

End Rental Arrears to Stop Evictions (ERASE)

By Victoria Bourret, Project Manager of State and Local Innovation, NLIHC

PROJECT SUMMARY

End Rental Arrears to Stop Evictions (ERASE), a project led and coordinated by NLIHC, was designed to ensure that the \$46.5 billion in emergency rental assistance enacted by Congress reached the lowest-income and most marginalized renters it was intended to help. In addition to seeking to eliminate rental indebtedness caused by the pandemic, the project aimed to set the stage for the enactment of permanent solutions to promote housing stability, advance equity, and prevent evictions. ERASE pursued these aims by tracking and analyzing ERA utilization; documenting and sharing best practices and toolkits; influencing and shaping program design at the federal, state, and local levels; developing key partnerships for outreach and education; and assessing needs to inform advocacy for long-term investments and tenant protections to end housing instability and homelessness in the U.S.

BACKGROUND

Throughout 2020 and early 2021, NLIHC led a national campaign for rent relief now. The successful campaign resulted in Congress providing a historic \$46.5 billion in Emergency Rental Assistance (ERA) to states, localities, tribes, and territories through two pieces of legislation: the “[Consolidated Appropriations Act, 2021](#)” (ERA1) and the “[American Rescue Plan Act \(ARPA\) of 2021](#)” (ERA2). The appropriation of ERA, however, did not guarantee that meaningful help would reach the people who needed it the most: history shows that passing legislation for low-income people is not the same thing as truly delivering needed aid. NLIHC had two implementation-concerns related to ERA. First, the U.S. Treasury Department was in charge of administering the program and had little

experience and expertise with rental aid; second, the ultimate provision of aid was diffuse - over 700 state and local agencies implemented more than 500 state and local ERA programs, many with their own sets of rules and procedures added on by state legislatures or city councils that sometimes restricted the use of funds to the people most in need. To address these concerns, NLIHC engaged in national, state, and local advocacy, research, communications, tracking and outreach to ensure that ERA funds reached the renters most in need.

According to the latest reporting data from the Department of Treasury, as of June 2023, \$39.96 billion in emergency rental assistance had been disbursed through more than 11 million payments to landlords and households. Just as COVID 19 disproportionately impacted low-income communities of color, early demographic data show that our collective efforts to ensure emergency rental assistance reaches households most in need has been successful. Two-thirds of households receiving assistance had extremely low incomes, 46% identified as Black, and 70% identified as female. On average, renting households in census tracts with a renting population of 75% Black or Hispanic received over \$375 more in ERA assistance than renters in census tracts with a renting population that is 25% Black or Hispanic. This success is due, in large part, to NLIHC and the ERASE cohort’s work in supporting programs to increase use of flexibilities that ensure the most marginalized have access to assistance, and in NLIHC’s partnership with the White House and Department of Treasury in improving and implementing needed guidance.

NLIHC’s work with state and local partners has resulted in more than 241 new federal, state, and local tenant protections passed or implemented since 2021. Early research also indicates that the unprecedented investment in rental assistance, coupled with first time local, state, and federal

tenant protections, prevented millions of renter households from being evicted. [Eviction Lab research finds that government interventions resulted in the prevention of 1.36 million eviction cases in 2021.](#) They note: “The federal government intervened in the eviction crisis in a serious and unprecedented way... and data show that that intervention has paid off.”

ERASE ACTIVITIES

NLIHC’s End Rental Arrears to Stop Evictions (ERASE) project worked with federal, state and local partners on several advocacy, research, and education efforts over the last three years that ensured ERA served the lowest income and most marginalized renters across the country. The project facilitated bi-weekly State and Local Partner Implementation Calls that brought together program administrators and state and local advocates to discuss the implementation of the three pieces of legislation: the “[2020 Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#),” the “Consolidated Appropriations Act of 2021,” and the “American Rescue Plan Act of 2021.” NLIHC also held weekly National Calls that featured national speakers, Administration staff, members of Congress, and members of state and local programs to share the latest information on Treasury guidance and innovations in the field.

