

NLIHC's HoUSed Campaign for Long-Term Housing Solutions

May 3, 2021

### Agenda



#### Welcome

• Diane Yentel, NLIHC

### New Report: US Eviction Filing Patterns in 2020

 Peter Hepburn, Eviction Lab & Rutgers University

# Guidance for State & Local Officials on Developing & Implementing Equitable ERA Programs

 Mike Wallace, National League of Cities

### **Update on Emergency Rental Assistance Programs**

• Rebecca Yae & Neetu Nair, NLIHC

# Racial & Gender Analysis of Housing Insecurity Reported in Census Household Pulse Survey

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- Erin Kahn, All In Washington Vaccine Equity Initiative
- Bob Palmer, Housing Action Illinois

### **Advancing Long Term Housing Solutions: Updates & Next Steps**

Kim Johnson, NLIHC

#### **Next Steps**



### Welcome

### **Diane Yentel**

President & CEO

National Low Income Housing Coalition

dyentel@nlihc.org



# New Report: US Eviction Filing Pattens in 2020

### Peter Hepburn

Assistant Professor of Sociology

Rutgers University-Newark

Research Fellow

Eviction Lab at Princeton University

peter.hepburn@rutgers.edu

# U.S. Eviction Filing Patterns in 2020 May 3, 2021

Peter Hepburn

Rutgers University-Newark











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#### U.S. Eviction Filing Patterns in 2020

Peter Hepburn<sup>1,2</sup>, Renee Louis<sup>2</sup>, Joe Fish<sup>2</sup>, Emily Lemmerman<sup>2</sup>, Anne Kat Alexander<sup>2</sup>, Timothy A. Thomas<sup>3</sup>, Robert Koehler<sup>4</sup>, Emily Benfer<sup>5</sup>, and Matthew Desmond<sup>2</sup>

#### Abstract

The coronavirus pandemic precipitated an economic crisis disproportionately affecting renter households. Attempting to prevent a surge in evictions, policy makers at the federal, state, and local levels extended emergency protections to renters. The authors describe eviction filing patterns in 2020 and analyze the efficacy of eviction moratoria. New filings were reduced dramatically since the start of the pandemic. Between March 15 and December 31, 2020, across sites for which data are available, 65 percent fewer eviction cases were filed than would be expected in a typical year. Extrapolating nationwide, the authors estimate that at least 1.55 million fewer eviction cases were filed in 2020 than in a normal year. The pace at which cases were filed increased in late 2020, however, and the amount of back rent claimed grew considerably. Filing rates exceeded historical averages when protections lapsed. Black and female renters received a disproportionate share of eviction cases filed during the pandemic.

