NLIHC’s HoUSed Campaign for Long-Term Housing Solutions

July 12, 2021
Agenda

Welcome
• Diane Yentel, NLIHC

Updates on ERA and ERASE Project
• Rebecca Yae & Sarah Gallagher, NLIHC

New Resources for State and Local Eviction Diversion Programs
• Emily Benfer, Wake Forest University

Field Updates
• Lauren Littlefield, Salt Lake County, & Francisca Blanc, Utah Housing Coalition
• Maureen Howard, Maureen Howard Consulting (WA)

Advancing Long Term Solutions: Updates, Resources & Next Steps
• Sarah Saadian, NLIHC

Guest Speaker
• Representative Maxine Waters (D-CA)

Next Steps
Welcome

Diane Yentel
President & CEO
National Low Income Housing Coalition
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Updates on Emergency Rental Assistance and ERASE Project

Rebecca Yae
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Sarah Gallagher
ERASE Senior Project Director
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Emergency Rental Assistance

Updates on tracking

July 12, 2021

Rebecca Yae (she/her)
Senior Research Analyst
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National Low Income Housing Coalition
ERA Rollout

As of July 12, NLIHC tracked over 1,070 programs
This includes 451 Treasury ERA programs covering:

- 50 states and Washington, D.C.
- 363 local jurisdictions
- 161 tribal governments
- 3 territories
- Department of Hawaiian Home Lands

- $24.3 billion actively being implemented

NLIHC resources available at www.nlihc.org/rental-assistance
ERA Dashboard

Treasury Emergency Rental Assistance (ERA) Dashboard

451
Treasury ERA programs in database

431
Treasury ERA programs that are currently accepting applications, accepting waitlists, or have rolling applications

20
Programs closed

4.43%
Share of programs closed

223
Programs allowing self-attestation

166
Self-attestation for COVID hardships

60
Self-attestation for income

84
Self-attestation for non-traditional income

47
Self-attestation for housing instability

28
Self-attestation for lease/proof of tenancy

113
Programs allowing direct-to-tenant assistance

89
Programs with additional prioritization

NLIHC dashboard available at www.nlihc.org/era-dashboard
Treasury Data

• Between January and March, **627,767** applications were completed and submitted to ERA programs, but only **14%** of those households **were served**

• As of May 31st, **only $1.5 billion** out of the $25 billion (ERA1) allocation had been paid out (~6%)

• States exhibited particularly slow progress, **spending 4%** of their allocations by May 31st.
Emerging Trends

71% of funding went to renters at or below 30% Area Median Income.

States have spent allocations down slower than localities. States spent 4% and localities spent 13% as of May 31st.

Month-to-month spending has increased but not quickly enough.
Spending Tracking

Texas

- % Jan - Mar: 0%
- % April: 4%
- % May: 7%
- % June: 30%

Alaska

- % Jan - Mar: 0%
- % April: 4%
- % May: 9%
- % June: 15%

Illinois

- % Jan - Mar: 0%
- % April: 0%
- % May: 0%
- % June: 19%
ERASE Request for Proposals
ERASE Call to Action

To prepare for the end of the moratorium, NLIHC is asking state partners, local jurisdictions, and Emergency Rental Assistance Program (ERAP) administrators to focus on three key areas to ensure that ERAP is visible, accessible, and preventive:

1. **Visible**: Conduct equitable and robust marketing and outreach efforts to ensure that all landlords and low-income renters know about the Emergency Rental Arrears Program (ERAP) and how to access it in their community.

2. **Accessible**: Support access to and disbursement of financial support to landlords and tenants by ensuring an accessible, streamlined, and low-barrier ERAP application process.

3. **Preventive**: Prevent housing displacement by creating formal partnerships with your state and/or local court to support eviction prevention and eviction diversion in coordination with ERAP.
# RFP Goals and Activities

## Influence programs to accelerate use of funds
- Convening partners to support program planning, design and address system barriers in real-time.
- Educate program administrators and others on emerging, innovative, and best practices.
- Enhance marketing and outreach efforts and center equity in program design.
- Provide technical assistance.
- Build public and political will.

## Support eviction prevention and diversion
- Advance strategies, legislation and policy that promote tenant protections, eviction diversion and prevention.
- Hold education sessions with court staff to ensure they are up to date on eviction procedures.
- Monitor and track eviction filings and ensure eviction diversion policy is being implemented as intended.

