



NLIHC's HoUSed Campaign for  
Long-Term Housing Solutions

April 19, 2021

# Agenda



## **Welcome**

- Diane Yentel, NLIHC

## **CFPB Announcement on Evictions**

- Dave Uejio, CFPB

## **Report on Evictions by Major Multistate Landlords**

- Jim Baker, Private Equity Stakeholder Project

## **Field Updates**

- Elena Gaines, New Jersey Department of Community Affairs
- Christine Hess, Nevada Housing Coalition
- Maxwell Ciardullo, Louisiana Fair Housing Action Center

## **Treasury's Homeowner Assistance Fund (HAF) & Emergency Rental Assistance (ERA)**

- Noel Andrés Poyo, US Treasury
- Alys Cohen, NCLC
- Rebecca Yae & Neetu Nair, NLIHC

## **Advancing Long Term Housing Solutions: Updates & Next Steps**

- American Jobs Plan & FY22 Budget – Kim Johnson, NLIHC

## **Next Steps**

# Welcome

**Diane Yentel**

*President & CEO*

National Low Income Housing Coalition

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# CFPB Announcement on Evictions

**Dave Uejio**

*Acting Director*

Consumer Financial Protection Bureau

# Report on Evictions by Major Multistate Landlords

**Jim Baker**

*Executive Director*

Private Equity Stakeholder Project

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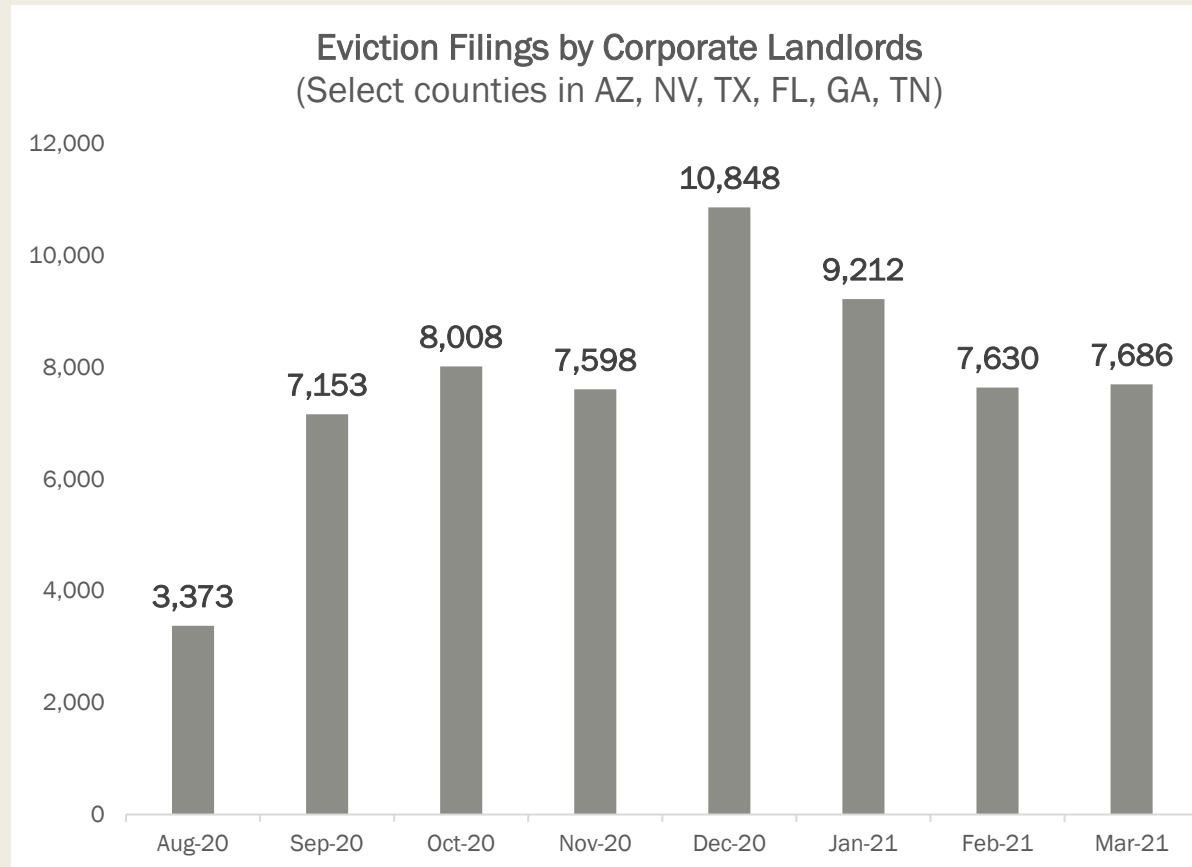
# Tracking evictions by corporate landlords



