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SARAH GALLAGHER: Welcome. Good morning, everyone. It is so good to see you guys all here in person. This is my first conference, post-COVID. So it's so great to be here with you all in person. And welcome to everyone who's joined us on line; it's great to see you as well.

My name is Sarah Gallagher. I'm a senior director here at the National Low Income Housing Coalition. And it is really great to see you here for our conference, Emergency Rental Assistance: A Path to a Permanent Program.

This convening is the culmination of more than two years of all of our collective experience implementing emergency rental assistance. This journey began back in 2020/2021, when Congress allocated more than \$46 billion in funding to prevent eviction and housing instability in the wake of the pandemic. This program has been overseen by Treasury and was an unprecedented nationwide program aimed at preventing eviction through direct assistance to tenants and landlords for both back and forward rent, utilities, and other housing services that would help relocate and ensure families were not evicted.

Since implementation, with the help of all of you in this room, and all of you at home, more than 500 programs have been stood up across the country. And as of June, the ERA program has provided more than 6.3 million payments to landlords and households in need. And that is because of all of the hard work of you all in this room.

Recognizing the role of tenant protections over the last two years, communities also stood up eviction moratoria, eviction stays, right to counsel, and other protections alongside ERA that have really helped households remain in their homes while the ERA was being processed.

The dedication and innovation of program administrators, community-based organizations, tenant groups, our federal partners and all of you ensured that ERA reached renters with the

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greatest need, especially women-headed households, Black and Indigenous people, people of color, and other marginalized people in communities; in fact, more so than many of our other programs in the past.

However, we're at a key point right now. As we look ahead, many ERA programs are starting to wind down. This is a temporary program and funding is starting to run out in many places. According to our projections, most states will exhaust their ERA allocations before the statutory deadlines of September and December, and many states will only have served a fraction those in need as households continue to struggle due to the ongoing pandemic and rising rents we've seen.

So today we come together. We come together to harness all of the momentum that we've created through ERA over the last two years. We come together to understand what we've learned and what's worked in emergency rental assistance. And most importantly, we come together to set the path forward, to meet the growing need, and to set in long-term eviction prevention and diversion programs.

So to do all this work, we have a full and exciting agenda for you. We are going to hear from senior officials from the White House. We're going to hear from members of Congress. We're going to hear from tenants who've received emergency rental assistance; program administrators who've set up these programs and work long tireless hours; county officials; research partners; and community organizations – all who played a role in making sure emergency rental assistance was successful over the last two years.

We're going to hear what it was like to implement such a largescale program in the midst of a pandemic. We're going to try to understand the impact ERA has had, not only on preventing individual evictions, but in setting up a new national infrastructure that we can build upon. And

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then we're going to learn what it'll take to transform the work we've done and how to transform that into a permanent program into the future.

So my hope, after we've done all this learning, is that we'll leave here today with concrete ideas, with action steps that we can all bring home and implement in our communities.

So before we get started on all that – it's a big task, but we're going to do it – before we get started, I wanted to go through a couple logistics. This is a hybrid event, so we're very excited to have all of you here in the room, and our audience back home who's joining us virtually. As we move through our different sessions and our agenda, we're going to have time for audience Q&A. Folks in the room, you can raise your hand and we have staff that will come around and bring a microphone to you to ask a question. For our folks on line, there is a Q&A box under the video feed on your screen and you can type in a question there. And we have staff who will be monitoring that and you'll be able to ask the question when that comes up.

We have two 15-minute breaks so we can get up and stretch, and we'll have an hour lunch. During this time, folks on line will have a message on the screen letting you know when we're going to reconvene back, so you'll be able to join us again.

So that's our run of show today. And it is now my sincere pleasure to have Diane Yentel kick off the event, our very own president and CEO; he's going to kick off our program today. Diane clearly needs no introduction; you all know her well and know the extraordinary work she's done over the last few years, and more than the last few years.

But in the early onset of COVID-19, Diane was one of the first to raise a flag regarding the impact COVID and the impending economic downturn could have on low income renters and the urgency that was needed to mitigate the risk of eviction that many renters faced. Diane

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continuously listens to communities and has been the strongest advocate to ensure that ERA reaches the lowest income households it was meant to service.

Diane, we really thank you for your leadership over these last few years and your steadfast guidance as we move forward into the path forward. So thank you for kicking us off. [applause]

DIANE YENTEL: Good morning. Thanks so much, Sarah, for that introduction, for your work on leading NLIHC's ERASE project. And thanks to you, Tori Bourret, who is here somewhere – here she is, right next to me [laughter] [applause] – and others throughout the NLIHC team for all the work that you've put into planning and carrying out this event.

And thanks so much to all of you who are here in the room. It's so great to see so many familiar faces here in the live audience. Thanks to the over 1400 of you that have registered to participate virtually. I'm really delighted to see so many close partners and allies from the Biden administration, from Congress, from state and local partners and allies, program administrators, advocates, foundations, impacted people, tenant leaders, all joining us here today for a day of reflecting, learning and acting to make the successful ERA program into a permanent program.

And it certainly has been a long journey to get here. Over two-and-a-half years ago, in March of 2020, the National Low Income Housing Coalition launched and led, together with over 2300 organizations and many more impacted people across the country, a national campaign for Rent Relief Now. Together, we called for a national moratorium on evictions for nonpayment of rent and substantial emergency rental assistance to ensure that renters could stay current on their rent and that landlords could continue to maintain and operate their properties.

So getting the resources from Congress was the first challenge. And we worked closely with incredible Congressional champions like Chairwoman Maxine Waters, Chairman Sherrod

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Brown, Representative Ritchie Torres, and others, to craft and advance legislation to create the first national ERA program. And ultimately, after many delays in the Republican-controlled Senate, and after some unfortunate restrictions were added to the legislation in the Senate, we were successful in getting Congress to provide a combined \$46.5 billion in ERA.

This was a tremendous accomplishment and an unprecedented level of support for low income renters. For perspective, it's more than 46 times what the federal government allocated to help renters during the great recession. And ERA, together with the federal eviction moratorium, was the broadest action taken by the federal government to keep low income renters stably housed in history.

So getting the funds was the first challenge. And the second, and equally difficult, challenging was getting these resources to the tenants who needed them most, in time to keep them stably housed. So once Congress provided those resources, we worked very closely with the White House and across the administration, as well as with state and local partners, program administrators, impacted people, to, together, build a new national infrastructure to get these vital resources to tenants most in need.

And there was tremendous urgency to this work because we were racing against time to prevent people from losing their homes during a pandemic, as eviction moratoriums were challenged and ultimately struck down by the Supreme Court.

And as everybody in this room and on line knows very well, ERA got off to a painfully slow start. We had to overcome early obstacles for the program that were put in place in the final days – literally the final day – of the Trump administration. And it's slow work to build staff and administer major new programs during a global pandemic. It takes time to design effective programs that center and prioritize people with the lowest incomes and people of color.

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So at NLIHC, we tracked and analyzed all ERA programs as they got up and running, ultimately tracking over 500 new ERA programs throughout the country. We, together with our academic partners like the Housing Institute at UPenn, and NYU's Furman Center, and with our ERASE cohort, including many of the organizations that are represented here today, together we researched ERA implementation, identified and amplified best practices, and created and shared tools to improve programs.

And through this work, together, we quickly learned of the features of successful and equitable ERA programs, program features like robust and equitable outreach; short, simple applications, available in multiple formats and language; limiting burdensome documentation requirements; using self-attestation for eligibility. Some program administrators implemented these program features very early on; others were resistant.

So as we learned of both the obstacles and the best practices to getting ERA to the tenants most in need, we continuously shared those learnings with the Biden/Harris administration, and we made recommendations that the White House and the Department of Treasury could take to improve program performance.

And it was clear from day one, and it remains so today, that the entire Biden/Harris administration shared our sense of urgency in preventing evictions. And they were committed to really doing the difficult work of improving ERA programs, of making needed real-time course corrections to ensure that this money reached those most in need.

So today, despite the slow start, and because of the hard work and the partnerships, over seven million ERA payments have been made, keeping millions of households, predominantly the lowest income people and people of color, stably housed during the pandemic. And this kind of

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successful alignment of resources to those with the greatest needs doesn't happen by chance, and especially when working so quickly. It happens only with deliberate and purposeful program design and outreach that centers equity, as NLIHC, as all of you, and as the full Biden/Harris administration prioritized.

So this is a tremendous, hard-fought success of a new national program created under some of the most trying circumstances imaginable. And I think you all should give yourselves a round of applause for the incredible work you've done. [applause]

ERA was also an accelerant for communities to put new tenant protections in place, many of which will long outlast the current ERA resources. NLIHC's partners and allies helped to enact over 150 new state and local tenant protections in 2021 alone.

So we're here today, in part, to recognize and celebrate what we've accomplished together, to share and consider the lessons we've learned along the way. And we're here to consider and plan for all of the work yet to come. Because certainly we have so much more to do. There's remaining ERA to get to tenants in need and there's tremendous remaining unmet needs. As rents skyrocket across the country, low income renters are struggling mightily, and homelessness will increase unless and until Congress funds long-term solutions at the scale necessary, and until communities have robust tenant protections in place.

And a key piece of a complete housing safety net must include a permanent ERA program to help families avoid the long-term harm of evictions with all its associated costs. We now have clear proof of the effectiveness of ERA. We have built the national infrastructure to support its success. We have gained bipartisan support for the importance of ERA. We have research and practice to inform the design and outreach to ensure the most effective programs. And we have clear and obvious and immediate need.

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So with all this comes an obligation and an opportunity for making ERA a permanent program. So that's just what we'll do together.

So thank you again for being here today. I'm really looking forward to all of the speakers. And I want to give special thanks to all of the National Low Income Housing Coalition's ERASE cohort members here in the room and on line, whose partnership and leadership in your communities made the ERA program such a success. I want to thank the foundations and other funders that have supported NLIHC's and others' ERA work and this convening, many of whom are in the room today.

I want to again thank Sarah Gallagher and the entire NLIHC team that have worked extraordinarily hard and exceptionally well throughout the pandemic, and beyond, including planning for this event today.

I want to thank our tremendous Congressional champions and their staff who made ERA possible. And thanks to the entire Biden/Harris administration who helped make ERA so successful.

And there's one person from the Biden administration who I think deserves thanks and congratulations above all, though I'm sure he'd argue with me about that, just as we have argued about many things over the last few years. And I'm so pleased to welcome him here today. Gene Sperling, formerly the head of the National Economic Council under Presidents Clinton and Obama, is now a senior advisor to President Biden, who appointed him to oversee the implementation of the \$1.9 trillion American Rescue Plan, including the 46 billion for emergency rental assistance.

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His commitment to the work is truly extraordinary. I really don't know when the man sleeps, shuttling back and forth between his family in California and his tremendously difficult and important work here in DC. And I am just so impressed by and deeply appreciative of his lifelong commitment to ensuring that government works and that people with the lowest incomes get the assistance that they need.

So Gene, thank you for your tremendous leadership and partnership, and thanks so much for being here today. Welcome. [applause]

GENE SPERLING: Well, thank you, Sarah, and thank you, Diane, for your remarks and that kind introduction. And it does feel nostalgic to be back in the National Press Club with real live people for an in-person event. I have been here many, many times in the Clinton and Obama administration. This is my first time in two years under President Biden. So it is good to be back in person.

And I'm really honored to help kick off today's really terrific conference. Such a well representation of so many of the different players and actors, from the members of Congress to tenant leaders. So I really think this is a terrific conference.

I'm going to probably echo a few of the things that Diane said, but I really want to try to offer a little frame, a reinforcing frame for some of those comments. I mean, we should absolutely recognize that the reason the Emergency Rental Assistance program is both one of the American Rescue Plan's most difficult, challenging and, yes, often frustrating programs, and yet one of the top couple of most rewarding, humane and historic ones, all emanate from the same reality. Our nation had never, ever had, or even tried to have a national policy, a national infrastructure built around eviction prevention. Never. Not in the Great Depression, not in the Great Society, not in the great recession; never. Till now.

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The fact that the legislation that so many people watching and participating here played a role in passing, the fact that it was long overdue does not change the fact that it was also audacious. It was asking, as Diane said, those of you around the country and those of us in the Biden administration to start up a first-ever national infrastructure on eviction prevention, decentralized through over 500 brand new programs in every state and major city and county and Tribal government in the United States, in the middle of a pandemic, over a matter of months.

