#CancelRent:

INACTION DURING COVID-19 THREATENS MORE THAN 1 IN 4 TENANTS WITH EVICTION

A Report by Met Council on Housing
September 2020

Photo by Destiny Mata
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Executive Summary

As New York eases COVID-19 social distancing restrictions, new problems are arising for struggling tenants. Data at the national level suggests renters are in crisis across the country: the Census’ Housing Pulse in June showed that more than 30% of renters have “moderate,” “slight,” or “no” confidence that they can pay their rent in July,\textsuperscript{1} and recently released research by the National Low Income Housing Institute estimates that 30 to 40 million Americans are at risk of eviction.\textsuperscript{2}

This white paper aims to illustrate the pandemic experience of Met Council’s member community, who are primarily low- and middle-income tenants in New York City. A review of data collected on our tenants’ rights hotline and a survey of our members show that a significant number are at high risk of housing instability because of COVID-19. \textbf{Hotline data suggests five times as many tenants are unable to pay rent in 2020 compared to 2019, and that 1.4 to 1.6 million tenants are now at risk of eviction.}

\textsuperscript{1} U.S. Census Bureau, Week 9 Housing Pulse Survey: June 25-June 30, Housing Table 2b, \url{https://www.census.gov/data/tables/2020/demo/hhp/hhp9.html}.

\textsuperscript{2} National Low Income Housing Institute, “The COVID-19 Eviction Crisis: An Estimated 30-40 Million People In America Are At Risk,” \url{https://nlihc.org/sites/default/files/The_Eviction_Crisis_080720.pdf}. 
Survey data shows that the pandemic affects those already vulnerable to housing insecurity most. Among low-income tenants, \textbf{87\% are having trouble paying rent due to COVID-19, and 86\% of them were already rent burdened before the pandemic hit}. Black and Latinx tenants experienced disproportionate rent burdens before COVID-19, and Latinx tenants in particular are more likely to have lost income because of the pandemic.

Housing justice is intrinsically tied to racial justice and to public health. To prevent the spread of COVID-19 and keep families healthy during this economic crisis, we need secure housing. And we need to secure housing for our community members with unstable housing or no shelter at all. To fully address the pandemic, our elected representatives must acknowledge the housing affordability crisis that preceded it. The majority of tenants were rent burdened before COVID-19, particularly Black, Latinx, and low-income tenants, who are among those most threatened by the pandemic. Looking forward, evictions disproportionately threaten the life and safety of Black and Latinx New Yorkers, who have been harmed most by COVID-19, as well as other forms of systemic racism such as police violence.

\textbf{Only swift, radical government action that takes into account the unfair rent burdens that low-income tenants and tenants of color faced before the pandemic can stop mass evictions, prevent mass debt, and ensure housing justice.}

\textbf{If you can’t afford rent}

\textbf{YOU ARE NOT ALONE}

Millions of New Yorkers are out of work and unable to pay rent. Whether you can’t afford to pay rent, or you wish to stand in solidarity with your neighbors who can’t, sign the \#cantpaymay pledge. We’re stronger and better protected if we take action together.

Sign the pledge: bit.ly/MCHcantpay2020
Or Text “Rent Strike” to 646-542-1920
Building/Neighborhood contact:

*Now is the time for tenants to act collectively!*
About Met Council on Housing

Met Council on Housing is a tenants’ rights membership organization made up of New York City tenants who believe in our motto of “housing for people, not profit.” We formed 60 years ago to fight for a city where everyone has access to safe, decent and affordable housing. We organize tenants to stand up not only for their individual rights, but also for changes to our housing policies.

We serve the one million NYC households who are rent stabilized or regulated, particularly those who are most vulnerable to displacement—working class and low-income New Yorkers. We work on the individual level with our tenants’ rights telephone hotline and a walk-in clinic, on the building level with tenant associations, and at the city and state level to change policy.

Unlike most nonprofits, our model is mutual aid: tenants helping tenants. We encourage those who receive help from us to become active in our campaigns for housing justice. The integration of member-run services with our organizing reflects our belief that tenants most affected by our housing policies should and will be the driving force behind the changes that will make affordable housing a universal right, not a privilege.
Introduction to Mutual Aid Programs

Met Council on Housing’s tenants’ rights telephone hotline and walk-in clinics are unique services that offer free information and education to tenants so that they can advocate for themselves. Many organizations that provide legal assistance refer tenants to us whom they’re unable to represent. Our hotline is unique—it’s one of the only places where New York City tenants can call with a question about their housing issue and get an immediate answer. And we operate the only hotline that can connect tenants affected by the housing crisis to campaigns that seek to improve policies and affect change at the structural level. Our work is supported by a combination of city and state funding, support from foundations, membership dues, and donations from people like you who believe in fighting for people, not profit.