Over the project, ERASE worked with 116 different funded and unfunded state and local organizations via three cohorts, providing peer-to-peer learning and technical assistance. The first cohort (2020 – 2021) was created before the formal launch of the ERASE project and focused on generating a better understanding of the economic hardships and housing instability of the lowest-income renters during the pandemic and highlighting the need for emergency rental assistance. The second cohort (2021 – 2022) worked to influence state and local ERA programs and ensure that ERA funds quickly reached the lowest-income and most marginalized people to ensure the housing stability of the lowest-income renters in the short term. The final cohort (2022 – 2023) focused on standing up state and local ERA programs and/or sought to advance and enforce

state and local tenant protections.

Through its [ERA Program Dashboard](#), the ERASE project also tracked and shared information about programs and key design and implementation features that enabled them to serve the lowest-income and most marginalized renters in need of housing assistance. In all, the database tracked 514 Treasury-supported ERA programs (as of November 2023, only 8.9% of Treasury-supported ERA programs were still operating).

Between July 2020 and October 2023, the ERASE project and its partners released more than 33 reports highlighting the state of emergency rental assistance, emergent best practices, and program recommendations. These reports contain frameworks, program examples, and case studies that may be useful in designing or adapting ERA programs in the future. Released in August 2023, the last report, [*Beyond Housing Stability: Understanding Tenant and Landlord Experiences and the Impact of Emergency Rental Assistance*](#), finds that Treasury’s ERA program offered a vital lifeline to tenants and landlords during the pandemic, improving outcomes in areas well beyond housing stability, including financial security, child well-being, access to healthcare, and overall health.

THE ERASE FRAMEWORK

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

- Visible: conduct equitable and robust

marketing and outreach efforts to ensure that all landlords, low-income renters, and those already experiencing homelessness due to housing loss, know about the ERA program and how to access it in their community.

- Accessible: support equitable access to disbursement of financial support to landlords and tenants by ensuring an accessible, streamlined, and low-barrier ERA application process.
- Preventative: ensure holistic, responsive interventions at all intersection points (such as state and local courts) to prevent evictions, housing displacement, and homelessness.

SUSTAINING ERA PROGRAMS AND CREATING NEW TENANT PROTECTIONS

In the fall of 2022, the ERASE project transitioned from promoting the efficiency, equity, and expediency of ERA programs to prioritizing the establishment and creation of long-term emergency rental assistance programs and permanent tenant protections. In October 2022, the project hosted “Emergency Rental Assistance: The Path to a Permanent Program,” a national convening that brought together state, local, and research partners, officials from both the Biden Administration and Congress, and people impacted by housing instability to share lessons learned from the implementation of ERA and explore the programmatic, policy, and systems changes needed at all levels to create long term housing stability and security.

NLIHC released a report to document lessons learned from ERA and the ERASE cohort to support the creation of permanent ERA programs, *Emergency Rental Assistance: A Blueprint for a Permanent Program*. The report provided an overview of Treasury’s ERA program and spending trends over time, a roadmap for best practices and innovations to be included in future programs, and policy recommendations to preserve the ERA infrastructure, create a permanent emergency rental assistance program, advance tenant protections, and support low-income renters into the future.

Following the release of the report, ERASE hosted a national webinar with cohort partners and presented its findings to Treasury officials in a special requested meeting.

In addition to compiling and sharing best practices about ERA to inform future iterations of the program, the ERASE project provided one-year grants to state and local partners to advocate and develop permanent ERA programs and tenant protections in their own states and localities. These partners, members of the third ERASE Cohort, successfully advocated for the passage of 11 laws funding ERA programs in 2023, 2024, and/or 2025. In total, \$471.5 million in ERA funding was passed as a result of their efforts. Most allocations were funded by general revenue through state budget legislation and went to pre-existing programs (either Treasury-supported ERA programs or programs predating the COVID-19 pandemic.) All programs that received funding have income requirements and/or target specific populations.

Members of the third ERASE cohort also advocated for the passage of tenant protections to even the playing field between landlords and tenants. As a result of their efforts, more than 110 pieces of legislation from the following categories were introduced, implemented, or passed: anti-harassment/anti-retaliation measures; code enforcement rules; eviction record sealing and expungement legislation; fair rent commissions; just cause eviction standards; landlord and tenant mediation policies; limits to application fees; pay-to-stay policies; rent stabilization measures; rental registries; right-to-counsel laws; right-to-renew laws; source-of-income protections; and stronger written notice processes.