## Transparency through data
- Create and utilize a data dashboard and/or program scorecard.
- Using data to develop and share best practices
- Conduct qualitative interviews, surveys. Story telling and other activities to understand the impact of COVID 19, ERA and eviction prevention and diversion activities on low-income renters.
Proposal Details

• Eligible Applicants: non-profit organizations with 501(c) 3 status

• One-year awards will range from $60,000 - $80,000

• RFP Release Date: July 6, 2021
• Proposal Due Date: July 20, 2021
• Award Notification Date: July 30, 2021
• Proposed Start Date: August 1, 2021

• Submit completed proposals to eraseproject@nlihc.org
New Resources for State & Local Eviction Diversion Programs

Emily Benfer
Visiting Professor of Law
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Eviction Diversion
State & Local Resources & Best Practices

Emily A. Benfer
Visiting Professor of Law & Public Health, Wake Forest University
Chair, American Bar Association Task Force on Eviction, Housing Stability, and Equity

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EVICION & HOUSING DISPLACEMENT RISK
(JULY 2021)

Source: Housing Precarity Risk Model Dashboard, UC Berkeley Urban Displacement Project (July 2021)
https://www.urbandisplacement.org/us-regions/housing-precarity-risk-model
HOLISTIC, MULTISECTOR APPROACH PREVENTS EVICTION

❖ **84% savings for landlords** between cost of maintaining tenancy and cost of eviction (Boston)

❖ **67-96%** of tenants who receive early assistance **stay housed.**

❖ **Widespread success**
  • Grand Rapids, MI: **82%** of tenants **stay housed**
  • Philadelphia, PA: **91%** of participants **reached agreement, avoided filing**
  • Ramsey County, MN: **18%** decrease in eviction judgments, **100% expungement**
  • Boston, MA: **96%** of tenants still **housed one year** later, **95%** two years later
  • Syracuse, NY: **75%** reduction in eviction filings
  • Durham, NC: **75%** of tenants remained housed

Sources: Network for Public Health Law, Philadelphia Mayor’s Task Force, Eviction Innovations, The Housing Initiative at Penn, Eviction Lab, Regional Housing Legal Services, Urban Institute, National Center for State Courts, HomeStart Boston
EVICTION DIVERSION PROGRAM: THE 3 A'S

1. **Access to Legal Counsel** and/or Non-lawyer Advocate
2. **Assistance** (Rental assistance & social or support services)
3. **Alternative to Court** (Pre-filing mediation, ADR, settlement)

Source: Anne Kat Alexander, Matthew Desmond, *Eviction Prevention* (June 2021); *Eviction Diversion Programs: Best Practices and Existing Models*, Eviction Lab (June 2021)
DIVERSION: DESIGN FOR HOUSING STABILITY

• Access to Legal Counsel/Advocate
  • Legal Counsel: 56% cite as #1 eviction prevention tool

• Assistance
  • Rental Assistance: 81% of property owners would be less likely to pursue eviction
  • Supportive & Social Services: 72% of landlords more likely to avoid court when services available to tenant

• Alternative to Court:
  • Quality Mediation: Majority of landlords prefer when tenants have representation in mediation
  • Court Support & Legislative Support: Courts divert parties in 92% of programs

Source: American Bar Association & Harvard Negotiation and Mediation Clinical Program, Designing for Housing Stability: Best Practices for Court-Based and Court-Adjacent Eviction Prevention and/or Diversion Programs (author, Deanna Pantin Parish) (June 2021)
SUPPORT FOR EVICTION DIVERSION

Over 70% of landlords surveyed prefer to address non-payment cases outside of court.

Source: American Bar Association & Harvard Negotiation and Mediation Clinical Program, Designing for Housing Stability: Best Practices for Court-Based and Court-Adjacent Eviction Prevention and/or Diversion Programs (author, Deanna Pantin Parish) (June 2021)
<table>
<thead>
<tr>
<th>Program name and location</th>
<th>Results</th>
<th>Advocacy</th>
<th>Assistance</th>
<th>Alternative process</th>
</tr>
</thead>
<tbody>
<tr>
<td>55th District Court Eviction Diversion Program (Ingham County, Michigan)</td>
<td>2012-2017: -10% case filings -38% writs -34% defaults +36% dismissals</td>
<td>Legal aid on site</td>
<td>Social service agencies on site evaluate if tenant is eligible for grant to clear rental arrears</td>
<td>Legal aid negotiates settlement Case dismissed if arrears are cleared in 90 days</td>
</tr>
<tr>
<td>Ramsey County Housing Court Clinic (Minnesota)</td>
<td>-18% eviction judgments -30% cases to trial +100% expungements</td>
<td>Legal counsel and caseworker</td>
<td>Rental assistance, aid in applying for other social assistance</td>
<td>Informal mediation between landlord, tenant, and caseworker</td>
</tr>
<tr>
<td>HomeStart Boston (Massachusetts)</td>
<td>95% of clients still housed 48 months after intervention</td>
<td>HomeStart Advocate</td>
<td>Financial assistance, case management for 12 months</td>
<td>HomeStart Advocate negotiates with property manager on tenant's behalf</td>
</tr>
<tr>
<td>Philadelphia Eviction Diversion Program (Pennsylvania)</td>
<td>80% of cases successfully settled</td>
<td>Legal counsel and housing counselor</td>
<td>Rental assistance</td>
<td>Counselors settle with landlord, tenant, and their counsel</td>
</tr>
<tr>
<td>Durham Eviction Diversion Program (North Carolina)</td>
<td>Q1 2019 results: 73% stayed housed 69% avoided judgment 23% settled pre-filing</td>
<td>Legal aid</td>
<td>Rental assistance</td>
<td>Legal aid works with landlord to settle, representing the tenant</td>
</tr>
</tbody>
</table>

