



**Lipsitz Green
Scime Cambria** LLP
ATTORNEYS AT LAW

Jaime Michelle Cain



Jaime Michelle Cain has extensive experience serving the legal needs of buyers, sellers, lenders, landlords, owners, and other stakeholders in all facets of real estate transactions.

Ms. Cain assists buyers and sellers through all phases of real estate purchases, refinances, leasing, and construction. In addition, Ms. Cain represents owners, landlords, and investors. She is proficient in commencing and defending summary proceedings on behalf of clients for non-payment and breach of lease. Ms. Cain also defends landlords accused of violating the Fair Housing Act and the New York State Human Rights Law.

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REAL ESTATE ROUNDTABLE

Real Estate Roundtable is a virtual meeting series that provides an opportunity for owners, landlords, property managers, real estate agents, brokers and investors to collectively work together to share and support the challenges of managing residential and commercial properties in Upstate New York.

Real Estate attorney Jaime Michelle Cain facilitates open discussions regarding potential legislation, social and economic trends, fair housing compliance, local eviction appearances and litigation rulings.

The goal is to provide information that will make your business more profitable or more compliant with local, state or federal laws.

[Click here to register](#) for the next Real Estate Roundtable, which will take place on Tuesday, January 24th at 11:00 AM PM.

REAL ESTATE ROUNDTABLE ALERT REGARDING

EVICITION LAWS

New York State Closes Portal for ERAP Applications. What's Next for Landlords?

The New York State Office of Temporary and Disability Assistance (OTDA) announced that the application portal for the state's Emergency Rental Assistance Program (ERAP) will close on January 20, 2023.

ERAP BENEFITS

ERAP was created to provide financial relief for tenants who could not pay their rent due to COVID-19 related economic hardships. The program, which started in June 2021, has distributed over \$2 billion in payments to landlords. While ERAP provided welcome relief for some tenants and landlords, the program has also had significantly detrimental consequences for property owners across New York State.

2022 EXTENSION & EVICTION PROTECTION

New York State initially closed the application portal for ERAP in November 2021, due to a forecasted lack of funds for the program. A lawsuit was filed on behalf tenants. This lawsuit led to a court ordered injunction, which kept the portal open for all of 2022.

Any tenant who applied for ERAP could not be evicted due to an expired lease or failure to pay rent. This stipulation created an eviction loophole that has been costly to many landlords, both large and small, throughout New York State.

ERAP APPLICATION PORTAL CLOSES JAN. 20, 2023

In December 2022, OTDA reached a settlement with plaintiffs who previously sued to keep ERAP open. The result of that settlement is the closure of the ERAP application portal in January 2023. The agreement was reached after plaintiffs reviewed pending applications as well as available funds and determined there is not enough financial resources to continue the program for new applicants. OTDA has stated that ERAP applications will not be accepted after 9:00 p.m. EST on January 20, 2023. Also, incomplete applications, which have been previously submitted, will not be able to be completed after the January 20th deadline.

ANSWERS FOR LANDLORDS ON WHAT'S NEXT

With the ERAP application portal closed; what's next for landlords? We will address a number of issues on January 24th at the next **Real Estate Roundtable**, including:

- What immediate steps should property owners take now that ERAP's application portal is closed?
- Can eviction proceedings now move forward as they did pre-pandemic?
- Are previous ERAP applicants, who are not currently paying rent, protected from eviction?
- Will landlords ever see payment from ERAP applications that are currently pending?
- Will there be any new programs introduced that provide eviction protection as ERAP did?

[Click here to register](#) for the next **Real Estate Roundtable** on Tuesday, January 24th at 11:00 a.m. The roundtable is a live, interactive, webinar series that will keep you up-to-date on the latest developments in New York State law impacting property owners.