



NLIHC's HoUSed Campaign for
Long-Term Housing Solutions

April 11, 2022

Agenda



Welcome & Updates

- Paul Kealey, NLIHC

Reconciliation & FY23 Budget Updates

- Sarah Saadian, NLIHC

Update on ERA2 Reallocation & ERA Spending

- Vikram Viswanathan & Jacob Leibenluft, Department of the Treasury

New Report: The Impact of Multifamily Housing Speculation on Low-Income and BIPOC Communities

- David Greenberg, Local Initiatives Support Corporation

Our Homes, Our Votes Updates

- Courtney Cooperman, NLIHC

ERASE Project Updates

- Susan Jacob, Housing Counseling Services, Inc.

Field Updates

- Jay Williams, Low Income Housing Coalition of Alabama
- Mark Swartz, Lawyers' Committee for Better Housing

Next Steps

Welcome & Updates

Paul Kealey

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Reconciliation & FY23 Budget Updates

Sarah Saadian

Senior Vice President of Policy

National Low Income Housing Coalition

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Update on ERA2 Reallocation & ERA Spending

Vikram Viswanathan

Senior Advisor

Emergency Housing Programs

US Department of the Treasury

Jacob Leibenluft

Chief

Office of Recovery Programs

US Department of the Treasury

New Report: The Impact of Multifamily Housing Speculation on Low-Income & BIPOC Communities

David Greenberg

*Vice President of Knowledge Management
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Local Initiatives Support Corporation

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Gambling with Homes, or Investing in Communities

How speculation drives evictions and poor housing quality, and how affordable housing protects neighborhoods of color

NLIHC HoUSed Call

David M. Greenberg, Julia Duranti-Martínez, Francisca Winston, Spenser Anderson (LISC National), Richard D. Hendra (New School), Jacob Udell and Caroline Kirk (UNHP)

4/11/22

COVID-19 and looming crises

THE WALL STREET JOURNAL.

Real-Estate Investors Eye Potential Bonanza in Distressed Sales

Coronavirus causes widespread stress in property assets

Private Equity Has \$300 Billion for Pandemic-Hit Real Estate



The Washington Post

Democracy Dies in Darkness

Economy

Rents are up more than 30 percent in some cities, forcing millions to find another place to live

The New York Times

With Cases Piling Up, an Eviction Crisis Unfolds Step by Step

Evictions are rising nationwide. "We don't know where the ceiling is," one expert said.

Research questions

1. Which neighborhoods have seen the most speculative activity? What neighborhood characteristics are associated with higher levels of speculation?
2. What are the consequences of speculation for tenants and communities – for housing quality and for eviction rates?
3. What is the role of affordable housing investments in promoting positive outcomes for tenants and communities, or mitigating against negative effects of speculation?

Project Data

Since 2003, UNHP has kept the Building Indicator Project database of financial transactions and property conditions for over 70,000 NYC multifamily rental properties. LISC worked with UNHP to develop a data set that combined this data with other sources, including Census, Office of Court Administration (OCA) eviction records, and the Furman Center's database on subsidized housing (SHIP), for 2003-2020

Findings

Question #1

Which neighborhoods have seen the most speculative activity in the multifamily market? What neighborhood characteristics are associated with higher levels of speculation?

Lower-income, Black and Latinx neighborhoods seeing signs of gentrification experienced more speculation than whiter, wealthier areas.

Sales

Neighborhoods with **higher poverty, higher Black and Latinx populations, a growing percentage of adults with college degrees** and a **growing population** were more likely to see speculative sales

Debt

Similar to sales, more debt is taken out on buildings in areas with **high poverty and higher Black and Latinx populations, a higher proportions of people with college degrees, and increasing populations.**

For example, going from 20-30% in a census tract's poverty rate was associated with a 14% increase in the likelihood that a landlord would take out the highest additional amount of debt, all other factors held constant.

Findings

Question #2

What are the consequences of speculation for tenants and communities – for housing quality and for eviction rates?

We found some evidence that buildings in that sold for the highest price or took out the most debt **in one year are more likely to remain there in following years**

Housing quality

Properties that sold for the highest prices or took on the most added debt **have up to 2.7x more housing violations** than those that did not.