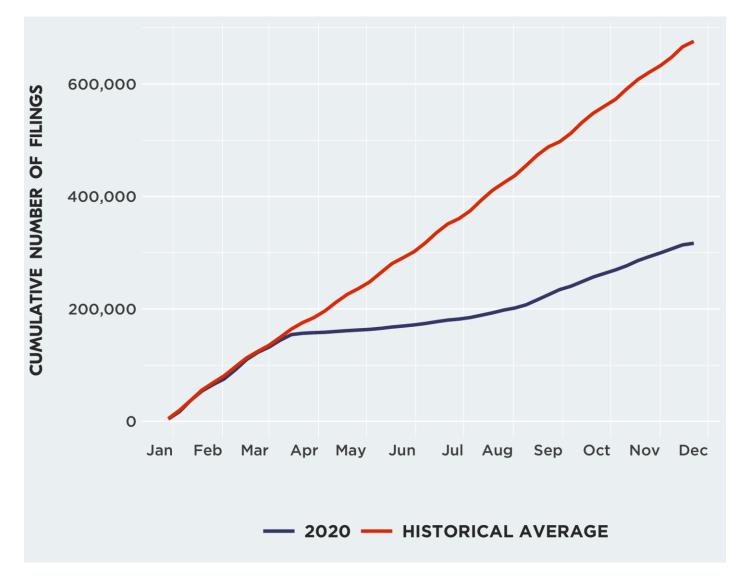
#### Keywords

eviction, COVID-19, eviction moratorium, racial disparities

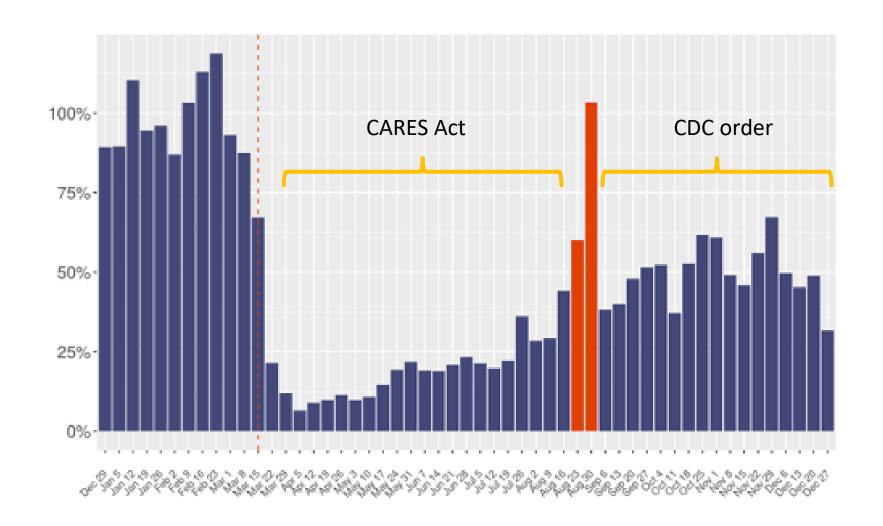
The coronavirus (COVID-19) pandemic precipitated an eco- were filed in 2020 than in a normal year. However, the pace