- The Private Equity Stakeholder Project has been tracking eviction cases filed in multiple counties in:
  - *Arizona (Maricopa),*
  - *Texas (Harris, Tarrant),*
  - *Tennessee (Shelby),*
  - *Georgia (DeKalb, Clayton),*
  - *Florida (Miami-Dade, Broward, Palm Beach, Orange, Hillsborough, and Pinellas)*
  - *Nevada (Clark)*
- Have focused on properties owned by corporate landlords, including REITs, private equity firms, or other companies with a thousand units or more.
- Gathered publicly available court records.
- Used corporation filings, UCC filings, real estate records, and company websites to identify landlords.

# 57,000+ cases filed since Sept 2020

- At least 57,000 eviction actions filed by large corporate landlords since CDC moratorium took effect in Sept 2020.
- Have tried to answer the question of “Who is driving the eviction crisis?”



# 57,000+ cases filed since Sept 2020

Affiliates of some of the largest landlords in the country have filed to evict tenants since the CDC moratorium was announced in September 2020, including

- **Greystar Real Estate Partners** (693,000 apartments managed, 140,000 owned),
- **Mid America Apartment Communities** (100,000 apartments),
- **Invitation Homes** (80,000 rental homes),
- **Starwood Capital** (75,000+ apartments and rental homes), and
- **Yes! Communities/ Stockbridge Capital** (56,000 mobile home sites).



# 57,000+ cases filed since Sept 2020

- The companies that have filed evictions since the CDC eviction moratorium was announced also include affiliates of a number of large asset managers with trillions of dollars in assets combined, including **The Carlyle Group, Morgan Stanley, Eaton Vance, Prudential, UBS, JPMorgan, New York Life, Nuveen/TIAA-CREF, LaSalle Investment Management, Highland Capital, Angelo Gordon & Co, and AEW Capital Management.**
- In some counties, eviction filings by private equity firms and other corporate landlords have accounted for the overwhelming majority of cases For example, in DeKalb County, Georgia, large landlords filed at least **550 of the 656 eviction cases (84%)** filed there during the week of Sept 14-20.

Eviction Filings, Dec 14-20	Overall	Corporate	Corporate %
Harris County, TX (Houston)	964	657	68%
Maricopa County, AZ (Phoenix)	1,341	917	68%
DeKalb County, GA (Part of Atlanta + suburbs)	764	624	82%
Hillsborough County, FL (Tampa)	201	118	59%

# FTC and CFPB statement

- CFPB and FTC announced they would be investigating evictions by "major multistate landlords" and "private equity firms", amid "reports that major multistate landlords are forcing people out of their homes despite the government prohibitions or before tenants are aware of their rights."
- PESP has shared eviction tracking data with the FTC and CFPB.



# Most frequent filers since Sept 2020

Landlord	Filings 9/4/20-4/2/21
S2 Capital	1,160
Ventron Management	1,134
Pretium Partners (Progress Residential, Front Yard Residential)	1,126
Western Wealth Capital	1,018
Invitation Homes	710
Bridge Investment Group	656
Mid-America Apartment Communities	629
Tides Equities	580
American Landmark Apartments/ Electra America	567
Siegel Group	555

