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**SARAH SAADIAN:** Hi, and welcome to our next panel, Federal Policy and the Future of ERA. I'm Sarah Saadian. I'm the senior vice president of policy and field organizing with the National Low Income Housing Coalition. And during this session, we're going to hear from key Congressional staff and administrative officials about the successes and lessons learned from the Emergency Rental Assistance program and the path forward to create a permanent resource to stabilize families and prevent evictions.

We have a tremendous lineup for today's panel that includes key players who've played important roles in creating, implementing, overseeing and analyzing ERA. Our speakers include, from my side on, Solomon Greene, principal deputy assistant secretary for policy development and research at HUD; Beth Cooper, professional staff member with the Senate Banking Committee for Chairman Sherrod Brown; Erika Poethig, special assistant to the President for Housing and Urban Policy with the White House Domestic Policy Council; and Vero Soto, director of the Emergency Rental Assistance programs in the Office of Recovery Programs at Treasury.

I'm going to start by going down the line and encourage each of you to share an opening statement on the program itself, lessons learned, and where you think we should go from here.

**SOLOMON GREENE:** I'll keep mine short because in this role, at HUD, I have the least tenure and time working on emergency rental assistance. I'm really honored to be sitting on the stage with people who were architects leading implementation of the program.

As Sarah mentioned, my name is Solomon Greene and I'm the principal deputy assistant secretary at HUD leading our office of policy development and research. For those of you who don't know, PD&R, as we call it, it is— some call it the think tank of HUD, which is appropriate because I come from a think tank background, but we support departmental priorities, policy

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development, program development through rigorous research, data collection, analysis, demonstrations, innovation and sharing of best practices. And I'm very delighted that PD&R are celebrating our 50<sup>th</sup> anniversary this year. So not quite as old as HUD, but getting up there in years.

And before joining HUD in July, rejoining HUD in July, I spent about seven years at the Urban Institute. And some of what I'll be sharing on this panel draws that from that experience because I was at the Urban institute through the pandemic and, along with Erika and colleagues there, did a lot of research on ERA and helping to get it set up.

What am I going to contribute as the newbie on the panel? I'll be talking a little bit about the importance of research and data, but also not just abstract research and data, but also using research and data to support community engagement and also community perspective and lived experience as an essential part of policymaking and the kind of data that we do need to develop and improve the program.

Which is sort of a funny perspective to bring because ERA started, unlike what we do in PD&R, researching things, starting small, building the evidence, building the program, ERA came out of the gates running with very little precedent. And had to because we were facing a crisis.

And I just want to acknowledge that the early research that informed the development of ERA was not done within the building, as we saw at HUD, or within the federal government, but it really came from organizations like the Coalition and others in the field that have been doing this work for a long time. And there was nothing quite like ERA, but there was enough like ERA.

I wrote, when I was at the Urban Institute, an early paper on state and local emergency rental assistance programs and the Coalition was tracking those well before ERA was created. So one

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of the themes you'll hear me come back to over and over again is the importance when it comes to research and data of what you might call public/private partnership, working hand in hand to support the development and improvement of the program.

**BETH COOPER:** Hi, everyone. I'm Beth Cooper. I work for Chairman Sherrod Brown on the Senate Committee on Banking, Housing and Urban Affairs. And my policy areas are community development and affordable housing, including homelessness.

I actually had the, I guess, the pleasure of working on, before ERA was stood up, working on the Eviction Crisis Act, and for a long time working on affordable housing policy. And I think we'll get into the particulars; we'll have a little bit more about the origin of ERA and how we were involved there.

But I'll just say that working for my boss— and, I should say up front I'm speaking for myself, not for him or members of the Committee, although I will say he and the members of our Committee have been very concerned about the affordable housing crisis. That is the problem underlying the need for emergency rental assistance to begin with. So we've been working on that for a long time.

And I'll just use my opening minute to say thank you to the National Low Income Housing Coalition, to Diane, to Sarah, to our folks in COHHIO – I'll do a little home state shoutout – for all of your work and advocacy all along, and then when the crisis hit, kicking into gear to advocate for emergency rental assistance to help stave off a truly dire eviction crisis.

And I also want to say thank you to everyone who was the receiver of our little baby of emergency rental assistance and has worked so hard across the country to implement this program in the midst of a pandemic, when people were away from their offices or braving their

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offices and worried about their kids and their parents and themselves. So I just can't say enough how much we appreciate all the work that's gone in to implementing this program and helping people make it through some really dire circumstances.

Look forward to talking some more.

**ERIKA POETHIG:** Great, thank you, Beth, that's incredible to follow, and I really appreciate the gratitude. And I'm going to double down on that some more. But I'm Erika Poethig. I'm special assistant to the President for housing and urban policy in the Domestic Policy Council of the White House.

The Domestic Policy Council and the National Economic Council are two of the standing policy councils in the White House. Our responsibility is to drive the President's agenda through oftentimes interagency policy committees and especially when we have problems that are more than any one agency can solve. And I'm going to talk a lot more about that in this circumstance because I think that is something we learned a lot about, and I would say it was one of the important ingredients of success.

I've long felt and thought and supported the idea that housing matters, and evidence backs that up, and that housing matters for many different kinds of outcomes. And I think this crisis that we faced that was really an ERA in part born out of an argument around public health further, I think, helped to seal in people's understanding the connection between housing and other outcomes.

So again, I think one of the things I draw hope from, and also inspiration from, and would look forward to, is how we use this moment and this experience and the lessons to continue to advance our housing policy, not in a silo, but continue to make the connection and argument to

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other systems as well that housing can be the solution to the problems that folks in other systems are seeing.

And I have the benefit of being able to do that oftentimes with my colleagues because we are so interdisciplinary in nature in the work that we do.

But like Beth, I just, too, wanted to say thank you. Thank you to Diane and Sarah and all the team at the Coalition, but to your members, to the ERASE coalition. We've had many opportunities to benefit from the insights that really – and I'm sure Vero would say this – have informed the implementation of the policy and have been really central to the way in which the President has charged us all to do this work.