https://evictionlab.org/us-eviction-filing-patterns-2020/

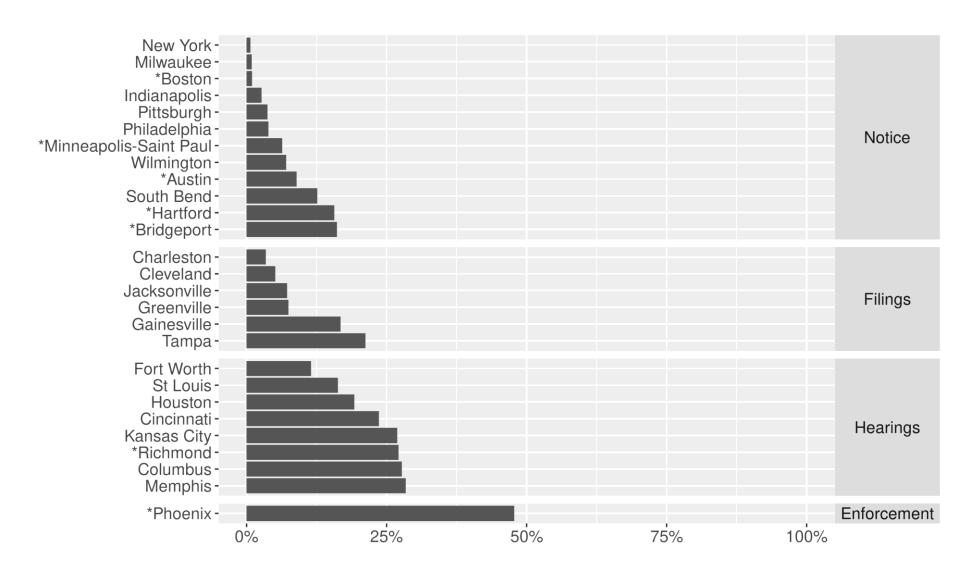
### 1. Large reduction in filings



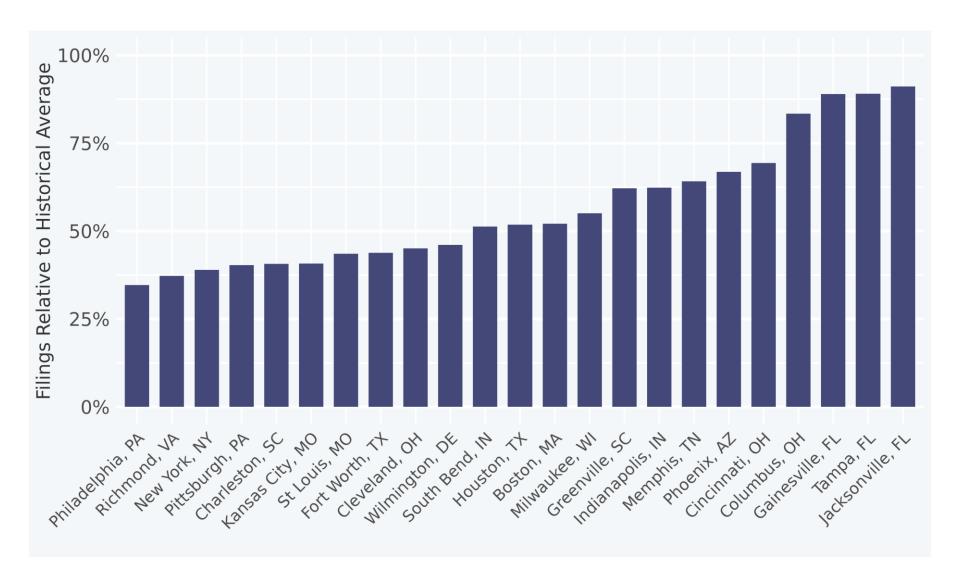
### 2. Federal moratoria work



### 3. State/local moratoria work



### 4. CDC order varies in effect



### 5. National estimate

The ETS covers 1 in 5 renter households

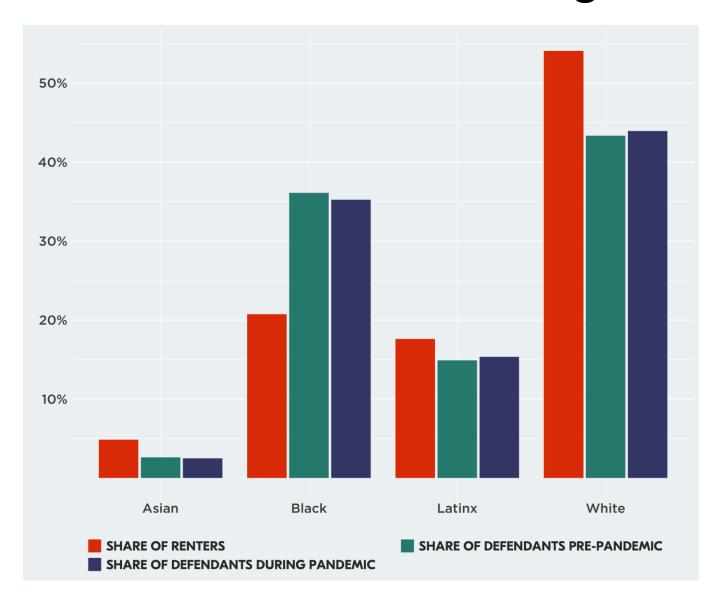
Used regression methods to predict filings elsewhere

Non-ETS counties between 3/15 and 12/31:

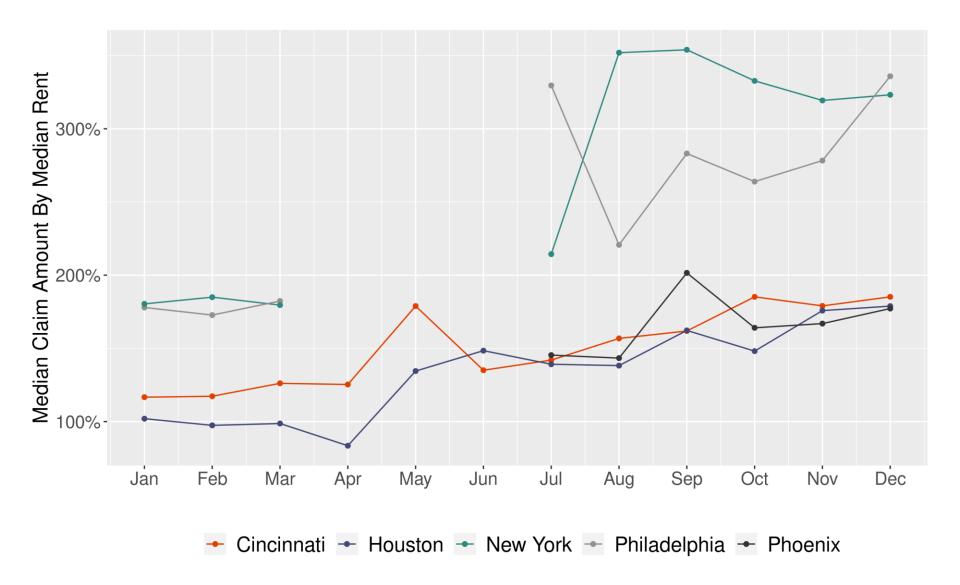
- 2020: 927,000 eviction filings
- Typical: 2,100,000 eviction filings