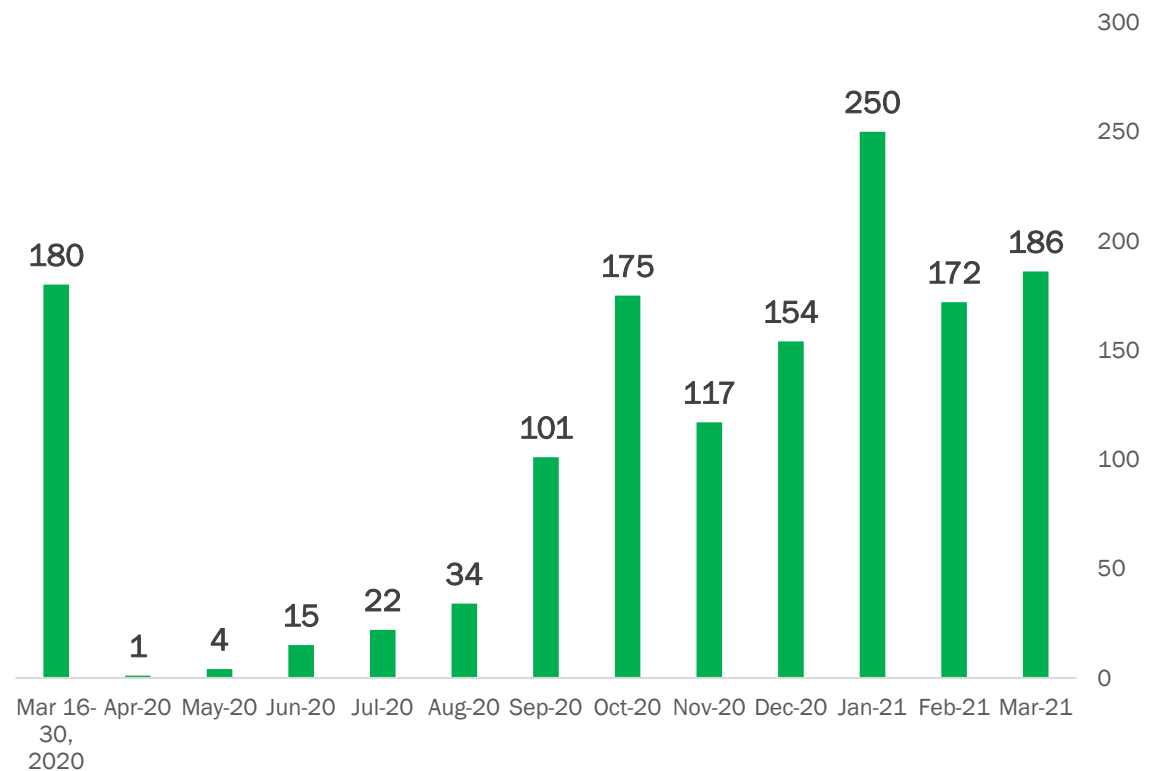
# Most frequent filers since Jan 1

Landlord	Filings 1/1/21-4/2/21
Pretium Partners (Progress Residential/ Front Yard Residential)	609
S2 Capital	529
Ventron Management	485
Western Wealth Capital	450
Invitation Homes	316
Mid-America Apartment Communities	258
Madera Residential	250
American Landmark Apartments/ Electra America	235
Weidner Apartment Homes	221
Dominium Apartments	194

## Pretium Partners/ Progress Residential

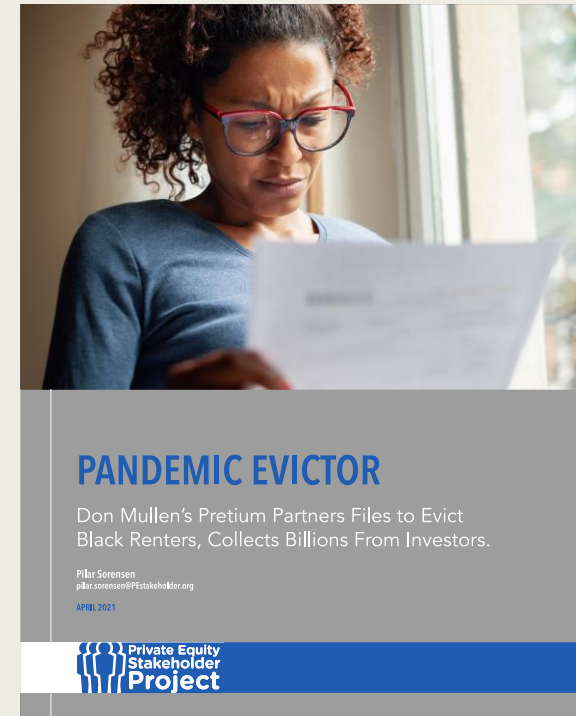
- Own/ manage 55,000 single family rental properties
- Along with Ares Management, recently acquired Front Yard Residential, with 15,000 homes
- Front Yard focused on "affordable" rental homes
- Both Progress and Front Yard have steadily increased eviction filings in recent months
- 600+ eviction filings so far this year. Some evictions may violate CDC moratorium.