And so, thank you to people in this room and on line, across the country. You have – and evidence bears this out – really prevented evictions. We are still at levels lower than we were pre-pandemic. And that is a huge, huge victory for many people's lives.

**VERO SOTO:** What a tough act to follow all these wonderful people. Good afternoon, buenas tardes. I'm Veronica Soto. I go by Vero. And I'm the ERA program director at Treasury in the Office of Recovery Program. That office, of course, didn't exist before COVID-19. And if you go to all the items we have set up, just like you have set up your programs, one of the things you'll see on the Treasury webpage, the first thing you'll see when you go to the Treasury webpage for the ERA program, is the phrase "keeping families in their homes."

And so, because of your efforts, millions of families have kept their homes. We kept them housed; you kept them housed. And what Treasury's role is, is to implement this program and ensure that we are successful in keeping families in their homes.

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And so, as you've heard today, millions of families have benefited from this. And it was a partnership. It really was all the listening, all the advocacy, you telling Treasury that you needed help or that the recent money wasn't being spent, that we needed to tweak the guidance, that we needed to have those flexibilities.

And so, it was a series of deliberate decisions that were informed by a lot of the work that you were doing. And it's no accident that we have all those flexibilities in the program. It's not accident that the numbers now are outstanding. Eighteen months later, how many families have stayed in their homes? It's because of you, because of the advocacy that we had, and because Treasury took that data-driven approach, that listening mode, that community engagement.

And so, I'm delighted to be a part of this and to help keep families in their homes. And thank you for doing that. Thank you for having tough conversations with us about what we needed to do better and for also having tough conversations in your own communities about what each of you needed to do to ensure that that goal of keeping families in their home was met. And I am astounded every day by how many families did not have to face eviction and the dire consequences that come with that.

So thank you once again for the opportunity to listen to the stories you have to share and for allowing us to learn with you and from you. Thanks a lot.

**SARAH SAADIAN:** Like I said, I'm so excited to have this panel. I think we're going to start off. I'll ask a couple of questions, but then we can open it up to the audience. So start thinking about your questions now. Write them down so you don't forget. And for folks who are joining on line, make sure that you can enter questions in the Q&A box.

My first question, to go down the line, is to share a little bit more in detail about the role that you played in either the creation, the implementation, or analyzing ERA. And from that perspective, what do you think are the greatest successes of the program?

**SOLOMON GREENE:** So as I mentioned briefly, my role, when ERA was initially launched, I was still at the Urban Institute and, like so many of us, grappling, whatever role we were in, trying to figure out how to stem what by all accounts would be an unprecedented pressure on renters in particular and looming eviction crisis.

So we did a couple things, and I'm going to let Erika mention some of them because we were there at the same time; she started earlier in the federal government, but did several efforts. One of them was to launch a new initiative called the Housing Crisis Research Collaborative, which brought together several national research institutions, as well as working with partners, including the Coalition, which is on the advisory team, and supporting independent researchers across the country for rapid response research.

And a lot of that research was focused on ERA before, as I mentioned earlier, there even was an ERA. We evaluated state and local programs funded under the CARES Act. Also looking at eviction diversion programs. And also served on the ABA task force, COVID task force on eviction prevention, which was launched in response to the COVID crisis that, I'm happy to say, is ongoing and put out some wonderful principles for state and local eviction prevention.

I also had the opportunity to work on the transition team, the Biden/Harris transition team and help prepare to hit the ground running on ERA and other housing issues from day one.

HUD's role has been— HUD, well before I started, was involved in supporting ERA, even in ERA-1, working closely with Treasury to provide technical assistance to 45 of HUD grantees

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that were also administering the ERA program. And working hand in hand with Treasury on guidance documents over several rounds of revisions – I think there have been give – to improve each time.

And helping develop the high need formula for ERA-2; my office helped do that. We're the number crunchers at HUD, so we were able to contribute to that.

One thing I forgot to mention in the opening is, going forward, we will be supporting the evaluation of ERA, and any day now, very soon, be announcing our grantees that will be writing the evaluation using data through a data-sharing agreement with the Treasury. And if you are not one of those grantees, I will say it now, come back to it in the Q&A, the data is also available for licensing. And I'm happy to answer questions about what's in the data and how you would go about doing that.

So successes. The big one is that it kept people in their homes, as Vero said. There's no doubt that the biggest success of the program was that it did what it set out to do. And I think people confuse the fact– now we talk about the eviction tsunami and it didn't happen – and I don't mean to belittle the many evictions that did happen, notwithstanding ERA and notwithstanding the eviction moratoria – but we predicted something much worse and we weren't making it up. It was based on clear data and evidence. And the fact that that did not materialize and we're sitting in this room today still talking about evictions – unfortunately not in every place but in many places – below historic averages itself is the testament, I think, main testament to the success of the program.

**BETH COOPER:** So in working on the committee and for Senator Brown, I was involved in developing the ERA legislation, along with input from many, many folks from NLIHC to the property owner community, advocates, academics and think tank types like maybe on the stage



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here, but we took a lot of input and worked with my boss, Senator Brown, worked very closely with Maxine Waters in developing the legislation, and many, many members in developing it and pushing it forward.

And so, worked on it for the better part of a year, it feels like, I think; it's a little bit of a blur. But eventually, through the legislative process, got the first ERA-1 enacted in very late December, a little later than we planned on, very late December 2020. And then, once we had the opportunity with the American Rescue Plan, augmented that with ERA-2.

And the feedback had already started, I will say, on ERA-1, and we made a few tweaks to respond to some early feedback we'd gotten. And so, my involvement was really on the front end and helping support my boss and the members of the Senate and the House in trying to push this forward.

And in terms of successes, it would be all the families that were helped through rental assistance, utility assistance, and the support of services, which I think we can't overlook.

One of the other successes, I would say, is all the partnerships that started around the country with these resources available to them with many, many folks at the local level talking to others, maybe for the first time or maybe more than in passing, combinations of local program administrators and the courts working together.

I have to say, last year, I think it was in 2021, as a parent with a kid in the DC public schools, I was more than delighted to see a notice about the availability of emergency rental assistance in a notice from my son's school. And I thought, oh, thank god, they're talking to each other and they're using that trusted partnership of the school to convey information about this program.