1.55 million fewer cases nationwide

### 6. Black renters are at high risk



### 7. Amounts claimed rose



### Renee Louis, Joe Fish, Emily Lemmerman, Anne Kat Alexander, and Matt Desmond

Princeton University Eviction Lab

Tim Thomas
Berkeley Urban Displacement Project

Rob Koehler Columbia Law

Emily Benfer Wake Forest University Law

peter.hepburn@rutgers.edu

#### EVICTION LAB

The Eviction Lab is funded by the Russell Sage, JPB, and Gates Foundations, C3.ai Digital Transformation Institute, the Pew Charitable Trusts, and the Chan Zuckerberg Initiative



### Mike Wallace

Legislative Director, Community & Economic Development

National League of Cities

wallace@nlc.org

# NLC & NLIHC Do's and Don'ts for ERA





#### Housing Stability is a Prerequisite for Economic Mobility, Job Security, and Health and Well-Being

- American Rescue Plan asks city leaders to stabilize local government operations, households, and small businesses
- ARP Policy goal to restore employment and fully reopen the economy.
- Emergency Rental Assistance Program:
  - Relies on state and local gov to connect federal rental assistance to residents and landlords.
  - 2. Rent relief is reaching those in need too slowly, and avoidable set-backs like damaged credit is mounting.
  - Outcomes for public investments in job-training and workforce decline as a result of housing instability.



### **Emergency Measures to Contain Coronavirus Harmed Residents**

- Measures contain COVID-19 unintentionally resulted in lost wages and other unavoidable harm to millions of families through no fault of their own.
- Those with the lowest incomes have been disproportionately impacted, and racial inequities have intensified.
- Millions of low-income households are behind on their rent and landlords in-turn may be unable to meet their financial obligations.
- The risk is high for increasing homelessness and permanent losses of affordable housing just as jobs and the economy begin to rebound.







Last updated: 04/28/2021

#### HOW TO ESTABLISH AND IMPROVE EMERGENCY RENTAL ASSISTANCE PROGRAMS

#### SUGGESTIONS FOR STATE, LOCAL, TRIBAL, AND TERRITORIAL ELECTED OFFICIALS

he COVID-19 emergency, and necessary measures enacted by federal, state and local governments to contain it, have unintentionally resulted in lost wages and other unavoidable harm to millions of families through no fault of their own. Those with the lowest incomes have been disproportionately impacted, and racial inequities have intensified. Millions of low-income households are behind on their rent and landlords in-turn may be unable to meet their financial obligations. In March 2021, one of every 6 renters had fallen behind on their rent payments, putting them at risk for eviction. Without the direct intervention of state and local governments under the federal Emergency Rental Assistance (ERA) Program, the risk is high for increasing homelessness and permanent losses of affordable housing just as jobs and the economy begin to rebound.

Congress is relying on state and local governments to stabilize distressed households by connecting residents at risk of eviction to the more than \$46 billion in emergency rental and utility assistance provided by Congress in the <u>American Rescue Plan Act</u> and the <u>December COVID-19 relief bill</u>. These resources can help economic recovery at the state and local level by eliminating rent and utility arrears that struggling renters have accrued during the pandemic and enabling longer-term housing stability necessary for job security and returning to work.

The National Low Income Housing Coalition (NLIHC) and National League of Cities (NLC) recommend elected officials and administrators follow these key principles for emergency rental assistance (ERA) programs to minimize obstacles and maximize uptake of rental aid, and to ensure these critical federal resources reach households with the greatest needs and are distributed equitably.

#### KEY PRINCIPLES FOR MODEL ERA PROGRAMS

The more than \$46 billion in ERA funds provided by Congress will prevent millions of renters from losing their homes and enable longer-term housing stability for some renters. Many states and localities have ramped up their existing rental assistance programs to distribute this unprecedented volume of funds, and others are preparing to implement rental assistance programs for the first time. Since the current challenge of administering these funds has fallen to state and local governments, this is a key moment to learn from the state and local COVID-19 rental assistance programs launched in 2020.

The following key principles are based on NLIHC's tracking and analysis of nearly 900 state and local emergency rental assistance programs, and findings from collaborative research conducted by NLIHC, Housing Initiative at Penn, and NYU Furman Center (see list of additional resources for more details). The three organizations surveyed administrators of 220 emergency rental assistance programs and conducted in-depth follow-up interviews with 15 of them.

State, local, tribal, and territorial governments should incorporate the following key principles to develop and implement more equitable ERA programs.