Progress/ Front Yard Residential Eviction Filings  
(Selected counties in AZ, NV, TX, FL, GA, TN)



# Pandemic Evictor: Don Mullen's Pretium Partners Files to Evict Black Renters, Collects Billions from Investors

- Pretium Partners is a private equity and debt firm focused on US single-family rental homes, headed by former Goldman Sachs partner Donald Mullen. Mullen made millions betting against the mortgage market during the 2008 Global Financial Crisis.
- In January 2021, Pretium Partners through its single-family rental company Progress Residential, became the second-largest owner and operator of single-family rental homes in the United States when it acquired Front Yard Residential and took the company private. Pretium now owns 55,000 rental homes.

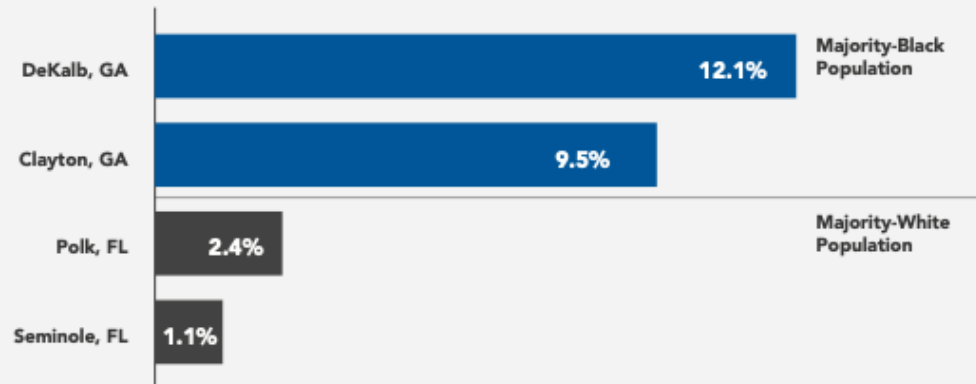


# Pandemic Evictor: Don Mullen's Pretium Partners Files to Evict Black Renters, Collects Billions from Investors



- Since the beginning of 2021, Progress Residential and Front Yard Residential have filed to evict residents in majority-Black DeKalb and Clayton Counties in Georgia at much higher rates than they have in majority-white Seminole and Polk Counties in Florida.
- Front Yard Residential has also drawn complaints from predominantly Black residents in Minneapolis who say the company is failing to maintain their homes.

**PROGRESS RESIDENTIAL/FRONT YARD RESIDENTIAL  
EVICTION FILING RATE SINCE JANUARY 1, 2021  
(through March 12)**



COUNTY	STATE	FILINGS SINCE 1/1/21	WHITE (NOT HISPANIC/ LATINO)	BLACK	LATINO	HOMES (PROGRESS + FRONT YARD)	EVICTING FILING RATE (FILINGS/ HOMES)
DeKalb	GA	155	29.3%	54.8%	8.5%	1,284	12.1%
Clayton	GA	91	9.1%	72.8%	13.4%	958	9.5%
Polk	FL	9	56.9%	16.2%	24.6%	370	2.4%
Seminole	FL	2	58.9%	13.1%	22.5%	454	1.1%

# Pandemic Evictor: Don Mullen's Pretium Partners Files to Evict Black Renters, Collects Billions from Investors



- Progress Residential and Front Yard Residential have advanced eviction cases against residents affected by the COVID-19 pandemic, a number of whom submitted hardship declarations pursuant to the CDC's eviction moratorium.
- Progress Residential has also challenged at least one resident's CDC hardship declaration in court, calling the CDC Eviction Moratorium an "unconstitutional overreach" in a recent filing.

