

End Rental Arrears to Stop Evictions (ERASE)

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PROJECT SUMMARY

End Rental Arrears to Stop Evictions (ERASE), a project led and coordinated by NLIHC, was designed to ensure that the \$46.5 billion in emergency rental assistance enacted by Congress reached the lowest-income and most marginalized renters it was intended to help. ERASE sought to eliminate rental indebtedness caused by the pandemic and to prevent evictions by tracking and analyzing emergency rental assistance utilization; documenting and sharing best practices and toolkits; influencing and shaping program design at federal, state, and local levels; developing key partnerships for outreach and education; and assessing the remaining needs to inform advocacy for long-term investments to end housing instability and homelessness in the United States.

The coalition plans to continue to leverage the success of ERASE to advance and sustain permanent solutions that prevent evictions, ensure housing stability, and end homelessness. The second phase of the ERASE project will focus on supporting partners in developing and implementing strategies that result in the creation of permanent state and local emergency rental assistance programs and state and local tenant protections that ensure the lowest-income households most at risk of eviction, and people experiencing homelessness, have access to assistance to avoid eviction and stay stably housed.

BACKGROUND

Throughout 2020 and early 2021, NLIHC led a national campaign for rent relief now. The successful campaign resulted in Congress providing a historic \$46.5 billion in Emergency Rental Assistance (ERA) to states, localities,

tribes, and territories. The appropriation of ERA, however, did not guarantee that meaningful help would reach the people who needed it the most: history shows that positive legislation for low-income people is not the same thing as truly delivering needed aid. NLIHC had two implementation-concerns related to ERA. First, the U.S. Treasury Department was in charge of administering the program and had little experience and expertise with rental aid; second, the ultimate provision of aid was diffuse - over 700 state and local agencies implemented more than 500 state and local ERA programs, many with their own sets of rules and procedures added on by state legislatures or city councils that sometimes restricted the use of funds to the people most in need. To address these concerns, NLIHC engaged in national, state, and local advocacy, research, communications, tracking and outreach to ensure that ERA funds reached the renters most in need.

According to the latest reporting data from the Department of Treasury, as of June 2022, more than \$31.8 billion in emergency rental assistance had been disbursed through more than 6.3 million payments to landlords and households. Just as COVID 19 disproportionately impacted low-income communities of color, early demographic data show that our collective efforts to ensure emergency rental assistance reaches households most in need has been successful. Two-thirds of households receiving assistance had extremely low incomes, 43% identified as Black and 20% identified as Latino(a). This success is due, in large part, to NLIHC and the ERASE cohort's work in supporting programs to increase use of flexibilities that ensure the most marginalized have access to assistance, and in NLIHC's partnership with the White House and Department of Treasury in improving and implementing needed guidance.

NLIHC's work with state and local partners has

resulted in more than 150 new federal, state, and local tenant protections passed or implemented since 2021, resulting in increased housing stability for millions of renter households. Early research also indicates that the unprecedented investment in rental assistance, coupled with first time local, state, and federal tenant protections, prevented millions of renter households from being evicted. Eviction Lab research finds that government interventions resulted in 1.36 million eviction cases being prevented in 2021. They note: “The federal government intervened in the eviction crisis in a serious and unprecedented way... and data show that that intervention has paid off.”

As the federal ERA dollars wind down, we know that funding will not be sustained at the level provided through ERA moving forward, placing this new housing infrastructure at risk. States and localities must act quickly to sustain the progress that has been made, bridge the gap created by the potential loss of ERA, and invest in long-term housing solutions.

ERASE CAMPAIGN ACTIVITIES

NLIHC worked both directly as well as through our state and local partners to support – and learn from – the implementation of ERA in states and localities around the country. These efforts were planned, coordinated, and managed by the End Rental Arrears to Stop Evictions (ERASE) project. The ERASE project undertook several advocacy, research, and education efforts over the last two years in order to ensure ERA served the lowest income and most marginalized renters across the country.

The project facilitated bi-weekly State and Local Partner Implementation Calls that brought together program administrators and state and local advocates to discuss the implementation of the three pieces of legislation creating ERA: the “2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act,” the “Consolidated Appropriations Act of 2021,” and the “American Rescue Plan Act of 2021.” NLIHC also held weekly National Calls that featured national speakers, administration staff, Members of

Congress, and members of state and local programs to share the latest information on Treasury guidance and innovations in the field.

The project provided grant funding and technical assistance to 38 state and local partners through an “ERASE Cohort” and facilitated bi-weekly working group meetings during which members could engage in peer-to-peer learning. Through its ERA Program Dashboard, the ERASE project also tracked and shared information about programs and key design and implementation features that enabled them to serve the lowest-income and most marginalized renters in need of housing assistance.

In the past two years, the ERASE project and its partners released more than 21 reports highlighting the state of emergency rental assistance, emergent best practices, and program recommendations. These reports contain frameworks, program examples, and case studies that may be useful in designing or adapting ERA programs in the future. Information from these reports were recently consolidated into “Emergency Rental Assistance: A Blueprint for a Permanent Program,” which provides recommendations for how to model future permanent ERA programs so they meet the needs of the lowest income renters. The recommendations include:

- Establishing and funding a permanent emergency rental assistance program.
- Exploring the use of innovative models like direct-to-tenant payments to support renters.