Key Principles for Model ERA Programs

Quick Tips and Do's and Don'ts

Overview of Relief Programs
American Rescue Plan Act
Consolidated Appropriations Act of 2021
Coronavirus Aid, Relief, and Economic Security
(CARES) Act

**Examples from Model ERA Programs** 

Additional Resources
Housing Initiative at Penn
NYU Furman Center.



| QUICK TIPS FOR ELECTED OFFICIALS  |  |  |  |
|---|--|--|--|
| DO's  | DON'Ts   |  |  |
| Do center racial equity in the design and implementation of ERA programs.                         | Don't impose unnecessary and burdensome requirements.  |  |  |
| Do prioritize households with the greatest needs.   | Don't neglect the need for targeted outreach to marginalized populations.                                      |  |  |
| Do coordinate with housing agencies to make resources available to federally assisted households. | Don't restrict ERA to non-subsidized renters or bar renters living in subsidized housing from the ERA program. |  |  |
| Do partner with trusted community-based organizations.  | Don't lose time setting up a "perfect" program.  |  |  |
| Do engage landlords.  | Don't penalize tenants if their landlords refuse to participate.   |  |  |
| Do hold grantees accountable to racial equity performance metrics.                                | Don't be afraid to change aspects of program design if it is not working as intended.                          |  |  |

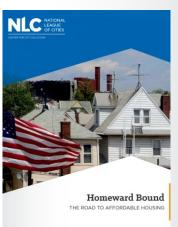
### **Key Principles for Model ERA Programs**

- 1. Center Equity in Design and Implementation
- 2. Prioritize Households with Greatest Needs
- 3. Partner with Trusted Community-Based Organizations
- 4. Simplify Applications and Allow Self-Attestation
- 5. Engage Landlords
- 6. Provide Direct-to-Tenant Assistance
- 7. Incorporate Racial Equity in Performance Measurements



#### Resource

- Blog: Six Do's and Don'ts for Local Emergency Rental Assistance Programs
- Landing Page: <u>How Elected Officials Can Implement Emergency Rental</u> <u>Programs</u>
- Report: <u>How to Establish and Improve Emergency Rental Assistance</u>
   <u>Program</u>
- NLC's Housing Report: <u>Homeward Bound</u>





#### **Principles for Coronavirus Local Fiscal Recovery Fund**

#### 1. Use dedicated grants and programs first whenever possible

 Save Local Fiscal Recovery Funds for gaps and priorities not eligible for other federal and state assistance programs

#### 2. Assess government operations AND community needs

 Ask valuable staff and stakeholders for help creating a comprehensive needs assessment; be prepared to pivot

#### 3. Prioritize fiscal stability and returning to work

Save pet projects for earmarks

#### 4. Maintain records and document success

Create long-term information infrastructure for your future leaders

#### 5. Your Congressional Delegation is part of your success

Invite Members of Congress to re-openings, ribbon-cuttings, etc...













### Update on Emergency Rental Assistance Programs

#### Rebecca Yae

Senior Research Analyst

National Low Income Housing Coalition <a href="mailto:ryae@nlihc.org">ryae@nlihc.org</a>

#### **Neetu Nair**

Research Analyst

National Low Income Housing Coalition <a href="mailto:nnair@nlihc.org">nnair@nlihc.org</a>



### **Emergency Rental Assistance**

Updates on tracking and initial findings May 03, 2021

Neetu Nair (she/her)

Research Analyst

nnair@nlihc.org

National Low Income Housing Coalition

Rebecca Yae (she/her)