Hotline Volunteer Testimonial:
Marcos Dominguez
Flatbush, Brooklyn

I lived most of my early life with my parents and siblings in a Bronx apartment that was not in great condition. I remember moldy walls that were repainted annually, a cold January where the heat was shut off, and a fridge that broke down one summer, leaving us with nothing to preserve food for a few weeks. We put up with it because we felt nothing could be done, and that we lacked any rights as tenants.

Now, as a hotline volunteer with Met Council, I get the chance to inform callers of the rights they do have to remedy their housing issues. The hotline helps tenants gain a sense of agency they might not otherwise have. A caller who lives in a rent stabilized apartment can take comfort in the fact that they are entitled to lease renewals. And a caller with a broken fridge can learn what steps they can take to compel their landlord to fix or replace it. The options presented are not always easy. Callers might have to find complaint forms, file Housing Part Actions and get ready for housing court. However, on the whole, they will feel relieved that there are avenues available to them.

Being a hotline volunteer has been a rewarding experience. Met Council itself is a supportive organization that has done a great job educating and empowering their volunteers and providing guidance during hotline hours. I get to pay it forward by empowering tenants across New York.
Member Profile:
Trinity Mirabito
Melrose, Bronx

I have lived in my current apartment for 2 years now. I left my last spot in Soundview because the landlord harassed me over my sexuality. I don’t think she knew I was gay when I moved in, but eventually found out. After a few months of staying there, she started threatening to lie to get me arrested for drugs or property damage, and eventually locked me out illegally. I lost a temporary voucher I had when getting a new place because it was hard finding an apartment priced low enough, and any that were wanted someone with a higher income than me.

For the past 4 years, I have worked mostly part time, and generally paid about 70% of my income on rent. I’m a student, and full time work is a lot to mix with school. Almost all of my money goes to rent and bills. I very rarely order food from restaurants, and if I do I order cheap. I don’t spend money on leisure. And I often want to buy clothes and jewelry, but usually end up putting it off. I’m living in an average priced apartment, and rent is at the point where it’s so high that even small RGB rent increases mean big dollar increases in the rent. The management company doesn’t do repairs until an inspector documents there’s an issue, and the heat is never turned on until an inspector says it needs to be. The management company disregards the law, lies about everything, and acts very intimidating. Moving forward, I have concerns about the building being structurally safe enough for me to stay here much longer. Thankfully, I just graduated and can now work full time! Affordable housing has been, by far, the single biggest obstacle I faced in trying to move myself forward. I’m very happy that I finally finished this first, hardest step of the journey.
Data Analysis Results from Met Council Hotline Calls

Data from Met Council’s hotline shows major changes to callers’ concerns in light of COVID-19. **From March through May of 2020, Met Council answered 1,426 calls, a 68% increase over the same period in 2019.** Despite the eviction moratorium, we received **121 calls about evictions** from March to May 2020, a **22% increase over the same period in 2019.**

Between March and May 2020, we received 403 calls from tenants who told us they could not pay rent due to COVID-19, averaging 28% of calls each month. By comparison, in March to May 2019, we received 45 calls about owing rent (back rent or active nonpayment cases), representing 5% of calls. **This suggests a fivefold jump in the number of callers unable to pay their rent.**

Since March, there has been a fivefold increase in the number of tenants reporting they cannot pay rent, compared to 2019.

If this trend holds true for New York City’s 5.4 million tenants, we estimate that **between 1.4 and 1.6 million tenants are struggling to pay rent because of COVID-19.** This is in line with the findings in the Census Housing Pulse survey for the week of June 25, which found that 2.2 million tenants in New York had “no” or “slight” confidence that they could pay their rent in July.

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3 Based on the 95% confidence interval of an estimate of population proportion.
Survey data explored in the next section, however, shows that 81% of tenants in our community lost income and had problems paying rent because of COVID-19. This suggests that the real number of tenants struggling to pay rent may be much higher than 28%.
Member Profile:
Stacy R.
Jamaica, Queens

I’ve been living in my building since 2013. I found this apartment after being in a shelter not far from here. I wanted to stay in the neighborhood, because it’s a nice neighborhood, it really is. I was going into realtors on Hillside Ave but they were only doing homes until I got to Zara [current management company], it was the only rentals available out here.

