Agenda

Welcome & Updates
• Diane Yentel, NLIHC

Guest Speaker
• Chair Maxine Waters, US House of Representatives

Right to Counsel’s Impact on Preventing Evictions
• Sandra Park, ACLU, & Maria Roumiantseva, NCCRC

ERASE Project Updates
• Sophie Siebach-Glover, NLIHC
• Erin Kemple, Connecticut Fair Housing Center

Field Updates
• Shakti Robbins-Cubas, New York Housing Conference
• Francisca Blanc, Utah Housing Coalition

Reconciliation & FY23 Updates
• Sarah Saadian, NLIHC

Next Steps
Welcome & Updates

Diane Yentel
President & CEO
National Low Income Housing Coalition
dyentel@nlihc.org
Guest Speaker

Representative Maxine Waters
Chair
House Financial Services Committee
US House of Representatives
Right to Counsel’s Impact on Preventing Evictions

Sandra Park
Senior Attorney, Women’s Rights Project
ACLU
spark@aclu.org

Maria Roumiantseva
Associate Coordinator
National Coalition for a Civil Right to Counsel
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American families face a long-brewing eviction crisis that has reached historic proportions. For 40 years, median rents have grown more than six times faster than median wages, and more than 20 times faster than the wages of low-wage workers. Combined with large-scale disinvestment in public and subsidized housing programs, these macroeconomic factors have resulted in approximately half of all renters being rent-burdened (spending at least 50% of their income on rent) and a quarter being severely rent-burdened (spending at least 60% of their income on rent). When this burden becomes too much, tenants often fall behind, and landlords force them from their homes using a mixture of informal, illegal, and court-involved evictions. Nonpayment of rent is the cause of 80% of the 6.6 million eviction filings processed by U.S. courts in a typical year. Data from the U.S. Census Bureau’s 2022 Pulse survey indicates that 30% of renters are currently behind in their payments.

The first national study of evictions, released in late 2020, provided the clearest profile of American evictions. Drawing on data from 39 states that covered 18% of all renters and included more than 4 million eviction records, the study tracked both eviction filings (a filing is a landlord’s court petition seeking removal of tenants) and eviction warrants (a warrant is issued following a court ruling in favor of the landlord and authorizes the removal of the household). Both filings and evictions were astonishingly common; nationwide, “one in 25 renters was threatened with eviction every year, and one in 49 was evicted.”

Absent intervention, evictions function as an extreme kind of “disruptive displacement,” forcing people out of their homes and, in doing so, completely upending their lives (for the short- and long-term). Eviction can disrupt children’s education, result in job loss, damage physical and mental health, and make it difficult to find a new home to rent. Short-term and long-term homelessness are all too frequent outcomes of eviction.

The harms of evictions fall disproportionately on Black and Latino people, especially women and children. According to a 2020 study, Black individuals account for 33.7% of all eviction filing defendants, despite only making up 13.8% of all adult renters in the counties addressed by the study. Landlords target renters with children to such an extent that simply having children in the household is equated with trigger for eviction, in falling months behind in rent.

Presenters:

Sandra Park | she/her
Senior Staff Attorney
ACLU Women’s Rights Project

Maria Roumiantsyeva | she/her
Associate Coordinator
National Coalition for a Civil Right to Counsel
Background
ACLU, Justice Evicted: An Inquiry into Housing Court Problems (1987)

Black women renters had evictions filed against them at double the rate of white renters or higher in 17 of 36 states.