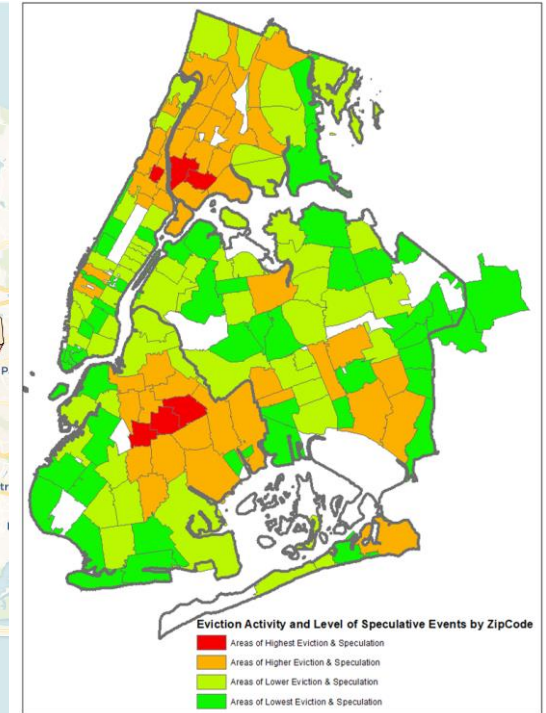
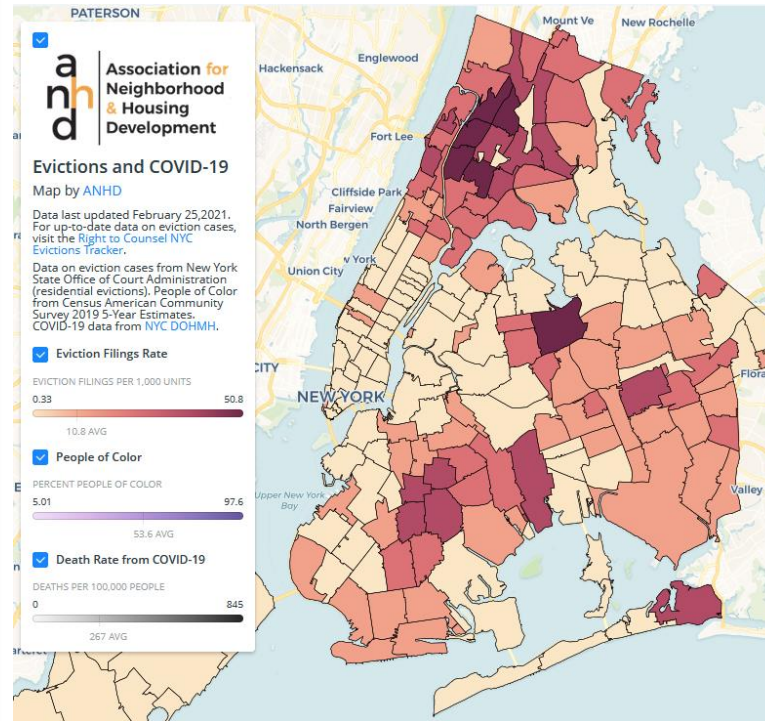
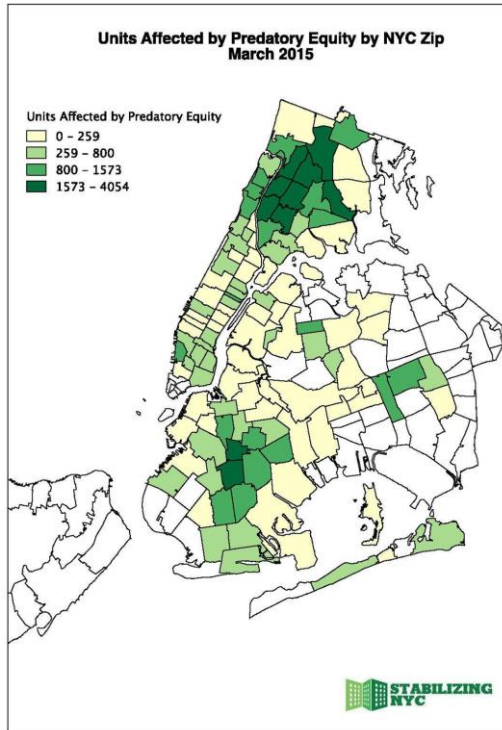
Even controlling for community characteristics, **buildings with the highest increase in debt had about .78 more maintenance violations per unit per year** than those that did not.