It was $1,354 for a one bedroom. But then we went back into the rental office and signed the papers. It was a preferential rent, and I was told at any time they could cancel it. I can tell you they canceled it in the middle of the two year lease that we signed. It then went up to $1,400 and then went up to $1,500 when we re-signed the lease, after that it went up to $1,735 because of the Major Capital Improvement charges for the elevator; we have been paying for it ever since. Now, we’re paying $1,800 for it, for the same one bedroom apartment. It is almost all of our income. And let me tell you, it takes half of my husband’s income and most of mine.

I’ve been unemployed since the end of March because of COVID-19. I’m a home care attendant. I wasn’t feeling well, and of course the doctors, they didn’t want me to come in. I work for an agency and I haven’t heard from them in awhile.

I’ve been taken to court before. I’m going to say it’s a financial abuse system, and creates the worst psychological state. It’s worse than just not getting repairs. It sickens me and scares the crap out of so many people.

All of this can cause such bad anxiety but you have to know your rights. I keep copies of flyers and post them up, cause it helps. We need something to be passed through law before anything else happens.
COVID-19 Survey Results

In addition to tracking our hotline data, 406 community members responded to a survey between March 25 and May 15, 2020 on how the pandemic is affecting their housing situation. The survey data shows that tenants struggled with housing affordability well before COVID-19, and that the pandemic threatens the housing stability of low-income tenants and Black and Latinx tenants most severely. Before the pandemic, 65% of respondents were rent burdened or severely rent burdened, including 86% of low-income tenants. The Department of Housing and Urban Development defines tenants who pay over 30% of their income to rent as rent burdened, and those who pay 50% or more as severely rent burdened. Black and Latinx respondents were more likely to be rent burdened than other respondents of comparable income. 91% of low-income Latinx respondents were rent burdened or severely rent burdened, compared to 86% of low-income respondents overall, and 86% of middle-income Black respondents were rent burdened, compared to 73% of middle-income respondents overall.
Rent burden also affected respondents’ quality of life prior to the pandemic. Almost one in three respondents reported that they sometimes gave up essentials like medicine, food, or transportation prior to the pandemic. And despite high rent burdens, 67% of respondents and 79% of Black respondents reported issues with their apartment or landlord. Almost one in five respondents at one point lacked heat or hot water, a serious issue in winter or during a pandemic.
The Effect of the COVID-19 Crisis

Because of COVID-19, high rent burdens make tenants in our community vulnerable to eviction. A 2016 Urban Institute study showed one in four American families have no cash savings and four in ten have less than $750 in savings, and tied lack of savings to housing insecurity.\(^5\)

High rent burdens make it even harder to build up savings, increasing the risk tenants face from financial emergencies like loss of income from COVID-19. Among our survey respondents, 79% were laid off, furloughed, or lost hours since the COVID-19 crisis began. Loss of income has led to difficulty paying rent and puts tenants at risk for eviction. Our survey found that 325 respondents (80%) will have problems paying the rent because of the COVID-19 crisis.

Our survey found that 4 out of 5 of our members will have problems paying their rent due to COVID-19.

**COVID-19 Effect on Income and Hours**

- Laid-off or furloughed (46%)
- Lost hours (33%)
- Not affected financially (21%)

**Trouble Paying Rent Because of COVID-19**

- Trouble Paying Rent (80%)
- No Trouble Paying Rent (20%)

Lower-income tenants were disproportionately affected by layoffs and loss of work: 87% of low-income respondents, 75% of middle-income respondents, and 63% of high-income respondents experienced layoffs, furloughs, or lost hours.

Latinx respondents lost income at much higher rates: 91% were laid off, furloughed, or lost hours and 93% were worried about paying their rent because of COVID-19, more than 10% above the overall rate. Responses also correlated to income and rent burden. 87% of low-income respondents and 92% of severely rent burdened respondents were worried about paying rent because of COVID-19.
COVID-19 has heightened housing insecurity for the majority of our members and deepened pre-existing inequalities. The pandemic has affected low-income tenants, rent burdened tenants—who are disproportionately Black and Latinx—and Latinx tenants in particular. Many of these tenants may now owe several months of rent. In March, 58% of respondents said they were already worried about being able to pay April rent, suggesting the majority of respondents have been struggling to pay rent for more than three months. In addition, 28% said they were worried they would be unable to pay by May, and 13% respondents said they were worried they would be unable to pay by June.