Data Analysis by the ACLU Data Analytics Department, with data from the Eviction Lab
3 States and 15 Cities have enacted RTC

Many of the successes are due to tenant rights organizing
  ○ RTCNYC: https://www.righttocounselnyc.org/ (Documentary, RTC Toolkit)

States:
● Washington
● Maryland
● Connecticut

Cities:
● Baltimore, MD
● Boulder, CO
● Cleveland, OH
● Denver, CO
● Detroit, MI
● Kansas City, MO
● Louisville, KY
● Minneapolis, MN
● New Orleans, LA
● New York City, NY
● Newark, NJ
● Philadelphia, PA
● San Francisco, CA
● Seattle, WA
● Toledo, OH

ACLU & NCCRC Report
American families face a long-brewing eviction crisis that has reached historic proportions. For 40 years, median rents have grown more than six times faster than median wages, and more than 23 times faster than the wages of low-wage workers. Combined with large-scale disinvestment from public and subsidized housing programs, these macroeconomic factors have resulted in approximately half of all renters being rent burdened (spending at least 50% of their income on rent) and a quarter being severely rent burdened (spending at least 50% of their income on rent). When this burden becomes too much, tenants often fall behind, and landlords force them from their homes using a mixture of informal, illegal, and court-involved evictions. Nonpayment of rent is the cause of 50% of the 3.6 million eviction filings processed by U.S. courts in a typical year. Data from the U.S. Census Bureau’s 2021 Pulse survey indicates that 20% of renting households are currently behind in their payments.

The first national study of evictions, released in late 2020, provided the clearest profile of American evictions. Drawing on data from 59 states that covered 58% of all renter households and included more than 4 million eviction records, the study tracked both eviction filings (a filing is a landlord’s court petition seeking removal of tenants) and eviction warrants (a warrant is issued following a court ruling in favor of the landlord and authorizes the removal of the household). Both filings and evictions were astonishingly common; nationwide, “one in five renters was threatened with eviction every year, and one in 40 was evicted.”

Absent intervention, evictions function as an extreme kind of “disruptive displacement,” forcing people out of their homes and, in doing so, completely upending their lives in the short and long term. Evictions can disrupt children’s education, result in job loss, damage physical and mental health, and make it difficult to find a new home to rent. Short-term and long-term homelessness are all too-frequent outcomes of eviction.

The harms of eviction fall disproportionately on Black and Latinx people, especially women and children. According to a 2020 study, Black individuals account for 62% of all eviction filing defendants, despite only making up 19.9% of all adult renters in the counties addressed by the study. Landlords target renters with children to such an extent that simply having children in the household is equivalent, as a trigger for eviction, to failing four months behind in rent.
Overview

Highlight and analyze *empirical evidence to support advocacy*:

- Documenting the broad, long-lasting harms of eviction
- Identifying right to counsel in eviction cases as a race and gender issue
- Providing evidence for and examples of benefits of right to counsel

**Target audiences:**

- State and local housing justice advocates
- Municipal, county, & state gov officials who could support RTC
- Federal policymakers who could provide funds for RTC
Methodology

Searched for research on:

1. Impacts of eviction (economic, children, health, civic)
   
   28 sources

1. Race and gender disparities
   
   7 sources

1. Impact of right to counsel/access to counsel efforts
   
   14 sources

49 total sources included

Criteria for inclusion:

- Empirical research studies - quantitative, qualitative, mixed method, systematic reviews
- U.S. populations and systems - local, state, and/or national samples
Key Findings: Harms of Eviction
Harms of Eviction

- Cycle of Poverty
- Impact on Children
- Health Impacts
- Impact on Civil Engagement
- Disproportionate Impact on Black and Latinx Women and Children
Impact of Tenant Representation

- Rates of eviction significantly lower for represented tenants (compared to unrepresented tenants) and providing representation is a cost-effective measure.
  - **California**: Sargent Shriver Pilot Programs
  - **Minnesota**: Hennepin County Housing Court Project
  - **NYC** (1st city to enact RTC): Universal Access to Counsel Program
  - **Cleveland**: Right to Counsel Program
Eviction is a gender justice issue. It is a racial justice issue. It is an economic justice issue. It is a children’s rights issue. And it is a civil liberties issue.
Conclusions from the Research

- Evictions often result in numerous and long-lasting damaging consequences. Black and Latinx women and children are most harmed.

