A hole too deep: Understanding COVID-19 eviction moratorium impacts on landlords in the Buffalo-Cheektowaga metropolitan area

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Abstract

This study analyzed the impact of the COVID-19 eviction moratorium on private landlords in the Buffalo-Cheektowaga metropolitan area. The study utilized an explanatory-sequential mixed-methods approach. The goal of this research is to better understand the potential impacts on private landlords of the eviction moratorium and how this understanding can inform future moratorium policy. Results showed that there was in impact on private landlords in the Buffalo-Cheektowaga metropolitan area, and this impact was generally negative. This research used results to explore potential implications and make policy suggestions.

Introduction

This paper analyzed the impact of the COVID-19 eviction moratoria on private landlords in the Buffalo-Cheektowaga metropolitan area. The study utilized an exploratory sequential mixed methods approach in order to capture both quantitative and qualitative data in order to explore the potential impacts of NYS' COVID-19 eviction moratoria policy. The goal of this research is to better understand the potential impacts on private landlords of the eviction moratorium and how this understanding can inform future moratorium policy. This is a novel event with significant implications at both the state and national level. Current analysis predicts something approaching a public housing emergency, with as many as 30-40 million renters at risk of eviction nationwide, and the potential for an eviction crisis to be exacerbated by the instituted moratoriums (Benfar, et al., 2020; USHR, 2020). This is all the more troubling for a state like New York, with an estimated two-year $50-billion-dollar deficit, one of the deepest funding deficits of any state in the Union (Lisa, 2020; Vielkind, 2020).

However, these estimates fail to provide a better understanding of the more localized effects of the moratoria on private landlords and the impact this will have on eviction rates in the Buffalo-Cheektowaga metropolitan area. Part of the reason appears to be due to a lack of focus on landlord effects and the relationship this will have to landlord behavior, with an overwhelming amount of policy attention focused on tenants and eviction impacts (Arbetter, 2020; Pereira, 2020). This study seeks to explore landlord effects in order to better understand broader implications for affordable housing and eviction in the Buffalo-Cheektowaga metropolitan area. Evidence suggests that regulations impacting private landlords can directly or indirectly undermine access to affordable housing (Greif, 2018).

This research is exploratory in nature, allowing for a degree of freedom in analyzing a subject when little preexisting knowledge exists. In line with this exploratory method, this research seeks to understand whether or not there has been an impact on private landlords from the eviction moratorium and the nature of this impact. Results from the analysis will be used to understand potential implications of impacts, and propose suggestions for future eviction moratorium policy based on the results. Further, this research will suggest ways that this study could be improved for future research into the ways in which regulatory policy affects landlord attitudes and behavior, and consequences for policy outcomes. It is believed that understanding landlord attitudes, motivations, and behaviors is important in developing effective and sustainable rental market policy meant to ensure public safety in the face of a pandemic.

Literature Review

Policy Background

On March 13, 2020, the Trump administration declared a state of emergency in response to the COVID-19 virus that had spread from China to the rest of the world (Aubrey, 2020). The pandemic response at the federal level had either been paralleled or preceded by state action to halt or slow the spread of the virus. Each states' response has varied, composing a patchwork of policies relating to public health, including a combination of travel restrictions, stay at home orders, regulation on public gatherings, the forced closure of business activity deemed non-essential, and general regulation of business actions and transactions (KFF, nd.). While the most controversial government response has been what's referred to as "lockdown" measures, another controversial category has related to housing security in the form of eviction moratoriums. These moratoriums are meant to restrict the landlord's ability to evict tenants in a time of public health emergency and economic dislocation. Like the lockdown measures, these housing security-based restrictions, or moratoria, have taken a number of different forms and been applied differently state by state, addressing both eviction and foreclosure actions (NLIHS, 2020).

New York State saw its first reported case of COVID 19 on March 3, 2020 (West, 2020), and by March 7th, after a confirmed total of 89 cases, NYS Governor Cuomo declared a state of emergency under Executive Order 202, one in a series of executive orders to suspend or modify existing laws in order to slow the spread of the virus (McKinley and Sandoval, 2020; NYS Senate, n.d.). The eviction moratorium was issued under EO 202.8 on March 20, 2020 with a more explicit aim of counteracting the economic consequences faced by citizens of the response to COVID 19. This 90-day order applied to legal action of both evictions and foreclosures,

granting protections to those who may lose possession of their home. On May 7th, EO 202.28 was issued that, starting June 1, would deny courts the power to either initiate, proceed, or enforce an eviction or foreclosure for 60 days (NYSS, n.d.). On June 30, the NYS Congress passed the Tenant Safe Harbor Act (S.8192B), denying courts the ability to issue warrants of eviction or judgements of possession with no definite end date (Hoylman, 2020).

On March 27th the federal government instituted its own eviction moratorium as part of the Coronavirus Aid, Relief, and Economic Security Act (CARES) (Wire, 2020). The bill allocated funds in an attempt to provide emergency assistance and support for both the economic and social dimensions of civil society, including grants to small businesses, expanded unemployment benefits, one-time income support payments to individuals and families, suspension of student loan payments, expanded health insurance coverage, and financial assistance to state and local governments (Swagel, 2020). An eviction and foreclosure moratorium was included in the bill under Title IV, section 4024 for a 120-day period, applying to properties either directly or indirectly involved with federal programming, and limiting or barring an owner's ability to file eviction for non-payment, charge fees or penalties, or file notices to vacate.   On September 2, the Centers for Disease Control issued a declaration extending the federal eviction moratorium until the end of 2020 (CDC 2020).

COVID-19 based legislation represents the layers of public policy at varying levels of government which have been established to deal with both the pandemic and economic dislocation due to lockdown measures. Tenant-based protections have been seen as a crucial part of public policy in the face of potential evictions due to the economic fallout accompanying the COVID-19 statewide lockdown policy. Further, coverage of NYS's eviction moratorium policy, and COVID-19 pandemic policy more generally, tends to concentrate overwhelmingly on New

York City versus smaller cities like Buffalo. This downstate focus leaves little understanding of landlord impacts felt in smaller upstate regions such as the Buffalo-Cheektowaga metropolitan area.

Evictions: their nature and social impacts

In order to understand the motivation for eviction moratorium policy, it is important to understand the social impacts of evictions. Evictions, or involuntary displacement, happens when a landlord expels tenants from their property. This involves both formal and informal displacements. Formal displacement follows a legal process while the latter is outside of any legal process, either by landlord volition or by the unit being so dilapidated that a tenant is forced to leave (Hartman & Robinson, 2003). According to Eviction Lab estimates there have been an average of 838,008 evictions per year since 2000, with the majority of evictions clustered in major cities such as New York (36,343), Indianapolis (11,570), Houston (11,082), and Philadelphia (10,264) (Eviction Lab[a], n.d.). Data from the Joint Center for Housing Studies shows that for the last decade, specifically in metropolitan areas of the US, there has been a combination of factors increasing pressures on renters. These factors include rising rents, decrease in low cost (>$800) housing, increased demand for rentals by higher income groups (which puts upward pressure on rent costs in affected areas), and a consistently high number of cost burdened (>30% of income towards housing costs) and severely cost burdened (>50% of income towards housing costs) renters affecting the lowest income groups (JCHS, 2019).

Desmond (2012) studied eviction patterns in the city of Milwaukee, seeking to find connection between eviction and urban poverty. Evictions were operationalized as closed eviction cases in court (excluding open cases and cases dismissed because the court ruled in favor of the tenant or because the landlord and tenant reached an agreement). Desmond analyzed

administrative and survey data, along with ethnographic data based on embedded observation and interviews in various low-income Milwaukee neighborhoods. Interviews were conducted with evicted tenants and their landlords. Desmond found that evictions effected a significant number of rental based households, being more commonplace in inner-city black neighborhoods. Specifically, women from inner-city black neighborhoods were evicted at significantly higher rates than men from the same area.

Brisson and Covert (2015) analyzed demographic risk profiles of lease violations for nonpayment of rent for households receiving a housing subsidy. The authors sought to understand what household characteristics influence housing instability, and whether risk profiles for housing instability vary by housing type. Housing instability was operationalized as a forced housing move, encompassing nonpayment of rent, some rental lease violation, or mortgage foreclosure. The authors measured housing instability across the different types of housing, including family, senior, and supportive housing. The authors found that 32% of total households faced housing instability during this time period, with the majority coming from family housing units. Over half of total households were headed by women, and female heads of household were 29% more likely to experience a lease violation. Asian heads of household, compared with white heads of household, were 33% less likely to experience a lease violation, while black heads of household, compared with white heads of household, were 68% more likely to experience a lease violation.

Desmond and Gershenson (2017) investigated possible factors of eviction and the populations most at risk of housing displacement. Possible determinants were defined as discrimination (gender and/or race), 'linked misfortunes' (e.g. job loss or relationship dissolution), gentrification and concentrated disadvantage (neighborhood characteristics), and

social isolation (network composition, i.e. those whom one can depend upon during a negative life event). The authors found that children in the household increase the risk of eviction. Further, renters who lost their job were at higher risk of eviction, neighborhood's crime and historical rates of eviction are significant predictors of eviction in the area, and a significant association existed between network disadvantage and eviction.