So I would say those partnerships, while I think we've gotten them much further in the last two years with an exponential growth, there has been, I think, it's the start of something we should build on.

**ERIKA POETHIG:** Agree. My history – Solomon alluded to this – early on in the pandemic, the Urban Institute, which is where I was before joining the administration, we convened a rental crisis working group, which is a weekly meeting with a constellation of advocacy organizations, researchers, people across the spectrum of views and also expertise to hold a weekly conversation, bring data to it and evidence that I think helped to be an input into ERA, but also sizing it. There were a lot of different estimates out there, and one of the things we did was sort of assess, compare and contrast the different estimates to help the process, figure out what was the size needed for the scale of the challenge.

And then, I ended up being the team captain for the HUD transition team, and in that capacity worked very closely with the members of the Treasury transition team, as our team had the expertise on rental assistance, emergency rental assistance.

**BETH COOPER:** Is that a slide dig?

**ERIKA POETHIG:** [laughter] That is not! I think they would say the same thing. And we collaborated together to provide that expertise to Treasury that was then in conversation with the Treasury Department once things were able to be opened up. Tried desperately not to have the Trump Treasury Department release its FAQ the day before the Biden administration took over; pleaded–

**BETH COOPER:** I feel like this has moved into– I saw a thousand-yard stare there. [laughter]

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**ERIKA POETHIG:** But did not succeed. And then the rest is history in relationship to then coming into the administration having to quickly talk to stakeholders and work on a new iteration of the FAQs so that the program could be implemented. And recognized many people held back on implementation while we did that work to issue the first FAQs.

And then have been at a point in the White House working with agencies across the board, including the Department of Education, the Department of Health and Human Services, the Justice Department, FEMA, DHS, to name a few, Treasury and HUD, of course, but USDA, multiple, multiple agencies convened on a weekly basis to figure out what tools they could bring to the implementation of ERA. And I convened those efforts.

**VERO SOTO:** I have the distinction of having had two roles for ERA. Before I took this role at Treasury to help oversee the program nationally and then help grantees, I was actually a recipient grantee before.

And so, like you heard in the panel with program administrators, in March of 2020, I was one of those community members struggling to figure out what we were going to do when people were laid off and they couldn't pay the rent. So for the city of San Antonio, I helped to set up the Emergency Housing Assistance program and we used CARES Act funding, like those other programs did, to launch the program. And it was crisis mode and it was long days, and it was facing a lot of folks who— we have a big tourist industry in San Antonio – folks who just didn't have a job to go to. And we knew that we needed to figure out how to keep them housed.

And so, we ran that program. Lots of lessons learned. So when ERA came about, I was tracking the legislation very closely, saying, come on, do it before Christmas; give a Christmas gift! But December 27<sup>th</sup> will always be in my mind because I was so relieved that we had more money instead of trying to clobber together a program that was keeping families housed.

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And so, we ran that program, learned and read all the guidance that came out, and figured out how to help the community. Eventually it became a countywide program with a partnership in Bexar County.

And so, I come from many of your shoes and now I'm here; I've been here six months. And my role is to, again, keep families housed, help you run the program successfully, make sure we get the information to do the data analysis, the reporting, help you be successful as program administrators. And again, the biggest success is that we have helped so many families stay housed.

But for me, who we have helped is part of that success. And that's where some of the data comes in. So we know that the funding did go to very low income families. And in 2021, we had some data points around that, but we have seen the Eviction Lab, have information about how we helped very low income families, how we helped families that faced eviction. So a lot of African American recipients as well.

And just this month, we had the Office of Evaluation Sciences release a report that showed that, compared to eligible renters, the recipients of ERA are indeed very low income families – again, a very deliberate decision to do that – and that we are helping African American recipients, that we're helping Latino recipients, and that those demographic populations are overrepresented. And so, it wasn't just that we helped so many families, but that we helped families that often are not helped by federal programs, or we make it hard, this whole "penalizing someone because they're poor" kind of mentality. I think you heard someone say that earlier.

And so, the success, to me, is not just so many families keeping their house, but who we helped, families that often give up. And so, that has been one of the most rewarding things. I know in

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San Antonio, every time I heard from families, it also gave me a lot of energy. And now when I hear about grantees and the stories of how you go out of your way, above and beyond, to help someone in the families that you're helping, it still gives me so much energy.

So that's one of the successes of the program, the equity that we have seen deliberately implemented and the results that we're seeing of that deliberate decision.

**SARAH SAADIAN:** Thank you for that. So much of the conversation today is about how we can move to a more permanent program where we can keep a lot of the infrastructure that's been built, to build on the lessons learned so that we can better prevent evictions in the future. And one way to do that is by Congress passing the Eviction Crisis Act, which would create a permanent program. And we've been lucky enough to talk to the sponsors of those bills – bipartisan bill, by the way – who are actively wanting to incorporate lessons learned into that legislation as we move forward. And as Solomon said, we don't often get the \$46 billion experiment first. So there's been a lot of lessons learned.

So as we're thinking about a permanent program, what are the most important elements that need to be included? What are the lessons learned that need to be in that legislation? Maybe we'll start at the opposite end.

**VERO SOTO:** Let's change it up a little bit. [laughter] So for me, one of the lessons is really how that feedback loop of hearing from everyone and all the partners that I think someone else already alluded to are at the table and how it was very honest conversations about what we needed to do to make it an easier program to administer.

And so, there was onerous documentation and it wasn't working; it wasn't working for Treasury, it wasn't working at the local levels. The state was struggling; many states were struggling with

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that. And so, listening from advocates, listening from program administrators. The way the partnerships with the court system, with many programs, having people actually be at the eviction court hearings. I know we did that in San Antonio. And when a judge said, Oh, you guys can have an office, we were like, we have arrived, we have an office at the court. [laughter]

And so, those partnerships that didn't exist before and the willingness to learn and hear each other and shift and change, as frustrating as changing the guidance could have been for you, it was because we were listening. And so, that is one of the lessons learned – not forgetting who the partners are and being honest and open about why something is not working.