**Source:** Anne Kat Alexander, Matthew Desmond, *Eviction Prevention* (June 2021); Emily Benfer, Anne Kat Alexander, et. al, *Eviction Diversion Programs: Best Practices and Existing Models*, Eviction Lab (June 2021)
Timing: Earlier the Better

A third of tenants move out at this stage, before going to court. In-court settlements may still result in displacement.

Eviction filings are costly to property owners, and they negatively affect renters’ credit and future housing options.

Source: Anne Kat Alexander, Matthew Desmond, *Eviction Prevention* (June 2021); Emily Benfer, et. al, *Eviction Diversion Programs: Best Practices and Existing Models*, Eviction Lab (June 2021)
FURTHER READING


• National Center for State Courts, NCSC Eviction Diversion Diagnostic Tool

• The Network for Public Health Law, Eviction Diversion and Prevention Programs (May 2021).

• Regional Housing Legal Services, Achieving Housing Stability with Eviction Diversion Programs: A Guide to Best Practices during COVID and Beyond (December 2020)

Field Updates

Lauren Littlefield
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Francisca Blanc
Advocacy & Outreach Coordinator
Utah Housing Coalition
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Emergency Rental Assistance Program Overview

- **Applications Submitted**: 6,328
- **Applications Approved**: 3,853
- **Amount Paid**: $21.02M
- **People Impacted**: 15.20K
- **Applications Denied**: 1,407

**Applications by Submission Date**

**Total Paid by Payment Date**

*Source: Utah Department of Workforce Services, Emergency Rental Assistance Program.*
Field Updates

Maureen Howard
Consultant
Maureen Howard Consulting
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Who We Are

Tacoma Pierce County Coalition to End Homelessness - all volunteer network, no actual organizational structure, weekly two hour Friday meetings of 50-90 via Zoom directed to front-line workers include policy and advocacy, an “open table.” Pierce County - 900K+
What We Did - Saved Lives During “Mass casualty heat event”

• Got water - 38 pallets of water - all of it free
• Organized - 24/7 water staging and distribution site
• Reached out - Port of Tacoma, WA State Parks, Metro Parks, City of Tacoma, Pierce County, listserv of 700+ for an estimated 1350 people living in known encampments
• Invited and Coordinated - volunteers, activists, government funded homeless outreach workers to pick up and distribute the water to approximately 60 known encampments from 100+ people in the 705 camp to volunteers who drove around their neighborhoods checking on car campers to the Wauna Curve to the RVs under the 11th street bridge
• Created and staffed - communications hub
What We Learned About Local Governments’ Response

- Departments of Emergency Management have control of response and resources
- Four Local Jurisdictions have Departments of Emergency Management
- No Declaration of Emergency
- No Known Emergency Plan including People Living Unsheltered and
- No “Sub-declaration” - life or death if you are living unsheltered
- No Known List of Active Encampments
- No Recognition that people living unsheltered could not go TO a cooling center
- No Requirement that funded providers have an emergency response
What We Plan to Do Next

Requested formal After Action Report - TPC Health Department and/or Pierce County Incorporation of Response to People Living Unsheltered in all Emergency and “sub-emergency” plans. Include bringing cooling centers TO encampments Adapt WA State Declaration for People Working Outside to include people living unsheltered. Develop a Coalition Emergency Plan.
Advancing Long Term Housing Solutions: Updates & Next Steps

Sarah Saadian
Vice President of Policy
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Guest Speaker

Representative Maxine Waters
43rd District of California
Chair, House Financial Services Committee
US House of Representatives
Next Steps

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Resources

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