## MOTION CHALLENGING DEFENDANT'S CDC DECLARATION

COMES NOW Plaintiff, PROGRESS RESIDENTIAL BORROWER 13, LLC, a Delaware limited liability company authorized to do business in Florida, as landlord, by and through its undersigned attorney, who hereby challenges the Declaration filed by the Defendants claiming coverage under 86 FR 8020, *Temporary Halt in Residential Evictions to Prevent the Further Spread of Covid-19*, and moves for entry of an order to lift stay on the writ of possession, and as grounds therefor states as follows:

1. CDC Order 86 FR 8020, *Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19*, is an unconstitutional overreach into the general police power retained by the states. *Tarkel et al. v Centers for Disease Control and Prevention et al.*, 6:20-cv-00564 (E.D. Tex. 2021). In *Tarkel*, the Federal Government argued that the CDC eviction moratorium was authorized under Article 1, Section 8 of the United States Constitution (the "commerce clause"), which authorizes congress to "regulate Commerce . . . among the several States." The *Tarkel* court rejected this argument for many of the same reasons that the United



# Pandemic Evictor: Don Mullen's Pretium Partners Files to Evict Black Renters, Collects Billions from Investors



- Pretium Partners has drawn on investments from private equity firms, pension funds, insurance companies, and other institutional investors, including:
  - *Ares Management*
  - *Landmark Partners*
  - *Canada's Public Sector Pension (PSP)*
  - *American Equity Investment Life Insurance*
  - *Tennessee Consolidated Retirement System*
- Even as it has filed to evict several hundred residents, Pretium Partners has raised hundreds of millions of dollars to buy more homes.

# Large landlords have taken different approaches

## Single family rentals:

Landlord	Total rental homes	Evictions 9/4/20-4/2/20 (Select counties in AZ, NV, TX, FL, GA, TN)
Pretium Partners (Progress Residential/ Front Yard Residential)	55,000	1,126
Invitation Homes	80,177	710
Amherst Holdings (Main Street Renewal)	22,000	317
Tricon Residential	31,000	104
Cerberus Capital (Firstkey Homes)	20,000	23
American Homes 4 Rent	53,784	7

# Questions for follow up:



What other geographies should we add to list of places we are tracking?

Let us know if you want access to shared spreadsheet of eviction filings

- Jim Baker, [jim.baker@PEstakeholder.org](mailto:jim.baker@PEstakeholder.org)

# Field Updates

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# Field Updates

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# Field Updates

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# Treasury's Homeowner Assistance Fund & Emergency Rental Assistance

**Noel Andrés Poyo**

*Deputy Assistant Secretary for Community  
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US Department of Treasury

# Treasury's Homeowner Assistance Fund & Emergency Rental Assistance

**Alys Cohen**

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National Consumer Law Center

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# Treasury's Homeowner Assistance Fund & Emergency Rental Assistance

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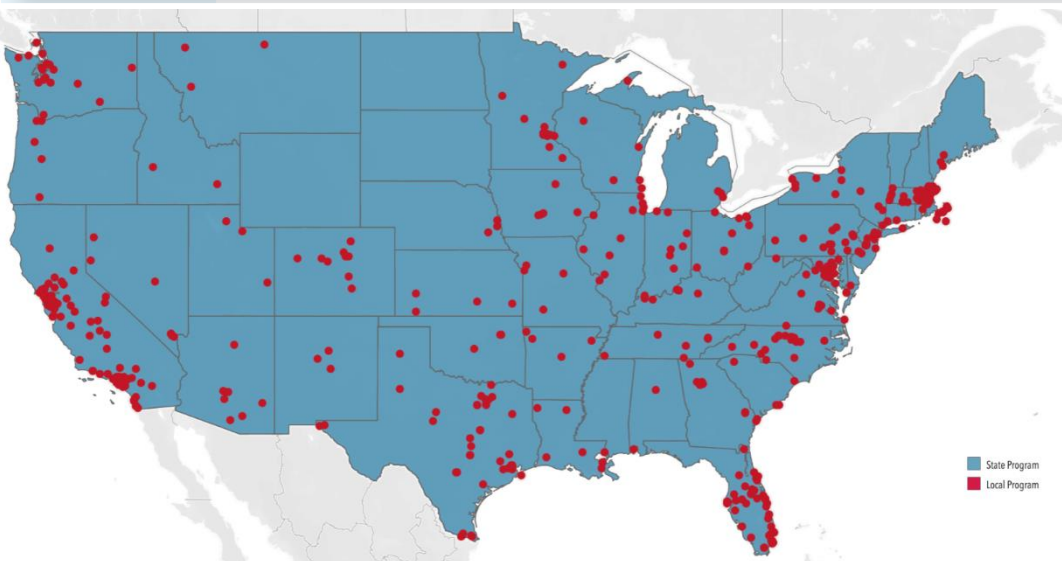
# Emergency Rental Assistance

Updates on tracking and initial findings.