And so, the lesson learned for me is, make it easy. To paraphrase something, it's the people, stupid. Help the people. And so, making it easy for the people, if it's the ultimate recipient, beneficiary or the grantee, how do we make it easy and still have a program that works and can stand up to evaluation later.

So that's a big lesson, just the feedback loop and listening to our partners.

**ERIKA POETHIG:** As I mentioned earlier, I think one of the biggest lessons learned, for me, because I helped to convene the effort with other agencies, is the real value and importance of the connection to those other agencies. Which makes the complexity of legislation more difficult due to committees of jurisdiction. But I think the real insight here, especially with the court system and the eviction diversion system– and you don't want to actually have an eviction to actually make it to the court; you'd love to prevent it from getting there. But the extent to which in-court and out-of-court eviction diversion programs and getting funding to courts to help support improvements to the eviction process, I think, was one of the biggest insights.

I mean, just talking to the judges in these court systems that get so little attention. I mean, thank you, Matt Desmond for shining a light on them. But the state courts don't really focus on them. They kind of exist on their own to some extent.

And so, more attention and support and capacity, I think, in those court systems to help stand up and carry forward the eviction diversion programs that I think have proven to be such an important component of the implementation process, to me, stands out as one of the most important lessons learned.

**BETH COOPER:** Actually, thank you for holding this today because I think there are so many lessons to be taken from this. And I tried to monitor the panels before I came on and I think everyone had a nugget of something that is a good takeaway for me. One of the commentators earlier, I think one of the researchers, said, people get a notice taped to your door or they get approached with some, here's money, and they don't know where it's coming from; their perception of the funding may not be what we assume. So there are lessons at every level, at every participant in this. So thank you for hosting this and for leading the way.

But I guess one of my big takeaways is, we can do this. We can help prevent evictions. We can help put out assistance, both rental assistance and supportive services, to help do it.

My other takeaway is, it would have been better if it had been done five years before. Because I think some of the challenges were just the circumstances of it, because we didn't have five years to figure it out; it had to be done right then. But now we can start for the future; having done the experiment, we can help build the permanent system.

And I think one of the other takeaways I have is just the variation across the country in the infrastructure that we had, from our state and local governments, to our local community

partners, the way our courts work. Not just the state courts; in some places it's judge to judge. There's just so many variations and that has been through this process both a blessing and a challenge.

So I think thinking about how to integrate that and those lessons from there into the permanent program are some of the things I'll be doing.

**SOLOMON GREENE:** It's fun getting to go last because then you get to benefit from the wisdom of your colleagues on the stage. And my lessons really are variations on the same themes. So Vero mentioned putting people first, making it easy and also the recent research showing how the distribution of emergency rental assistance proved to be equitable, at least compared to what could have been. And I think a lot of that had to do with flexibility and a certain level – trust isn't the right word – a certain level of humanity that was infused into the program in ways that we often don't. We're so afraid of– well, grantees are so afraid of audits and the government is so afraid of fraud. And we have to be good stewards of federal resources, there's no doubt about it. But we have to also keep in mind that we put these resources out there for a purpose, and the purpose is to keep people in their homes, to keep our communities housed and avoid the trauma and lasting consequences of housing instability and crushing cost burdens.

So there's this sense of crisis, I think, that can actually maybe drive a different way of thinking about how we do rental assistance. Which isn't to say everybody's on the same page, that everything worked, but I do think we can agree, and the research has already shown, and I think as we embark on deep evaluation, that the greater flexibility around things like self-attestation made a difference, and actually made this program more equitable than we've seen in a lot of similar efforts.



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The second is on the partnerships with the court systems. I also just want to say supporting the Legal Services providers. Courts are important and they have to completely retool and come up with new diversion programs, but I think the research shows that a big part of why emergency rental assistance worked was a combination of stronger tenant protections, legal tenant protections and people who were able to— there's been a longstanding imbalance of power in eviction proceedings between landlords and tenants, where landlords are typically represented and tenants historically haven't been. And we saw the legal community really step up. HUD itself is putting \$40 million, has put \$40 million into support Legal Services, which is really I think kind of unprecedented, specifically for eviction prevention. And so, I think we need to keep the resources for rental assistance, as well as keep the resources going and expand the resources for Legal Services.

And I just think we still have a lot, obviously a lot more to learn on those lessons, but it's a good perspective to realize we went big and we went bold as a country, and now we have a chance to think about what we learned and try and make this permanent. And going back to what I said earlier, the biggest lesson being that it worked and that we need this support on an ongoing basis.

**SARAH SAADIAN:** I'm going to task everybody in the audience to make sure that you are contacting your members of Congress and encouraging them to cosponsor the Eviction Crisis Act, to keep this program permanent, or to make it permanent.

But for the panelists, thinking about the future of how we can prevent evictions beyond the Eviction Crisis Act, what other sorts of changes are needed to support tenants, whether that's renter protections or program flexibilities. What are some ways that all of us can be advocating for other ways to prevent eviction?

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**VERO SOTO:** I want to echo what Solomon said about the infrastructure around eviction prevention. We have this network that didn't exist two years ago, and, like Gene mentioned earlier, we don't want to go back to normal in evictions. And so, you all helping build this infrastructure and continuing to invest in it. I'm very glad HUD is making that continued investment. I think it's going to continue to be one of the things that needs to be part of the permanent infrastructure going forward.

We can't go back to how we used to do it. We can't go back to the numbers as they were. And so, I hope the investment, even at the local level, at the state level, in setting up these eviction prevention diversion programs or the mechanisms or making sure legal representation is there can be one of the things that I hope is a legacy of the program.

When I was talking about doing this job, that was one of my questions. So what's the legacy of ERA going to be? And in San Antonio I saw making sure that the eviction courts had staff and that we had that connection with the Legal Aid providers was one of the things that I hope becomes a legacy at a national scale.

And so, that is just one of the things I'm hoping we can continue to foster and that, at the local level, that communities have seen the value and continue to invest in it.

**ERIKA POETHIG:** As Beth noted, and I think everybody's noted, the difference in tenant protections across the country was quite visible before the crisis. I think the eviction moratorium created a national protection, as well as some of the other COVID protections. But inherently in this country, those protections are driven at the state and local level.

