unjust situation. We support the passage of laws that decrease or cancel rent for renters during and after this crisis. We don't want renters to come out the other end of the pandemic with large amounts of debt. We want communities to see renters and hear their voices.
- **Landlords are not necessarily entitled to their full monthly rents.** Rent reduction is a *right* renters have. A major portion of the residential (and commercial) rents currently due according to American law *do not morally belong to the landlords, they belong to the renters*. The *halakhic* principle of "One who comes to claim payment from someone else bears the burden of proof," in the case of rentals, favors renters, not landlords. **According to Jewish sources, rent cancellation is a matter of rights.**
- **Laws can and should protect renters:** Jewish law places constraints on the landlord's right to evict. All tenants deserve the security of knowing that they cannot be pushed out at the end of any thirty-day interval. While the legislation signed into law in California by Gavin Newsom addresses the issue of current eviction for people that cannot pay their rent, we believe that protections need to be added so that renters and small landlords don't accrue large amounts of debt on the other end of this crisis.
- **How can I take action?** We want macro change for this housing crisis. We want lawmakers, communities and local, state and federal governments to recognize that housing as a basic human right and to make housing affordable for all. If you live in a community that has enacted moratoriums on evictions, continue to support organizations that advocate for affordable housing and tenant rights. If you live in a community where this is not the case and you know of people who are struggling to pay their rent, consider giving tzedakah in this situation by supporting individuals you know or organizations like the COVID-19 Eviction Defense Project.
- **We must have a larger, longer-term collective conversation about housing,** one that recognizes that, while a home is a sacred, longed-for place, our society and economy have not done a good job ensuring *everyone* good, stable, affordable housing. The acute crisis of the pandemic has revealed the fundamental crisis of our housing system—a crisis measurable in statistics and felt in the pain of individual renters.