Immergluck et al. (2019) examined factors possibly associated with the level of eviction filings, including both serial and non-serial filings. The authors were concerned with the documented harm associated with family evictions and the possible gender and racial components associated with who is evicted. Eviction data was gathered from county court websites for the Atlanta metropolitan area for 2016. Results showed that the largest owners (owning six or more properties with 50 or more units) and larger buildings tend to have high serial shares of eviction filings. They also found that, while properties in African American neighborhoods have higher non-serial filing rates, their serial shares are also higher than similar properties in other areas of the Atlanta metropolitan area. Building sales were also found to be a significant indicator of rising evictions, most likely the result of displacement resulting from the sale of a property.

Lundberg and Donnelly (2018) explored the effects of eviction on the production of poverty among children born in U.S. cities between ages of birth and 15. The authors ask whether there is a connection between eviction and poverty among children born in U.S. The authors analyzed data from the Fragile Families and Child Wellbeing Study, a population-based birth cohort study of 4,898 children, born between 1998 and 2000, and their unmarried parents in 20 large U.S. cities. The kids' ages ranged between birth and 15. The authors found that 14.8 % of children born between 1998 and 2000 in large U.S. cities were evicted from their homes by

age 15, and that the most prevalent rates were among African American children and children raised in poverty.

Desmond et al. (2013) sought to identify the degree to which children are a risk factor for eviction. They believed they had found sufficient evidence to indicate a substantial rate of eviction among children per year in the city of Milwaukee, along with indications of connections between family poverty, landlord discrimination, and evictions involving children. The authors used datasets from records of court-ordered evictions that took place in Milwaukee County between January 1, 2010, and December 31, 2010, the 2010 U.S. Census, and the American Community Survey (2006-2010) for block group data. The authors supplemented their analysis with the Milwaukee Eviction Court Study, an in-person survey of tenants appearing in eviction court every weekday between January 17 and February 26, 2011. They found that the biggest predictors of eviction per block group was the percentage of African Americans and children within that block group. Poverty rate was found to have little effect on the eviction outcome when factored in. The average age of evicted children was 7; the youngest was 4 months old; the oldest was 17. Over 77 percent of those children that belonged to evicted households lived in African American households.

Tsai and Huang (2018) sought to identify psychosocial factors associated with evictions, specifically those factors that preceded or occurred concurrently with evictions by conducting a systematic review of the literature on factors associated with evictions. Six out of the 10 studies (60%) indicated that financial hardship was a major factor leading to risk of eviction, including late payments or inability to pay rent, bills and other debt payments and may be due to various reasons ranging from lack of income, prior financial difficulties and unemployment. Larger households were found to be at higher risk of eviction across several studies), and in particular,

the number of children in the household was found to be a risk factor, even after controlling for other factors. Four of the 10 studies (40%) included in the review found associations that linked addiction, heavy drinking, and illicit drug use to risk of eviction. Eight of 10 studies (80%) included in the review indicated that physical and mental health problems were associated with evictions, including mental and physical health disorders.

Thus far, research has shown that being poor, African American, a female head of household, and/or having children increases the likelihood of facing eviction. Research further suggest that eviction can be considered a social determinate of health, effecting the health outcomes of individuals who live as housing insecure or face displacement. Vasquez-Vera et al. (2016) gathered and systematized all known evidence from medical databases on the effect of the threat of eviction on health. Most of the evidence related to the effects of eviction threat on health discussed here indicates that people exposed to this pressure (either directly or indirectly) present negative mental (e.g. depression, anxiety, psychological distress, and suicides) and physical (poor self-reported health, high blood pressure, and child maltreatment) health outcomes.

Evictions represent more than just a legal action. They have effects that go beyond act of a court, impacting the social and physical health of individuals involved in the eviction. While perhaps an unfortunate but unavoidable feature of our modern reality, evictions on a sudden and large scale may exacerbate the public health emergency posed by the pandemic. Further, they may disproportionately impact the poorest adults and children of a community. It is also important to put the issues surrounding evictions in a more local context in order to have a more practical understanding of the relevance of eviction moratorium action. For a region such as the Buffalo-Cheektowaga metropolitan area, evictions are tied to issues of affordability.

Buffalo-Cheektowaga Metropolitan Area and Affordability

For the purpose of this study, the general Buffalo metropolitan area was identified as the Buffalo-Cheektowaga metropolitan area, based on the most recent geographic delineation based on the statistical area standards of the US Office of Management and Budget (USOMB, 2020). The Buffalo-Cheektowaga metropolitan area is taken as synonymous with the title Buffalo-Cheektowaga-Niagara Falls metropolitan region (HUD, 2017). Regardless of the title used, the area represents both Erie and Niagara counties. This clarification is important as regional reports, made at different times, can often give different titles to what is essentially the same overall geographic area.

Affordability is a concept based on the measurement of what one can afford based on their household income level. The main criterion for household affordability is whether one is spending 30% or more of their income on rent or housing related expenses. Severe cost burden is defined as spending 50% or more of one's income on housing related expenses (Schwarz, 2015, pp. 32). Issues of affordability can impact a household's budget, leaving less to pay for day-to-day expenses, along with removing the ability to save or invest (Anacker, 2019). Evidence suggests that issues of affordability, specifically the worst-case scenario of eviction, have associated negative mental and physical health outcomes (Vasquez-Vera et al., 2017). Further evidence suggests that issues of affordability disproportionately effect people depending on their race, gender, age, and whether or not one has children, along with the number of children (Desmond 2012; Brisson and Covert, 2015). Prior financial hardships, such as bills and other debt payments, along with unemployment, are other factors affecting the affordability of housing (Tsai and Huang, 2018).

According to data from the *Joint Center for Housing Studies* (JCHS, 2020) the share of the national population considered severely cost burden has been mixed, with a small decline between 2011 and 2018 for those making $15,000 or less, while increasing slightly in this same time period for those making between $15,000 and $30,000 per year. Cost burdened households make up 25% of total households as of 2018.   Data for the Buffalo-Cheektowaga metropolitan area show similar trends, with an average cost burden share of 80% for those making $15,000 or less, with a steady increase for those making between $15,000 and $30,000 per year, making up 36% of cost burden in 2018. The *Affordable Housing Strategies for the City of Buffalo* (Magavern et al., 2017) found that more than 55% of Buffalo households could not afford their gross rent, paying more than 30% of their income towards essential household expenses, while 23% of Buffalo households had severe housing cost burdens, paying more than 50% of their income on essential housing related expenses (Magavern, pp. 6-7). The *Buffalo Housing Opportunity Strategy* (czb LLC, 2017) found lack of affordability driven by low incomes, with 37,000 households in the city that living on less than $20,000 per year (czb LLC, pp. 16), putting them at or near severe cost burden status. The report shows that areas of affordability to low-income, or cost burdened, households are characterized by conditions of low-quality structures, weak housing markets, and moderate to high unemployment (czb LLC, 2017).

Data regarding economic impacts of COIVD-19 reveals that the Buffalo-Cheektowaga area suffered the highest unemployment rates of metropolitan areas for upstate New York, with a rate of 7.3% for September 2020 FRBNY, 2020), or 35,000, compared to 21,000 from September of last year (NYSDL, 2020). This economic stress due to the sudden increase in unemployment puts added pressure to one of the biggest factors influencing regional housing market affordability. These results are cause for worry, as an increase in unemployment will

exacerbate the issues of affordability, putting more people in the category of severe cost burden and becoming more and more reliant on external forms of support while they struggle to maintain their housing and either look for work or wait for their job to hire them back. The worst-case scenario of affordability issues is an eviction, also referred to as involuntary displacement. In the context of mass unemployment and cost burden, evictions in this scenario could be systemic, potentially exacerbating the public health emergency while increasing the economic burden of NYS.

What can we expect once moratoriums end?

Despite legislative action to stall potential housing dislocation due to evictions or foreclosures, little is known about the full effect on eviction rates once government instituted moratoria end. A study by Benfer et al. (2020) of the Aspen Institute predicts that the US in general may be facing "the most severe housing crisis in history," based on an aggregate of existing research. The aggregated research included estimates of eviction filings, unemployment data, and predictions of housing insecurity. According to the study, based on US Census data, 18.3% of renters nationally reported that they were unable to pay July's rent on time, 42% of renter households earning less than $35,000 a year have slight or no confidence in their ability to pay next month's rent, with 36% of households and 45% of individuals in NYS at risk of eviction due to potential inability to pay. Benfer et al. The study estimates as many as 40 million people nationwide may be at risk of eviction based on the reported degree of confidence of those surveyed.

Jenny Schuetz of the Brookings Institute testified in June to the U.S. House of Representatives Subcommittee on Housing, Community Development and Insurance (USHR, 2020), warning that state and local moratoriums may threaten more harm than good for renters

trying to avoid eviction. She argues that forestalling rent payment may lead to an accumulation of debt in the longer term. Further, Schuetz argued that this backing up of payments will have a negative effect on private landlords, who will have trouble paying mortgages, insurance, utilities, and property taxes to local governments, producing an increased risk of foreclosure and contraction of available housing. This increased risk would have a disproportionate impact on small-scale, and Black and Latino, property owners. Salim Furth of the Mercatus Center has argued for qualified optimism, citing the effect of the Federal Pandemic Unemployment Compensation as buffering the negative effects of job losses (Furth, 2020).