In the President's campaign agenda, he called for a tenant bill of rights. And we are drawing lessons learned from the eviction crisis work to inform and approach that would be a blueprint

for these kinds of rights that cover five different categories. And this is looking across the federal government, not just HUD. At the table also have the CFPB, the FTC, FHA, and Treasury Department and the Justice Department. I hope I'm not forgetting one of the agencies [laughter] whenever I do this. But that does cover quite a few of them.

And together, we're really looking at ways to strengthen tenant protections with tools that we have, but also to point to the best practices in the field related to access to affordable and safe housing, clear and fair leases, enjoyment of the rental unit without retaliation or interference, the right to organize, access to civil and enforcement rights, and creating more equitable eviction systems.

And then I think this is an important complement to the work focused just on evictions, but to, rather, strengthen the tenant protection so that more are enjoyed by all across the country.

**BETH COOPER:** I would echo both sets of comments. I think that's come out not just from the work on ERA that's gone on across the country and the great new partnerships, where they were starting from a nugget that was there in your community before, or had to start from scratch, we've seen some great lessons come out of that.

And I would say through other hearings we've seen in the committee I work for, there's been that gap across the country and that variation in tenant protection is really evident. And access to legal services, really evident.

And so, encouraging greater tenant protections, I think, is a really promising area. In addition to, again, addressing the underlying affordable housing crisis that has helped drive some of this insecurity that we've seen before.

**SOLOMON GREENE:** The only thing I'll end on the prevent side, and then I'll talk to your track part of the question is, just to echo Beth's point, permanent rental assistance is a great way to prevent evictions. We did see lower rates of evictions. There's some research, and there's more research that needs to be done looking at evictions in HUD-assistance or other forms of affordable housing, but renters with rental subsidies, even living in affordable buildings tended to see lower rates of eviction through the pandemic. Which makes sense, just generally the need to build our housing safety net through multiple ways and not to forget the importance of permanent rental assistance itself as an eviction prevention strategy.

And then, tracking. We were, HUD, asked by Congress to study the feasibility of creating a national eviction database and we released a report last fall looking at three questions. One is, could we track evictions in HUD-assisted housing; could we track formal evictions that go through the court systems; and could we track essentially informal evictions or involuntary displacement that happens outside of the court system.

And no easy answers, obviously, to any of those three questions. The report, I think, does a good job outlining what's possible and what some of the challenges are. We're now going through stakeholder engagement process on all three of those questions, as well as, I think, a fourth, which sort of evolved. Congress didn't ask us to do it necessarily; we didn't necessarily address it in our initial report. But what we see is, through the pandemic and the development of these eviction diversion programs, was just how messy local court data is and how thin the capacity of courts has been to report out data, even well-meaning courts that are working with local universities or advocacy groups to create publicly facing eviction data sets just have had an incredibly difficult time doing.

And so, I would say the tracking, it's not just can we create a federal— in fact, before we could create a federal eviction database of any sort, we needed to be strengthening the capacity of local

courts, working with advocates, local research institutions to create standard ways of collecting and reporting eviction data.

And I just want to give credit to groups like the Eviction Lab and New America Foundation. There are so many, gosh, who have been doing this work with local courts through the pandemic to really improve those systems. And they're creating the building blocks. Whether we get to a national eviction database remains to be seen. It's more important, I think, and the challenge right in front of us is, to build capacity at the local level, to have more transparency around evictions while protecting, the importance of protecting tenant privacy and a whole other conversation we could have about record-sealing and all of that. But balancing those tensions and developing systems that are respectful of privacy and don't actually have unintended consequences.

**ERIKA POETHIG:** Sarah, can I amend my statement, because I remember an agency I forgot, a super important one.

**SOLOMON GREENE:** Was it DoJ?

**ERIKA POETHIG:** No, it was the Department of Defense, which actually has a tenant bill of rights for the 200,000 people who live on base housing in privatized housing. So they have an official bill of rights.

**SARAH SAADIAN:** That is not an agency I would have guessed.

**ERIKA POETHIG:** I know! Well, they are at the table and we've learned a lot from them because they've been implementing this lease that they've negotiated with the owners of the properties on the bases.

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**SARAH SAADIAN:** We're looking forward to hearing more about that work. I'm going to ask one more question to the panelists and then we'll open it up to the audience. So put those questions in mind, write them down, enter them into the chat box if you're on line.

I wondering how you are incorporating the lessons that you learned into other programs other than ERA. Are there lessons learned? Are there successes that you want to see carried over to other federal housing programs or other programs? We can do it popcorn style this time.

**ERIKA POETHIG:** I'm going to reiterate something I've said before, which is the value here of thinking about housing in a larger system of agencies that, due to the crisis, have now become more familiar with housing policy, too. And to ensure that as we craft our housing policy going forward we're doing so in a very interdisciplinary way. And I get that we can do that, I think, more easily within the executive branch than is possible in the legislative branch. But to the extent that the legislative branch can create a framework or room for us to be able to do that, that's always appreciated.

But I do think there are just so many more, I think, agencies that now– did before, but now I think appreciate (a) the importance of housing stability to their own work, but just the value of it overall.

**BETH COOPER:** I would just reiterate the point about how the resources brought forward here, in addition to the crisis situation we're facing, they brought different groups to the table and made it a little bit easier, I think. Coordinating with other people is everybody's second or third job, not their first job, so having resources and staffing available to do that kind of people work and make the connections that will further the purposes of any program you put there I think is worthwhile looking at.

**SARAH SAADIAN:** Yeah, absolutely. I'm thinking about the connections between the homelessness systems and healthcare systems and the need for coordination there. That's a good lesson that we could be incorporating in or thinking about things like thinking the approach that Solomon mentioned about destigmatizing the need for assistance and putting people first, as Vero said, that we can be looking for other housing programs for reforms there, too. Let me turn it over to Solomon.