Evictions

Building owners who took on more debt or bought at higher prices **evicted their tenants at 1.5x the rates of others** who owned properties in similar neighborhoods

This finding may understate the extent of displacement caused by speculation. Our data draws only on completed eviction warrants executed by New York City marshals and does not measure other forms of displacement that occur before eviction judgements

Speculation, COVID, and evictions in NYC communities of color



Maps from left to right: StabilizingNYC, ANHD, and LISC

Findings

Question #3

What is the role of affordable housing investments in promoting positive outcomes for tenants and communities, or mitigating against negative effects of speculation?

Housing quality

Properties that **received affordable housing investments were significantly better maintained** than properties in similar neighborhoods without such investments. They were **also less likely to be acquired at higher values or to take on higher debt levels** than properties in similar neighborhoods.

When looking across all housing units in NYC – including luxury apartment buildings, and newly-constructed apartments – there are about **1/2-2/3 fewer violations in subsidized apartments than in unsubsidized apartments**

The superior quality of affordable housing is even more marked in lower-income neighborhoods of color. In the **Bronx, subsidized units have 1/4-1/3 as many violations** compared with other units

In other words, affordable housing investments helped remove properties from predatory cycles of speculation and improved housing quality

Recommendations

State legislatures and local governments should bolster tenant protections and address their arrears.

Government at the federal, state, and local level should support large-scale acquisition funds, to bring distressed rental housing into community and nonprofit ownership and to promote its permanent affordability.

Local government should expand enforcement actions in properties that are perennially in poor maintenance condition, and explore ownership transfer from predatory landlords into community and nonprofit ownership.

State governments should use taxation to discourage speculative sales.

State and federal agencies should use a range of regulatory tools and oversight mechanisms to ensure that mortgage lending to rental housing benefits tenants, particularly in properties with lower-income residents.

Contact

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LSC

Our Homes, Our Votes Campaign Updates

Courtney Cooperman

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OUR HOMES

OUR VOTES

BECAUSE HOUSING IS BUILT WITH BALLOTS



Last Week's Kickoff Webinar

OUR HOMES

OUR VOTES

BECAUSE HOUSING IS BUILT WITH BALLOTS



- Welcome and Overview of Our Homes, Our Votes Campaign Achievements

- Diane Yentel, NLIHC

- Election Efforts in Georgia

- Dr. Bambi Hayes-Brown, Georgia Advancing Communities Together (Georgia ACT)

- Our Homes, Our Votes: 2022 Communications Strategy

- Jen Butler, NLIHC

- Impact of Evictions on Voter Turnout

- Gillian Slee, Eviction Lab

- Special Message on Our Homes, Our Votes Act (H.R. 2215)

- Rep. Jesus “Chuy” Garcia (D-IL)

- Preview of Our Homes, Our Votes Resources and Upcoming Webinars

- Courtney Cooperman, NLIHC

Monday, April 18: Getting Started on Election Work

With elections just months away, housing organizations are launching their election initiatives. This webinar will walk through every aspect of a strong voter and candidate engagement campaign—encompassing voter registration, voter education, Get Out the Vote (GOTV), candidate engagement, and ballot measure advocacy. Presenters will provide tips for organizations to assess their capacity, build partnerships, set goals, and secure funding that will enable them to carry out their plans effectively.



Nonprofit VOTE



TENANTS &
NEIGHBORS

The Statewide Center of
Power for Tenants

Be Inspired.
Be Engaged.
Go Vote!

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Newsletter

- National updates, field updates, NLIHC resources, research, upcoming and past events, and more!