While a permanent ERA program is one part of a needed housing safety net to end homelessness and alleviate housing insecurity among the lowest income renters, Congress must also:

- Ensure long-term affordability for the lowest-income renters through universal vouchers.
- Preserve and increase the supply of housing affordable to the lowest-income renters.
- Enact robust and permanent tenant protections at the state, local, and federal levels.

ERASE FRAMEWORK

From the beginning, the ERASE project worked with state partners, local jurisdictions, and ERA program administrators to ensure that local ERA programs were visible, accessible, and preventive. These three goals formed a framework for generating program improvements that would ensure that the lowest-income and most marginalized renters were able to find and access ERA in time to prevent their evictions. Over time, the ERASE project and its partners developed recommendations for each part of the visible-accessible-preventive framework – recommendations that will help future permanent ERA programs successfully meet the housing stability needs of the lowest-income renters:

1. Visible: Emergency rental assistance programs should adopt creative strategies to overcome problems with ERA visibility. These strategies include innovative outreach, marketing, and targeting activities that were utilized by communities during the pandemic to ensure assistance reached BIPOC households and those at the greatest risk of homelessness. Strategies include
 - Engaging trusted community-based organizations (CBOs) for outreach and marketing.
 - Conducting outreach to landlords.
 - Using data to target outreach and engagement.
 - Distributing program information at critical points of intervention and directly to renters.
 - Providing ERA outreach at eviction court.
 2. Accessible: It is imperative that households most in need can quickly and easily access emergency rental assistance during an economic crisis. Successful strategies state and local programs can utilize to ensure a streamlined, accessible and low barrier ERA application process include:
 - Ensuring adequate staff capacity, infrastructure, and partnerships to process applications and distribute funds equitably and efficiently.
 3. Preventive: ERA programs should insure holistic, responsive interventions at all intersection points, including state and local courts, to reduce evictions, housing displacement, and homelessness. Program administrators, community members, and ERASE Cohort members have played crucial roles in establishing and supporting programs that braided financial assistance available under the ERA program with other supportive housing services to prevent evictions. Best practices for future programs include:
 - Prioritizing households to advance equity in assistance.
 - Minimizing burdensome documentation barriers.
 - Utilizing direct-to-tenant assistance.
 - Streamlining application processing through the use of bulk payments to landlords and utility companies.
 - Providing housing navigation services to assist with applications.
 - Ensuring language access and provide translation services for non-English speakers.
 - Ensuring access for people with disabilities.
- Using ERA to pay for prospective rent and other housing services.
 - Using ERA to fund housing counseling and housing navigation services.
 - Integrating ERA with landlord-tenant mediation programs.
 - Supporting coordination between courts and ERA programs to prevent evictions.
 - Establishing and enforcing ERA-related tenant protections at the state and local levels.
 - Setting up eviction diversion and prevention programs.
 - Utilizing ERA to prevent and end homelessness

SUSTAINING ERA PROGRAMS AND CREATING NEW TENANT PROTECTIONS

Over the last two years NLIHC has learned that successful ERA programs 1) ensure access to financial rental assistance, 2) pass and enforce tenant protections such as right to counsel, just cause, and source of income protections, and 3) develop and support the partnerships and infrastructure necessary for efficient and equitable ERA implementation and a holistic approach to long term housing stability for tenants.

Given the success of this multi-pronged approach, 24 cohort members in 2023 will develop and implement strategies that will result in the creation of permanent state and local emergency rental assistance programs and tenant protections that will prevent evictions and promote housing stability. Cohort members will also work with NLIHC and state and local partners to advocate for federal emergency rental assistance legislation and develop the state and local infrastructure to deploy these resources once they are in place. Cohort members will center race equity as well as the participation of people with lived expertise, BIPOC, and other marginalized communities in the development and implementation of their goals, advocacy strategies, and local partnerships.

Grantees working on sustaining and creating permanent emergency rental assistance programs will assess what worked best in supporting low-income tenants and in preventing evictions and homelessness; assess the scale of financial assistance needed for emergency rental assistance moving forward as well as the best mechanisms for getting that assistance to low-income renters in need; leverage federal, state, and local funding to sustain ERA and advocate for states/localities to use ample State and Local Fiscal Recovery Funds (SLFRF) for this purpose' and engage and make the case to federal policymakers on the need for a permanent ERA program.

Cohort members working on advancing tenant protections will enact and enforce state and local tenant protections that prevent evictions and promote long-term housing stability; work with community stakeholders and tenant groups to develop model legislation packages; work with NLIHC to advocate for federal tenant protections and resources to ensure long-term housing stability; and assess the impact of tenant protections on preventing evictions and increasing housing stability.

Cohort members will utilize a collaborative approach and engage cross sector partners to advocate for permanent resources and enact, enforce, and analyze tenant protections., and develop the infrastructure necessary to disburse funding to low-income and marginalized renters.

FOR MORE INFORMATION

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“ERASE State and Local Tenant Protections Database,” National Low Income Housing Coalition, accessed November 30, 2022, <https://nlihc.org/tenant-protections>.

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The “Consolidated Appropriations Act of 2021” (Pub. L. No. 116-260), <https://www.congress.gov/bill/116th-congress/house-bill/133>.

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“Emergency Rental Assistance: A Blueprint for a Permanent Program,” National Low Income Housing Coalition, November 2022, <https://nlihc.org/sites/default/files/2022-ERA-Blueprint.pdf>.