This survey of our community shows that estimates of rent trouble may not capture the full scale of the crisis, especially for low-income, rent burdened, and Latinx tenants. Based on this survey, 4 in 5 tenants are afraid the crisis will leave them unable to pay their rent, which is more than hotline calls or Census bureau data would suggest. As enhanced unemployment benefits end and housing court reopens, we urgently need to protect these tenants from eviction and indebtedness.

Month You Will Have Trouble Paying Rent Because of COVID-19

April (59%)
May (28%)
June (13%)
Data Sources and Limitations

Met Council collected two datasets to use in this report: data entered by volunteers staffing our hotline, and data provided by community members through a survey. Both datasets have limitations and skews that affect our analysis.

Hotline Data Source and Limitations

Volunteers collect hotline data through an online form. Met Council provides training to volunteers on how to request data and correctly code caller questions. Data may be incorrect because it is self-reported by callers, or because a volunteer incorrectly labels the caller’s question. Besides potential incorrect data, we receive more calls in English than in Spanish, potentially skewing our data compared to the New York population overall. We also do not collect caller demographic information on the hotline, limiting our ability to compare our hotline callers to New Yorkers overall.

A few potential factors may bias our data. Since hotline callers are actively seeking help with housing issues, they may be more likely than the average New Yorker to be experiencing housing insecurity. In addition, many people learned about the hotline number through the Housing Justice for All and Right to Counsel Rent Strike Toolkit, published April 1, and articles in local publications such as Curbed New York, increasing the number of calls Met Council received. In response to the increases, the Met Council also added an additional day and more volunteers to our hotline schedule starting on March 17th, increasing the number of calls we answered.

Survey Data Source and Limitations

The Met Council survey was administered online from March 25, 2020 through May 15, 2020. We invited individuals who had provided contact information to Met Council in the course of our direct service and organizing activities to participate. Because these individuals had been in contact with Met Council before, they are more likely than the average New Yorker to have experienced a housing issue.

Respondents were invited to take the survey by text message and email. The survey was provided in English and Spanish. Our survey results from 406 respondents are

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Member Profile:
Candida Uraga
Inwood, Manhattan

I have been living at 101 Sherman Ave for 28 years; I pay over half my income in rent. We always have to cut back, live paycheck to paycheck. I live with my husband. My landlord has often raised our rent through Major Capital Improvements that didn’t always make sense to us, but we didn’t know we could fight back. For my landlord to do our repairs we have to take him to housing court or the repairs won’t happen.

When I first rented my apartment in 1991, the landlord didn’t want to rent to us because of our legal status, and we felt discriminated against as immigrants. When white tenants ask for repairs, they tend to get a response and get their issues resolved faster than tenants of color. I have had to take my landlord to court on three occasions. General building cleaning is terrible and I am tired of living under these conditions, especially during these difficult times. I’m not so sure I’ll be living here in two years time; I lost my job due to COVID-19 and have been living through food pantry aid. We have not paid rent for May, June or July.

Skewed towards White respondents (55% of respondents compared to 43% of New Yorkers), and towards English speakers (76% of respondents compared to 50% of New Yorkers).8

Recommendations

Tenant and volunteer testimonials, hotline data, and survey responses tell the same story: tenants were already struggling to afford housing before the crisis, and COVID-19 has put tenants’ housing security at severe risk. The most recent crisis has deprived hundreds of our members of their source of income, with disproportionate impact on the Latinx community, and calls about being unable to pay rent increased from 5% to over a quarter of all calls we receive on our hotline. Despite the eviction moratorium, we fielded more calls about evictions in the first five months of 2020 than in the same period of 2019.

New Yorkers need a law that will #CancelRent fully and automatically, support small landlords with mortgage forgiveness, and protect the most vulnerable tenants. Instead, the New York State legislature has passed two insufficient bills with deceptive names: the Emergency Rent Relief Act and the Tenant Safe Harbor Act.