You know how long it usually takes to pass, authorize, appropriate, and then just start implementation of programs? You all know. A year-and-a-half, would you say? Think about what you were asking all of us to do, rightly, to help save lives, help save homes, help save economic dignity for so many people.

Now, all of us know that we also faced a race with time, a race to get enough programs up and going strong to get the relief out to hard-pressed tenants and their landlords, period. But particularly that they were up and going strong enough before the CDC moratorium ended when many predicted a virtual tsunami of evictions.

All of us know, as Diane said, in those early months, even April, when we had over 100,000 payments going out, that was historic, but we also knew it was terribly inadequate. It was nowhere near the pace to prevent a heartbreaking spike in eviction.

And so, we did not have time to do all the things that we are taught to do in policy – random controlled experiments, look at a year or two years of reporting, see how things are working. I'm going to misquote Mike Tyson but you'll get the spirit. He has a line where he says, "A lot of people go in the boxing ring and come at me with a lot of strategy. I just hit them in the face." [laughter] And I thought to myself, all the things that you've learned about how you would set up

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programs and spend months doing consultations and study random controlled experiments, it doesn't mean very much when you're getting a job in March and millions of people's lives are on the line. You just have to do the best that you can, but you still have to gain all of the evidence you can as quickly as possible. You still have to, but it's not any of the more academic types of things. You have to reach out.

And this is where, and I really want to say this from the bottom of my heart, this is where the importance of Diane's leadership in the National Low Income Housing Coalition played, to me, its strongest role. In White Houses, people talk about outreach strategies – you're reaching out to business and labor and nonprofits. That does not capture the importance of what we were doing here. We had, essentially, an emergency feedback loop that Diane and the National Low Income Housing Coalition led and you all were the vital players in.

We had to, yes, be on the phone constantly, be on the calls we had to make to Treasury Department; Noelle, Erica, myself, we had to be in constant touch. I don't think any of us could have totally communicated all of the obstacles that were happening, or why you would see the program work beautifully in some places and terribly in others. There wasn't time to study it. There wasn't time to do reports. You had to listen and react. And that meant this constant interaction.

Yeah, we didn't agree on everything. We'll go back and look who was right and wrong on particular things. But without that feedback loop, we would not be sitting here celebrating a lot of the success that took place. We altered the program in May particularly, major alteration towards more tenant focus; again in June; and then I think a critical one in August where we really, really went the extra mile on spreading the message even further – simplification, low documentation, self-attestation for much of it – that made an extremely big difference.

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That instant, that emergency, that couldn't have been done without the people in this room and without the people listening. And I really, really mean that. And whenever I speak on the American Rescue Plan, I tell this story. It was more true in this than anything else, but it was true in the child tax credit outreach as well. There needs to be a different type of relationship, a feedback loop like this, where we may disagree, but we're constantly talking and reacting. Because when you are in a crisis, you do not have time and, most importantly, the people whose lives are on the line do not have time for you to be slow, trying to get it perfect. You've got to be fast and be as roughly right as we can, and adjust.

And that is really, to me, one of the great lessons, which gives me, again, great thanks to Diane's leadership and the entire National Low Income Housing Coalition. And I want to say to others as well, from the Legal Services Corporations, to all the grantees we spoke with, to the bar associations, so many people stepped in and were part of that feedback loop. It was that that allowed us to hear about the discrimination going on for those who were in federal housing, the lack of direct help to tenants, the deep human cost of the complex burdensome applications.

So I think there is no question that feedback loop, that listening and responding paid off in a major way. Beyond the new calls for guidance in May, June and August, there were powerful words from the President in August, unprecedented call to action by the Associate Attorney General and the Attorney General of the Justice Department. And by August, the pace of dollars and the number of people being helped had quadrupled, while 300,000 people in a regular year provide eviction notices, we were getting payments to over 500,000 households that covered multimonths of rent, from August to December. As Diane said, over seven million multimonth payments to renter households and their families that prevented evictions, utility shutoffs, and heartbreaking choices between rent, food and medicine. Over seven million.

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Instead of the eviction filing rising to what some predicted might be 300% of historic averages once the CDC moratorium ended, filings have been 23% below historic averages in the full year since the moratorium ended.

I mean, I realize how difficult it is for anybody to, in any way, feel good if they see evictions still going up and pain still going up from where they were, but you still have to recognize that after a yearlong eviction moratorium, the idea that evictions could actually be below historic averages for a year is not something that could be even imaginable without the Emergency Rental Assistance plan.

And concerning equity, look at how well targeted and equitable this is. Over 80% of assistance has gone to very low income renters, defined as renters at or below 50% of average median income, with majority African American communities who have suffered the highest rate of evictions historically seeing the largest reductions in evictions, according to the Eviction Lab.

Now, I'm not in a position right now – I wish I was – to just front run the President and the whole administration and the budget process. [laughter] But since you're discussing the path forward, I wanted to offer just a few thoughts about maybe how we should think about this path forward.

First of all, I think this is an area where you just have to be clear from the start that there are lots of pandemic areas where, what's our goal? Like this conference, to get back to normal. We want to get back to normal, like in-person events at the National Press Club. Eviction prevention is not an area we want to go back to normal. [applause]

There is nothing admirable about an old normal where 3.6 million families face eviction filings each year in a normal economic year where evictions are considered a first resort, not a last resort, where most tenants undergoing hard economic times have no representation or navigation

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assistance. This is not a normal we want to return to. Especially because we know, we know from the tenant advocates and the tenants themselves, we know from hard academic studies that the harms from avoidable evictions are not temporary harms. They are too often scarring, they are long term, they are multigenerational, affecting both parents and children, and they are mostly all avoidable.

I was at one of the first conferences I did on lessons learned on the American Rescue Plan at a very prestigious think tank. They said one of the lessons should be that you should never try to build a new infrastructure in the middle of a crisis. All you should ever do is build on existing infrastructure. Because it's too hard; you can't create an infrastructure and deliver aid at the time. And I was thinking to myself how wise in the abstract [laughter] that sounded.

But we had no choice because people in the room and watching care too much. We had no choice. But whether it was practical or audacious, it was done. And there is a national infrastructure. And there are 500 places in this country, again, that are up and going. And we have to communicate to policymakers the imperative that now that this remarkable infrastructure has been built for the first time in the history of our country, that there's an imperative to build on it and not let it be dismantled.

Now, second – and this is tough, I have to admit; this is a tough when you're an advocate. And believe me, I've been an advocate from the outside, too, and I'm an advocate on the inside. You have to be able to do two things at the same time. But it's important to do both. One, of course, you have to pull no punches on what went wrong, what can be done better next time, what are all the lessons learned; but two, you can't allow that to prevent a strong communication to the public and to the media, and to policymakers, of the magnitude of this historic accomplishment.

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As Matt Desmond said in a recent White House conference, and I quote: "The emergency rental assistance, along with the federal eviction moratorium formed the most important federal housing policy in the last decade. These combined initiatives were the deepest investment in low income renters the federal government has made since the nation launched its public housing system. This was the most important eviction prevention policy in American history."

Now, we don't say those things to declare "mission accomplished." We say those things, and we have to give that message to policymakers so that they realize the imperative of carrying the mission forward. If we don't carry the mission forward, if we don't make that overwhelming positive case, we will not even have the chance to improve on and learn the lessons from the things that could have gone better in this urgent startup that we've all gone through.

Three, we know we need to promote comprehensive reform that includes court reform. There are hundreds of states and cities, including Michigan, New Mexico, Texas, Delaware, New Orleans, Denver, Chicago, Boston – I could go on and on – including at the state supreme court level, who are building on the initial eviction diversion models piloted in places like Philadelphia.

We need to build both lasting systems that communicate and realize this national effort of evictions as a last resort, not a first resort. We know this requires funding to bring landlords to the table and the mediation process. But we also learned something that I think is an important lesson to think about as you're thinking of policy design – that the local and county courts and state supreme courts and mayors' and governors' offices and Legal Services were not used to joining hands and doing something together. We saw this repeatedly. Courts did not know how to work together with the mayor's office on funding, et cetera. So when we did, which Diane participated in, our three White House conferences on eviction diversion, we tried to do our own little Noah's Ark type of thing – we invited 44 cities, and each city had to try to bring someone from the court, the mayors, et cetera. And a lot of them were meeting for the first time.

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So I think that when we think about future funding streams, we ought to think about whether we should be relying on a White House conference to bring people together or whether we should bring streams, separate streams that make people who are going to do eviction diversion, navigation, counseling, eviction diversion, all of those things, we need to think about how do we bring those forces together. Because we need the type of reform that, as Diane says, will outlast a funding stream. And I believe we made historic progress here, but I think we should think about how to continue it, but also how, as we think of new funding designs, how to make sure that a mayor's office, a court system, a Legal Services, the nonprofits and groups that you have that are providing counseling and navigation are able to work together and are forced to work together to create more comprehensive reform.

Four, in addition to the tenant protections that Diane spoke of, we need to promote and expand the positive results we are seeing from a right to legal representation. We are really seeing dramatic results in places like Michigan, New York City, New Orleans and Cleveland, with dramatically higher housing stability and avoided displacement, where there is some form of right to counsel or representation that's been implemented.

And we need to explore not just the legal assistance, but the types of representation that can come from nonprofits, from navigators, from law students who can help represent and assist people before court representation is needed, or to prevent the need for court representation. We are already hearing so many positive things from the 99 law schools who answered our call to use their clinics to represent tenants in need of protection in ERA relief. And I'm so grateful for the leadership that we got from Attorney General Garland and Associate General Gupta; and, I have to say, from the just amazing, amazingly dedicated heroes in our Legal Services across the country.

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Five, we need to learn, obviously, the lessons, which I think we've already talked about, about making applications simple, have unnecessary documentation. I think that was one of the areas where we did have a feedback loop. We have to be able to do this, to be honest, in a way that also prevents this program or any program like this from being tarnished by major acts or systemic acts of fraud by major actors. But I think, I believe that our work together did make a significant difference that helped speed up relief in the way that we all talked about.

And finally, we need to look for funding at all levels. Of course, you're going to push us and Congress for federal funding, but we should look at every level. We've seen, through March 31st, we've seen 4.5 billion from the American Rescue Plan state and local fund go to help an additional 1.1 million tenants. That is still funds that are out there. While we're looking for new legislation, we can still be pushing for existing state and local resources.

Now, I'm getting the one-minute sign, so I'm going to wrap up.

The last thing I did before joining this administration was write about the concept of economic dignity as our North Star. And I thought as I was writing that book, and I think every day now, I wonder if anything really implicates economic dignity as much as seeing a loving parent going through hard economic times, facing a forced eviction for their family and children. Or, on the other hand, being able to keep a comfortable, warm and loving home for their children to be in.

And I just can't think of anything that implicates this basic concept of economic dignity as much as eviction prevention. And I just want to say to everybody out here that I realize that so many of you have given your heart, your time, your sweat, your blood, really your life's work to fighting for this fundamental element of economic dignity. And I have so much deep, deep admiration for the fact that this is what so many of you have chosen to do with your lives.

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You're my heroes and I'm really honored to speak to you. Thank you. [applause]

SARAH GALLAGHER: Thank you so much, Gene. Thank you so much, Diane, for your leadership again and for those great words to bring us into our conference today. We will definitely keep them in mind and have them in our forefront as we go through all of our sessions and our thinking.

I'd love now to call our first set of panelists to the stage. So you can come up and have a seat in one of our chairs. We're going to transition to our first panel.

Welcome. So as we mentioned and as you've heard both myself, Gene, Diane talk about, ERA was started and led by program administrators, more than 500 program administrators, just like yourselves, across the country. Treasury had issued guidance several times throughout the course of ERA. But there are many factors at the local level that influenced how these programs looked. And they all did look a little bit unique. There was infrastructure that may have been preexisting around eviction prevention and diversion; access to data, various community partnerships and partnerships with courts and community groups, political will – all influenced what programs looked like at the local level, and continue to influence what is possible going forward and what permanent programs will look like.

So I'm really thrilled to have all of you here today representing the various types of programs that existed. Of the 500 funded programs, we had state programs, we had county programs, we had local programs, and then we had Tribal programs as well. So we have representatives from all of those here with us today. We're going to really talk a little bit about what it was like to have this influx of money in a time of crisis and how they approached implementing ERA programs. What were some of the best practices and highlights they learned that we need to keep in mind for future ERA programs? And then, what are their plans for thinking about keeping this

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infrastructure going so that it's not lost, an infrastructure they worked so hard to build up over the past few years.