- Tenants who were legally represented faced starkly different outcomes than unrepresented tenants—far less likely to receive an eviction judgement and less likely to suffer the collateral consequences of eviction records.

- Providing legal representation to tenants can help to balance out the disparity in representation between landlords and tenants, and is cost-effective.
Recommendations

The Federal government should:

- Fully fund efforts to establish and implement the right to counsel for tenants at the state and local level.
- Increase awareness among localities and states about the portions of Emergency Rental Assistance Program and Fiscal Recovery Fund dollars available for legal services, and work to make these funding sources permanent.

State governments should:

- Enact and implement a right to counsel in their jurisdictions.
- Support research and evaluation that assesses longer-term outcomes and identifies best practices of right to counsel efforts.
NCCRC tracks and supports RTC efforts across the country (www.civilrighttocounsel.org)

ACLU and many of its state affiliates support and engage in state and local advocacy
End Rental Arrears to Stop Evictions (ERASE) Updates

Sophie Siebach-Glover
Research Specialist
National Low Income Housing Coalition
siebach-glover@nlihc.org
New Report

Balancing Act: An Analysis of Remaining ERA Funds, Reallocation, and Outstanding Need

June 6, 2022

Sophie Siebach-Glover (she/her)
Research Specialist
ssiebach-glover@nlihc.org
What has happened so far

**ERA1 reallocation process begins Sep 30, 2021**

- **ERA1 Round 1 Reallocation:** $1.13 billion
- **ERA1 Round 2 Reallocation:** $1.01 billion
- **ERA1 Round 3 Reallocation**

**ERA2 reallocation process begins Mar 31, 2022**

- **ERA2 Round 1 Reallocation**
- **ERA2 Round 2 Reallocation**
- **ERA2 Round 3 Reallocation**
- **ERA2 Round 4 Reallocation**

**ERA1 obligation deadline: Sep 30, 2022**

**ERA1 extended obligation deadline for grantees with reallocated funds: Dec 31, 2022**

**ERA2 obligation deadline Sep 30, 2025**
Finding #1: Nearly 50% of state grantees could exhaust ERA1 & ERA2 funds by end of year

Cumulative number of state grantees that could exhaust ERA1 & ERA2 funds in 2022 without receiving reallocated funds

For the purposes of this analysis, DC is considered a state grantee.
Finding #2: There are disparities between states’ allocated ERA funds & cost-burdened, low-income (CBLI) renters

Projected households served as proportion of CBLI Renters—Initial Allocation
Finding #3: There are disparities between remaining ERA funds and outstanding need

<table>
<thead>
<tr>
<th>State</th>
<th>Remaining ERA Funds Per Renter Household Behind on Rent</th>
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<tbody>
<tr>
<td>New York</td>
<td>$1,372</td>
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<tr>
<td>California</td>
<td>$1,643</td>
</tr>
<tr>
<td>Texas</td>
<td>$1,886</td>
</tr>
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<td>North Carolina</td>
<td>$1,901</td>
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<td>New Jersey</td>
<td>$1,921</td>
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<tr>
<td>Wyoming</td>
<td>$19,367</td>
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<tr>
<td>South Dakota</td>
<td>$19,744</td>
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<tr>
<td>Idaho</td>
<td>$22,500</td>
</tr>
<tr>
<td>Montana</td>
<td>$22,890</td>
</tr>
<tr>
<td>Vermont</td>
<td>$39,800</td>
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*Based on March 2022 Monthly Compliance Report & Census Household Pulse Survey Weeks 42-44. Includes all grantees within a state.*
Finding #4: Reallocation cannot fully address the disparity, but still important

Estimated ERA funds that may be reallocated: $4.1 billion-$5.1 billion

CA, IL, NJ, NY, and TX each need over $1 billion to serve estimated renter households behind on rent

Reallocation adjusted some disparity between state grantee and local grantees
# Recommendations