**SOLOMON GREENE:** I just couldn't agree more with the theme that Erika started, Beth continued, the importance of addressing our nation's housing crisis and housing challenges as a whole-of-government issue and the need to work together. I'm constantly learning, and it's puzzling how difficult that is. We were talking about silo busting in the Obama administration and I worked on Partnership for Sustainable Communities, which was an interagency effort. And working across agencies has a lot of structural challenges; too many for me to account for here.

But I do think that, for example, in ERA, we figured out how to work around them in some cases. Like we worked out the TA, from what I understand, it predated me, HUD and Treasury, because we knew it needed to get done. And we found ways to make sure the resources were there, it was staffed. We owe people, the DPC and having the right house bring agencies together is so absolutely essential because, as Beth said, working with other agencies is always the third or fourth or fifth because you have so many things you're trying to get done within that building.

But I am increasingly, even in the three or four months I've been back at HUD, can't emphasize enough how important that's going to be. Because we all hold different keys to the problem. Some resources, some expertise. Congress gave a little bit of money over here and a little bit over there, and if we can put those, leverage those resources together, we're going to deepen our impact.

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Also it's just important on that interagency piece, frankly, to host conversations like this so that we can meet our colleagues. I mean, Vero and I have maybe been on Zoom, but now we're on the stage together. So I think that interagency work is important.

Then I want to go back, just quickly, something I said in the introduction about the research partnerships. How does this carry over? Well, the pandemic was probably one of the more extreme examples of an exogenous, momentous thing that happened, that kind of shook the housing industry and it meant that we didn't have those long-term evaluations and those models and best practices to rely on.

And so, the government needed to rely on practitioners, action-oriented researchers to really provide that kind of knowledge, and in a much quicker way. And I think I'm thinking a lot in this role about continuing to do that kind of long-term evaluation and that policymaking, evidence-based policymaking cycle, that wheel that many of us have seen – but that takes a long time – and say we're facing housing crises every moment. Disaster recovery. Rising inflation. Interest rates. The challenges are always going to be quicker than the government has the time and is appropriated to do the research that we need to do.

So just from a pure knowledge standpoint, I'd love to talk with you all and continue to learn about how we can have more of an exchange so that we're not waiting for that ten-year evaluation, but we're able to hear what the needs are in communities now, what's working, and how do we bring that into our policymaking.

**VERO SATO:** I also want to echo the partnership. When I got to Treasury, it was astounding how many people made this happen. Because it wasn't just the folks at Treasury. It was the partnership with HUD to help a lot of grantees get TA that they needed, because there were different capacities all over. It was CFPB standing up the resource database so that every



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program that was out there, NLIHC had done that as well. I remember talking to them and filling out the surveys you all did as program administrators. And then reading the reports and the data and saying, okay, what else can we do? How can we improve?

And so, it was all of those partnerships and not thinking in a silo, as has been stated. And so, that's one of the things I hope to take forward, even within the Office of Recovery Programs, how we talk across the programs. For example, I hope all of you know that you can use the state and local recovery funds to continue funding your ERA program. If you're not in charge of that, talk to the people who are. Because that was something else that in our own office, we wanted to make sure that we were talking the same way, that we were making sure that programs that had more flexibilities were able to support each other.

And so, that's one of the things that I've seen as something that is very helpful. And you can't think you're the expert because someone else indeed has other resources, has other ideas, has other expertise to lend to make the program even better.

And so, that's what ER has been. It's been a great program because so many people, so many agencies helped to make it such a strong program.

**SARAH SAADIAN:** And with that, we will turn it over to the audience for questions. I see somebody there in a white sweater.

**Q:** Thank you. I'm Melina Lodge, the executive director of the Housing Network of Rhode Island. And I agree with all the points made around the importance of tenant protections and emergency rental assistance. I guess I would say, in the vein of talking about one can prevent evictions, I would also argue that right-sizing housing opportunities with what people need is an important component. In our state, we see a large disconnect between the AMI of the people who

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received rental assistance actually being able to support housing long term at all. So is there any effort to look at expansion of public housing opportunities or housing vouchers, which would in fact stabilize households in a way that they really couldn't because temporary emergency assistance implies that it's temporary. And for a lot of our folks, they don't need temporary solutions, they need permanent solutions. Thank you.

**BETH COOPER:** I think that goes back to— I completely hear you and I think that is one of the lessons, too, is that we didn't have a— we had an affordable housing crisis and a safety net with a lot of holes before this happened. And so, one of the things that I've heard my boss and members of our committee talk about a lot is the need to enhance the affordable housing supply across the country. Public housing vouchers, a lot of different ways of addressing that. Or even looking at, do communities want to remove some of their zoning restrictions; how can we help them assess that?

So there are a lot of different suggestions of ways to get at that, but I think that's a really good point.

**ERIKA POETHIG:** And I would just add to that two things that the administration has done in regard to your question. In the spring, we released a housing supply action plan that points to actions agencies are taking to increase the supply of housing with a particular focus on the affordability of housing. And then the President's budget for the last two years has included a request to expand the Section 8 voucher program. It continues to be an important part of the President's agenda. We will continue to make this request. It's incredibly important. And remains a top part of the agenda that ultimately Congress will make a decision on. But really central to our focus.

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**Q:** [off mic] We represent nonprofit affordable housing developers [off mic] So our portfolio is about 18,000 affordable housing units across the state of Rhode Island. And we actually came to realize pretty quickly that affordable housing tenants weren't as safely housed as we hoped. Very quickly within the start of the pandemic, we saw that folks were falling behind in units that were supposed to support them. So I think really looking at strategies that provide affordable housing coupled with a voucher actually makes that voucher go much further because we're not paying market rate rents. But really not only singularly looking at affordable housing. I know the word is in there, but we also know, in our state, we have a lot of folks who are extremely cost burdened, who do live in affordable housing. So needing to pair those two analyses together.

**SARAH SAADIAN:** Are you paid to be here? Because I think it was setting us up to talk about some of the advocacy work that the Coalition has been doing around our HoUsed campaign. We recognize, I think Andrew Aurand spoke about it on the research panel earlier, that ERA is incredibly important in its own right, but it doesn't replace those long-term solutions that we need, like universal rental assistance, more housing supply, a permanent ERA program, renter protections. It has to be all of them, and we have to look at every single legislative opportunity to do that. So I appreciate you raising that and talking about the intersections between them all.