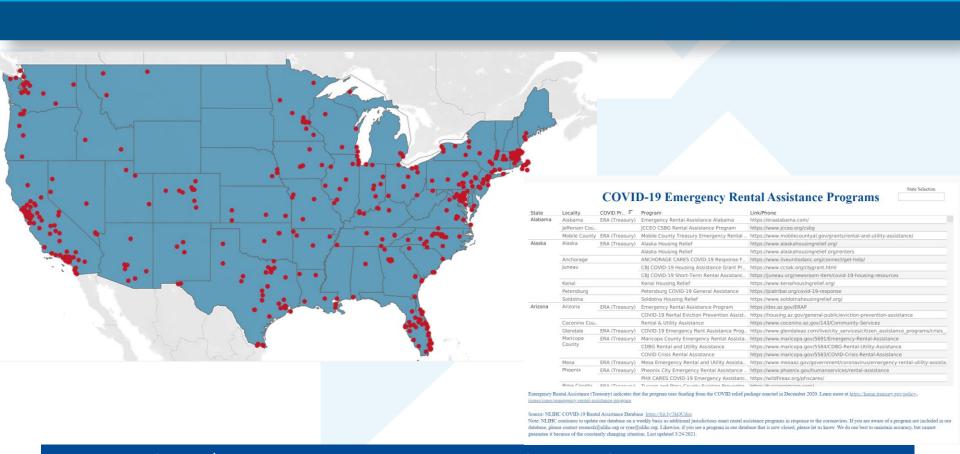
Senior Research Analyst

ryae@nlihc.org

National Low Income Housing Coalition

### What we're tracking





As of May 3<sup>rd</sup>, NLIHC is tracking over 900 programs, 300 of which are from the Treasury ERA program. The ERA Treasury program includes: 50 States + D.C., 382 cities/counties, 252 Tribal govts. and 6 Territories/ Entities

### Latest Updates\*



| ERA Treasury Programs in    |     |
|-----------------------------|-----|
| Database                    | 300 |
| Jurisdictions Represented   | 365 |
|                             |     |
| Opened Programs             | 270 |
| State Programs              | 43  |
| County Programs             | 141 |
| City Programs               | 47  |
| Territory/Tribal Govt/Other | 40  |
|                             |     |
| Closed Programs             | 13  |
| State Programs              | 0   |
| County Programs             | 10  |
| City Programs               | 2   |
| Territory/Tribal Govt/Other | 1   |





| Alabama, Alaska*, Arizona, California, Colorado, Connecticut, Delaware, D.C., Georgia, Hawaii, Idaho, Indiana, Iowa,  Arkansas, Florida, Illinois, York, North Carolina, North Dakota, Oregon, and South |     |
|--|-----|
| Colorado, Connecticut, Delaware, D.C., York, North Carolina, North   |     |
|  | New |
| Georgia, Hawaii, Idaho, Indiana, Iowa, Dakota, Oregon, and Sout  | th  |
|  | h   |
| Kansas, Kentucky, Louisiana, Maine, Carolina   |     |
| Maryland, Massachusetts, Michigan,   |     |
| Minnesota, Mississippi, Missouri, Montana,   |     |
| Nebraska, Nevada, New Hampshire, New   |     |
| Jersey, New Mexico, Ohio, Oklahoma,  |     |
| Pennsylvania, Rhode Island, South Dakota,  |     |
| Tennessee, Texas, Utah, Vermont, Virginia,   |     |
| Washington, West Virginia, Wisconsin, and  |     |
| Wyoming  |     |
| *currently closed, may reopen  |     |

### **Initial Observations**



#### Self-attestation

- Only 31% programs explicitly state that self-attestation is an acceptable substitute for proof of documentation.
- Self-attestation options for Income and COVID Hardship are more common than for Housing Instability.

#### Direct to Tenant options

- Only 17% programs have stated that they will directly issue assistance to tenants if landlords refuse to participate.
- Some programs state that they will dismiss the application if landlords do not respond



## Thank You!



### Field Updates

### **Erin Kahn**

Consultant

All in Washington's Vaccine Equity
Initiative

erin@erinkahnconsulting.com



## All In WA

Presentation to National Low Income Housing Coalition

May 3, 2021



### About All In WA

- + All In WA is a coordinated statewide relief effort powered by a coalition representing the public, private, nonprofit and philanthropic sectors.
- + The goal is to address the impacts of COVID-19 on vulnerable populations, especially BIPOC groups and rural and remote communities.
- One of the key components of All In WA is a COVIDrelief grants fund.
- + The Fund is guided by a diverse group of 23 advisors to shape the giving priorities and make grant awards.
- Over \$15m in grants have been made across WA so far. Another \$6m+ will be distributed for the Vaccine Equity Initiative.



### Vaccine Equity Initiative

- Goal: Support equitable distribution of vaccines by providing funding to trusted, community-based organizations with strong relationships to disproportionately impacted communities.
- Flexible funding (up to \$50k) for:
  - Education and messaging, including linguistically and culturally specific communications
  - Outreach and registration support
  - Hosting or co-hosting mobile, pop up and vaccination events
  - Transportation and other fixes to mobility or access



### **Priorities**

- + Farmworkers and agricultural workers, including meat processing workers
- Immigrants and refugees
- Black, Indigenous and People of color communities
- Low-wage cash economy workers including massage parlor, nail salon, and sex industry workers
- Unsheltered and homeless populations
- Individuals recently released from or still involved in criminal justice and juvenile justice systems
- + People with disabilities
- + Counties with "below average" rates of vaccination.