April 19, 2021

Neetu Nair and Rebecca Yae  
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# What we're tracking



## COVID-19 Emergency Rental Assistance Programs

State	Locality	COVID Pr.	Program	Link/Phone
Alabama	Alabama	ERA (Treasury)	Emergency Rental Assistance Alabama	<a href="https://eraalabama.com/">https://eraalabama.com/</a>
	Jefferson Cou.		JCCOE CSBG Rental Assistance Program	<a href="https://www.jcceo.org/csbg">https://www.jcceo.org/csbg</a>
	Mobile County	ERA (Treasury)	Mobile County Treasury Emergency Rental	<a href="https://www.mobilecountyal.gov/grants/rental-and-utility-assistance/">https://www.mobilecountyal.gov/grants/rental-and-utility-assistance/</a>
Alaska	Alaska	ERA (Treasury)	Alaska Housing Relief	<a href="https://www.alaskahousingrelief.org/">https://www.alaskahousingrelief.org/</a>
			Alaska Housing Relief	<a href="https://www.alaskahousingrelief.org/renters">https://www.alaskahousingrelief.org/renters</a>
	Anchorage		ANCHORAGE CARES COVID-19 Response F.	<a href="https://www.liveunitedanc.org/connect/get-help/">https://www.liveunitedanc.org/connect/get-help/</a>
	Juneau		CBJ COVID-19 Housing Assistance Grant Pr.	<a href="https://www.ccsak.org/cbjgrant.html">https://www.ccsak.org/cbjgrant.html</a>
			CBJ COVID-19 Short-Term Rental Assistanc.	<a href="https://juneau.org/newsroom-item/covid-19-housing-resources">https://juneau.org/newsroom-item/covid-19-housing-resources</a>
	Kenai		Kenai Housing Relief	<a href="https://www.kenaihousingrelief.org/">https://www.kenaihousingrelief.org/</a>
	Petersburg		Petersburg COVID-19 General Assistance	<a href="https://platribal.org/covid-19-response">https://platribal.org/covid-19-response</a>
Arizona	Soldotna		Soldotna Housing Relief	<a href="https://www.soldotnahousingrelief.org/">https://www.soldotnahousingrelief.org/</a>
	Arizona	ERA (Treasury)	Emergency Rental Assistance Program	<a href="https://des.az.gov/ERAP">https://des.az.gov/ERAP</a>
			COVID-19 Rental Eviction Prevention Assist.	<a href="https://housing.az.gov/general-public/eviction-prevention-assistance">https://housing.az.gov/general-public/eviction-prevention-assistance</a>
	Coconino Cou.		Rental & Utility Assistance	<a href="https://www.coconino.az.gov/143/Community-Services">https://www.coconino.az.gov/143/Community-Services</a>
	Glendale	ERA (Treasury)	COVID-19 Emergency Rent Assistance Prog.	<a href="https://www.glendaleaz.com/live/city_services/citizen_assistance_programs/crisis">https://www.glendaleaz.com/live/city_services/citizen_assistance_programs/crisis</a>
	Maricopa County	ERA (Treasury)	Maricopa County Emergency Rental Assista.	<a href="https://www.maricopa.gov/5691/Emergency-Rental-Assistance">https://www.maricopa.gov/5691/Emergency-Rental-Assistance</a>
			COBG Rental and Utility Assistance	<a href="https://www.maricopa.gov/5584/COBG-Rental-Utility-Assistance">https://www.maricopa.gov/5584/COBG-Rental-Utility-Assistance</a>
			COVID Crisis Rental Assistance	<a href="https://www.maricopa.gov/5583/COVID-Crisis-Rental-Assistance">https://www.maricopa.gov/5583/COVID-Crisis-Rental-Assistance</a>
	Mesa	ERA (Treasury)	Mesa Emergency Rental and Utility Assista.	<a href="https://www.mesaaz.gov/government/coronavirus/emergency-rental-utility-assista">https://www.mesaaz.gov/government/coronavirus/emergency-rental-utility-assista</a>
	Phoenix	ERA (Treasury)	Phoenix City Emergency Rental Assistance	<a href="https://www.phoenix.gov/human-services/rental-assistance">https://www.phoenix.gov/human-services/rental-assistance</a>