Is there anything else folks wanted to add to that? Okay, other questions? How about Elijah?

**Q:** To build on that— my name is Elijah Harig-Blaine. I'm the manager of the Virginia Rent Relief program. And to build on that, we're interested in looking into how to use reallocated ERA dollars to assist public housing authorities with ongoing capital needs that they have. We were an early adopter of self-attestation, FSP, CE, and are currently working with the Office of Evaluation Sciences to look at how that impacted our outcomes.

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Thrilled to hear about the licensing of data. Really excited about that. I think I'm curious to hear, Beth, you mentioned the interconnectivity of the schools with the program. And what I'm curious about is, how can we use this enormous data set now to better connect people to the existing resources that are out there? So for me as a program administrator, I want to go through and look at the households at 50% of AMI or less that did not use categorical eligibility, but had the opportunity to tell us that they were using LIHEAP, WIC, SNAP, TANF. But they have children and aren't connected to WIC. Well, we should be doing outreach to those families and making sure that they are connected to that.

So I'm wondering if you all could talk about the ways that we can, yes, from an evaluation perspective use data, but also in a prospective way be using this data set.

And I guess the second thing that I'd like to ask is, we have one partner in this room that identified as being from a landlord association today. These are companies and organizations, companies, mainly, for-profit companies, that received millions, tens of millions of dollars when their bottom line was most at risk. And their voice just seems to be absent from this conversation. And so I'm wondering what you all can say as administration officials, but also representing the legislative branch as to how you are reaching out to that sector, to really encourage them to come to the table in a meaningful way.

**BETH COOPER:** Maybe I'll start a little upstream. So definitely groups representing property owners are very much part of our conversation. We talk with many, many groups. They were part of the advocacy for emergency rental assistance. So there was definitely a lot of dialogue there. I think the notion that it should be ongoing I think is great. I think there's more and more call for addressing the dearth of affordable housing supply across the country and they're an important voice in that conversation, too.

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I agree with you. Any time that there is a local school LEA who doesn't know about ERA, it sort of hurts my heart. So I think the notion of— I think you put an interesting idea, at least for me, on the table of, how can the data be used to simplify things for people who are seeking help but may not know what resources are available. That's a really interesting idea.

And I did also mean, in addition to our federal partnerships, I really mean the local partnerships. At the local level, it's so important that people talk. And people have so little time and they're so often short-staffed, especially during the crisis. So I think facilitating those conversations is really important. And if you have ideas about the data, it's really interesting.

**SOLOMON GREENE:** Before I answer or try to get to your question, I'd love to hear more about the plans to use reallocated ERA dollars to help capitalize public housing. So there is a provision? If you can describe it more clearly.

**VERO SOTO:** So this was something in the statute, so thank you, Beth. [laughter] For ERA-2, after October 1<sup>st</sup>, that is an allowable use. But the grantee has to reach 75% spend of their initial allocation. So the remainder could be used for affordable housing uses and eviction prevention uses. So we issued guidance a few weeks ago for how you can do that. We're working to figure out how we can capture reporting data.

And so, October 1<sup>st</sup> is the first opportunity. So that is something built in to the statute. It's guidance that we issued not too long ago. HUD did help us evaluate the guidance in this partnership. And so, it's something that we want to see what people are going to do. But we also know how important the ERA as a whole is. So any time I mention that, I also say, and also eviction prevention services.

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So it helps you spend more in that beyond the cap that we have in ERA-2. So you can add on top of the cap 25% more, if you choose. You know what's best, you know what works in your community, you know where the need is. And so, it's an option. And it's there. So that's what that is.

**SOLOMON GREENE:** I knew the basics, I just couldn't remember what the spend level was. And as a researcher, I can't utter a sentence if I don't know the actual percentage. But also thank you; I knew that that partnership was in place and that option was available. I wanted to make sure everyone else in the room did as well.

So on the data and landlords question. I think you're absolutely— one of the big lessons we didn't say earlier is the importance of engaging landlords and understanding what motivates landlords — why did some landlords participate and others didn't? What were the legal frameworks? How did it vary by different types of landlords? So there's been some surveys that have been conducted. I don't know if any of these were talked about on the research panel earlier. I missed it because I did the deep cuts version a couple weeks ago with many of the same researchers earlier.

But I think it's such an important question. We hope that the data that Treasury has shared with us could be used to help answer some of those questions. I do know my qualitative research that I did before I joined, when I was at the Urban institute, on early eviction diversion programs, one of the top key takeaways was— I mentioned power imbalances before, and it's absolutely true. But there are systemic barriers that tenants face. But also every single diversion program we interviewed said it's so important to get landlords into the conversation, understand what their needs are, mediation is a great way to do that. And often, in fact, there was sort of a moving from it being an antagonistic relationship to a problem-solving relationship. And I think we need to understand how to make that happen more.

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At HUD, we've been focused, very focused on landlord engagement and the key housing program that we administer that relies absolutely on landlord participation, which is the Housing Choice Voucher program. So I don't think, or I'm not aware of work we've done specifically around ERA because we haven't managed it, but the data assets that we're making available could be a good resource to help do that.

**SARAH SAADIAN:** I think we have time for one or two more questions. How about this young woman in the front?

**Q:** Hi, everybody, I appreciate you all for being here today. My name is Coletta Sharpe with Bring America Home Now/Coalition for the Homeless. I have maybe two questions. My first question is, we're saying that HUD had gotten funding allocated, and most of that funding went towards housing counselors as opposed to building actual units. Does HUD have a plan to build more units, or is that just going to be held off longer? Because families are going to need more counseling if they don't have a place to stay. So that's my first question.

And then my second question that I guess is directed towards policy, with us dealing with policy, we understand that people come over here under different regulations and rules and terms, and as far as housing goes, we're dealing with trying to create a policy for everyone to live a decent life and still contribute to society. What do you see a clear policy will be that's workable, or some solutions that you have already seen happen that's working so far? As someone who has already been through the process of trying to put in applications through HUD, trying to get a home, it has been a horrible process because you get the runaround and you get so many waiting lists, and then you have so many case managers who are not aware of all of the programs or how to help clients apply for the proper programs to help them become self-sufficient or at least sustain a different lifestyle. So are there any plans in play to put some things in motion on that end?