So with us today, I'll do a brief introduction and then we'll do sort of a Q&A style presentation here. We've got Joey Nathan, the executive director of the Northern Ponca Housing Authority and a board member at the United Native American Housing Association. Welcome, Joey.

We have Ayanna Sims, the assistant program manager at the Philadelphia Housing Development Corporation; they ran the city's ERA program.

Next, we have Senta Leslie, the associate director of eviction prevention at the Virginia Department of Housing and Community Development that ran their state program.

We have Emilio Salas, the executive director for the LA County Development Authority running the county's program.

And next to me, we have Andrea Bell, executive director of the Oregon Housing and Community Services who ran the state of Oregon's program.

Welcome to you all. Thanks for being here, I really appreciate it. So to get started, I would love it if you could each tell us a little bit about your jurisdiction, about your ERA program. What were your aspirations when you first learned about the program? What were some of the unique contexts that influenced your approach to setting up your ERA program to really meet your aspirations? And we'll start here.

ANDREA BELL: I'm happy to start. Good morning, everybody. It's certainly good to be in person with everybody. So maybe just for a very brief context, as Sarah mentioned, we are the

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state of Oregon. So to have a state government agency running a program, particularly of this scale in this crisis, you can see for a lot of reasons is certainly unique.

I think this is going to sound a little bit odd, but one of the driving forces when we began the creation of our program was really looking at values, thinking about the values of the organization, thinking about the values that were critical to tenants, and being able to center that and authentically center that.

I think the other piece of it is, particularly as a government agency, having to wrestle with the realities that some of the very issues particularly around racial justice, particularly in crisis, we have been part of that as a government agency. So what was it going to mean? What was it going to take to facilitate a course of action that was not only going to administer those dollars, but was going to do so in a way that centered the lowest of income folks with concurrent housing and stability risk factors, and to be explicit around our goals and making sure that people of color are centered and that that is reflected in the resources out the door.

And then I think the other sort of larger frame of it, too, was recognizing that in a normal place of business pre-COVID, we would be administering about \$20-25 million of rental assistance. So the scale of this was just monumentally huge. So being able to set something up that is different, something that certainly doesn't exist, and how we do that in a moment that is both centered values and where our aspirations and our operations are coming together during a moment of crisis.

SARAH GALLAGHER: Thanks. Emilio?

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EMILIO SALAS: Good morning, everyone. Just to jump right into it, to give you a little context, scale is a word that I was going to use as well because that was something that certainly was very daunting for us in LA County.

So just to give some context there, one out of every 33 people that live in the United States call LA County home. So that's just a statistic that really boggles my mind. So the first challenge that we had in front of us– that's 10 million people, 330 million people, if you want to do the math.
[laughter]

But we launched four separate rent relief programs. Very early on in May, in early May, we launched our very first one with CDBG funds, since we administer CDBG on behalf of the county as well, and did the traditional \$3000 for three months. But we launched several others after that, and each one was increasingly more robust as we came to learn that the assistance that was needed was a lot deeper than what people were thinking. And as things went further on, we received money under CARES, and our county chose to use a substantial portion of it also for rent relief.

So we deployed that. We cobbled together a bunch of nonprofits. And right then and there, we were also looking at equity – where is this money needed the most? And so, from the very beginning we began to look at COVID impact. And in LA County, there were certain neighborhoods that had ten times the rate of COVID than others. The numbers were just off the charts. Early on in the pandemic, it was well-to-do neighborhoods that had the cases, and then that just turned upside down. It was all of the frontline workers, all of the folks that were doubled up in apartments that couldn't isolate. So how do we get the funding to those households?

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So what we did, we fast-tracked all of the applications that came in from the target areas and put them right to the front and processed those immediately as we were still doing intake. But just to give you some sense of the scale:

Under CARES, under that limited program, we opened for two weeks. We had just under 100,000 applications in that short period of time. With the latest iteration of emergency rent relief, the state passed legislation to try to consolidate programs and have a singular program. You can imagine LA County, we also had the issue of jurisdiction. There are 88 cities in LA County. Many chose to run their own rent relief programs. So if you can imagine being a resident and saying, "I live in Los Angeles." Okay, well, the city has its own program. "Yeah, but I'm in LA County. The city says that their program is already oversubscribed, but I live within the county."

So we had all of these challenges. And then the number one challenge that we had was with the immigrant community that simply didn't trust government, that simply did not, under any circumstances, want to accept any assistance.

So these were the challenges that we were up against. And the fact that we ran four different rent relief programs helped us in terms of informing the state what worked and what really fell flat. And that was really something, and we'll talk about that as we go down the line.

SENTA LESLIE: Hi, good morning, thanks for having me here. Some context for our program: the first piece of context I want people to know about Virginia is that we are home to five of the top ten highest evicting cities in the country. So that was obviously pre-pandemic data but is the environment in which we were operating.

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We started our program with CARES Act money in June of 2020, and it was a statewide program. It was seeded with \$50 million initially. And it allowed us to run one rent relief program across the state with continuity of service, regardless of where you lived. We got a little bit more CARES money after that, and then when those funds were clearly sunsetting, ERA was on the horizon by that point. So we felt confident that we would get ERA money, but we didn't have it yet. And we wanted to operate continuously without any interruption to service for tenants and landlords.

So in Virginia, we pulled nearly \$30 million of our state HTF funds to act as a bridge in between those CARES Act dollars and when ERA funds arrived. So we've been able to operate our program continuously since June of 2020. And I think because we didn't have those starts and stops, I believe our office got our first ERA tranche of funding on February 8, 2021, and we cut our first ERA check on February 12th. So really just seamless, never had to miss a beat.

We understood that it was a Band-Aid approach, that our community had a real crisis before the pandemic, but the goal, in terms of what were our aspirations, the goal was always simply to keep low and moderate income renters housed during the pandemic and to ensure that their landlords were made financially whole. And to do that, in a way that served the people who needed us most.

AYANNA SIMS: Hi, it's nice to see everyone here and to see all the faces live. It's awesome to be a part of all the work that we're all doing. I'm coming out of Philadelphia. Prior to the pandemic, we already had some very concerning circumstances in terms of housing. We are a city that has a steadily increased volume of upscale and luxury housing at the same time prior to the pandemic at least 50% of our Philadelphia residents were cost burdened and at least 30% were severely cost burdened because of the disparity between wage and cost of living.

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So then the pandemic hit. We also happen to be a city where we have a huge amount of our residents that are part of hospitality and service industries which were, of course, directly hit by COVID. And so, many, many, many folks were in dire straits with either a loss of a job or suspension of pay and these types of things, and trying to figure out how to make it.

So my organization originally worked in real estate and community development; we still do. And we just happened to be the ones that said, Hey, we'll try to be the people to run this program. So like what I'm hearing here, we started off with CDBG funds in May of 2020, and then carried on with some CARES Act funds. We started with a very small phase, \$3000 type of subsidy to help people. And the demand just kept growing and growing and growing.

Now we're operating phase four with ERAP funds. And to date, we've served about 50,000 households and spent almost \$300 million in terms of helping people. But we that there's still a great need.

We were fortunate that— I was thinking about what Gene Sperling was talking about and the issues of bringing all the different folks to the table and how we need collective cooperation and work to achieve a goal. So I feel from listening and observing that I was fortunate to be in Philadelphia. We partnered with the courts. City agencies came in. We were able to use our community organizational network to make sure that we supported what was going on in terms of the new eviction diversion program that had just been launched.

And so, throughout these last couple of years, we've partnered, worked very closely with the courts. They were on board. Luckily a local legislature was on board and we were able to create a structure in which, now if you file for eviction at all in the city of Philadelphia, you are mandated to participate in the eviction diversion program. And that has greatly reduced the number of evictions. We've been able to make sure that people are staying in their homes. And I

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can say that it took— we have a digital application process. Everything was done on line, but it still took all the human beings to get on the phone to talk to people, to just make those personal communicates and relationships so that we could really help.

So we have a court liaison that my team speaks to every day. As people are live in court, we're able to help them. These little, tiny program pieces that help to make that greater structure so that you can move forward and create a long-lasting program, which I'll get to later.

JOEY NATHAN: Good morning, everyone. I'm probably the smaller of the group here. I come from a Tribe that has service areas throughout Nebraska. And so, what we did is we set up the program— we started with CARES funding. So we realized the need after starting that program and the money ran out fast. And then we continued in May of 2021 and started our program up. We were just going as fast as we could. It was an unbelievable program with the help of our legal team. We were able to get what we needed in policy and applications set up. We just wanted to be able to hit the ground running because that's exactly what you had to do with this program.

And so, we got a little over \$3 million and we assisted our Tribal members. Well, everybody in all of our service areas, which was 15 counties in Nebraska, South Dakota and Iowa. And we also went outside of the area for our Tribal members. And so, we were in 23 other states as well as serving 24 other Tribes within our service area.

And so, we were able to spend the money down fast. It was like \$3 million was gone in six months. And then we asked for a second round of reallocation, which we did receive. A little over \$8,000, which was gone in one month's time.

So the need is there. And we ran into some bumps in the road, but we really got through it as well as we could. This is an amazing program and it needs to be continued.

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SARAH GALLAGHER: Thank you all for setting that context. Each of you, as you were talking, kind of mentioned some similar themes around the scale of the program that came your way. The number of jurisdictions, while you're one program, it sounds like each of you were interacting not only with your program, but with many other programs in your surrounding area. The needs of the population of renters, as well as various populations, you mentioned immigrant populations and some folks who may be resistant to apply for emergency rental assistance. And then just the speed, the urgency which you had to both get this up and running and then respond to the financial needs of landlords and tenants.

So I guess I'm curious. In thinking back and reflecting on your implementation, what were some of the core components that you think were most crucial to overcoming some of those challenges around infrastructure, speed, various needs, equity? What were some of those core components? And did you know them up front or did you learn them over time as you were implementing them? Just talk about what you learned around that.

ANDREA BELL: I will just say that we are here today, whether you're listening virtually or here in the room today, I think we are here because there are collective shared values – that we do not have to choose homelessness as a fact of life; housing instability does not have to be a fact of life. But the reality is, in those moments of crisis, the decisions that you make matter. And there are clear decision points, as we have had them multiple times over, do you take the easy, safe way? Or do you go towards building something new in hopes that it sets forth a flurry towards not only recovery, but I think equitable recovery in a way in which people can feel that in their lives.

And so, I think there's a couple of decision points that we had within our program. So to date, we've administered over \$420 million. For a small state like Oregon, we would be– I mentioned

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this earlier for context; \$20 million, normally that's what we would be administering. So we chose not to have our programs scaled as a first-come-first-served. When we looked back historically at programs, what we saw was that, one, folks that had the most housing instability barriers would not get access to the assistance. We also continued to see and learn that people of color oftentimes would not get served. And that's not just an outcome that we just tripped and fell and got there. When it's unequal in terms of the process from the beginning, when there's unequal voices at the beginning, it is no surprise that we have unequal outcomes. And so, we wanted to be able to shift that tide.

So the way that we administered our resources was through a prioritization framework. So when applications came in, we looked at a number— and we were transparent to the community, to our partners in that. We looked at a number of risk factors. And those risk factors essentially would determine who gets resources first.

To date, about 30% of the households that we served are households of color. Again, coming from Oregon, not only is it a small state, it's not a very diverse state. So when we're talking about nearly 30% of people of color, that is a good thing. Our work isn't done. And I think it also sets a new bar, particularly as a government agency. Now that we know what it takes to be able to do that and to actually do that, there is no excuse for going backwards. There is no excuse for going backwards, of saying that we can't do that. So that's one piece.

The other piece of it in terms of infrastructure – and I think you'll probably hear this from my colleagues – is the iterations of changes over time with the program. So in the beginning, we had our service providers, our statewide service providers administering the program. By the end of the program, not only did we have more people working on the program than that worked at our agency itself, but we had a tenant call center, a landlord call center. We had a number of folks

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that were just processing the applications, giving those dollars out. And then our internal team that was overseeing that.

So we're talking over a few hundred of people just to run one particular program. And then I would be remiss if I didn't also acknowledge, too, that the effectiveness of this program, not in an abstract way, in a very specific way was also government working differently. Meaning, that this is about— oftentimes we hear the posturing of shifting of power and then when you get feedback from a tenant, or tenant organizers or people closest to the problem, sometimes their performance is "no power has been shifted; you had a conversation and then you did what you were going to do anyway." [laughter] We know what that's like.