**ERA Grantees**

1) Use other federal funds to extend ERA programs
   - CDBG-CV
   - SLFRF

[NLIHC report](#) on using federal resources to extend ERA

**Treasury**

1) Prioritize grantees with large numbers of unserved CBLI renters to receive reallocated funds
2) Increase reallocation transparency
3) Limit use of ERA2 funds for other affordable housing purposes

**Congress**

1) Enact Eviction Crisis Act
2) Enact long-term housing solutions
   - $25 b to expand rental assistance
   - $65 b to preserve public housing
   - $15 b for national HTF
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**NLIHC report on using federal resources to extend ERA**
# Recommendations

## ERA Grantees
1) Use other federal funds to extend ERA programs
   - CDBG-CV
   - SLFRF

NLIHC report on using federal resources to extend ERA

## Treasury
1) Prioritize grantees with large numbers of unserved CBLI renters to receive reallocated funds
2) Increase reallocation transparency
3) Limit use of ERA2 funds for other affordable housing purposes

## Congress
1) Enact long-term housing solutions
   - $25 b to expand rental assistance
   - $65 b to preserve public housing
   - $15 b for national HTF
2) Enact Eviction Crisis Act
For more details, access the report at: https://bit.ly/3PJ3Ewg.

For questions about the brief or methodology, please contact: Sophie Siebach-Glover at ssiebach-glover@nlihc.org

For more research on ERA implementation go to: https://nlihc.org/resource-hub.
End Rental Arrears to Stop Evictions (ERASE) Updates

Erin Kemple
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Field Updates

Shakti Robbins-Cubas

Housing Policy Analyst
New York Housing Conference

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New York City Housing Tracker: Every Neighborhood Must Do Its Part To Solve the Affordable Housing Crisis

TRacker.THEnYHC.ORG

@theNYHC
The NYC Housing Tracker shows affordable housing production in each City Council District under Mayor de Blasio’s Housing New York Plan (2014-2021) and will be updated as production begins under Mayor Eric Adams

The accompanying report analyzes this data and chronicles decades of policy decisions that impacted where new affordable units are built and whether they meet the needs of New Yorkers
We Are Not Building Enough Housing

New Housing Units Permitted per 1,000 Residents per Year (2011 - 2020 Average) in the 15 largest U.S. Metros

- Houston
- Orlando
- Dallas-Fort Worth
- Phoenix
- Seattle
- Atlanta
- Washington, D.C.
- Miami
- San Francisco - San Jose
- NYC Metro
- Los Angeles
- Philadelphia
- Boston
- Chicago
- Detroit

Source: NYC DCP
NEW AFFORDABLE HOUSING CONSTRUCTION
BY COUNCIL DISTRICT

January 2014 – December 2021

Number of New Affordable Housing Units:

- < 99
- 99-500
- 500-1,000
- 1,000-3,000
- ≥ 3000
We are not sharing affordable housing production equitably across the city

- 67,255 new affordable units were produced over 8 years during the last housing plan
- The 10 districts with the most affordable housing construction produced more than 38,000 units
- The 10 districts with the least affordable housing construction produced only 740 units

Every Neighborhood Must Do Their Part to Fight the Housing Crisis
Profile of a High-Affordable Housing Producing District

1. High density, low-land costs with underutilized and city-owned land
2. High density, fast-growing neighborhoods, utilizing tax incentives and mandatory inclusionary housing
3. Predominantly Black and Latinx neighborhoods and lower median incomes
Low Affordable Housing Producing Districts

• Lower density with strict limits on what can be built
• Fewer vacant and industrial or manufacturing zoned land area with little publicly-owned sites.
• Limited HPD programs for building smaller buildings in less dense neighborhoods,
• Greater share of white residents and higher median incomes
The New York City Tracker Is An Advocacy Tool

View detailed data for each City Council District on affordable housing production and preservation, housing needs, demographics, and existing stock.
Field Updates

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Reconciliation & FY23 Updates

Sarah Saadian
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National Low Income Housing Coalition
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Next Steps

Diane Yentel

President & CEO

National Low Income Housing Coalition

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Resources

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