### What are we learning?

- High degree of variability in uptake by geography (county) and population
- Messaging matters (but there is no single message that works)
- The messenger matters
- People may need multiple touch points to influence their decision to get vaccinated and opportunities to ask questions. It's personal!
- Focus group data suggests many people are motivated to see their family and friends again



### Lessons from grantees

- Lots of opportunity for collaboration such as co-hosting events
- Bringing pop-up events to trusted sites (community-based organizations, churches, public housing communities) has been successful
- "Non-traditional" partners can be promising. Think beyond groups that traditionally have a role in health care or social supports
- Moving from solemn to celebratory with music, art, etc. that will foster a positive experience



#### The funding context

- Large public sector investment in vaccine efforts, including communications and messaging
- Much less funding available from public sector to support CBOs to do outreach and recruitment in communities where they have established, trusting relationships
- High degree of variability based on public health infrastructure
- Corporate partners can be a good resource to address barriers (such as in-kind rideshare for transportation) or other incentives



#### Questions?

- Does this match what you are seeing/hearing in your local community to address vaccine uptake?
- What's worked with your audience, clients, community?
- Contact: grants@allinwa.org



## Field Updates

#### **Bob Palmer**

Policy Director

Housing Action Illinois

bob@housingactionil.org

## HB 2877: COVID-19 Emergency Housing Act: Passed General Assembly, Governor's Signature Pending



- Codifies certain provisions of the State of Illinois' federally-funded emergency rental assistance program. The provisions are intended to ensure that people with the lowest incomes and most severe housing needs are able to access the \$566.2 million in emergency rent assistance to be distributed by the State of Illinois starting in May 2021. Between state and local governments, the total rent assistance available in Illinois will be \$834.7 million.
- Requires the sealing of all eviction records between March 2020 and March 2022 upon filing, with limited unsealing allowed if a judgment is entered and the case is unrelated to nonpayment of rent. Renters should not face permanent housing barriers due to the economic fallout of the COVID-19 pandemic. An eviction record, including even the mere filing of a case, hampers a tenant's ability to secure housing.
- Requires the sealing of older eviction records if the court finds that doing so is in the interests of justice, the case is dismissed, the tenant did not breach the lease, or the parties agree to seal the record. This provision sunsets on July 31, 2022.
- Prohibits tenant screening companies from disseminating a sealed eviction court record and creates penalties for doing so. This provision sunsets on July 31, 2022.
- Creates a temporary COVID-19 emergency homeowner and small landlord foreclosure moratorium by halting judicial sales and orders of possession through July 31, 2021.

#### HB 2877: Sealing Eviction Cases During Pandemic



- "COVID-19 emergency and economic recovery period" means the period beginning on March 9, 2020, when the Governor issued the first disaster proclamation for the State to address the circumstances related to COVID-19, and ending on March 31, 2022.
- The court file shall be sealed upon the commencement of any residential eviction action during the COVID-19 emergency and economic recovery period. If a residential eviction action filed during the COVID-19 emergency and economic recovery period is pending on the effective date of this Act and is not sealed, the court shall order the sealing of the court file.
- If the court enters a judgment in favor of the landlord, the court may also enter an order to unseal the court file. A court shall order the court file to be unsealed if the action is not based in whole or in part on the nonpayment of rent during the COVID-19 emergency and economic recovery period and other requirements have not been met.

#### HB 2877: Sealing Older Eviction Cases



- New state law: The court shall order the sealing of any court file in a residential eviction action if: (1) the interests of justice in sealing the court file outweigh the public interest in maintaining a public record; (2) the parties to the eviction action agree to seal the court file; (3) there was no material violation of the terms of the tenancy by the tenant; or (4) the case was dismissed with or without prejudice. This provision sunsets on July 31, 2022.
- Existing State Law: Discretionary sealing of court file. The court may order that a court file in an eviction action be placed under seal if the court finds that the plaintiff's action is sufficiently without a basis in fact or law, which may include a lack of jurisdiction, that placing the court file under seal is clearly in the interests of justice, and that those interests are not outweighed by the public's interest in knowing about the record.