This was different because this required a galvanization. This required a galvanization of which government needed to step back and take direction from community. And I think our hope, our learning, one of our learnings is that that is a positive step forward into our collective future for what rent assistance looks like.

EMILIO SALAS: For us, there were some key elements that my colleague just spoke about that we also looked at. So this whole issue of first-come-first-served I think was something that we all tend to gravitate towards whenever there are grant programs or limited funds. And so, we quickly learned that using that approach really isolates or locks out all of the folks that need the help the most, that don't have access to technology, because most of the time we're taking applications on line and there's the digital divide. All of these things, all these barriers that we don't necessarily think through. So that was one of the things that we shifted.

And so, when the state eventually took over the program, that's one of the things that we let them know – please do not have an application window; keep it perpetually open. And they did; they

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kept that perpetually open to make sure that as folks were late in applying, but still needed the assistance and were part of the target community, that they would be able to get that assistance.

Also, we took an approach not to really be driven by fears of audits. That's one of the very first things; any time— when we got CARES funding, our auditor controller really gave our program design back and said, This is just not going to work. You can't have this kind of program design. We are a compliance-driven organization. And even with our staff, it was a culture shift. When we had to talk to our staff to say, Accept that documentation, accept that attestation, before self-attestation was a thing. So we took a lot of chances.

So what I said is, I'm more than willing to face any audit and explain why we did what we did. This is an emergency. When you're dealing with an emergency, you can't sit there and look at compliance and audits and be driven by that. So we learned about that.

And I think that, for us, it really brought to the forefront what we already knew to be true, but it really just came to light in terms of just the inequities that exist within our society. When we opened up the program and we were marketing the program specifically for high-need areas, and we still saw that, for example, Beverly Hills had more applicants than the city of Bell, which is a very low income neighborhood, something is wrong here.

At the same time, we were also trying to get word out about vaccinations. So we had folks out there knocking door to door and we said, please let folks know about rental assistance as well. Please have a menu of all of the things that are open, that are available to them, given their circumstances.

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So one of the things that I think we quickly learned was that the grassroots, boots on the ground, door to door knocking was the most effective way because you really had to have conversations with some of the households. And some of them were really fearful about what was coming next.

We also learned early on that there were a lot of red flags. When we had our program under CARES, and that was about \$130 million, there were quite a few property owners, to our surprise, that were rejecting the assistance. So right away, we referred those to our Stay Housed LA program, a program that we were developing in the year prior to the pandemic, an eviction prevention program. Because there were red flags – if they're not accepting the assistance, that means there is an intention to move forward with an eviction immediately following this.

So those were the kinds of things that were happening on the ground for us in terms of lessons learned. And one of the things that really, really I'm thankful, our state is humongous and it was a huge program. I think they wound up giving out a little under \$5 billion, all told. However, we were in meetings with them three times a week as they were developing the program. And the program that the state developed was baked into statute. So the program design was in the legislation. And when we saw the legislation, we saw that there were things in there that we had already experienced that were going to be a problem; for example, not allowing direct-to-tenant payments or capping it at 25%. There were a lot of problematic things.

There were some well-intentioned things in there that may have worked in other times, but didn't this time, such as requiring property owners to forgive a specific portion of the rent. There was 60% rejection level from property owners initially, until they changed the legislation a couple months later; it didn't take long. And then it just grew exponentially.

So I think that I'm really thankful to the folks at the state, our local government that were really sensitive and willing to change and modify the program.

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SARAH GALLAGHER: Senta, I'm going to tailor a question for you because I know the Virginia program was one of the first to adopt categorical eligibility and really was a leader in that. So I'm hoping that you can talk a little bit about as one of the components that helped you be successful in how that evolved and how that worked in Virginia, if that's okay.

SENTA LESLIE: Yes, I'd love to. And I'm echoing all of the thoughts I'm hearing from my colleagues; there are so many similarities, I think, in our approaches.

In terms of categorical eligibility, that eventually made its way into Treasury's guidance to all of us, but we were practicing that in Virginia before that time. I'll say one of many keys to our success was the leadership that we had at the highest levels of state government in Virginia to treat this like the emergency that it was.

I wanted to echo what you said about audit fears. We came from a posture of, there will be mistakes when you're doing something as large as this. We had about a billion dollars for the state of Virginia. When you're doing something as large as this and as fast as this, there's going to be mistakes.

The one mistake that we couldn't tolerate is a family getting evicted because of our policies or our shortcomings. That's a mistake that you can never go back and correct. There's a million other mistakes that we might make along the way in terms of policies and procedures and audit compliance that we can fix later. So we sort of operated with that one framework in mind.

The leadership just pushed us to treat this like the emergency that it was, and that included acting with urgency and finding efficiencies wherever possible. At the ground level, our team also

operates from a set of principles, and our hope is that one day in Virginia evictions will be rare and that when they do occur, their impacts will be brief and humane.

So I think the two values that really showed up when we started exploring the categorical eligibility work was about efficiency and humanity. We took a look at the other programs that low and moderate income renters access in Virginia and determined how a household of how many, no matter where you live in Virginia. If you're accessing TANF or WIC or SNAP or LIHEAP, some other program with far more rigorous rules to verify your income has already done all of that to you – or for you, depending on how you want to look at it. [laughter]

Just as an aside, I grew up in a household that accessed most of the programs that I have spent my time trying to protect and strengthen, and the humiliation of having to prove that you're poor over and over and over and over again. So this was just like, hey, if we have documentation that they're accessing SNAP, we already know they're income eligible. So that's just the only income documentation we're going to request from them.

So that's how it came about for us. And we were so proud when we saw it in the regs later. [laughter]

We also made use of the fact-specific proxy a little later, and maybe that's something we'll discuss later.

SARAH GALLAGHER: If you want to touch on it now, too. If you have other components you think were important, feel free. I just wanted to make sure you touched on that,.

SENTA LESLIE: Yeah, those two, the categorical eligibility and fact-specific proxy, some of the guidance– not some, a lot of the guidance was thin. And I think there are some administrators

who might look at that and just experience paralysis, like, "They're not telling me how to do it, so how will I ever do it?" And our leadership, our team structure and culture was like, if they haven't told us how to do it, then we get to figure out how to do it.

So we also identified 500 ZIP codes across the Commonwealth where the data showed that chances are you have an income of less than 80% AMI. And so, we didn't require income documentation for households in those 500 ZIP codes. When we made that decision, we already had thousands of applications in queue. And we just ran a query to find out how many households could be fast-tracked with those guidelines in place. And just at the first go-round, we moved 30,000 applications from the lowest income ZIP codes in Virginia, just fast-passed all the way through. And these were households of generally around three people; most typically that meant a single mother and young kids. And just knowing that we could stabilize them as quickly as possible.

SARAH GALLAGHER: Thank you so much. Ayanna, what was your experience with the different core components that you think are helpful?

AYANNA SIMS: So we also were able to take advantage of categorical eligibility. And right before that happened with us, our application processed everything based on the AMI, and we knew based on those stats in Philadelphia that that would mean that the greater majority of applicants automatically would qualify. With that, the way we designed the online system, was that if they fell below a particular AMI percent, they were pushed forward and we could go ahead and process them and make sure that their rent assistance was received quickly.

I'm hearing about the household numbers and it just makes me think of some of the things that we see. Philadelphia loves children; we have households with a lot of children – three, four, five, six, seven. So seeing that, that really greatly kind of puts the pressure in terms of what the

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economic picture is for that family, what that means in terms of their housing and their housing needs, and how they would qualify for services through us.

So once we put the categorical eligibility piece in place, we did information sharing with Medicaid and pulled all the data. And that became another thing.

And the other thing we did was because there was an existing eviction diversion program, folks, tenants were able to reach us through that. We set up a direct communication with information sharing with that group of folks, and then if by any chance they contacted, anyone contacted the community Legal Services that were operating those programs, they immediately got in touch with us and we were able to search for their applications and move them forward and make sure that things were taken care of before there was a move for eviction. It helped us that the courts were on board by creating a situation where they were not allowed to file for a given period of time, and they gave us a chance to catch up because the numbers just kept increasing.

Philadelphia, we like to push the bar. I love how you described it being thin guidelines. Because in Philadelphia we look at something like that and we're like, oh, that gives us room. [laughter] So every creative way that we could, we kind of pushed the avenue and said, well, they didn't say this, so let's try it. And if they come back, it's the same thing, we have a need to meet, we have people to care for, so when it comes down to the audit, we can point to these thin guidelines and say, well, we thought that we could do it this way and solve this problem. And to just creatively keep doing that same thing.

I was very excited when they restructured guidelines and pushed more in the direction of housing stability. That helped us again to create some new structures and to look forward into what we're going to do next to maintain a program like what we have and support our eviction diversion program.

SARAH GALLAGHER: We'll talk about your eviction diversion program in a little bit moving forward, too, but Joey you represent a really unique perspective of representing a Tribal housing authority, so could you share with us the unique considerations from the Tribal Nations and how you address them to ensure housing stability?

JOEY NATHAN: With us, we looked at a lot of our tenants and Tribal members not really being tech-savvy and not having that type of support, so we did start out our first program where they were able to fill out paper copies. And they could fill it out on line as well, but we figured out in the long run that really didn't work because a lot of their applications sat around because we couldn't get the W9s from the landlords. It was like a struggle getting all the paperwork in that we needed.

And so, we realized that that process really didn't help, but it would be hard to work with our elders and some of our Tribal members that are not able to fill out stuff on line or don't really understand what we're asking for. And so, I think that early on we realized we had to do a little bit differently.

And then when we switched to doing everything electronic in the second round, it worked a lot better. We made sure everything was there before the application could even be processed. Where everyone seems to be a lot further ahead, this was just the route that we had to take to make sure that we were getting everybody helped.

With our own housing, it was easy. We know what their income is; they were pretty much all in. We only have 110 units. So we weren't covering a lot of our own tenants. The majority was other Tribes and other non-Natives that we were helping.

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But I think our process worked out well. And when we ran out of funds, that's where we hit a lot of challenges. We were trying to work with the state. The state wasn't accepting any Native American applications at the time because they thought that we all had our own money – "you all receive money and you should be able to cover your Tribal members." And that was a hard one to dispel, I guess. But we did. We worked with the state and we did get some through, but it was a bigger process than our program.

I mean, it was scary. Just to prove that your income decreased, you needed to send in tax forms for the last two years. And dealing with Tribal housing, that's not something you really do or get. So that was really tough.

And then I think the other thing with the second round, it was just so much quicker. The money went so fast, like within a month. So I guess we know that that worked, and we would use that going forward.

Some of the other things, in my case there's four Tribes in Nebraska. Two of the Tribes were doing quite well. They ran their programs different and that's what I noticed. We tried to reach out to other Tribes to help them get their programs up and going. We shared some of our policy and some of our application process so that it would be easier for them.

We're just a Tribe that really likes to reach out and help. I guess the way I run our housing authority, I like to be helpful to others. And so, I think that was how we got through our challenges.

SARAH GALLAGHER: Great, thank you. So let's think a little bit about moving forward and think about, how has ERA been a vehicle for broader systems change in your communities or justifications, particularly in the housing system, and thinking about how is it creating new

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eviction prevention and diversion initiatives in your area. So Ayanna, we will go back and start with you to talk a little bit about what's happening in Philly and what ERA has helped to spark in your community.

AYANNA SIMS: There's so much. [laughter] I'm trying to sort through the many steps and thoughts on this thing. So again, from the beginning of this most recent phase, which is our phase four, there was an agreement with the court and there was a relationship with the eviction and diversion program which had launched shortly before all of this happened, shortly before COVID came.

And so, by this time, in phase four, we had multiple things in place that helped us be able to take advantage of the situation. So if you had an emergency rental assistance application and your landlord found the way to eviction court, then we were able to match that data and take care of folks. If you came for emergency rental assistance and then later on your landlord made a move after the moratorium was lifted, then we consider the rental assistance application equal to an eviction diversion application in the courts, which slowed down your process and made you able to access the assistance and keep you out of court.

The great thing, of course, is the funding. The funding was the thing that brought more and more property managers, lawyers for landlords and landlords to the table with a buy-in. Because with our application process, on the emergency rental assistance side, if you accepted the funds, we said you could not move to evict for three months. So at first, of course, we had a lot of pushback. Landlords were refusing. They would call me and say, "Do I have to keep this person in my place? I want them out. I'm not signing."