Emergency Rental Assistance (Treasury) indicates that the program uses funding from the COVID relief package enacted in December 2020. Learn more at <https://home.treasury.gov/policy-issues/care/emergency-rental-assistance-program>

Source: NLIHC COVID-19 Rental Assistance Database <https://bit.ly/3tq91dce>


Note: NLIHC continues to update our database on a weekly basis as additional jurisdictions enact rental assistance programs in response to the coronavirus. If you are aware of a program not included in our database, please contact [research@nlihc.org](mailto:research@nlihc.org) or [ryan@nlihc.org](mailto:ryan@nlihc.org). Likewise, if you see a program in our database that is now closed, please let us know. We do our best to maintain accuracy, but cannot guarantee it because of the constantly changing situation. Last updated 3/24/2021.

As of April 19, NLIHC is tracking over 850 programs, 240 of which are from the Treasury ERA program. The ERA Treasury program includes: 50 States + D.C., 382 cities/counties, 252 Tribal govts. and 6 Territories/ Entities

Rental Assistance resources available at: <https://nlihc.org/rental-assistance>

# What we're tracking



	A	B	C	D	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	
1	<div><div></div><div>National Low Income Housing Coalition</div></div>																							
2	Last Added Program: March 24, 2021																							
3	GEOGRAPHY						ELIGIBILITY & APPLICATION INFO				ADMINISTRATION INFO							IMPLEMENTATION						
4	Geographic Level	State	City/County/ Locality	Tribal Government/ Territory	Program Page Link (None if Link is Unavailable)	Tenant Eligibility	Acceptable Proof of Housing Instability	Federally Assisted Housing Eligibility	Landlord Requirements	Allows Direct to Tenant Payment?	Landlord Days to Respond Before Tenant Can Receive Funding Directly	Administering Agency	Administering Agency Type	Funding Amount	Funding Source	Program Applicant	Arrears, Future/Current Payments, Both	Duration of Assistance Limit	# Months Arrears Covered	# Months Future/Current Rent Covered	Funding Limit Per Household (FYDA)	Tenant Contribution Requirements	Lottery, First-Come First-Served	
5	State	Alabama			<a href="https://arababba.com/">https://arababba.com/</a>	80% AMI or less, COVID Hardship, Housing Instability, Proof of Residency (General), Current Lease	Eviction Notice, Past Due Rent, Live in unsafe or unhealthy housing conditions	Depends on type of federally assisted housing	W-9/Payee Information, Landlord application if applying directly	Yes		Alabama Housing Finance Authority	Housing/Development/Finance Authority/Corporation	\$263,236,065.50	ERA Program - Treasury	Both	Both	15 months	11 months	3 months				First-come First-Served
6	County	Alabama	Mobile County		<a href="https://www.mchse.org/department/development/finance/authority/corporation/">https://www.mchse.org/department/development/finance/authority/corporation/</a>	80% AMI or less, COVID Hardship, Housing Instability, Proof of Residency (General), Current Lease		Unknown		Yes		City/County Department		\$12,376,572.40	ERA Program - Treasury	Both	Both	15 months	12 months	3 months				
7	State	Alaska			<a href="https://www.afha.org/about-us/">https://www.afha.org/about-us/</a>	80% AMI or less, COVID Hardship, Housing Instability, Proof of Residency (General)		Unknown	W-9/Payee Information	No		Alaska Housing Finance Corporation	Housing/Development/Finance Authority/Corporation	\$231,116,292.38	ERA Program - Treasury	Tenant	Both	12 months						Lottery
8	State	Arizona			<a href="https://des.as.gov/ehdp/">https://des.as.gov/ehdp/</a>	80% AMI or less, COVID Hardship, Housing Instability, Proof of Residency (General), Current Lease, Utility Bills (if being claimed)	Eviction Notice, Past Due Rent, Utility shutoff notices, Past due utility notices, Other evidence of unsafe or unhealthy living conditions	Federally Assisted Housing Eligible	W-9/Payee Information, Eviction Restrictions, Must agree that tenant has not moved/ been moved, and currently resides at location	No		Arizona Department of Economic Security	Department of Housing/Community/Economic Development	\$289,661,979.80	ERA Program - Treasury	Both	Both	15 months			\$3,500 per month (arrears)			First-come First-Served