NEXT STEPS

The ERASE project ended in 2023 because of the winding down of the ERA program. However, given the continued risk of evictions for low-income renters, NLIHC will continue to build upon the ERASE work in two ways. First, NLIHC will provide expanded support to state and local partners’ and their efforts to expand tenant protections in their communities, and second,

NLIHC will continue to support advocacy for uniform policies at the federal level that protect renter households from the threat of eviction and keep tenants stably housed through federal tenant protections and the passage of legislation like the “Eviction Crisis Act,” which would create a new, permanent Emergency Assistance Fund (EAF).

NLIHC will build upon the successes, best practices, and critical lessons learned from the ERASE project and support state and local level policy initiatives that seek to strengthen tenant protections, divert the threat of evictions for renter households and end homelessness. NLIHC will utilize state and local innovations to shape and inform federal policy to best meet the needs for the lowest income and most marginalized renters across the country. One of NLIHC’s first activities in this area will include convening housing- and justice-based state and local advocacy organizations monthly to troubleshoot tenant-based initiatives and draft sample legislative text in order to pass state and local level laws and ordinances.

NLIHC’s new state and local policy innovation work will also organize members from the ERASE cohorts, tenants and tenant led organizations, and state and tribal partners and provide technical support, research assistance, and opportunities for capacity building. Many of these partners have expressed their desire to continue working to pass tenant protections in upcoming legislative sessions, with a focus on advancing protections like source-of-income measures, right to counsel, eviction record sealing and expungement legislation, rental registries, habitability standards, rent stabilization ordinances, just cause legislation, and rules restricting junk fees. Now that pandemic era protections have ended and evictions are exceeding pre-pandemic levels in many places, tenant protections are needed more than ever as a stop gap measure to keep the lowest income and most marginalized renters stably housed.

FOR MORE INFORMATION

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

The “American Rescue Plan Act of 2021” (Pub. L. No: 117-2), <https://www.congress.gov/bill/117th-congress/house-bill/1319/text>.

“NLIHC ERA Spending Tracker” National Low Income Housing Coalition, accessed November 27, 2023, https://docs.google.com/spreadsheets/d/1RnHX7Ld7KJ_jgj8Sk52xjCygYRETWU-OthOGE3uduHM/edit#gid=0.

Leibenluft, Jacob. “Emergency Rental Assistance: Supporting Renting Families, Driving Lasting Reform,” Featured Stories, U.S. Department of the Treasury, March 22, 2023, <https://home.treasury.gov/news/featured-stories/emergency-rental-assistance-supporting-renting-families-driving-lasting-reform#:~:text=Assistance%20has%20benefited%20marginalized%20communities,-have%20received%20nearly%2070%20percent>.

“Equitable Recovery in the United States,” U.S. Department of the Treasury, https://home.treasury.gov/system/files/136/Equitable_Recovery_report.pdf.

“ERASE State and Local Tenant Protections Database,” National Low Income Housing Coalition, accessed November 27, 2023, <https://nlihc.org/tenant-protections>.

Hepburn, P. et al. “Preliminary Analysis: Eviction Filing Patterns in 2021,” Eviction Lab Updates, Eviction Lab, March 8, 2022, <https://evictionlab.org/us-eviction-filing-patterns-2021/>.

The “Coronavirus Aid, Relief, and Economic Security (CARES) Act” (Pub. L. No. 116-136), <https://www.congress.gov/bill/116th-congress/house-bill/748>.

“NLIHC COVID-19 Rental Assistance Database,” National Low Income Housing Coalition, accessed November 28, 2023, <https://bit.ly/RA-database>.

“Beyond Housing Stability: Understanding Tenant and Landlord Experiences and the Impact of Emergency Rental Assistance,” National Low Income Housing Coalition, The Housing Initiative

at Penn, & Reinvestment Fund, <https://nlihc.org/sites/default/files/beyond-housing-stability.pdf>

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