### Racial & Gender Analysis of Housing Insecurity Reported in Census Household Pulse Survey

#### Sarah Hassmer

Senior Counsel, Income Security

National Women's Law Center

shassmer@nwlc.org



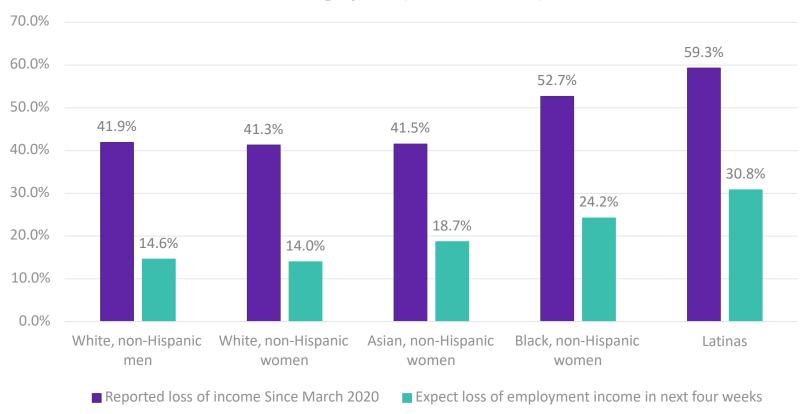
# **Key Takeaways: March 3-15 Survey**

- Black, non-Hispanic women and Latinas were more likely to be in households that have lost employment income since March 2020.
- Asian, non-Hispanic women, Black, non-Hispanic women, and Latinas were more likely to report that they expected their household to lose employment income in the next four weeks.
- Black, non-Hispanic women and Latinas were more likely to be behind on their rent payments.
- Asian, non-Hispanic women, Black, non-Hispanic women, and Latinas were more likely to be behind on their mortgage payments.
- Black, non-Hispanic women and Latinas were more likely to be in households facing food insufficiency.



#### **Employment Impacts**

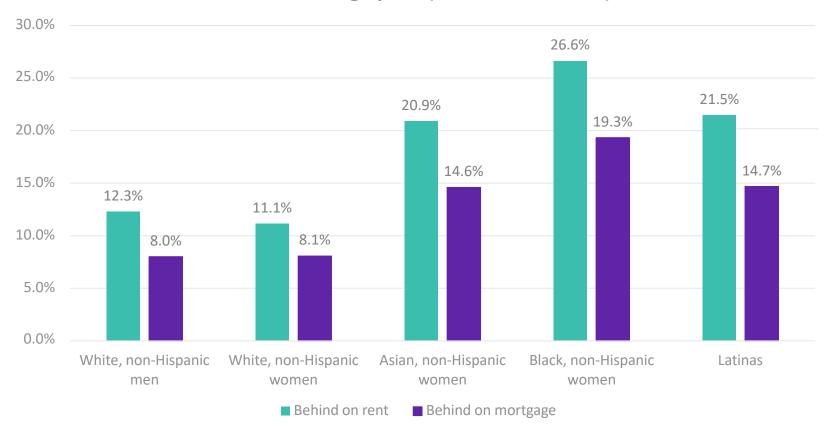
Share Who Reported Loss of Employment Income Since March 2020 and Share Who Expect Income Loss in Next Four Weeks by Selected Demographics (Mar 3 - Mar 15)





#### **Housing Impacts**

Share Who Reported Being Behind on Rent or Mortgage Payments by Selected Demographics (March 3 - March 15)





#### **Housing Insecurity Remains**

- This data demonstrates the continued importance of eviction moratoria and emergency rental assistance.
- You can pull national and state data for gender or race/ethnicity analysis at https://www.census.gov/programssurveys/household-pulse-survey/data.html.
- Ex: In CA, 18% of women are behind on rent, compared to 15% of men in late March and 31% of Asian, non-Hispanic, 22% of Black, non-Hispanic, and 17% of Latinx renter households were behind in rent.
- The April 14 26 data tables will be released on May 5. Public Use Files for more in-depth analysis will be released two weeks after that.



## Addressing Housing Insecurity in the Long-Term

 Women were more likely than men to be housing insecure even before the pandemic, demonstrating the need for the substantial federal investments proposed in NLIHC's HoUSed campaign to address housing insecurity in the long term.

# Advancing Long Term Housing Solutions: Updates & Next Steps

### Kim Johnson

Policy Analyst

National Low Income Housing Coalition

kjohnson@nlihc.org



### Next Steps

#### **Diane Yentel**

President & CEO

National Low Income Housing Coalition

dyentel@nlihc.org



#### Resources

NLIHC's HoUSed Campaign (nlihc.org/housed): Campaign Updates