9	City	Arizona	Glendale		<a href="https://www.glendale.gov/development/finance/authority/corporation/">https://www.glendale.gov/development/finance/authority/corporation/</a>	80% AMI or less, COVID Hardship, Housing Instability, Proof of Residency (General), Current Lease	Past Due Rent, utility shutoff	Unknown	W-9/Payee Information, Eviction Restrictions, Allows tenant to adopt month-to-month lease if assistance is provided beyond lease term	No		City of Glendale Community Action Program	City/County Department	\$7,678,833.50	ERA Program - Treasury	Both	Unknown							First-come First-Served
10	County	Arizona	Maricopa County		<a href="https://www.maricopa.gov/development/finance/authority/corporation/">https://www.maricopa.gov/development/finance/authority/corporation/</a>	80% AMI or less, COVID Hardship, Housing Instability, Proof of Residency (General), Current Lease, Open to All Regardless of Citizenship Status	Eviction Notice, Past Due Rent, Utility shutoff notice, Past due utility notice, write of restitution, judgement related to eviction, show less than 7 days of pre-paid utility remaining	Unknown	W-9/Payee Information, Waiver Late Fees, Eviction Restrictions	No		Maricopa County Human Services Department	Department of Social Services/Human Services	\$46,208,820.70	ERA Program - Treasury	Both	Both	15 months	15 months	3 months				First-come First-Served
11	City	Arizona	Mesa		<a href="https://www.mesa.gov/development/finance/authority/corporation/">https://www.mesa.gov/development/finance/authority/corporation/</a>	80% AMI or less, COVID Hardship, Proof of Residency (General), Current Lease		Unknown	W-9/Payee Information	Unknown		City of Mesa	City/County Department	\$15,760,806.00	ERA Program - Treasury	Tenant								

NLIHC COVID-19 Rental Assistance Database available at: <https://bit.ly/3hQUdce>.

# Latest Updates\*



ERA Treasury Programs in Database	241
Jurisdictions Represented	301
Opened Programs	209
State Programs	37
County Programs	127
City Programs	42
Territory/Tribal Govt/Other	3
Closed Programs	15
State Programs	1
County Programs	11
City Programs	2
Territory/Tribal Govt/Other	1

# 41 STATE  
# 196 CITY/COUNTY  
# 4 TERRITORY/TRIBAL GOVT.

\$ REPRESENTING  
\$16,601,230,065.68

STATE ERA PROGRAMS

Open	Not Yet Open	Closed
Alabama, Arizona, California, Colorado, Connecticut, Delaware, D.C., Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin	Arkansas, Florida, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, New York, North Carolina, North Dakota, Ohio, Oregon, South Carolina, and Wyoming	Alaska

\*NLIHC updates these numbers each week. If you are aware of a program not included in our database, please contact [nnair@nlihc.org](mailto:nnair@nlihc.org) or [ryae@nlihc.org](mailto:ryae@nlihc.org)

# Initial Observations



- **Self-attestation**

- Only 26% programs explicitly state that self-attestation is an acceptable substitute for proof of documentation.
- COVID Hardship is the most common “acceptable area” of self-attestation.
- Only 10 programs allow self-attestation for Income or Housing Instability (lease).

- **Direct to Tenant options**

- Only 17% programs have stated that they will directly issue assistance to tenants if landlords refuse to participate.
- Some programs state that they will dismiss the application if landlords do not respond

Thank You!

# Advancing Long Term Housing Solutions: Updates & Next Steps

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# Next Steps

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## Resources

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