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Twitter: @OurHomesVotes

Facebook @OHOV2022

Email: ourhomes@nlihc.org

Website: ourhomes-ourvotes.org

End Rental Arrears to Stop Evictions (ERASE) Project Updates

Susan Jacob

Program Director

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Housing Counseling Services

ERA 1 and ERA 2 Funds & Eviction Diversion

Housing Counseling Services

- ▶ Non-profit, housing, training, advocacy and referral center
- ▶ FREE services to the community since 1972
- ▶ Help clients resolve and prevent housing obstacles so they can become well-informed housing consumers!



Housing Counseling Services, Inc.

Eviction

- ▶ Eviction in Washington D.C. is a formal legal process:
 - ▶ 30 day notice
 - ▶ Court Summons & trial
 - ▶ Decision issued by judge
 - ▶ Eviction by U.S. Marshalls
 - ▶ Landlords may NOT physically evict tenants, remove belongings (No “self help” evictions)

Eviction

- ▶ In DC, you can only be evicted for a legally valid reason:
 - ▶ Nonpayment of rent
 - ▶ Violation of terms of lease
 - ▶ Illegal activity
 - ▶ Landlord's personal use (90 days and only one unit, for landlord)
 - ▶ Renovations and Rehabilitation* (120 days)
 - ▶ Demolition, Discontinuation of use (180 days and TOPA rights)
- ▶ INVALID reasons: building sale, unpaid late fees, foreclosure, landlord wants you out

*Landlord must first go through a lengthy and rarely completed process of submitting a 501F petition for approval from city housing agencies before a tenant can be legally evicted for these reasons

Stronger Together by Assisting You (STAY DC)

- ▶ Program funded by ERA 1 and ERA 2
- ▶ DC closed the program by end of October 2021 and expended all funds by December 2021
- ▶ Received additional reallocated funds which were used to fund the last approximately 1200 remaining open applications
- ▶ During the eviction moratorium, the program was successful in assisting tenants in reducing the size of balances due, but may not have paid the full balance due to program restrictions

Eviction Diversion Framework

- ▶ HCS participates in 2 working groups related to Eviction Diversion
- ▶ Collaboration among government agencies, CBOs, legal services and the courts
- ▶ HCS staff are present in court hearings as housing counselors to provide information on current applications for assistance and to provide clients with information on how to apply
- ▶ Extensive collaboration among partners to make sure “last mile payments” are accurate and will in fact stop an eviction (every penny owed at the moment of eviction must be paid in order to redeem tenancy)

Outcomes

- ▶ Evictions started on September 13th as soon as the Federal moratorium on evictions was lifted
- ▶ From September 2021 to December 2021 about 550 evictions were scheduled.
- ▶ Of those about 70% of those evictions were stopped due to funds being dispersed from ERA 1 and ERA 2 funds AND ALSO local funds to capture those “last mile payments.” We disbursed approximately \$300M with a majority of those funds coming from ERA 1 and ERA 2.
- ▶ Fantastic collaboration between legal service providers, government agencies, CBOs and court entities (including attorneys for housing providers)
- ▶ Recognized that housing case management is vital in assisting tenants in reaching housing stability

Outcomes

- ▶ Legislation passed:
 - ▶ Housing Providers could not evict tenants who had applied for assistance through STAY DC and the local ERAP program within a certain time frame
 - ▶ Tenants owing less than \$600 could not be taken to court for eviction
 - ▶ Housing Providers must be registered with the DCRA
 - ▶ Housing Providers must issue a 30 day notice to tenants prior to filing for eviction in court (must be in the client's preferred language)
 - ▶ Housing Providers generally cannot use credit history as a reason to deny a voucher holder tenancy

Challenges

- ▶ Funding for the collaborative work (counselors in court rooms and case management)
- ▶ Technology access for tenants to apply for rental assistance funds
- ▶ Making sure “last mile payments” are covering the eviction redemption amount
- ▶ Some issues with tenants receiving payments but not given to Housing Providers but Housing Providers also refusing to participate

Next Steps

- ▶ Completing the Eviction Diversion Framework as a firm process
- ▶ Have housing counselors present in court meditations to ensure payment plans and other housing stability challenges are addressed with the Housing Providers present
- ▶ Keep documentation barriers fairly low but also ensure that funds are disbursed within regulations to ensure limited funding reaches the most at-risk tenants