The Emergency Rent Relief Act created a voucher program that tenants only qualify for if they make less than 80% of the Area Median Income and were already rent burdened prior to COVID-19. The program is designed to maintain that same level of rent burden, accounting for loss of income: if a tenant paid 50% of their income towards rent before COVID-19, they will have to pay 50% of their new, lower income towards rent during the crisis. In addition to the law’s overly narrow qualification requirements, $100 million is only 5% of what’s needed to cover rent for the million and a half tenants whom our hotline data and Census survey data suggest are struggling to pay rent in New York.⁹

The program is also inaccessible: the New York State Division of Homes and Community Renewal (HCR) opened applications for a period of just three weeks with no prior outreach to community-based organizations that can reach tenants and assist them in applying. The application is complicated, requires extensive paperwork and digital literacy, and although DHCR provides forms in six languages, the application must be submitted in English. The barriers to applying, let alone being approved for rent relief, make New York State’s COVID Rent Relief Program inaccessible and insufficient.

The Tenant Safe Harbor Act allows tenants to use loss of income due to COVID-19 as a defense against eviction in housing court, as long as restrictions related to COVID-19 remain in place. At the same time, landlords can still obtain a money judgment against tenants, meaning that tenants will accumulate debt amounting to multiple months of rent, despite their inability to pay. The mounting debt that this

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⁹ Association for Neighborhood and Housing Development (ANHD), Four Months In and No Relief for Renters, https://anhd.org/blog/four-months-and-no-relief-renters.
law allows will result in ruined credit scores and could lead to landlords garnishing tenant wages to collect on the debt. Additionally, as our volunteers know, callers frequently express fear that going to court, even if they have a chance of preventing eviction, will be worse for them than the alternative: they fear that they will be blacklisted by landlords, or simply that landlord harassment will be too hard to endure. Giving tenants a defense against eviction without cancelling the rent they owe is not enough to prevent displacement.

Both bills put the burden of proving income loss due to COVID-19 on tenants, which may be more difficult for low-income tenants without clear documentation of their loss of work. Undocumented immigrants, who have been excluded from COVID-19-related financial assistance and unemployment benefits, may be dissuaded from applying for this government program as well; they may perceive it to carry a risk of deportation or a barrier to normalizing immigration status.

The State legislature’s bills provide insufficient help and bar access for those who are most affected by COVID-19. If action is not taken, landlords will still be able to file evictions against many vulnerable tenants, and tenants will still go into debt to their landlords for rent they could not pay during the pandemic lockdown.

We refuse to accept mass evictions and indebtedness of low-income tenants and tenants of color and a surge in homelessness as a result of this pandemic. Governor Cuomo knows that canceling the rent means preventing displacement and homelessness, but he won’t do it unless many people in unison demand he do the right thing. We need as many voices as possible to tell Cuomo and leading national politicians that because we can’t pay, we won’t pay: if the rent is not canceled, more than a million New Yorkers will be at risk of eviction.

We need our elected officials to do what is right, not what is easy. New York can and should cancel rent, mortgages, and utilities universally. Until these steps are taken, the eviction moratorium should be extended and expanded to apply to all
tenants at risk of eviction, not just those covered by the Safe Harbor Act. None of the current measures address the pandemic threatening millions of New Yorkers with eviction and indebtedness, nor do they address the housing affordability crisis that has saddled tenants with severe rent burdens and left 92,000 New Yorkers without homes. **We need our representatives to listen to tenants and the housing movement: fully and automatically cancel rent and mortgages and commit to a Homes Guarantee. They represent us and need to listen to the tenants of New York.**
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Cooper Square Committee

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City Council Speaker Corey Johnson
Council Member Carlina Rivera
Council Member Ben Kallos
Council Member Helen Rosenthal
Council Member Mark Levine
Council Member Bill Perkins
Appendix: Full Survey Results

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<th>Respondents</th>
<th>Rent Burdened or Severely Rent Burdened $^3$</th>
<th>Experienced Landlord Issues</th>
<th>Lost Income due to COVID-19</th>
<th>Trouble Paying Rent Because of the Crisis</th>
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<td>90%</td>
</tr>
<tr>
<td>Arab</td>
<td>1</td>
<td>100%</td>
<td>0%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Asian</td>
<td>1</td>
<td>100%</td>
<td>0%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Biracial/ Multiracial</td>
<td>4</td>
<td>100%</td>
<td>50%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Black/</td>
<td>4</td>
<td>67%</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
<td>50%</td>
</tr>
</tbody>
</table>

$^3$ Note: the percentage of rent burdened and severely rent burdened tenants calculation excluded tenants who did not know or were uncertain of how much of their income went to rent.