It becomes a question of the relationship between eviction rates and moratorium action. How will landlords act once they are able to begin filing evictions? Eviction Lab has been keeping track of eviction filing rates during the COVID-19 pandemic for select cities where data is available, tracking rates of evictions starting with the week of March 15th (Eviction Lab_b, n.d.). Seventeen major US cities for which such data was available are covered. What the data shows so far is substantial variation between cities is in part due to the variation in local moratoriums and how these have or have not synchronized with federal moratorium action. This variation may be due in some part to the variation in eviction moratorium policy instituted by each level of government at different times and in response to different background conditions. This variation makes it hard to assess the degree to which eviction rates will respond once the eviction moratorium is lifted. However, data indicate that with either the end of a moratorium or expanded landlord eviction rights under a moratorium, there will generally be a dramatic increase in eviction rates, in some cases beyond that seen in the post-COVID period. Understanding landlord motivations and behavior may help in local governments being better informed and prepared for policy consequences.

Landlord Behavior

While research on evictions provides valuable insight as to their dynamics and social consequences on tenet populations, little is revealed about the perceptions and motivations of private landlords and how this influences their behavior and their relationships with their tenets. Such information is important, as private landlords play key roles in shaping housing security and affordability through their screening practices, the amount of rent charged, and flexibility extended when tenants experience negative income shocks (Greif, 2018). As was revealed in the review of research of evictions and involuntary displacement, landlords play a large role in determining whether households will experience disadvantageous outcomes, including lack of housing access, quality of maintenance and investment decisions, and both formal and informal evictions (involuntary displacement). However, it cannot be assumed that relations between tenants and landlords are strictly a combative and exploitative relationship. Rather, landlords may be seen as providing an essential service within a local economy, providing affordable housing within the context of a rental market.

Desmond (2012) provided important insights into both the complexity of landlord-tenant relations, and the motivations of landlords and how this influenced their behavior. Desmond performed field investigations, interviewing several landlords and building managers who deal with low-income tenants in the city of Milwaukee (pp. 96). What was revealed in the course of his field work was a strained and combative attitude developed among landlords and property managers towards their low-income tenants, usually leading to an eviction. This was especially the case after a prolonged period of avoidance, or "ducking and dodging", by the tenant as the landlord attempted to collect on rent (pp. 113-114). Landlords showed willingness to waive an eviction based on an informal agreement made with a tenant, involving side work by the tenant

such as minor cleaning or repairs to property; for female tenants, the dynamics were different and more difficult, with sex sometimes used as a means of avoiding eviction (pp. 112-113).

Clark (2007) utilized a survey method to understand the priorities and behavior of landlords as regards renting to released offenders in Akron, OH. There survey was composed of 31 questions, covering topics such as the importance of an applicant's criminal history, market factors, community concerns, trust, and demographics. Distributed by mail, the author identified 4,600 landlords who had registered their rental units with the city as of January, 2006 (pp. 4). 611 surveys were completed and returned. The majority of landlord respondents were found to be older, white males with some college experience or a college degree. Blacks and women were underrepresented in compared to the general population. A majority could be considered small private landlords (SPL's), with the majority of respondents owning 1-5 units, with an average vacancy rate (the number of units unoccupied at any given period of time) of 17%. The survey methodology was adequately able to reflect landlord perception and attitude, allowing the author to provide insight and direction for re-entry programs.

März (2018) measured landlord behavior (specifically that of what they defined as *small private landlords*) through the use of semi-structured interviewing, in order to understand their decision making in terms of energy efficiency investment. The interviews were structured around 13 explanatory concepts, generalized under the categories attitude, habits, personal capability, and external factors, all of which were theorized to measure the willingness of landlords to invest in energy renovations to their properties. These interviews were successful in allowing the author to formulate policy recommendations for governments with an interest in creating effective regulatory policy in developing climate neutral housing stock among small private landlords.

Andersen (2008) measured attitudes and motives of landlords in Denmark through the use of a survey method.   The survey was meant to capture motives for buying and selling property and factors that influence such decisions, strategies for letting and running properties, and data about rents and expenses and economic returns. Letters were sent to 2000 listed landlords, asking them to fill out an internet-based questionnaire, of which 385 were completed. Professional landlords (defined as both individuals and property companies) were found to own more than 50% of available housing. The responses allowed to author to better understand the extent to which the private rented sector in Denmark was an efficient producer of housing service, finding that the private rental market, within the context of strict rent control regulation, was less than optimal owing to both the short and long term strategies of the various types of landlords, and landlords having investment motives other than what are thought of as rational economic objectives.

Greif (2018) performed semi-structured interviews in order to explore the ways in which cities may inadvertently undermine access to affordable housing through regulations that directly or indirectly sanction landlords for tenant activities on their property. 57 small (<5 properties) to medium (> 5, but < 50 properties) landlords from the Cleveland metropolitan area were interviewed and observed for a period of two years. Interviews focused on how and why respondents became landlords, how they acquired and managed current and past residential properties, and their experiences and decision-making regarding a range of rental issues, including rent collection and evictions, unit inspections, repairs and maintenance, and participation in housing subsidy programs.

Observations included accompanying landlords to court hearings, property inspections, meetings with city officials, and unit showings. City regulations impacting landlords included

water billing and nuisance ordinances.   Results found that the landlords interviewed, in reaction to city regulations, were more likely to adopt more rigorous screening procedures and lease adjustments, increase their monitoring, harass tenants regarding their behavior, resort to an eviction, and were less likely to invest in their properties or make repairs. These were cited as factors that worked to undermine access to safe and affordable housing. The author used their survey results to suggest that housing voucher programs include water bill subsidies alongside rental subsidies, and that cities reconsider the utility of current nuisance ordinances.

The reviewed articles on landlord motivation and behavior are important in that they highlighted studies that measured the feelings and motivations of landlords, through the use of either surveys, semi-structured interviews, or field observations. These are distinct from research that either studies simply tenant effects, leaving landlord behavior unexplored, or which rely on statistical modeling to try and explain the outcomes of and changes in landlord behavior. All articles took as their aim producing knowledge which could inform either program or government policy, mitigating negative effects on tenants by understanding the needs and motivations of predominately small private landlords. Greif (2018) presented the clearest connection between these reviewed studies and the current study on landlord impacts of eviction moratorium, revealing how policy which sanctions landlords, irrespective of the intention, can negatively affect both the availability and quality of affordable housing, disproportionately impacting low-income tenants. The following analysis seeks to pick up on this field of study, understanding landlord impacts form the eviction moratorium, and the potential implications of impacts on local rental markets and future policy.

Methodology

Design

This analysis draws principally on the survey-questionnaire responses of 38 landlords in the Buffalo-Cheektowaga metropolitan area between the months of October and November 2020. Supplementary data was obtained from the survey-questionnaire responses of 5 landlord representatives representing diverse locations in NYS. The research design utilized an exploratory mixed methods approach. The exploratory approach is a general form of qualitative methodology, allowing for a degree of freedom in analyzing a subject when little preexisting knowledge exists (Creswell and Creswell 2018, pp. 104, 2018). This is characteristic of qualitative research problems in general, where the knowledge of a subject is underdeveloped due to a lack of theory and previous research (Morse, p. 120, 1991). A convergent mixed-methods design was incorporated into the research. This is a one-phase design where qualitative and quantitative data are collected in the same phase. The design follows the assumption that both forms of data provide different types of information that together can yield results that match and yield useful information (Creswell and Creswell, pp. 217; see also figure 2 below). The survey instrument was designed to capture both quantitative and qualitative data

Figure 1: Convergent mixed methods model (Creswell & Creswell, 2018, pp.
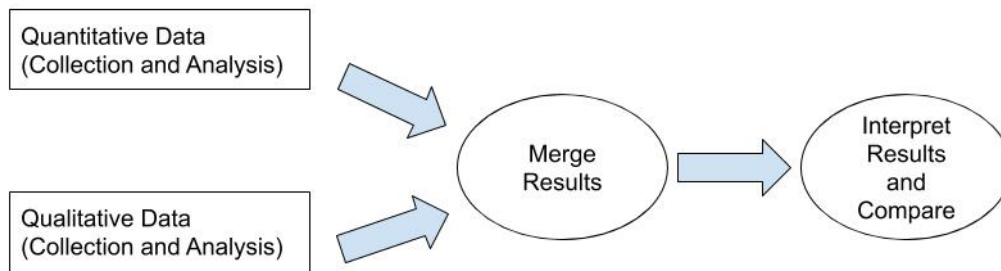
simultaneously, be analyzed separately, and then reintegrated for overall results and discussion section.