And this was at a time that we— because of being a large city, because of the conditions of our city, this is when some of the more difficult realities hit. In the beginning of our program, we

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were open to paying tenants. But as we moved forward, for us, honestly, the level of fraud was through the roof, and we had to find controls to put in place to make sure we could make use of our funding. So we had to close at a particular time direct pay to tenant for the most part. If there was a dire case or something we could really solve, we would. But overall, we had to close that gate. When we did that, that gave landlords a little bit of leverage if they didn't want to participate.

So we had to look at all these things and figure it out. Luckily, as I said, the funds brought everybody to the table. And creating really strong communication flow with everybody is what made the difference. And for us, it was a complete culture shift. So in the beginning of the pandemic, we had a very different mindset and a view about eviction. Tenants were really suffering in Philadelphia. Now we have a situation where tenants have representation. They have access to resources. And our property managers and landlords can trust that there's an actual real effort to make sure that arrears are taken care of, and also to protect their financial interests while protecting the rights and stability and dignity of our tenants in the city.

So now we're moving forward. Our Emergency Rental Assistance program is in the process of closing down. Our eviction diversion program is going to a next phase. That's a phase that we know we need a small amount of funding, some type of assistance to give landlords incentive and to help cover some of that issue of arrearage for our tenants.

There's also been some move – I don't know how successful we've been, I think we're still in the waiting game – of trying to make some legislative changes so that when tenants receive a filing, it can later be taken off of their record. Because in Philadelphia, if you get a filing, even if you're found to be the person in the right, it still affects your record and you may not be able to find another place to live. So we're working on that in terms of legislation.

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And then we have to look at the next phase of what is the next rental assistance program look like. Our organization already had a small rental assistance program that was running associated with particular landlords and property managers. So now we're looking at how can we build that out, expand that, and make sure of the remaining ERAP-2 funding to do that because we're looking at housing stability.

And then with that is the issue of education. I think that you can't talk about any of this without talking about what the education needs are and the resource needs are for your city. So for us, we have two different groups. We've got big landlords; they own multiple properties. They have their own legal teams. They have property managers. They have all of this structure. And then you have independent homeowners who just maybe have one to two to three houses and this is a way that they want to help provide affordable housing and maybe supplement an income, or maybe even it's their retirement plan. And so, those are the folks that were hardest hit.

We saw, as we were reviewing property documents, we saw the changeover of property ownership from regular, everyday folks losing their property to larger-scale organizations. So how do we help them? And how do we make sure that our structure cares for our tenants, makes sure that their housing is stable, makes sure that there's proper access, makes sure that there's housing equity; and at the same time recognizing that, in Philadelphia, because you have a large population, the largest population is people of color, and many of these folks may have received a home through inheritance, and maybe their current wage doesn't equal their ability to maintain that home, to pay the mortgage, to do the repairs and to do all the things that are needed to make it a viable home for someone to rent, to make sure that there are structures in place for all of that.

So with that is looking at the legislation, the eviction diversion program, how we build a rental assistance program, and then what are the other supportive measures that are needed within our

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city to make the whole, entire infrastructure viable and strong, and to give people the right opportunity.

So in our organization, we have other programming. We have a program that helps to incubate small landlords, teach them what they need to know about their business structure, give them support in terms of understanding how to properly maintain a safe and livable house so that they can rent it to someone. That way you're not in the old position of having slumlords that are renting to people who are in dire straits and need a home and would accept anything. So we can try to level the playing ground all the way across.

So just a lot, a lot of pieces. We spend a lot of time brainstorming how are all these things going to interconnect so that we can make sure that the whole system is strong and that we can all move forward together. We can make best use of the funds that we have. And with what's remaining of ERAP funds and then what are all the different funds that the city has. I know that our HTF funds are going to be some of those that help to continue to support eviction diversion. And we are making this a permanent program. We just had the next extension, another 18 months of guaranteeing that this is a program that's going to last.

So the way we looked at it was, we knew that they gave us an end date, but from the beginning we said this is permanent and we're going to keep building like it's permanent, we're going to keep planning like it's permanent. And then you guys will catch up. [laughter] So I would encourage that for everyone; just go for it. And keep fighting the fight. And that way we can see.

And then, when, Joey, we were on the first call, preparing for this, and I was listening to what she was talking about in terms of the challenges faced, and we all have a lot of work. I know we're really busy. But even with that, to be able to make sure that we create good structure with each other across the country and provide each other with the tools and the information and the

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things that we need to make this an overall win for everybody. Because it's great that I can celebrate in Philadelphia, but in my mind I'm thinking about the experience that she's having and some of the crazy things that are going on there and how we can all chip in and provide support and network to each other for that. That's just something that's always on my mind.

SARAH GALLAGHER: I love that national perspective and peer learning and sharing that it's helped to spark. Emilio, do you want to talk about some of the systems change work in LA County?

EMILIO SALAS: Sure. I do want to just piggyback a little bit on Philadelphia and what Ayanna said because we actually reference Philly quite a bit. When our housing advocates are looking at tenant protections and invoking the court system, that's the glaring component that's missing in our ecosystem. So for us, we know that this program is definitely something that's needed in the long term. There are far too many families that just are one incident away from not being able to pay their rent, and they just need short-term assistance. So you really need this program component to be part of a larger ecosystem – of tenant protections, housing affordability, all of these things.

So for us, we're definitely building that out, but the relationship with the court is one that, although we have a great relationship, we just can't get them to commit to giving us the data that we need so we know how many unlawful detainers are out there, how many filings. So the advocates are doing this through Public Records Act request right now. That's what they're basically going towards. So we need to really bridge that gap, so we definitely want to learn from your experience.

But there are a lot of other things happening within LA County that, to try to build out this ecosystem using the federal funds. At the state level, they're providing funding for the purchase

of hotels and motels to convert to permanent supportive housing. We're using a local sales tax initiative, Measure H, to provide services and short-term rental assistance, also, for folks that just need that extra bridge. And then the Stay Housed LA program.

So there are a lot of different components, but this one that I'm glad to say I know is going to be here to say for us.

SARAH GALLAGHER: Does anyone else want to share any systems change work that you think ERA sparked?

ANDREA BELL: Yeah. As I listen to Joey, I think about the criticality of the sovereignty of our Tribes, particularly not only in crisis but just the reality of our world. So I just want to acknowledge that.

But I think there's certainly a couple things. This is such a realization and such a manifestation, I think, from our perspective as about our collective humanity, and being able to try to see ourselves in each other, even if you're not somebody that has struggled to get by. I know I grew up very, very working class. And that would be a stretch, calling us working class growing up, and an immigrant. And so, the proximity of the situation for me, even as an executive director, is still very close. It's still very close and it's still very real.

Now, I think for us, we have some very real material things that have happened, that have been spurred by ERA. So one, we were able to leverage the stacking of state dollars in addition to this. We were able to leverage state additional dollars to come on top of this.

I think one other important piece of it as well is recognizing that, even though we've been able to help a lot of people, we haven't helped all people. People are still struggling. We've had so many

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households that have applied two and three times, that are coming back, that still need additional assistance.

And so, I think the question around us is: so, then what? Where will those households go? Because in the reality, I know not just here in Oregon, but across the nation, housing affordability is an issue. And it will continue to be an issue. That compression, that squeeze is very real. And so, I think in that time, being that we have been able to increase access to permanent supportive housing in small towns and rural communities, we've been able to increase the supply of affordable housing, writ large, the reality, my friends, is that if we do not hold a vision for what eviction prevention can look like, if we cannot hold that vision, then we will miss it. We will miss it in a really major way.

And so, I think for us, and I'm saying this just as much to myself as a government agency, there are both, yes, mental shifts, culture shifts. What I am hoping that we can evoke are practice shifts, very specific and practical shifts with the people that are closest to the pain really informing some of those solutions as part of those investments.

I think as we recognize and as we know, being poor and struggling is not a character flaw. It is not a character flaw. And as we think about the connection and that pipeline into disrupting homelessness, homelessness isn't free. It costs. We are paying for it. And so, the reality is, do we want to build a system based on our collective humanity that can take the best parts of ERA, the struggles of ERA and build something new? Or do we continue using bubble gum and duct tape to heal the fragility of our system?

SARAH GALLAGHER: Thank you for that. So I'm going to do one last quick-round question, and then maybe we have a question from the audience that we can go to. As I said earlier, I'm

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hoping folks will leave today with some action steps and some really specific ideas of the things that they should be pursuing back at their homes.

So could you let us know, is there a policy change, a practical change, a funding that you're looking for that you're specifically pursuing now that you're hoping will help turn ERA into a permanent program? We'll start with you, Joey.

JOEY NATHAN: I think what would help us— we're so spread out. Even if we looked at buying a hotel or an apartment building for supportive housing, I wouldn't know which county to pick or which area to pick. I know where our bigger Native American population is, most times it's in the city. We're in Omaha, Lincoln, Nebraska. Those have missions and things like that in places. But obviously it's not working for our people.

And I think we have, and right in my backyard, I know we have a lot of homelessness. I just struggle to figure out where will we put them? What type of housing? We did trailers. We did motel rooms, hotel rooms. That worked, it was good and bad. We have some great stories. But we had to take that out of our program. I don't know if that worked for you guys or not. But it did not work for us.

I think going forward, we need to look at— it's so bad everywhere, homelessness, that I really don't know where to start. You guys have some good ideas. Me, I'd love to just build everyone a container home or bring something in like that and set it up. But where I'm from, that's not really happening. That's not something they allow. It's hard enough just starting a Native American project in some of the areas I live in; the neighbors don't like it or it's just not something that happens. We purchase units here and there, and that's how we grow. And we are growing. And we will get a lot bigger. But that's kind of where we're at.

But this program, I do believe, is necessary.

SARAH GALLAGHER: One thing you'd like to pursue.

AYANNA SIMS: I just want [01:38:31] [laughter] For me, it's making sure that the relationship links so that you can share information and effectively build a program are in place. It takes work. I know Philadelphia is a city, but it has a neighborhood mindset, a small-town mindset. So it probably gives us an opportunity to have a little more ease of that. But really pushing to make sure that you're using— and using technology. I was thinking about what you were talking about, the courts. We have two things that happen. We have data sharing where the court gives us an automatic download every week of all the newest evictions. And then there's always a person. Because that's what we learned; you have the digital, the technical thing and then the person.

I have a person, we have a teams chat; the person's in court. And every week she sends me the docket of the week. And we do direct communication throughout the day. All day. If I wasn't here, my teams would be going off. About specific people, their stories and their need.

So combining the issue of how we can use technology and then not forgetting that we have people on the ground to pair with that technology. And making sure you build relationships and share information.

SENTA LESLIE: A few things. One is, having a billion dollars was awesome, of course. [laughter] But other than the billion dollars [laughter], and I do mean this, legal aid attorneys. I think in our country we think you have the right to— you think about your Miranda rights, like you have the right to an attorney and if you can't afford one, one will be provided to you. That's only true in criminal cases; it's not true in civil cases. And what are civil cases? All kinds of really life-altering, important things like housing.

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So ensuring that more people who go to court for an eviction hearing have representation is, in my opinion, almost as important as having another billion dollars.

And then, looking at your state's laws around the length of time someone has for a pay-or-quit notice. In Virginia, during the pandemic, we had 14 days, which is theoretically long enough for someone to receive another paycheck. That was a temporary action in Virginia so we've now reverted back to a five-day pay-or-quit. And it just makes evictions happen so quickly and can result in a system – and this has been said – where courts become the first resort for debt collection. So thinking of where are the sort of speedbumps you could put along the way to slow that process down a little bit and make it a last resort, when all else has failed.

I will say, also, we have, before the pandemic hit, the then-governor and general assembly had passed \$3 million for something called the Virginia Eviction Reduction Pilot, or VERP. It was put on the backburner when the pandemic hit because we realized \$3 million wasn't going to cut it. But now we're in our second year of that pilot program. We require all of our grantees to have partnerships with the courts to provide that court navigation piece.

I think ERA, in most cases, or at least I'll just speak in ours, I used to say it was the world's largest Band-Aid. And it allowed us to make life-altering, change the trajectory for hundreds of thousands of households. But we didn't really put a dent in the system that they're interacting with. And it is the system that needs fixing, not the individual people who bump up against it.