Field Updates

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Field Updates

Mark Swartz

Executive Director

Lawyers' Committee for Better Housing

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Chicago Eviction Data Portal

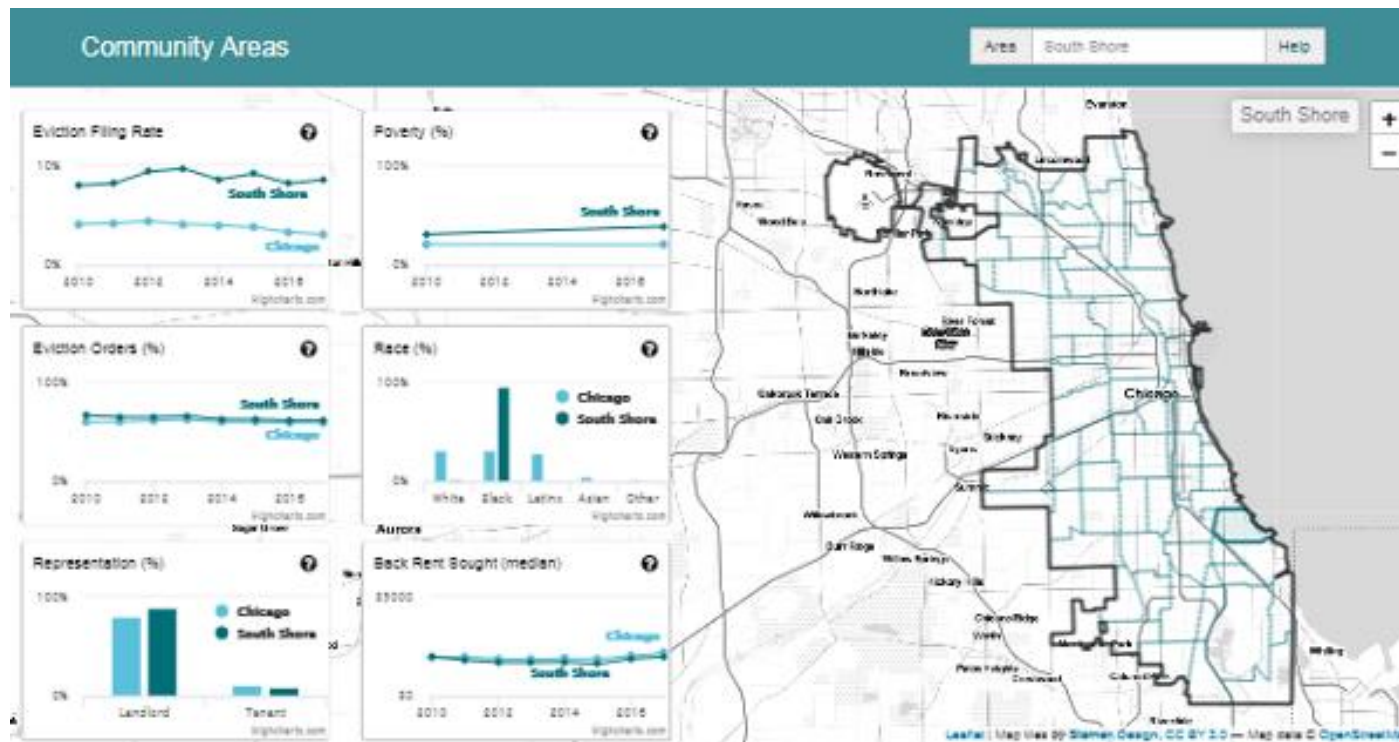
The Impact of COVID-19



Lawyers' Committee
for Better Housing

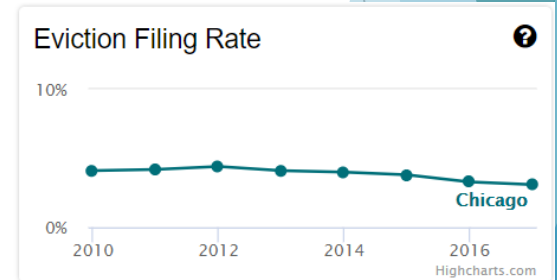
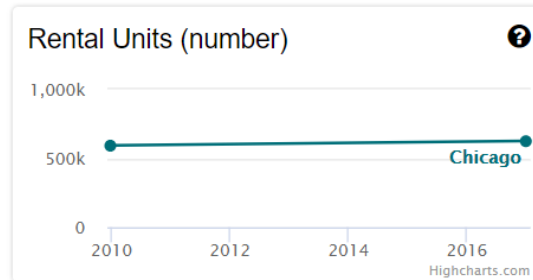
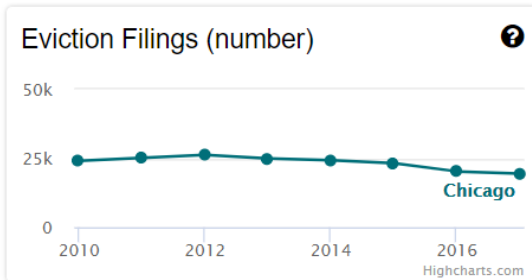
Chicago Evictions Data Portal