Sampling

The author utilized a purposive, non-probability, method, in which sampling of a population was, "based on a specific purpose rather than randomly" (Tashakkori & Teddlie, p. 713, 2003). Private landlords were targeted from the general population of the Buffalo-Cheektowaga metropolitan area. Private landlord was operationalized as those serving in the capacity of either direct owner, or the property manager of, rental units in the Buffalo-Cheektowaga metropolitan area. Those surveyed were 18 years of age and older. No vulnerable subjects were included in this study. Despite the care of applying the appropriate sampling technique to meet the challenge of the research question, caution has been given that non-probability contains the risks of missing data, non-responsiveness, and variable bias (Rivera, 2016). A more extensive treatment of sampling bias in qualitative research has been given by King et al. (1994).

Data collection method

Survey questionnaires were utilized as the data generating instrument, utilizing a cross-sectional survey design, with survey data collected at one-point in time, versus over an extended period (Creswell and Creswell, 2018, pp. 149). This allowed the author to focus on gaining as large a sample of survey respondents as possible, not having to devote time and energy to follow ups. A survey instrument was developed using the software program Qualtrics. The survey was developed to capture both quantitative and qualitative data. Questions were designed to segregate data between those measuring participant characteristics (descriptive), and those measuring eviction moratorium impacts (inferential data). Participant characteristics were

operationalized in the survey as landlord type, rental unit type, number of rental units operated, areas of operation (based on zip code), and number of years operating as a landlord. For more information on the landlord survey, see appendix 1.

Private landlords were accessed either actively, through the direct engagement by the author, or passively, through the intermediation of a landlord organization-based representative. Direct engagement involved administering the surveys to landlords by phone. Direct access of private landlords was developed through a landlord directory provided by a supported housing program in the city of Buffalo. Indirect access of private landlords was developed through the Facebook group of a landlord-based organizations by a representative of a landlord-based organization in the city of Buffalo. Data was collected between the months of November 3, 2020 and November 21, 2020. A total of 39 participant responses was recorded, with 37 included in the final data analysis.

Potential risks were minimal but have been referenced during research as potentially including reputational risk to landlords of a given location by perceptions of elected officials or tenant-based advocacy groups towards results of study. Hence, anonymity of respondents was strictly adhered to. No compensation was given for participation in this study, and no information was withheld from participants. Information was stored on either this writer's personal laptop or under a campus computer account which is password protected. Any information kept will be publicly available information. No identifying information was included in any part of the research paper. Data was recorded anonymously, which means no one, including the research team, can identify the participant from the study. Consent was obtained from each participant as part of the survey design. In the case of phone-surveys, the consent process was discussed by phone.

Results

Participant Composition

There was an original of 39 landlord participants for this study. Two participants were excluded from the final analysis due to not meeting qualification of being either a landlord or operating within the Buffalo-Cheektowaga metropolitan area. One such participant identified themselves as a realtor. The other excluded participant identified themselves as operating rentals in Florida. After these test responses were removed, a total of 37 responses were left for inclusion in the final analysis. Of these 37 respondents, 26 were completed over the phone by the author, and the remaining 11 were conducted independently by landlords; these 11 were able to access the survey through a link administered with the help of a landlord representative operating in the city of Buffalo. The respondent composition can be seen in Table 1 below.

Table 1: Participant survey type

	N	%
1= By phone with author	26	70%
2= Independently completed	11	30%
Total	**37**	**100%**

Participant Characteristics

The following section provides background characteristics of the 37 landlords who participated in the survey. Questions of race and gender were omitted from the survey as they were not found to be relevant to the research question. Questions were designed to measure the size and scale of landlords and their range of operation in the Buffalo-Cheektowaga metropolitan area.

Landlord Type

Both landlord and property manager were included as categories to choose from under landlord type. Property manager was considered a category of landlord as they are hired to perform on the ground tasks that may usually fall on the traditional landlord, such as maintenance, addressing tenant issues, issuing notices and evictions, rent collection, etc. This role gives them insight which allows them to answer the questions that the actual owner they work for may not be able to answer as readily. The majority of respondents were direct owners of their property (92%), while a much smaller segment (5%) indicated that they are property managers. Only one person declined to answer. For full results, see table 2 below.

Table 2: Landlord type

	N	%
Direct Owner	34	92%
Property Manager	2	5%
Other	0	0%
No answer	1	3%
Total	**37**	**100%**

Rental Unit Type

Respondents were allowed to provide more than one rental unit type; responses thus had to be recategorized in order for a tally to be made. The overall goal was to allow respondents the greatest latitude in their answers in order to generate as much data as possible. The majority of respondents indicated that they rent duplexes (47%), with single family homes and multiplex units next in line (28% and 21% respectively). A small number of respondents indicated that they rent condominiums (3%). Only one respondent declined to answer. For full results, see table 3 and figure 2 below.

Table 3: Rental unit type   **Figure 2: Rental unit type**

	N	%
Single Family Home	21	28%
Duplex	35	47%
Multiplex	16	21%
Condominium	2	3%
Other	0	0%
No answer	1	1%
Total	**75**	**100%**
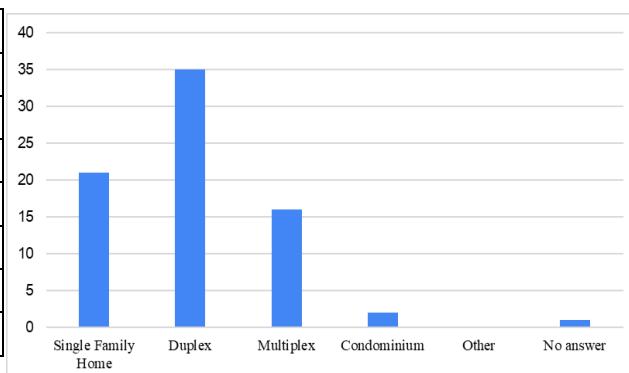
Number of Rental Units Operated

This study mimicked Clark (2007) and Greif (2018) in designating small-scale landlords as those operating between 5 or less rental units. However, this research expanded from Clark, and deviated from Greif, breaking down categories into increments of 5 that scaled along a continuum. Mid-scale landlords were thus measured as those operating between 6 and 20 properties, while large scale landlords could be considered those operating 21 or more rental units. Small scale and large-scale landlords were evenly rated (27% by respondents). The other mid-scale categories measured 16% (6-10), 19% (11-15), and 8% (16-20) respectively. For full results, see table 4 and figure 3 below.

Table 4: # of rental units operated

	N	%
(1-5)	10	27%
(6-10)	6	16%
(11-15)	7	19%
(16-20)	3	8%
21+	10	27%
No answer	1	3%
Total	**37**	**100%**

Figure 3: # of rental units operated
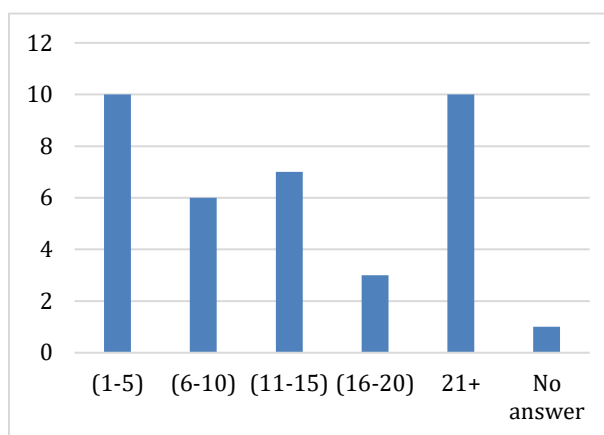
Areas of Operation

As regards areas of operation, respondents were asked to provide zip code identifiers in order to better cluster responses and provide the opportunity for more detailed analysis if found necessary. Classification was made at the municipal level using Google Maps application to match zip codes to municipality. Buffalo was found to make up have the highest share of landlord operations in the sample, with a rate of 55%. West Seneca and Cheektowaga made up the next highest shares (with 16% and 14% respectively). The seven other municipalities made up marginal shares of 1% each. For full results, see table 5 and figure 4 below.

Table 4: Areas of operation

	N	%
Angola	1	1%
Buffalo	38	55%
Cheektowaga	10	14%
Depew	1	1%
Hamburg	1	1%
Lackawanna	1	1%
North Tonawanda	1	1%
Sloan	1	1%
Tonawanda	1	1%
West Seneca	11	16%
No answer	3	4%
Total	**69**	**100%**

Figure 4: Areas of operation
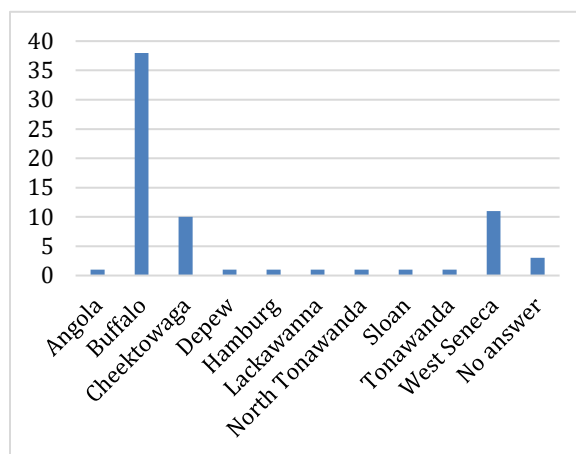
Number of years operating

The largest share of landlords responded that they have been operating for 21 years or more, giving them something of a veteran status. Landlords who indicated they had been operating for 11-15 years and 16-20 years followed closely (with 24% and 22% respectively). 16% of respondents indicated that they had been operating for 1-5 years. For full results see table 6 and figure 5 below.