So with VERP, we're trying to do more. We still have flexible financial assistance for people, but it's more a program that's more targeted at disrupting and changing the system that our households are interacting with, rather than trying to fix the households on a case-by-case basis.

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EMILIO SALAS: I'll limit mine to just one. And I think that one of the real lessons that I really took to heart, and I think the leadership within LA County, that was already there, but really is now focusing heavily on this is the issue of equity and the distribution of not just this assistance, but all government services and how we deliver those service.

So prior to this, we had been developing an equity tool. We created a new department within the county. And we have this antiracism, diversity and inclusion initiative that every department head must abide by. Meaning that, all of the programs that you deliver have to run through this tool so that you can then attest to whether or not the services are going to the communities that need them the most.

So under ARP, there are 83 programs that the county is launching. All 83 have undergone this rigorous review – looking at county data sets, looking at mental health data, health services data, law enforcement data, all of those kinds of things.

So I think, be very intentional about using equity as a means to deliver services.

ANDREA BELL: I just saw the one-minute mark and Sarah's giving me the eye, so that's okay. So there's a lot, but I would say probably the one with the highest criticality is find a way to get tenant feedback. Find a way to talk, to engage, to get feedback from tenants. And keep in mind that your tenant today, tenants today, those struggling with rent today is not necessarily the same household pre-pandemic. There are a lot of new households that, for the first time, are needing to lean on these types of programs. So make a concerted effort to invest in talking to tenants to get information beyond the quantitative information that you have or are pursuing to get.

SARAH GALLAGHER: Thank you all so much. I know we could talk for the rest of the morning and probably well into the afternoon. But I really do appreciate your insights and your

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thoughts today. We don't have time for a question. I apologize, we don't have time for a Q&A question. But let us know, you can email I'm sure after, or catch the folks in the hallway to ask any questions you may have.

We're going to take a 10-minute break. So please be back here at 10:30, and we're going to get started with our next session, which will be on research. So thank you, everybody, and thank you, panelists. [applause]

[END SESSION ONE]

[10-MINUTE BREAK]

REBECCA YAE: Hi, everybody, thank you so much for joining, whether that's in-person here in this room or virtually. I'm Rebecca Yae. I'm a senior research analyst with the Coalition. As you all know, the Treasury Emergency Rental Assistance program has really provided an unprecedented amount of funding to stand up a wide variety of emergency rental assistance programs across a diverse set of local housing markets and political contexts. And this has really provided such a unique opportunity for housing research.

And so, in this session, our panelists will provide insights in to the latest research on implementation and impact of ERA programs, as well as discuss implications for policy and future research.

Before we begin, I want to cover a couple of logistics. This is a discussion panel, so I'll use about 40 minutes for discussion, 20 minutes for questions from you all. For those of you joining virtually, you can submit questions through the Q&A function; you've got to scroll down below the video and you'll be able to submit some questions there. If you're in this room, just raise your

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hand and I'll hopefully call on you. There's a really bright light, so if I don't see you, wave a little bit wider – I have a lot of glare on my glasses – and our wonderful, agile colleagues will run to you with some mics so you can ask your questions loud and clear.

And then last, I just want to plug, whether you're here in person or virtually, to engage on Twitter using the hashtag #ERASEPROJECT2022.

So without further ado, I am so pleased to introduce the folks here. I've got Claudia Aiken, director of Housing Initiative at Penn; Andrew Aurand, vice president for research at the Coalition. I'll try not to grill you too hard, boss. And last, but not least, we have Lisa Bates joining us, virtually. She's a professor in the Toulan School of Urban Studies and Planning at Portland State University. And you'll notice it's very early in Portland, Oregon, and so I just want to give a super special shoutout and thank-you for joining us at the crack of dawn.

So let's begin. Claudia, Andrew and Lisa, you're all doing really interesting work related to emergency rental assistance, all at different scales with different focuses. I'd like to give you a chance to give a brief introduction on the research you've been working on. Lisa, let's start with you and the research that you're doing in Oregon. What have been your main questions of interest? What kinds of outcomes are you looking at? And what have been the most important things you've learned so far?

LISA BATES: Our research out here in Oregon, which is focused on our state, really was motivated by our work on evictions, which started before the pandemic. And then of course, attempting to divert and eliminate the hazard of evictions for tenants during the pandemic became an enormous priority.

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And our research is really focused on the experience of tenants, how tenants understand the processes that they're going through, starting with talking with folks in 2020 about their experiences of attempting to navigate the eviction moratorium and some of our local emergency funds that were available to them, and recognizing how difficult it really was for people, both to get them information that they needed and also to navigate through. That was the system's expensive means-testing and sort of needing to call from place to place and getting cues here, there and everywhere to try to get some of their basic needs met.

Oregon implemented, along with its OERAP, Oregon Emergency Rental Assistance program, what they called a safe harbor, which was an opportunity for tenants who had applied for rental assistance to request a setover, or a rescheduling of a nonpayment eviction case to a later time. That safe harbor period extended from, starting out about a couple of weeks to 90 days, to nine months as it became difficult for the state to keep up with rental applications.

So essentially, the tenant would receive a nonpayment notice, would request a setover of their case while they waited to get their rental assistance. And then hopefully they would get rental assistance and the landlord would dismiss the case.

So we've been tracking those cases quite closely. I would say that one of our primary findings is that that safe harbor process was pretty rocky for people to navigate. About one-quarter of cases with nonpayment eviction cases in Oregon received safe harbor and eventually were dismissed; in other words, they had applied for rental assistance and we presume that they got it.

About a half of nonpayment cases did get dismissed, which is pretty typical here because a large number of those are dismissed through what's called a stipulated agreement. The tenant has negotiated either paying their rent or exiting the property, even though under the program they would have had the right to stay there until their rental application was cleared, or to apply for

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rental assistance. And many of those folks just didn't make those connections and make that process happen.

And probably most distressingly, one-quarter of nonpayment eviction cases ended in a default judgment of eviction when the tenant failed to appear in court. That is probably the dumbest outcome that could happen in the circumstances when we had hundreds of millions of dollars of rent assistance. But the problem is, for tenants, is finding out the information, understanding how to both apply a 35-page application with a tremendous amount of documentation they needed to bring to the table, get their landlord to pay attention to that application. But also, importantly, and I think this is where our research has been unique because we do a tremendous amount of court observation, is to navigate the magic words in the courthouse – exactly what do you say at what moment to get safe harbor to happen.

And particularly in a time when most of the courts here were operating by Zoom, it was difficult to run into someone in the room who could help you or support you. There were mutual aid groups sort of unmuting and yelling into the microphones to try to help people to understand that there was a special magic sentence that you have to say.

But seeing that and continuing to see that as we are now, just now coming out of the safe harbor period with cases returning to court after long, long setovers from January, we're seeing again that tenants are really struggling to navigate, to find eviction legal defense, which Oregon has ramped up massively, but can be difficult to connect to. And to navigate through some of the systems without the support of attorneys proves very difficult for tenants.

REBECCA YAE: Thank you for sharing that. That's really interesting, and I think it's really unique compared to some of the other research that's going on that our panelists are going to be

talking about. Claudia, you're doing some site-specific research, and the focus is really, really different. Can you tell me a little bit more about that?

CLAUDIA AIKEN: Yeah, definitely. So HIP has been doing a lot of research around ERA, some of which has been at the national level, trying to understand the variation and the design and the implementation of programs. As Gene mentioned earlier, there's been over 500 Treasury ERA programs alone. So I think it's really important to understand what the differences were.

We're also working in close partnership with the Coalition to do tenant surveys and research to understand the impact of ERA across a bunch of different sites, including Oregon and Northern Ponca, whom you heard from earlier.

But I'm going to focus on HIP's very local research and our deep partnerships that we have with a handful of programs, including Atlanta, Baltimore, the city of Oakland, Los Angeles, Philadelphia, and the state of California. And I think it's worth noting that California's program for a billion dollars, about, in total funding is the largest such program in the country; not to say that it's representative, but definitely worth studying.

So the basic framework that we've had for this research is repeatedly surveying tenants. So the first survey is embedded in the program application when they first apply. And then we follow up at regular intervals. Then with help from our partners, we match tenant surveys with application data provided from the program that tells us about the case status of that tenant: Were they served? How much assistance did they get, if any? What was the timeline for that? And what kind of assistance was it?

The hope then is to understand much more about who is applying for ERA, who's getting the help, and what is the impact of receiving ERA on a variety of outcomes. So from the surveys, we

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learn about things like housing stability, of course; also financial stability, health and wellbeing, and childcare needs. In some of our partner locations, we're also then matching the survey data to larger administrative data sets or even private data sets to understand more things about credit health, about residential mobility. We want to learn about interactions with the criminal and juvenile justice system. And we want to learn about homelessness.

In California, we're also trying to learn about how the outreach worked and how equitable that was through a partnership with Deshonay Dozier; she's a professor at UC-Long Beach. And in Oakland, we're planning to work with Jackie Hwang at Stanford to actually help the city build on their ERA work to design a post-Treasury ERA rental assistance intervention.

So we're just now starting to get early findings from this research. For instance, in California, we're learning from our baseline survey that in the pool of applicants for ERA, 22% of them were a year or more behind on rent. Over half had borrowed money from some other source to try to pay for their rent. And a fifth had experienced within the past year some extreme form of housing instability, whether that's sleeping in a car or living in a motel or sleeping on the street.

Then using our follow-up surveys and application data to just do a basic comparison between those who received ERA and those who did not, we see that the assisted group was less behind on rent, that they were far less likely to have experienced homelessness since applying for ERA, and that they were also less likely to report a negative landlord interaction, like harassment or threat of eviction.

With our Philadelphia data, our partner Yeonhwa Lee is already kind of a step ahead and has done some rigorous modeling to show that even the early ERA payments, which, as Ayanna said, were comparatively modest, were associated with significantly lower rental arrears, lower likelihood of borrowing to pay rent, and lower levels of self-reported debilitating anxiety.

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I'll stop there and say though that I think it's equally important what we were learning about ERA and what it can't do. It hasn't served everyone. It hasn't erased the deep precarity among extremely low income renters, which certainly predates the pandemic. In Philadelphia, there's no measurable difference between assisted and non-assisted folks in terms of making decisions to cut back on medical care and food to try to make ends meet. Which I think is really indicative that this is not a panacea. It has really important effects, but it's not the silver bullet and there's a lot more to learn about how much housing instability was actually prevented.

REBECCA YAE: Yeah, absolutely. I think that's definitely a theme that we'll probably discuss a little bit more as well. But thank you for sharing that, what you're doing at the site-specific level.

And so, Andrew, I'm going to pass it over to you. Lisa's work is following tenants through the eviction process and a lot of the site-specific research that HIP is doing is following folks through the emergency rental assistance process. What kind of research have you been up to at the national level?

ANDREW AURAND: Thanks. So since the beginning of the pandemic, a lot of our research has focused on what practices ERA programs have been implementing; so, how have they been designed. I just want to mention, we've had a really great team tracking about 1000 emergency rental assistance programs since the beginning of the pandemic. So Rebecca has been on that team, along with Sophie, Neetu and Emma; we've had multiple interns. And they've done a great job in tracking these programs.

We started off even before the CARES Act trying to identify where states and localities were implementing their own emergency rental assistance programs. Of course, then we started

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tracking which grantees were using CARES Act funds. And then, of course, we started tracking what Treasury ERA grantees were doing. And it has been really fascinating to see how programs have evolved over time. And I think we heard quite a bit of that with our first panel today as they ran into challenges and how they have evolved to overcome those challenges.

Like I mentioned, we spend a lot of our time focusing on how these programs have been designed to try to capture the extent they've been designed to reach the lowest income renters, as well as those renters who predominantly marginalized many times, and have a hard time accessing programs.

So if you go to our databases that we maintain on line, you can see the programs that have adopted some form of self-attestation, the programs that have adopted some form of direct-to-tenant assistance, categorial eligibility, fact-specific proxy. And we've been tracking that.

We've also produced multiple reports, mostly from a national perspective. Some of our reports are focused just generally what are we seeing across ERA programs in terms of what they're adopting as well as what challenges they have. Our team main sources have been our database, as well as surveys we've done with program administrators in partnership with Penn and also with NYU Furman. And we've done four surveys over the course of a year-and-a-half during the pandemic to capture how these programs have been changing over time.