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**SOLOMON GREENE:** I can answer on the build more units. Yes, we need to. And unfortunately HUD has been chronically underfunded for a long time, particularly when it comes to housing production, as people in this room know. Most know housing production that happens that has a federal subsidy in it is through the LIHTC program, administered by Treasury. And HUD, we do everything we can to support effective use of the LIHTC program. And that kind of interagency partnership we've been talking about carries over into our work with LIHTC. Last week, there were two big LIHTC rules that came out on income averaging and placed in service.

**ERIKA POETHIG:** Expanding the deadlines.

**SOLOMON GREENE:** But also HUD funding, the relatively limited HUD funding we have through the HOME program is often used to— it's part of the capital stack for LIHTC properties, as well as the vouchers, to the point earlier, our vouchers. But we don't have a whole lot of new money, unfortunately, to build new units.

So we are, but we're not waiting for it, we are part of the White House, lead partner in the work that Erika mentioned on the housing supply action plan, which does include LIHTC, which includes our multifamily finance. It includes also work on zoning and land use reform, which is something we're really trying to do more work at HUD, bending the cost curve to make through— we do a lot of work on building materials and modular and manufactured housing.

And I should say, there is a proposal for a housing supply fund in the President's budget. I can't remember the number right now. 50 billion, thank you. Which would be administered by HUD, which would easily be the biggest kind of addition to things like the Housing Trust Fund, the biggest kind of new housing production effort in recent memory. And we remain hopeful.



**SARAH SAADIAN:** I just want to add on to that, too, because it's a great question. One of the lessons I learned from this ERA work is that when you combined a crisis with political will, with sustained and efficient and effective advocacy, we can have enormously successful outcomes. But we need to build the political will for those long-term solutions, too.

And so, I hope all of us leave here today inspired by the amazing work that all of us collectively have done over the last 18 months and we turn to the next challenge, which is how do we make sure that every single person, including the lowest income people, the most marginalized people, have an affordable, accessible home in a community of their choice, free from discrimination. That's a long-term goal. But all of us can be making the steps towards achieving that.

And with that, I will thank all of our panelists for joining us today. We so appreciate it.  
[applause]

And now I'll turn it back over to Sarah.

END SESSION FIVE

**SARAH GALLAGHER:** Thank you so much, Sarah, and thank you to our federal partners and panelists. That was really wonderful.

So thank you, everyone, for being here. I hope I delivered on my two promises that I said to you this morning. I said we were going to deliver a robust agenda, and I think we've done that. And I think we talked about you'd all leave with action items that you could bring back home and work on. I hope after all of these five sessions you've come across one or two or 12 things that you can go back home and start to do.

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Part of what I'm supposed to do now is synthesize our last five sessions and our day, which I think you would agree would be an impossible task, so I won't try. But I will leave you with a few things. I want to let you know that I don't need to synthesize all of it because in your folders, you've probably seen by now that we've summarized the work of our ERASE cohort, of our 38 state and local partners. And in there are descriptions of their projects and their contact information. So please read that and reach out to our partners because they're a resource to you all as we move forward in thinking about what are the next steps of ERA.

A couple of things also in our packets, you'll see information on some of the legislation that Sarah mentioned, the Eviction Crisis Act, Stable Families Act. So you can look at that and it will have talking points and information on how you can support these really important and valuable pieces of legislation as we move forward. Because we need everyone here together to help to do that.

Thirdly, I just want to say, we did talk about strategies, and there is ERA-2 money that is still out there. This show is not over. I think Gene talked about Mike Tyson earlier and I was trying to figure out a boxing reference. I think we're probably in around ten, because there's 12, right? So we still have some time to go. So let's use the Muhammed Ali or Iraqi strategy rather than the Mike Tyson and let's play the long game here. We're in it for the long game, and we're going to win the long game in the end.

So really bring the lessons here to your ERAP programs and make sure that those are getting to the most marginalized and renters in need in time to prevent evictions.

For those that have run out of money, we've heard a lot about the use of ARPA and state and local fiscal recovery funds. So how do we bridge what we have so we don't lose that infrastructure. I think Erika and a couple others said it really nicely. Why was this so hard? We

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were building from nothing. There was not a national movement before this. And if we had started five years ago, we would have had something to build upon. And so we have the moment now to never utter those words again, that we are starting from scratch, that if only we had this five years ago. We have it now and we have to make sure that we continue it. And we have that opportunity to not undo all of the great work that has been done.

The fifth thing I want to just mention as a takeaway is the role of tenant protections. I think everybody talked about the role of tenant protections. And while emergency rental assistance was a financial solution, it would not have worked as well without all of the tenant protections that have been put in place over the last two years and that existed before.

So really, there is a momentum right now around learning about them, around expanding them, and really understanding what has to happen at the local level, as well as the state level through the tenants' bill of rights, which I'm very excited to see how that moves forward.

I want to give a shoutout to my research partners and can't wait to hear what they're going to continue to learn as we go forward. We heard a lot of great news that has happened, but will continue to happen and the access to Treasury that's going to be available in the programs. And so there's going to be a lot of learning that we have in the next few years as we go forward.

The last thing I want to leave us with is a word I heard over and over again today, which I think is really important for us as we move forward. The word of the day for me was humanity. I think almost every panel talked about the humanity that was in the role of the Emergency Rental Assistance program, the humanity of bringing tenant organizers, tenants, researchers, programs, elected officials together to have innovative, creative problem solving and how we really put people first.

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And I just want us to keep that humanity at our forefront as we plan for the future and as we plan for public policy. If we put humanity in public policy, we can really achieve great things and really solve some of our housing crisis problems going forward.

So with humanity, I will thank you all today for coming and I will leave you for your evening. I really appreciate you being here in person. I appreciate you being here on line. And please reach out to us as you do your work so we can support each other.

Thank you. [applause]

END