Table 6: # of years' operating

	N	%
(1-5)	6	16%
(6-10)	1	3%
(11-15)	9	24%
(16-20)	8	22%
21+	12	32%
No answer	1	3%
Total	**37**	**100%**

Figure 5: # of years' operating
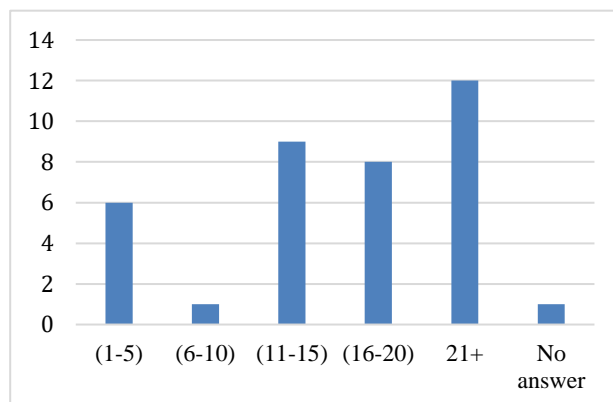
Overall Characteristics

From the data above, overall results show that the majority of respondents were direct owners of their property, operated duplexes, were predominately either small or large-scale operators, operated predominately in zip codes within the city of Buffalo, and have operated as landlords for at least 20 years. From conversations during surveys administered by phone, many of the landlords indicated that they have much of their livelihoods invested in rental properties and operate in lower-income neighborhoods.

Eviction moratorium impacts

This next result section more directly concerns the research question of impacts upon landlords of the COVID-19 eviction moratorium. Most of the relevant data will be generated from these questions. The goal is to generate data that can provide a baseline assessment of impacts in which to build off in understanding impacts, relevancy to policy, and suggestions for future research.

Did tenants stop paying rent?

The majority of respondents indicated that they had at least one tenant who had stopped paying rent (57%). 35% responded that they had not had any tenants stop paying rent. Results are not as clear cut as one might have anticipated, with a fair degree of split. From phone conversations conducted, there is indication that variables such as quality of landlord tenant relationship, the scale at which a landlord operated, and the job security of the tenant were big factors in whether or not landlords experienced tenants ceasing rent payment. For full results, see table 7 below.

Table 7: Did tenants stop paying rent?

	N	%
No answer	3	8%
Yes	21	57%
No	13	35%
Total	**37**	**100%**

Moratorium impact

The majority of landlords indicated that they had been impacted by the eviction

moratorium (62%). When asked to elaborate, a total of 18 responses were given (a response rate

of 49%). The majority of responses were related to tenant relations (39%), specifically the

preponderance of tenants who appeared to stop paying rent without proof of hardship, or stopped

communicating with the landlord all together. The next highest proportion of responses related

to general financial concerns (33%), such as not being able to make a profit, general issues

related to not being able to collect rents, and increases in property taxes which aggravated the

financial distress. Issues of personal liability, inability to make repairs to property, and concerns

over tenant hardship were other response themes. For full quantitative results see table 8 and

table 9 below. For detailed responses by theme, see table 10.

Table 8: Moratorium impact

	N	%
No answer	3	8%
Yes	23	62%
No	11	30%
Total	**37**	**100%**

Table 9: Moratorium impact response type

	N	%
Financial - general	6	33%
Personal liability	2	11%
Property maintenance	1	6%
Tenant hardship	1	6%
Tenant relations	7	39%
No impact	1	6%
Total	**18**	**100%**
Response rate	**49%**	

Table 10: Moratorium impact: Detailed responses

Qualitative Responses	Response Type
"Financial"	financial - general
"Financially in terms rent collection and property tax increase"	financial - general
"Not as profitable"	financial - general
"Financial"	financial - general
"Financially"	financial - general
"Severely negative financially"	financial - general
"Mortgage deferments - banks are pulling money out of bank account"	personal liability
"I have to pay all these bills and money isn't coming in"	personal liability
"Not able to make needed repairs"	property maintenance
"Tenants not able to pay rent"	tenant hardship
"No one pays rent"	tenant relations
"Not able to collect rent"	tenant relations
"Tenants not paying rent; also tenant damage"	tenant relations
"No cash flow, most tenants won't respond"	tenant relations
"Tenants stopped paying - no proof"	tenant relations
"Yes, tenants are lying"	tenant relations
"A little, some tenants are taking advantage"	tenant relations
"Not too much luckily"	no impact

Payment plans

The majority of landlords responded as willing to do payment plans with tenants (68%). 14% responded that they were unsure of whether or not they would make such plans, which 5% said they were unwilling. 5% responded that they had already made at least one payment with tenants. These results should be reasons for optimism regarding policy, as there was only a minority of respondents who indicated that they would not make payment plans. The majority indicated that they would make payment plans. However, when considering the policy reflections of landlord respondents, it is clear that a major charge is that faults with the policy

(clarity and accountability) may have contributed to a situation where tenants are not proactive in attempting to make such plans. For full results, see table 11 and figure 6 below.

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Table 11: Payment plans

	N	%
1= Yes, am willing	25	68%
2= No, unwilling	2	5%
3= Yes, have made	2	5%
4= Not sure	5	14%
0= No answer	3	8%
Total	**37**	**100%**

Figure 6: Payment plans

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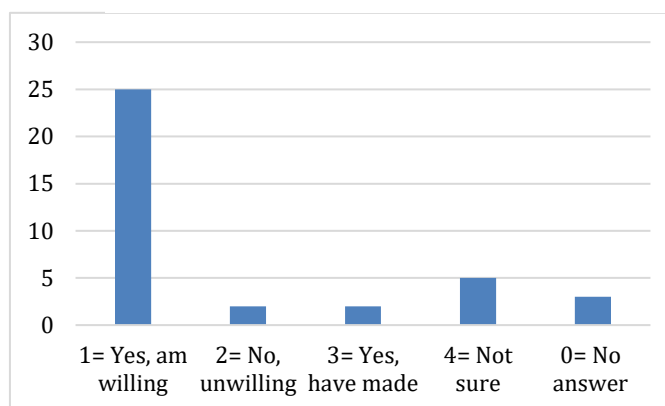
Rent forgiveness

The highest proportion of respondents (35%) said they would not be willing to forgive rent, while the next highest proportion (32%) said they were unsure. 14% responded that they were willing, while 11% indicated that they had already forgiven a portion of rent for tenants. Unlike with responses on payment plans, rent forgiveness scored much lower in willingness on the part of landlords. The majority either indicated they would not, or that they were not sure. However, if policy included a clear plan perceived as clearer or fair by landlords, the significant number indicating they were unsure may become willing to forgive some portion of rent. For full results, see table 12 and figure 7 below.

Table 12: Rent forgiveness

	N	%
Yes, am willing	5	14%
No, unwilling	13	35%
Yes, have made	4	11%
Not sure	12	32%
No answer	3	8%
Total	**37**	**100%**

Figure 7: Rent forgiveness
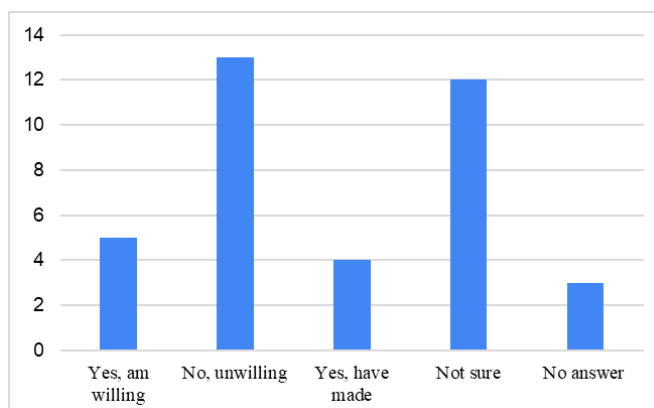
Ability to rent

The majority of respondents (62%) indicated no change in their ability to rent. From phone conversations, this appears to be a result of an overall freeze on tenant movements, as one can't rent out an apartment if a tenant who would otherwise be evicted cannot be evicted. 19% reported a significant decrease in ability to rent, while 8% reported a slight decrease. 3% of landlords reported a slight increase. For full results, see table 13 and figure 8 below.