We've also produced some very component-specific reports; so, how have programs implemented fact-specific proxy, for example; or how have programs given priority to certain populations throughout their process of delivering assistance. And then another example is, how have programs adopted direct-to-tenant assistance, recognizing that they are important features. And again, I think the first panel today really highlighted the importance of some of those features.

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Just quickly, and I know we'll touch on these as the panel goes on, but some of the key takeaways for us— all of you are familiar with ERA; some of these findings are not going to surprise you at all. Some of the key takeaways for the future, at the federal level, some of the things we need to think about is how our allocation's determined and allocation formulas. So in case of ERA, the Treasury ERA funds were allocated based on population size. It did not take into account the number of renters, or even the number of low income renters or cost-burdened renters; it was just straight population.

Plus there was a minimum allocation to small states of 200 million for ERA-1 and 152 million for ERA-2. So what that meant is that small states and states with lower rentership rates got a disproportionately high amount of ERA to distribute. And just taking two extremes here – of course, I recognize these are extremes, but just to highlight this – Wyoming, for example, the state of Wyoming got about \$14,000 for every cost-burdened low income renter in that state. Versus the state of New York, if you look at all the grantees in New York, they got about \$1700 for every cost-burdened low income renter.

Of course, Treasury addressed that through reallocation to some extent, but that's a long process; it's not the most necessarily efficient process. And so, for future programs we need to consider the allocation.

The other thing that the first panel I thought addressed very well is the importance of clear guidance of what is allowed and what is not allowed. As the first panel highlighted, which I was going to highlight as well, some programs are willing to take risks; some grantees are willing to take risks. Many others were not, unless it was clear from Treasury guidance of what is allowed. And that became a challenge. The first guidance was issued in January, December or January of 2020/'21. And it really did not allow much in terms of flexibility and required significant

documentation. That was rescinded in February. But then between February and this past summer, I think there were six different updates to Treasury guidance. All, of course, improvements, but that's a pretty slow process.

And then, at the state and level, the importance of adopting some of those flexibilities, like self-attestation, like direct-to-tenant assistance and fact-specific proxy for income eligibility. Some of the early research that we've done have shown that programs that have adopted those flexibilities have spent their Treasury ERA funds more quickly than those that have not.

And so, I think that that kind [19:30] Often, there's this debate of speed versus equity. But I think what we're finding is really you could do both at the same time.

And I think I'll leave it at that.

REBECCA YAE: Thank you, Andrew. Were there any challenges that you encountered in your research when you were conducting it?

ANDREW AURAND: Yeah, I think two challenges that immediately come to mind. One is, ERA programs, a number of them, we learned, offered self-attestation. So that was an option that was available to applicants. Or direct-to-tenant assistance was an option for applicants. But that information was not on line or on their public-facing documents. And so, our database that we maintain is based on what is on line, in program documents.

Last year, we found that, at one point in time, about 60% of Treasury grantees offered self-attestation, for example. But we did a survey with Penn, and about 92% of the programs that responded said they allowed self-attestation. Meanwhile, our database said 60%. And at first we thought, well, maybe those programs that are taking these flexibilities are taking this program

more seriously and they're more likely to do the survey. But then we dug into further and found that about a third of the programs that responded to our survey and said they allowed self-attestation did not have any acknowledgement of that on their website or in their program documents that we could access.

So that really creates two challenges. One, from a research perspective, it makes it challenging when we go— one of the things we want to do in the future is evaluate to what extent did these features lead to different levels of equitable distribution. But it's hard to know what programs are doing specifically if this information isn't readily available.

So from a research perspective, that's a challenge. But also from the tenant perspective is, tenants should, as people are applying to programs, should know how that program is functioning, particularly if you're a tenant, for example, who has a bad relationship with your landlord, for example. And you're like, Well, my landlord's not going to cooperate so I'm not going to fill this out. Where maybe there's an option that assistance would be available directly to the tenant, but the tenant doesn't know that.

So that's one of the challenges. Should I stop?

REBECCA YAE: I wanted to open it up a little more as well to Lisa and Claudia. Were there any challenges you were experiencing in your research? Any topics that were difficult to broach with your stakeholders, or even stakeholders that were difficult to reach?

LISA BATES: I would say there's two significant challenges that are quite different. The first is that tenants are tired and traumatized. They are tired. And they are traumatized. So any research that involves, as we do here, surveys, interviews, focus groups, people from March 2020 to now are struggling very mightily. And so, part of our community-based research has been advancing

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a tenant-centered idea – and I should say that in Oregon emergency rental assistance was a tenant application, not a landlord application that was made – was that there should be equity, of course, but also dignity. People speak a lot about dignity, and so that became really important in our research as well, that we're not retraumatizing people or simply repeating trauma stories in explaining what's happening for tenants, but focusing on systems and structures.

So that's one real challenge in the work. And I would say the second thing is in any evictions research is understanding what actually happens to people in eviction court. I think we have a very flattened understanding of evictions data. It is simply not possible to construct a national database of evictions that actually understands what happens in cases or to people.

There is one tremendous variation, not only between states but county by county. County by county in Oregon, the experience of requesting safe harbor, of documenting that one had applied for rental assistance was tremendously different because of just local context issues, different levels of power and relationships in the court.

But also understanding what a case outcome means is very different. So we can look at a dismissal rate of 45% and say, well, that's great; almost half of people with a nonpayment eviction case was dismissed. But that does not mean that 50% of people with a nonpayment eviction case stayed in their home and had actual housing stability because that masks a large number of people whose cases are dismissed because they moved out or negotiated a settlement, which included negotiating a settlement to pay rent directly, even when they were eligible for rental assistance.

So trying to get beneath the surface so numerical data and understand what is really happening, I would say, is the other challenge for understanding outcomes of ERA in terms of an eviction diversion program.

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CLAUDIA AIKEN: I'll mention two challenges as well. One around the application data. I just said, we'll link survey data to application data, and that makes it sound so easy. But of course, there are restrictions around these data, as there should be. They're confidential information. But those restrictions vary a lot from place to place. It's been much easier in some than others.

And the way the programs were run actually changed in real time. So sometimes the way that application data was being recorded changed week to week, or month to month. And it's difficult to keep track of, what does this case status mean when that was not a valid case status two weeks ago. So that's definitely a challenge we faced.

And then, I guess building on what Lisa said about, we want to reach tenants. We want to reach the most vulnerable tenants. Those are often those that have borne the most trauma and are also most difficult to reach. They don't have reliable access to a cell phone or to email. So we want to capture their stories, but it's much more difficult in some cases to do that. So the precarity that I talked about earlier is almost certainly an underestimate.

REBECCA YAE: Thank you for that. I think that that's really, really, really important to keep in mind in terms of considering future research avenues as well as future programs or improving future policies. I think that today's convening is really special because we've got so many kinds of stakeholders to the Emergency Rental Assistance program. They also play roles in a lot of other housing programs and policies. They have a lot of influence over different levers in housing programs and policies. And so, from your research, are there any recommendations you'd have for these folks here when they're considering improving any programs or creating new programs? Are there any data considerations they should think about as well, whether that's quantitative or qualitative?

CLAUDIA AIKEN: This is a great question. I think one of the most eye-opening things for me in our research has been around the other kinds of debt households are taking on in order to pay their rent. And I just really want policymakers to think about that going forward. When you're only thinking about back rent or paying forward rent, or only making payments to the landlord, those programs cannot address this other kind of debt. I think we need to think more about how do we build in this flexibility so that households can actually make the decisions that help them most. How do we help them be most strategic. So that's one thing.

Another thing I'll mention though is that for these emergency programs, it often still took months for applicants to get assistance. In the California statewide program, it was most common for people to wait three to six months, but there were applicants who waited six to nine months, a year for something that was supposed to stave off an immediate eviction. And I think this speaks to how little infrastructure we've had historically to address this problem, how quickly jurisdictions have had to set up solutions and, now that the federal funds are disappearing, the risk of this infrastructure just evaporating once more.

So my research and our research, I think, speaks to the need to invest consistently in these kinds of systems.

REBECCA YAE: Are there any recommendations that you'd have, Lisa?

LISA BATES: Zooming out from Oregon, I could make a lot of critique about what has happened here in our program, but I also feel confident in saying that Oregon state government was very well intentioned in many of things that it was doing. It was challenged by capacity; it was challenged by IT capacity in particular. It was challenged by what Andrew was describing as changing guidance and the attempt to be equitable and also meet the means-testing requirements.

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And I guess my conclusion is, let's not do that again. States are not good at doing things. And some of them are actually very ill-intentioned. So it's very difficult for me to feel positive about the idea of building or continuing a state-by-state infrastructure knowing, again, many, many people fell through the cracks in Oregon. We don't have a state government that's taking all the money for people who are in dire poverty and building a ball stadium with it. That's not happening here.

And when we have infrastructures that were able to push cash dollars directly to people's bank accounts during the pandemic, a stimulus, when we have national systems of disability payments and other kinds of entitlement programs that people are a part of, when we have many ways to touch people in their finances from the federal level, I think it makes a lot more sense to talk about what that infrastructure looks like and what a program design looks like that treats people equitably across the country.

REBECCA YAE: Andrew, do you have anything to add?

ANDREW AURAND: I think just to build a little bit on that, I think early on – and I think maybe we see this in a number of other programs as well – early on with ERA, I think there was an assumption that all renters live and operate in the formal housing market. So everyone's going to have a lease, if they need assistance. Well, obviously some of these grantees quickly learned that that's not the case. And even if you look today at programs that adopt various forms of different self-attestations, if you compare a self-attestation to income, to hardship, to rent owed, a lease or rent owed is the least accepted form of self-attestation, I believe.

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So there still is this sort of expectation that renters have some type of formal lease. The question about what to do about someone who is renting a room from a friend I think for many programs still remains a question. And I think that's a challenge that we need to address.

The other thing I'll touch on, too – and this kind of gets into some research where we're headed – we're starting to track programs that have either run out of their ERA funds or are close to running out of their ERA funds and trying to get a sense of what are they doing. Are they going to try to continue any piece of their program now that their funds are gone or they're close to being gone? And my impression, early impression is that there does seem to be a desire for programs to continue in some way. But the question becomes, how to fund that? Rebecca can correct me if I'm wrong about that because she's leading that; Neetu is, too.

So I think there's this desire for programs to continue. We know that programs at the beginning of the pandemic, those that had a preexisting program got off to a much better start, obviously, than grantees that didn't have a program. Grantees that didn't have a program very quickly caught up; it took them a couple months but they pretty much caught up to those who already had a program. But still, it highlights the fact that there needed to be this infrastructure to be developed. We know have it. Grantees want to continue it. And how do they do that? That's why we need more resources.

REBECCA YAE: I think those are all really good points around sustaining the program, thinking about who's the right actor and what level.

I think that we're going to change gears a little bit because it's starting to get a little later in the day. I'd love to open it up to you all, actually, to ask some questions. Any burning questions, folks? And just as a reminder, if you're joining virtually, you can scroll down below the video and submit a question and we'll have somebody relay that here. And you can raise a hand.

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I see a hand over here. We're actually going to run a mic to you so just hold on a second. Say your name.

Q: I'm Anne Bacon. I'm the CEO at Impact Community Action Partnership. We administered the program for Polk County in the city of Des Moines. You said something just a minute ago about self-attestation, about rent owed. And since you're researchers and we all know how challenging some of the guidance has been, one of the challenges we saw was for self-attestation of rent owed by either the landlord or the tenant. We then had to only pay fair market rent, which, I don't know about other jurisdictions, but most of our families are paying above fair market rent. And so, do you see any way to get around that? [laughter]

ANDREW AURAND: That's a good question. We have seen this in programs, that if there's no documentation of rent owed, then they have to have some limit on what they provide. And that often is less than what they would provide someone who has that documentation. Whether it's good or not, I mean fair market rents are kind of a— they're sort of like—

REBECCA YAE: That's opening a whole narrow Pandora's box.

Q: Which is why we didn't do it, if you guys were wondering, we didn't do it.

REBECCA YAE: I see a couple hands, one over there, Chi-Hyun, and I think I see Greg.

Q: Hi, this is Chi-Hyun Kim from the Housing Alliance of Pennsylvania. Andrew, I was struck by what you spoke about the disconnect between [36:43] and what administrators were actually implementing and what information was potentially publicly available to tenants and landlords because it's also something we saw while we were tracking programs that work in PA. Because

of the discrepancy you saw, I was wondering if you're able to get at the question of whether having that information available actually makes those flexibilities more effective, versus them being behind the scenes.