Launched May 2019 <https://eviction.lcbh.org/>

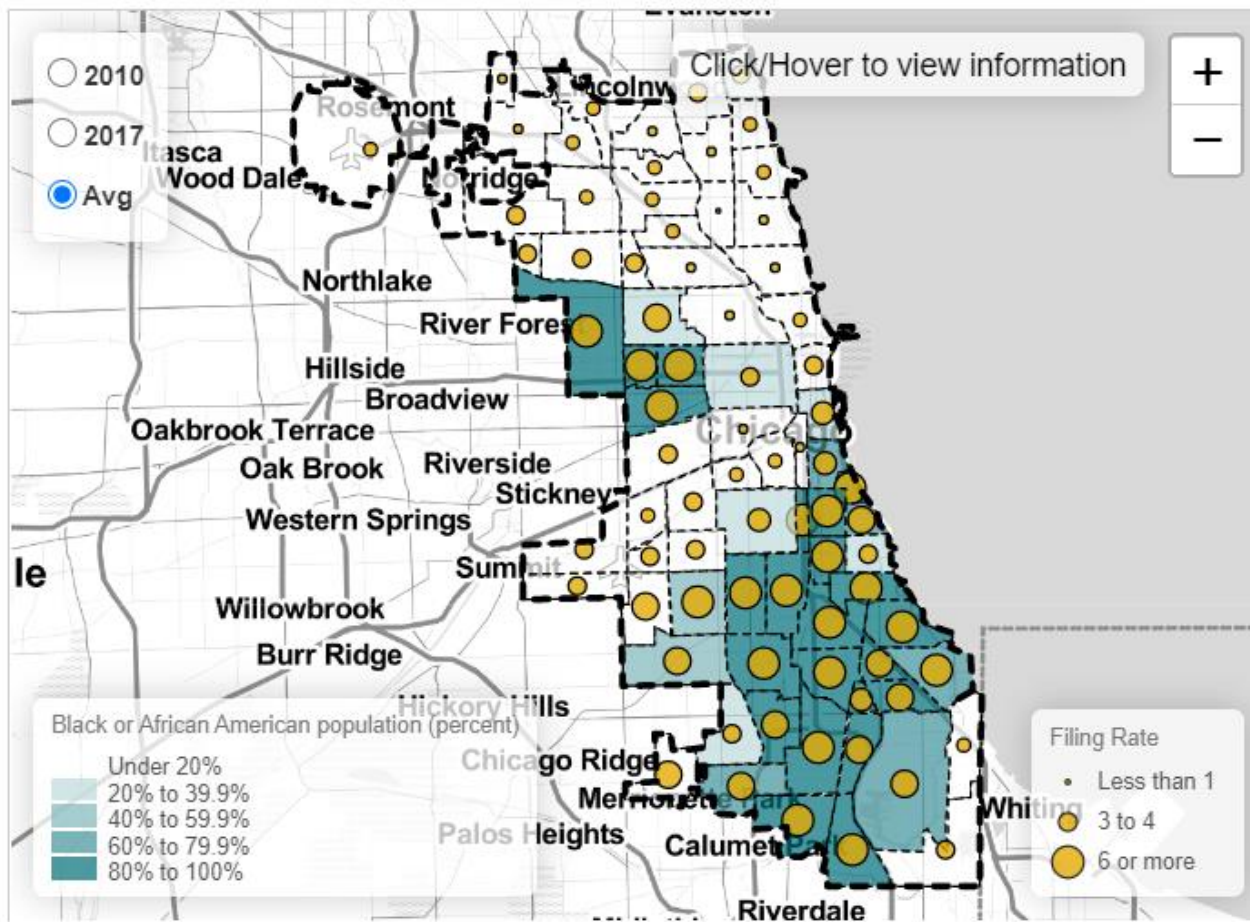


Chicago Evictions: Filings

- ▶ Chicago saw an average of more than 23,000 eviction filings per year, or just over 3.9 eviction filings per 100 rental units.
- ▶ Put in human terms, about 1 in 25 Chicago renters and their families faced eviction each year.



Chicago Evictions: Racial Disparities



Chicago Evictions: Racial Disparities

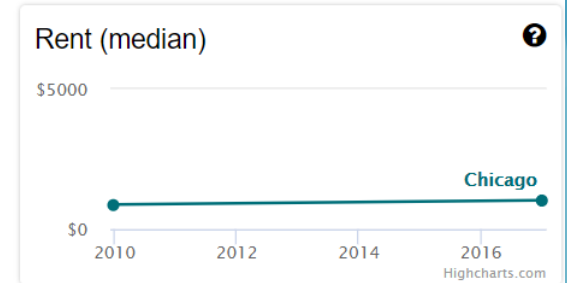
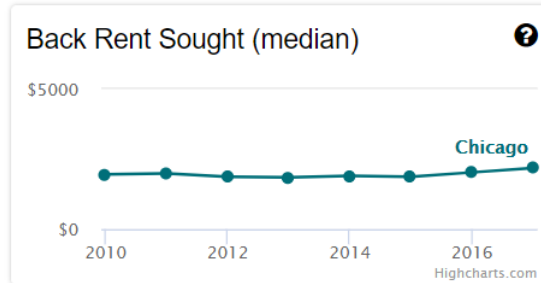
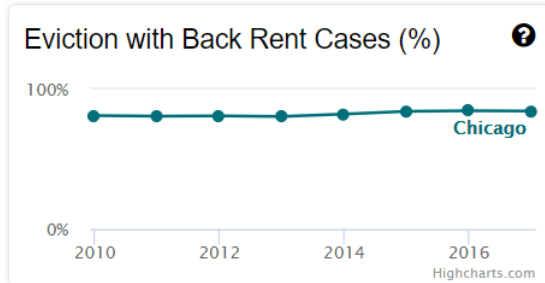
Majority Race (over 50% of total population)	Number of Community Areas		Eviction Filing Rate (filings per 100 rental units)		% of Cases Ending in Eviction Orders	
	2010	2017	2010	2017	2010	2017
White	20	19	2.5%	1.4%	55%	53%
Black	30	28	6.6%	6.2%	62%	60%
Latinx	16	17	3.0%	2.7%	61%	62%
Citywide	77	77	4.1%	3.1%	60%	59%

One Community Area that had a majority Asian population and the others that did not have a majority race are not included in our brief discussion below. Data on race were obtained from American Community Survey 5-year estimates. The 2006-2010 estimates were used as a proxy for 2010 and the 2013-2017 estimates were used for 2017. Eviction cases are aggregated by the year in which they are filed.