Table 13: Ability to rent

	N	%
Significantly increased	1	3%
Slightly increased	0	0%
Slightly decreased	3	8%
Significantly decreased	7	19%
No change	23	62%
No answer	3	8%
Total	**37**	**100%**

Figure 8: Ability to rent
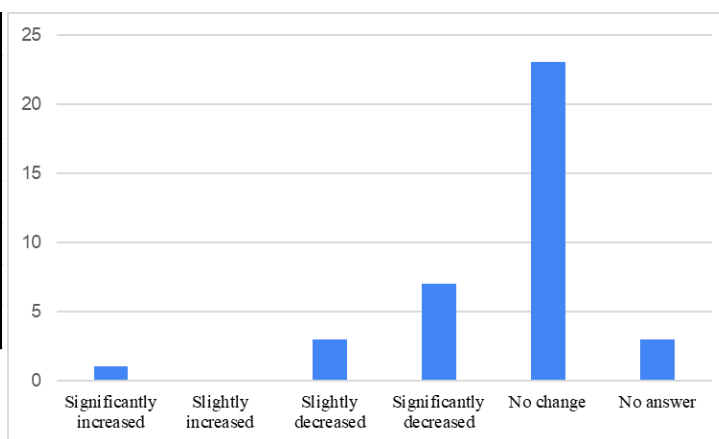
Accepting payment from 3rd party sources

An overwhelming majority of landlords (73%) said that they would accept payment for a third-party source on behalf of their tenant in covering due rent. 11% indicated that they were unsure, 5% said they probably would, and 3% said that they probably wouldn't. Full results can be found in table 14 and figure 9 below.

Table 14: Accept 3rd party payment
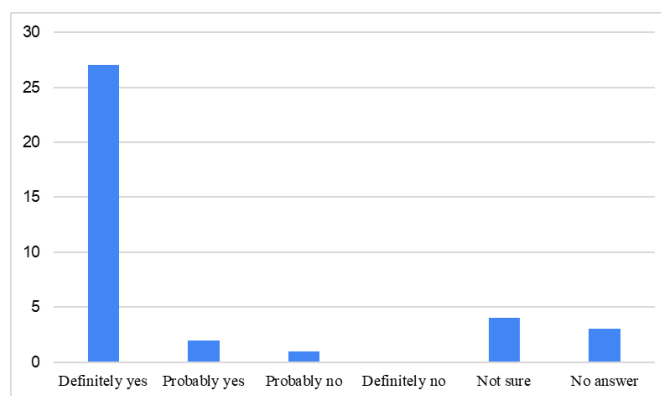
	N	%
Definitely yes	27	73%
Probably yes	2	5%
Probably no	1	3%
Definitely no	0	0%
Not sure	4	11%
No answer	3	8%
Total	**37**	**100%**

Figure 9: Accept 3rd party payment

Change in rental criteria

Responses were overall mixed. The greatest proportion of respondents (43%) indicated that they would be changing their rental criteria, that is, what they expect or require from tenants for consideration of a rental lease. 27% indicated that their rental criteria would not change, 11% indicated criteria "probably" would not change, and a further 11% said their criteria may change. Of these respondents, a little less than half (43%) followed up with more specific responses to explain their initial answer. Responses were thematized to make more sense of the responses. 80% of the detailed responses revolved around the use of stricter screening, while 15% indicated that they would raise rents in order to cover lost revenue experienced thus far. 5% reported

having stricter rental requirements. Of that 80% falling under stricter screening, 15% specified

this as involving the application process, 15% involved background checks, 10% involved credit

score checks, and the remainder (40%) did not specify how stricter screening would be

accomplished. For full quantitative response details see table 15. For response results by

theme, see table 16 below. For detailed responses by theme, see table 17.

Table 15: Rental criteria change

	N	%
Yes	16	43%
No	10	27%
Maybe	4	11%
Probably not	4	11%
No answer	3	8%
Total	**37**	**100%**

Table 16: Rental criteria response type

	N	%
Raise rents	3	15%
Stricter rental requirements	1	5%
Stricter screening - application process	3	15%
Stricter screening - background checks	3	15%
Stricter screening - credit reports	2	10%
Stricter screening - general	8	40%
Total	**20**	**100%**

Table 17: Rental criteria change: Detailed responses

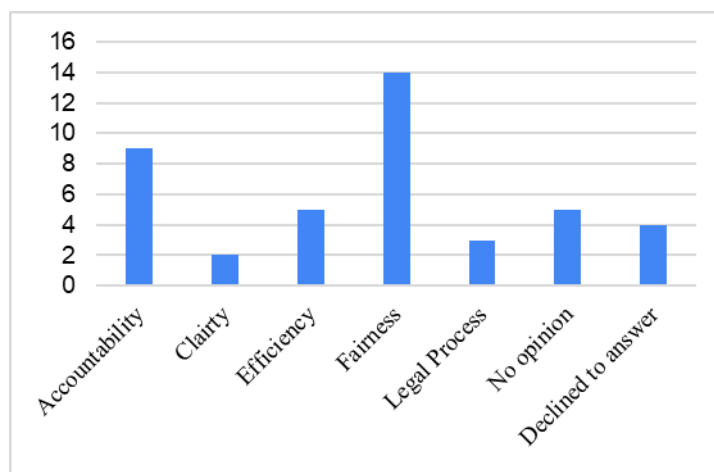| Qualitative Response	Response Theme
"Will run more extensive background checks"	Stricter screening - background checks
"Higher standards and rent"	Stricter screening
	Raise rents
"More stringent rental requirements"	Stricter rental requirements
"Will be more careful and strict"	Stricter screening
"Be more strict with who I rent to"	Stricter screening
"More strict with requirements"	Stricter screening
"Will have to raise rent to recoup losses"	Raise rents
"Has started rehabbing property and charging higher rent; more strict background"	Stricter screening - background checks
	Raise rents
"More strict with initial vetting"	Stricter screening
"More strict with application process"	Stricter screening - application process

	Stricter screening - general
"Probably will have additional criteria"	
"Attempt to modify; be more strict with application and leasing process"	Stricter screening - application process
"Will probably be more strict in screening."	Stricter screening - general
"I will base my decisions more heavily on credit reports"	Stricter screening - credit reports
"Extensive credit and background checks and 100% response rate of employers and references"	Stricter screening - credit reports
	Stricter screening - background checks
	Stricter screening - application process
"Proof of current paid rental account required, tougher screening"	Stricter screening

Opinions on moratorium policy

Responses regarding how landlords felt that policy could have been different were thematized around either accountability, clarity, efficiency, fairness, legal process, no opinion, or declining to answer. Overall, fairness was the theme reflected the most from landlord responses (33%), followed by accountability (21%). Concerns with efficiency (12%), legal process (7%), and clarity (5%) were also reflected in responses. 12% had no opinion, and 10% declined to answer. The response rate was 92%. For full results by response theme, see table 18 and figure 10. For detailed responses by theme see table 19.

Table 18: Opinions on moratorium

Figure 10: Opinions on moratorium

	N	%
Accountability	9	21%
Clairty	2	5%
Efficiency	5	12%
Fairness	14	33%
Legal Process	3	7%
No opinion	5	12%
Declined to answer	4	10%
Total	**42**	**100%**
Response rate	**92%**	

Table 19: Opinions on moratorium: Detailed responses

Qualitative Response	Response Theme
"Too much stress on landlords, next time less stress"	Fairness
"Even to both tenants and landlords in terms of payment leniency"	Fairness
"It could have been more detailed in specifying who would not have to pay rent."	Clarity
"Should get money directly to the landlords from the government."	Efficiency
"Onus of proving hardship should have been more strict - all burden is on landlords currently"	Fairness
	Efficiency
"If they deferred rent then all mortgages and taxes should also have been deferred in unison."	Fairness
"More careful vetting of those who cannot pay; too much burden on landlords."	Accountability
"Moratorium all the way up the chain, so automatically, no mortgage payment due when tenant isn't able to be evicted."	Fairness
"Moratorium was a one way street; could work with the landlords better instead of giving the shaft; COVID rent relief has been phony (ineffective)"	Fairness
"Make sure tenants pay rent if there getting extra unemployment - it seems like a mess. I got lucky."	Fairness
"Tenants shouldn't be allowed to take advantage."	Accountability
"Courts shouldn't shut down for preexisting evictions"	Legal process
"The process should include financial disclosures to qualify for not paying rent"	Accountability
"Completely in favor of tenant, the landlord has no rights at all"	Fairness

"Should have done rental assistance vs. eviction moratorium - unfair to landlord based on their own expenses."	Fairness
"Policy should make distinction between those that need and those taking advantage. Landlords should be able to evict where appropriate."	Accountability
"Make the policy more reasonable, not put the squeeze on landlords."	Fairness
"Policy could have been a lot different if government would suspend taxes and assessments until there is a handle on the issue; property is the only one taking a hit."	Fairness
"Be more clear with the policy - tenants have been taking it to mean "I can live rent free" versus being a temporary deferment."	Clarity
"Tenants that I work with don't seemed concerned with paying or making efforts; all the burden is on the landlord - we don't get any help."	Accountability
	Fairness
"If you suspended mortgage payments that would have gone a long way."	Efficiency
"They gave relief directly to tenants which did not make it to rent payment."	Accountability
"Should have been funding for landlords; money isn't going to rent payment."	Accountability
"The hardship should have to be proven"	Accountability
"They could have created a pandemic voucher program paying the landlord just like section 8 and normal court proceedings could have remained. Now im stuck with a hostile violent tenant and courts wont act"	Efficiency
	Legal process
"state needs to pay the rent for tenants who can't pay, not expect landlords to house them for free. current "solution" is tantamount to eminent domain without compensation"	Fairness
	Legal process
"Establish direct-pay vouchers and allow landlords to evict for other lease violations rather than a blanket moratorium"	Efficiency
"Many tenants received more money than they did working, but no responsibility to pay the rent and you can't evict them. It was all one sided to benefit the tenant."	Accountability
	Fairness

Overall impact

The majority of landlords (59%) reported having experienced a negative impact, with a range of severity. The next greatest number of landlords (39%) reported no impact. Responses were easier to thematize, including negative impact, positive impact, no impact, no opinion, and declining to answer. This final question was used as a final summation, or

overview, of impact, with a response rate of 95%. For full results, see table 20 and figure 11

below. For detailed responses, see table 21 below.