ANDREW AURAND: That's another really good question. We have not done that. But I will say though that that is something that we do plan to start looking at. So one of the questions we want to look further into, I mentioned earlier that we have looked at these program flexibilities and how they have influenced spending. One thing we have not been able to take a close look at yet, because we haven't had the data, is to what extent they have influenced who was served. And data is becoming available that we will be able to— program-specific data is going to soon be available where we will be able to do that. And I think it will be interesting to look at this difference between programs that provided that information readily to the public and those that didn't. It might be a possibility for us to do. But we have not done that.

REBECCA YAE: I also actually want to turn this question to Lisa, too, because your work was following tenants through the eviction process and taking a finer tooth and comb, trying to see what did tenants know and what's the gap there, and how to facilitate that process better for tenants.

LISA BATES: So in terms of knowing about the actual rental assistance program's existence, I think that a large network of community-based organizations and what we call here culturally specific organizations was deployed to try to get the word out. I think that was effective in many cases. Probably underutilized were the school system, the public health information system, which was broadcasting constantly information about COVID, but was not broadcasting constantly information about housing assistance. And the 211 system, which has generally been pretty behind in terms of— people call 211 for various kinds of help and assistance, and it seems a little challenging to update the information in those systems.

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What we have found is that tenants really struggle with anything that involves a referral to a referral to a referral. If there's a voicemail to be left and a callback to get, if there is a number that leads you to another phone number, that can often be very stymieing as people were spending hours and hours of time waiting on the phone. Many of the online systems— people actually do have access to online. We've actually have not found so many people who have no access to online, particularly because they do have phones. But access to online systems with appropriate translation of language, not so great. And the ability to actually complete, fully complete things on line through a phone, a mobile-based browser was also very challenging for people because some of the materials were lengthy and needed uploads and attachment and things of that sort.

So often what we found was not— there was an information gap to be sure, but in terms of tenants we actually reach in our research, the problem was not information, it was getting from information to action and resources.

REBECCA YAE: Claudia, did you want to add anything to that?

CLAUDIA AIKEN: I was just going to add another question to Chi-Hyun's question, which is, I think there are so many aspects of ERA programs where we're still asking what impact did they have. So I can think of a million things that I'd like to know. I want to know what was the difference in impact between a direct-to-tenant payment and a landlord payment. I want to know if someone got their payment two months quicker, what difference did that make. There are a lot of questions, too, I think around the motivation for programs that are still unanswered – why did some programs adopt the flexibilities that Treasury offered while others did not. I think there were a lot of barriers that we're just starting to understand.

But also, I think there's discrimination and bias that we're also uncovering.

REBECCA YAE: I know that we have several questions out in the audience. Kim, I will go to you from our virtual audience.

Q: Thank you, Rebecca. So first, we have a question from Lauren that touches a little bit on what Claudia was just talking about. Are there data that can tell us whether funds that go directly to tenants versus directly to landlords have better outcomes for housing stability and eviction prevention?

CLAUDIA AIKEN: So yeah, there are programs that have done both. So that's kind of a natural experiment where we can compare those two groups, hopefully, through survey data, also in terms of application data, how quickly were they served. And then, trying to understand were they ultimately evicted or not.

So I think we're getting there. It's definitely possible. And we're maybe on the verge.

ANDREW AURAND: That was going to be my answer, too – working on it.

REBECCA YAE: I see some hands in the far back.

Q: Hi, thank you. My name is Julia Orduña, Texas Housers. And Claudia, you spoke a little bit about other forms of debt. And I was wondering if any of you all had anything to speak about that. That's the narrative that we see and understand, that if we made a significantly smaller payment maybe for the car, then they'd be able to go to work, to get the check, to pay rent. Was that anything that you all heard in your research? And is that something that maybe some of these programs should be thinking about or implementing instead?

CLAUDIA AIKEN: Thank you for that question. So in our surveys we've asked, how did you borrow? And a lot of people, of course, say, I borrowed from friends and family. But other folks have said, I went out and got a payday loan. And the interest rate on that, I mean, is insane. So thinking about how we can avoid that kind of borrowing specifically, I think, is really important.

When you've got the direct-to-tenant assistance, you also have more risk. There's the chance of fraud. People don't trust tenants to do the right thing with that money. But you have so much more flexibility. There's so much more opportunity for tenants to be strategic.

REBECCA YAE: Kim, back to you.

Q: Thanks, Rebecca. So we have another question from Scott: Our experience has been that only about 65% of tenants in a low income apartment complex who are eligible for ERAP actually ended up submitting an application. Many tenants were simply non-responsive. Is there any evidence that explains why 35% of tenants don't apply or respond to inquiries?

LISA BATES: My research is pretty much exclusively working with low income tenants and asking them these very questions. People are frightened. And when they get things in the mail and they don't know what they're about and they look like they might be a scam, they don't reply to them. I cannot stress enough, again, that people who are low income tenants or balancing all the different kinds of things that Claudia in a previous question were asking about, not just their rental payment but trying to address jobs, schooling, transportation, getting a piece of mail, getting something taped to the door— there was a whole effort to bring people's doors the same thing, you get an eviction taped to your door is now telling you about rent assistance. People were being targeted by all kinds of predatory payday, check-into-cash type loan scams. Just getting information particularly if it was written with a bureaucratic style, a kind of language that

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is not everyday language came from agencies with which they were totally unfamiliar because we know the vast majority of low income tenants do not get any kind of housing assistance. So getting something from a housing agency, that's not someone they have a preexisting relationship with, was just really difficult.

In our work, we've been really pushing and saying, if rental housing is a business, then address businesspeople with their business problem. Expecting tenants to navigate through these complicated systems on their own repeatedly is absolutely a way for people to fall through the cracks and not really understand that there is help for them.

ANDREW AURAND: I'll add on piece to that. This would, of course, depend on the area where the person asking the question is from, but early on we ran into programs that the documentation requirements and the application were really long. And we were contacted by at least one of those programs wondering why aren't people applying, why are they starting the application process and not completing it? Well, it's like a 50-page application asking for all the documentation up front. It seems like that might be why people aren't completing the application.

So I think that that also influences whether people complete the process. So what does your application look like? What are you asking for up front? The example I just gave is actually from a program that started with CARES Act funds and they were using multiple funds. And to decide which source of funds they would use to provide assistance to that person, they asked that person for documentation that would fit them into which program. Well, that's a lot of potential documentation. So that was a problem.

That's an extreme example. So I think you have to look at the application process as well.

CLAUDIA AIKEN: There's a great study out of the People Lab that looked at something as simple as sending out a flyer with your normal bureaucratic language, like Lisa talked about, versus a flyer that destigmatizes ERA, that says, "We know you're struggling, everyone's struggling. You deserve assistance." And that made a huge difference in uptake. They found that it made a huge and measurable difference.

REBECCA YAE: Lisa, I think you were trying to say something.

LISA BATES: I think the other piece is not to— documentation is difficult for people to acquire and often technological submit because you need a picture of this or a certain kind of file and a file size. That was one whole layer of things. But also, sometimes people are doing things to survive that are not completely above board. And then they are frightened.

So when we work with folks here who are working under the table, who have off-lease occupants, who are undocumented, et cetera, and if you're talking about a low income apartment complex, there will absolutely be people who are operating in a gray market economy, who do not want to submit documentation in those ways, or who have other – and this is an enormous barrier here for people receiving eviction legal services, that their primary goal is to stay out of and far away from any legal court system, whether because of previous criminal charges, immigration pending charges, or just other kinds of fear, that they would prefer not to become perceived by those systems as much as possible.

REBECCA YAE: And something I'd also like to add and ask on that, building on all of this, is, are there any other recommendations you'd make around communications strategies that seemed more effective in your research? Claudia, I know you already mentioned one. I know that as researchers it's easy to become critical and really delve into that, but kind of on the flip side, are there any recommendations or strategies that you saw that were more effective?

LISA BATES: I would say absolutely. The warm handshake and concierge from a trusted community party, particularly one that is, again, culturally specific, not just in language access, but across a wide variety of life circumstances that people might want to have a person or person who understands the experience that they're going through to support them, not only to give a referral, but actually the organizations that were able to help folks with filling out, doing applications together over Zoom, having small computer lab type of clinics, et cetera. But again, I would ask the question of, why— there's a lot of efforts that one can make to speak to tenants more effectively.

I would flip the question and ask, perhaps we should be talking to the owner and operator of rental housing about how they can access funds appropriate to maintaining their business operations. We do know in Oregon that a number of multifamily companies got PPE, grants we'll call them since they're not going to pay them back. So watching that process, seeing the possibility of having direct-to-landlord compensation funds, and then putting a lot of effort into figuring out how do you bring along tenants, how do you communicate differently or slightly tweak means testing for tenants.

We could be asking a very different question here about who should be jumping through hoops and submitting documents or proving up their claims.

REBECCA YAE: I want to move on to a final question, but I wanted to see if either of you had anything to add to that.

CLAUDIA AIKEN: Lisa, what you just said made me think of when we were talking to the administrators of Seattle's program. They said that some of the most effective strategies they've

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had around increasing uptake of vulnerable tenants has been bulk enrollment through institutional landlords. And I think you can get a lot of bang for your buck that way.

REBECCA YAE: My final question is really about what kinds of research questions remain. What would we benefit from having more research on?

ANDREW AURAND: There's a couple of things that come to mind. I think the immediate question that comes to mind is – for lack of being able to phrase it better – who benefits the most from emergency rental assistance? Emergency rental assistance is important for many households, but what we're starting to see is that as programs are running out of funds, they are retargeting who they're using their final funds to serve.

I think there's a question in that – if you're retargeting your funds because you're running out, who benefits the most from those funds, I think is a useful question to ask.

Somewhat related to that, what goes through my head is what happens to households after their emergency rental assistance runs out in the intermediate term and long term. And I think particularly in terms of the extremely low income renter, if that renter was struggling before the pandemic, wound up in even a greater crisis now. They receive assistance but that assistance is for maybe at most a year, or up to 15 months, but probably not that long, what happens then?

And I mention that because we're starting to talk about evaluations in terms of the intermediate outcome and the long-term outcome. But emergency rental assistance is for a crisis, temporary, short-term situation. And we can't see that as a solution to some structural problems we have.

And so, what happens to those renters? Have basically we delayed a bad outcome? Which is good for a while, especially if you're in the middle of a pandemic. But it'll probably wind up showing we need— this cannot replace our need for long-term assistance.

REBECCA YAE: Lisa, do you have any thoughts on what kinds of research questions remain? What do we need future research to do in emergency rental assistance-related programs and eviction-related programs?

LISA BATES: I think that the body of research that's emerging around landlord types and business practices of different ownership structures is very important for understanding who the most problematic actors are in the housing market and thinking about what regulations could be addressed there.

I think the other piece— as I said before, the variation that exists in eviction court is really important. I think that for especially policy drafters and policy researchers who understand more about the on-the-ground implementation and actual procedural activities that emerge from these ideas that we have in our minds, as a policy-thinking person, not a legal-thinking person, oh, simply ask for a delay to your eviction case while you wait for your assistance seems very straightforward. But the way that that's actually carried out in terms of instructions from the state judicial departments, the circuit court judges, to the way that that gets expressed in a courtroom, to the responses by landlord attorneys, there is a lot more that happens on the ground and thinking more carefully about how the complication of those systems and the variation in those systems needs to be understood, I think, more effectively to think about how we craft policy and law around eviction diversion.

CLAUDIA AIKEN: I think I've already mentioned one of my major questions, which is about different program features influence the impact and also the equity of these programs. Program

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administrators spoke earlier about, well, we didn't do first-come-first-served; we used a prioritization model. But we don't know, I don't think we know what impact that has had. And that's a really important question. And there's a hundred more questions like that.

I think another thing I'm very curious and I think will be useful to know is, why were some jurisdictions really poised to make the most of ERA, to go beyond fear of federal audits, to take risks, why were some in that place and why were some not? And what can we do to rectify that going forward?

REBECCA YAE: Thank you all, so much. Thank you, Claudia, Lisa, Andrew for this fabulous panel. I know we could go on and on about the research on this, but the audience is saved by lunch. [laughter] There's a buffet outside this room. Lunch is an hour; you have an hour to nourish yourselves, mingle, what have you. So please, if you're returning to the room, you can return at 12:30. Otherwise, enjoy. [applause]

END SESSION TWO