Source: LCBH *Opening the Door on Chicago's Evictions*

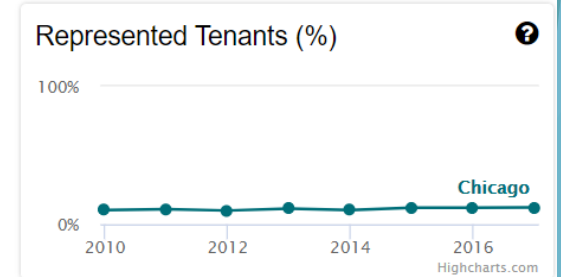
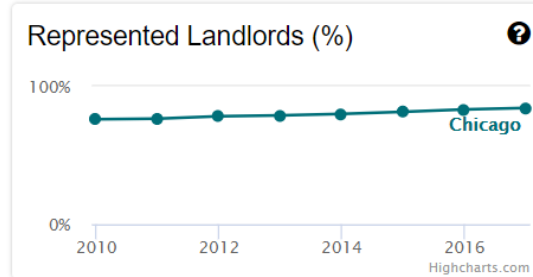
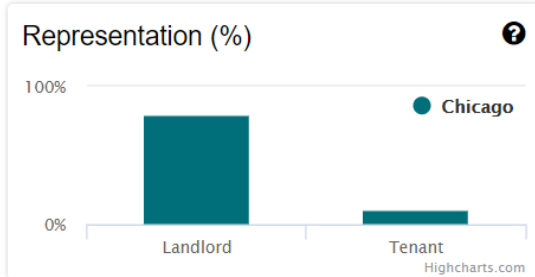
Chicago Evictions: Back Rent

- ▶ Almost two thirds of the eviction cases claiming back rent were for relatively small amounts of money (less than \$2500).

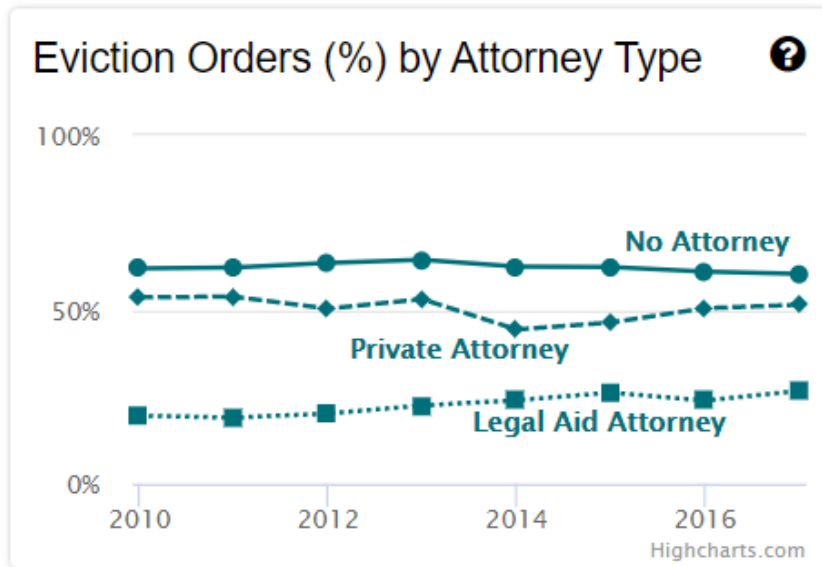


Chicago Evictions: Representation

- ▶ There was a vast imbalance in rates of representation between landlords and tenants, 79% of landlords had attorneys, while only 11% of tenants did.



Chicago Evictions: Representation



- ▶ By having an attorney, tenants decreased their odds of getting an eviction order by about 25%.
- ▶ Legal aid representation resulted in eviction orders only 22% of the time, less than half the rate of their private attorney counterparts.

What's Happened Since

- ▶ Chicago Fair Notice Ordinance
 - ▶ Notice lengths
 - ▶ Right to Cure
- ▶ Illinois Supreme Court rule change
 - ▶ Filings now to include notice and lease
- ▶ Illinois COVID-19 Emergency Housing Act
 - ▶ Pandemic-era eviction records to be sealed upon filing- already sunset
 - ▶ Lower standard for sealing older eviction records (by agreement or when case was dismissed with or without prejudice)- sunsets July 31, 2022
- ▶ Chicago Right to Counsel Pilot (7.1 Million over 3 years)
 - ▶ LCBH partnering with Legal Aid Chicago and CARPLS
 - ▶ Stout to evaluate RTC and prepare Cost Benefit Analysis study

Thank You!

Mark Swartz, Executive Director
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Lawyers' Committee
for Better Housing

Next Steps

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Resources

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