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Table 20: Impact overview

	N	%
0= Declined to answer	3	8%
1= Negative impact	22	59%
2= No impact	11	30%
3= No opinion	1	3%
4= Positive impact	0	0%
Total	**37**	**100%**
Total Responses	**34**	
Response rate	**92%**	

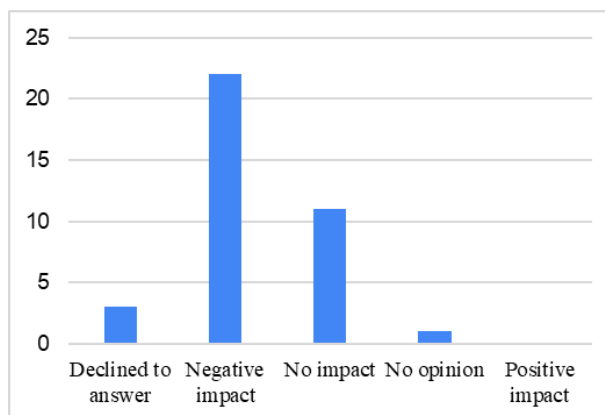**Figure 11: Impact overview**

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Table 21: Impact overview: Detailed responses

Qualitative Response	Response Theme
"By not being able to evict, I was unable to rent to paying tenants that were looking."	Negative impact
"Can't collect on rent; this hurts the owner of properties; owners will most likely sell off properties and stop investing in the city and county"	Negative impact
"Can't rent, collect on rent, or make repairs."	Negative impact
"Creates need to re-rent as soon as possible, cover costs by increasing rents; sitting on property that can't be rented and have squatters."	Negative impact
"Destroyed - can't pay mortgage, taxes, or water bill; I may lose some of my properties; have depleted my savings accounts to cover costs"	Negative impact
"Didn't have any effect at all besides marginal loss of profit."	Negative impact
"Effect has been financial in nature from not being able to collect rent or evict."	Negative impact
"Financial is number one, but also increases the emotional stress on landlord working with tenants who are without means."	Negative impact
"Financial loss, lost $23,000, emotional stress getting in conflict with tenants"	Negative impact
"Financial stress from not being able to make payments towards taxes and utilities."	Negative impact
"Financially"	Negative impact

"Financially hurts, I have full occupancy but no one wants to pay, has owed $30,000. Cannot pay personal bills. Tenants are not cooperating and some are lying."	Negative impact
"Financially overall, have had to take from savings to cover lost revenue."	Negative impact
"Have good relationships with my tenants, so impact was minimal. Was also proactive with tenant outreach. Some tenants were also essential workers."	Negative impact
"Have tenants claiming COVID-19 related hardships but not true; no recourse to the law to address people taking advantage of moratorium; changing neighborhood regarding bad elements and doing drugs and cannot evict."	Negative impact
"I am $15,000 - $20,000 in the hole; even if eviction moratorium is lifted at the end of the year the burden will still be considerable."	Negative impact
"Id rather Airbnb going forward"	Negative impact
"Paying out of pocket to cover costs that's not coming from the rent. Tenants won't make contact."	Negative impact
"So far, no effect at all."	Negative impact
"Tenants not paying rent, tenants attitudes have changed for the worse. Having a hard time making contact with city governments for answers."	Negative impact
"Terribly, I have properties I can't rent out, and if I could I would wait for a more secure time."	Negative impact
"This has been completely unbelievable what NYS has been doing to landlords. Are putting landlords in a really bad spot. My whole strategy is going to have to shift. I am frankly lucky I don't have more not paying."	Negative impact
"Did not impact us."	No impact
"i offered discounts to tenants who needed them but otherwise unchanged"	No impact
"No impact"	No impact
"No impact"	No impact
"No impact, good tenant relationships and employed tenants."	No impact
"No impact, I have tenants who work in the health field so didn't lose their jobs."	No impact
"No real impact - has good rental requirements."	No impact
"No real impact due to selling properties and fading out of being a landlord."	No impact
"No strong impact, was lucky with the two tenants who stopped payment because they left on their own."	No impact
"Not much, but I see how it could have."	No impact
"Other than one tenant who was overwhelmed and decided not to communicate, we've been at 100% collection"	No impact
"No opinion"	No opinion

Discussion

Results of this analysis indicate that the eviction moratorium has had a negative impact on landlords in the Buffalo-Cheektowaga municipal area. The majority of participants indicated that they had at least one tenant who had stopped paying rent (57%) after the moratorium went into effect. Overall impact was reported as negative (59%), with detailed responses overwhelmingly financial in nature, focused on the inability to evict tenants and the inability to collect rents. Other responses highlighted the element of tenant relations, with responses reflecting an emotional impact due to a more overt confrontational relationship with tenants who refused to pay or communicate. An overwhelming sense of frustration and uncertainty permeated phone conversations during phone surveys, in some cases a sense of disbelief. Some of the participants in their detailed responses validated Schuetz' warning about consequences of the eviction moratorium, such as the backing up of payments due to trouble paying mortgages, insurance, utilities, and property taxes to local governments (USHR, 2020).

Results validated research from Greif (2018) regarding changes in landlord behavior in reaction to regulatory policy, nearly half (43%) of participants indicated that they would be changing their rental criteria in the wake of the eviction moratorium, with a further 11% indicating they would consider such action. Detailed responses indicated that landlords would adapt their rental behavior by generally becoming more restrictive with the screening process, with 15% specifying this as involving the application process, 15% specifying background checks, and 10% specifying credit score checks. 15% or responses indicated raising the rent as another adaptive strategy. Responses revolved around the dual theme of recouping lost profits and having greater

assurance moving forward of obtaining tenants less likely to either not be able to, or be unwilling to, pay rent in the event of another moratorium. Participants did indicate a willingness to work with tenants, with 68% indicating that they were willing to make payment plans with tenants, 5% indicating that they had already made at least one such payment plan, 14% indicating they would be willing to forgive some portion of owed rent, and 73% indicating that they would be willing to accept payment from a third-party source on behalf of the tenant.

Results regarding personal opinions on the eviction moratorium policy found fairness to be the theme reflected the most from landlord responses (33%). Fairness was identified as a concern with unreasonably disproportionate effects from the moratorium policy, and with the perception that moratorium policy was not fairly compensating landlords for what they were losing during the moratorium. Losses included both profits and lost savings used to cover costs in replacement of rental income. Accountability made up the next highest portion of responses (21%), identified with a perceived lack of vetting of tenants for meeting a defined hardship qualification. The general assumption was that there has been a lack of accountability and an ability for some tenants to take advantage of the situation. Other responses concerned a lack of efficiency (12%), an uncooperative legal process (7%), and overall lack of clarity (5%).

Despite the significant rates of negative effects, there were those who reported no impact from the moratorium (30%), with 35% of participants indicating that they did not have tenants who stopped paying rent. This presents a mixed nature to results that cannot be ignored, indicating less than clear cut effects upon landlords. Results did not provide a clear understanding of why some fared better than others. However, there was indication that the quality of a landlord's relationship with a tenant, and the quality of a tenant's employment, were factors in determining if a landlord would lose rent from that tenant. For reasons discussed in the next section, the small

sample size and the rate of mixed results from the data make clear conclusions difficult. However, negative impacts reflected in the data are significant and this may support predictions of negative consequences to rental markets and local government finances. Results indicated that private landlords negatively impacted by the eviction moratorium may adapt their rental behavior in a way that will generally be more restrictive in terms of rental criteria and amount of rent charged to tenants.

Conclusion

Limitations

Limitations of this research restrict the ability to make clear and confident conclusions. One major limitation was in the difficulty of accessing landlords for participation in a survey. This was due in part to a lack of local landlord-based associations which could act as an intermediary between the researcher and population of landlords. Those associations that did exist proved difficult either in finding contact information, or in sustaining communication once it was established. Those landlords that were directly communicated with did not appear themselves to be connected to any larger landlord-based organizations and so lacked the ability to relate their experience to other landlords in their area. Although eventual success was achieved in accessing landlords for survey participation, future research will have to plan around this, developing over a longer period of time more sustainable landlord-based contacts.

Another limitation of this analysis was the relatively small sample size, as compared to those obtained from other landlord-based research (Desmond 2012, Clark 2007, März 2018, Anderson 2008, and Greif 2018). A small sample size made a deeper analysis of the data difficult, specifically as regards correlations between identified variables such moratorium impact as a function of landlord's operating size, location of operation, types of rentals, etc. Future research should have as its goal obtaining a larger sample size that could allow for the identification of patterns in terms of impacts and participant characteristics. The ability for deeper analysis would be of utility to policy makers in consideration of future eviction moratorium policy action and adjustments that could be made based on research findings.

A final limitation was in the design of the survey instrument. In future research, questions could be more carefully crafted to better identify and measure relevant variables. Such

a survey instrument would be of use to research requiring the collection of data from landlords in a comprehensive manner. Given the importance of private landlords to local rental markets, and the potentially significant negative effects from the eviction moratorium, further research addressing the above cited limitations could ensure the collection of more useful knowledge capable of deeper levels of analysis.

Potential implications

The impact of the COVID-19 eviction moratorium upon landlords in the Buffalo-Cheektowaga municipal area, if results can be taken as in some way representative, has been negative both financially and in terms of diminished tenant-landlord relations. This may result in a contraction of private landlords either willing or able to operate in the area. A contraction of private landlords may lead to a contraction in available rentals. As available rentals decrease, there may be a corresponding overall increase in rent prices as those landlords who continue to operate seek to recoup costs. Such rent increases may be due to either seeking to recoup losses experienced during the moratorium, or as a way to insure against future moratorium action. These potential consequences may in turn trickle down to low-income tenants as they are at a disadvantage to compete for available rentals in the area. These would be the type of tenants highlighted by traditional eviction research as being more vulnerable to eviction and limited access to affordable housing (Brisson & Covert, 2015; Desmond & Gershenson, 2017; Immergluck, et al., 2019).

Policy suggestions

It is hard to make policy suggestions in the face of a pandemic-based public health emergency. There are no easy decisions to be made. However, the risk that the eviction moratorium has posed is in placing the overwhelming burden of a policies success on one general class of citizens (private landlords) without consideration of second order consequences. These

second order consequences may add to the financial burden faced by local and state governments in terms of declining revenue from property taxes. There is generally never an overwhelming amount of public sympathy for private landlords. However, an argument can be made that affordable housing in an area depends on the number of private landlords able to rent in that area. Thus, policy should be careful not to "kill the goose that lays the golden egg".

Given the exploratory nature of this analysis, and the complexity and uncertainty of this policy event, making clear policy solutions is difficult, if impossible. However, general suggestions can be made, with further insights reserved to future research. Local governments are going to be dependent on federal aid to deal with the financial ramifications of COVID-19 moratorium policy. This aid will most likely be transmitted in the form of emergency assistance grants, through local non-profit sector institutions, specifically supported housing-based programs. This strategy of emergency aid distribution is one which can engage the rental markets directly through the access it can provide to private landlords. Local governments should be ready to work with such programs. Local governments should further improve advertising of aid available to private landlords in order to ensure optimal access and alleviation of financial distress. Local governments should also work to improve its communication networks with the landlord population of its jurisdiction to further ensure optimal communication and advertising of available assistance. Aid to private landlords should be somewhat flexible to include not only mortgage relief, but tax relief as well. More than anything, mindsets on this issue among administrators should change to recognize this threat to local rental markets as the potential emergency that it is, one with potentially long-lasting consequences.

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Appendix : Survey

Eviction Moratoria effects on NYS Landlords 1: Landlord Survey

◯
_____

Start of Block: Informed Consent

INFORMED CONSENT
Exploring the effect of the eviction moratoria on landlords in Buffalo, NY. Participation in this research study is completely voluntary. Please read the information below and ask questions about anything that you do not understand before deciding if you want to participate. A researcher listed below will be available to answer your questions.

RESEARCH TEAM AND SPONSORS
Name and title of Lead Researcher: Joshua Curry-Bascome
Department/Room Number: Department of Political Science and Public Administration, Classroom Building, C104
Telephone Number: 716-880-0859
Email: currybj01@mail.buffalostate.edu
Name and title of Project Advisor: Dr. Atta Ceesay
Department/Room Number: Department of Political Science and Public Administration, Building, B218
Telephone Number: 716-878-6116
Email: ceesayaa@buffalostate.edu Study Location(s): Virtual, by email or phone.

PURPOSE OF STUDY
The study seeks to explore the effects on landlords in Buffalo, NY of the eviction moratoria put into effect at both state and Federal levels since early March.

SUBJECTS
Inclusion Requirements: You are eligible to participate in this study if you are either a landlord or landlord-based organization representative; further, you must be 18 years of age or older.
Number of Participants: This study will seek to include 100 subjects.

PROCEDURES

The following procedures will occur: The survey-questionnaire is to be filled out via a link for the software program Qualtrics. Once complete the survey is submitted via program prompt. To participate in the study, please click on the links below.
Total Time Commitment: Time commitment will be at the discretion of the respondent, but should take no more than 15 minutes to complete.
Risks and Discomforts: There is minimal risk involved in this study, which is defined as risk not greater than that encountered in everyday life.

BENEFITS
Benefits to the Participant: Possible benefits include a novel policy analysis tool with sufficient explanatory power as to be useful for policy-based strategic planning.

ALTERNATIVES TO PARTICIPATION
If you decide not to participate, or if you withdraw from this study before it is completed, the following alternative procedures can include a staff representative performing the survey/questionnaire for you.

COMPENSATION, COSTS AND REIMBURSEMENT
Compensation for Participation: You will not be paid for your participation in this research study.

CONFIDENTIALITY
Data Storage: Your research records will be stored in the following manner:·
- Data will be recorded anonymously, which means no one, including the research team, can identify you from the study data.
- This information will be protected and kept confidential in the following manner: All data stored electronically will be stored on a secure network server, or on portable devices, such as a laptop with encryption (special software) and password protection. Your research results, minus any identifying information, may be used in future research studies examining similar topics.

IF YOU HAVE QUESTIONS
If you have any comments, concerns, or questions regarding the conduct of this research, please contact the research team listed at the top of this form. If you are unable to reach a member of the research team listed at the top of the form and have general questions, or you have concerns or complaints about the research study, research team, or questions about your rights as a research subject, please contact The Research Foundation of SUNY/Office of Sponsored Programs by e-mail at gameg@buffalostate.edu.

VOLUNTARY PARTICIPATION STATEMENT
Participation in this study is voluntary. You may refuse to answer any question or discontinue your involvement at any time without penalty or loss of benefits to which you might otherwise be

entitled. Your decision will not affect your future relationship with Buffalo State.
Do you consent to the terms of participation?

○ Yes (1)

○ No (2)

End of Block: Informed Consent

Start of Block: Participant Characteristics

1 Landlord type (select all that apply - please elaborate if you select 'other')

☐ Direct owner (1)

☐ Property manager (2)

☐ Other (3) _____

2 Rental unit types (select all that apply - please elaborate if you select 'other')

☐ Single Family Home (1)

☐ Duplex (2)

☐ Multiplex (3)

☐ Condominium (4)

☐ Other (5) _____

3 Number of rental units you operate

○ 1-5 (1)

○ 6-10 (2)

○ 11-15 (3)

○ 16-20 (4)

○ 21+ (5)

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4 Rental area zip code(s) (zip codes in which you operate rentals)

_____

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5 # of years you have operated as a landlord

_____

End of Block: Background

Start of Block: Eviction Moratoria Impacts

6 Do you have tenants who stopped paying rent due to COVID-19 related claims?

○ Yes (1)

○ No (2)

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7 Have the eviction moratoriums effected your rental operation? (If yes, please elaborate in the text box below)

      ○ Yes (1) _____

      ○ No (2)

      ○ Not sure yet (3)

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8 Are you willing to make, or have you made, payment plans with tenants who cannot pay?

      ○ Yes, I am willing (1)

      ○ No, I am not willing (2)

      ○ Yes I have made (3)

      ○ Not sure (4)

---

9 Will you forgive, or have you forgiven, any portion of a tenants rent that's owed?

      ○ Yes I am willing (1)

      ○ No I am not willing (2)

      ○ Yes I have granted rent forgiveness (3)

      ○ Not sure (4)

---

10 Has your ability to rent increased or decreased since the eviction moratoria were put into effect?

        ○ Significantly increased (1)

        ○ Slightly increased (2)

        ○ Slightly decreased (3)

        ○ Significantly decreased (4)

        ○ No change (5)

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11 Are you willing to accept payment from third-party sources on behalf of tenants who owe you rent?

        ○ Definitely yes (1)

        ○ Probably yes (2)

        ○ Probably not (3)

        ○ Definitely not (4)

        ○ Not sure (5)

---

12 Will your rental criteria change after this experience? If so, how?

        ○ Yes (1) _____

        ○ Maybe (2)

        ○ No (3)

        ○ Probably not (4)

---

13 How could the NYS eviction moratorium policy have been different?

_____

_____

14 Overall, how do you feel the COVID-19 moratoria impacted your ability to rent?

_____

○   **End of Block: Eviction Moratoria Effects**
○

End of Survey