Welcome
• Renee Willis, NLIHC

New ERA Digital Toolkit & Program Locator
• Per Olstad, CFPB

Eviction Laws Database
• Madeline Youngren & Sarah Abdelhadi, LSC

New NLIHC Reports
• Dan Threet & Emma Foley, NLIHC

Field Updates
• Amanda Korber, Legal Aid Society of DC
• Bob Palmer, Housing Action Illinois
• Andrew Bradley & Natalie James, Prosperity Indiana

ERASE Project Updates
• Sarah Gallagher & Emma Foley, NLIHC

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

Next Steps
Welcome

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New ERA Digital Toolkit & Program Locator

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CFPB COVID-19 Housing Insecurity Campaign

July 15, 2021
Disclaimer

This presentation is being made by a Consumer Financial Protection Bureau representative on behalf of the Bureau. It does not constitute legal interpretation, guidance, or advice of the Consumer Financial Protection Bureau. Any opinions or views stated by the presenter are the presenter’s own and may not represent the Bureau’s views.
The CFPB’s housing portal helps consumers act

Help for homeowners and renters during the coronavirus national emergency

Find help for your situation

Help for homeowners
Help for renters
Help for landlords

The Consumer Financial Protection Bureau (CFPB), Federal Housing Finance Agency (FHFA), U.S. Department of Housing and Urban Development (HUD), U.S. Department of Veterans Affairs (VA), and U.S. Department of Agriculture (USDA) are working together to help homeowners and renters during the coronavirus pandemic.
Housing Portal: Resources for Renters

Step-by-step instructions to help renters:

- Get help paying rent and utilities
- Avoid eviction
- Make a plan to catch up on rent
- Know their tenant and debt collections rights
- Talk to a local expert

Help for renters

If you’re having trouble making rent payments as a result of the coronavirus pandemic, you’re not alone.

Federal, state, and local governments are offering help with housing expenses and avoiding eviction. Find out what this means for you, and what you can do.

- Take action to avoid eviction
- Get help paying rent and utilities
- Make a plan to catch up on rent
- Know your tenant and debt collection rights
- Talk to a local expert

Your tenant and debt collection rights

As a renter, you have local, state and federal rights during the pandemic. These may help you stay in your home.

Find out about eviction protections

To help people stay in stable housing during the COVID-19 pandemic, the Centers for Disease Control and Prevention (CDC) issued an order that means you may be protected from eviction. You need to take action now. If you already gave a signed Declaration to the person or company you rent from, you do not need to give them a new one.

Here, we guide you through the steps, one at a time

cfpb.gov/covidrent
Housing Portal: Emergency Rental Assistance

Rental assistance helps renters and landlords make ends meet

Leer en Español

State and local programs are distributing billions of dollars in rental assistance to help renters stay housed during the pandemic.

Questions and answers about federal rental assistance

- How do I apply for emergency rental assistance?
- What does emergency rental assistance cover?
- Am I eligible for emergency rental assistance?
- How can I show that I am eligible?
- How are rental assistance payments made?
- Special living situations

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/emergency-rental-assistance-for-renters/
Help for landlords

The COVID-19 pandemic has caused money struggles for both renters and landlords. You’re an important part of the rental economy. If your rental income has fallen, you can take advantage of options to keep you in control of your property and your financial situation.

Ideas that can help

- You may be entitled to recover rent through local programs
- Stay in control by working through all your options
- Explore forbearance to pause your mortgage payments

consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/help-for-landlords/
Resources are available in seven languages

- Spanish, Traditional Chinese, Vietnamese, Korean, Tagalog, and Arabic language materials are available online.

- Include:
  - Housing portal pages
  - Other COVID-19 resources

- Spanish language videos are also available online:
  - Aplazamientos de hipotecas en la Ley CARES
  - 5 Pasos para que solicite un aplazamiento de hipoteca por causa del coronavirus
  - Tres pasos que inquilinos en problemas pueden tomar para retrasar el desalojo
Use our digital toolkit

Housing insecurity media toolkit

This shareable content is designed to help you spread important information about the CFPB’s tools and resources related to housing insecurity during the coronavirus pandemic.

- Email
- Social Media
- Handouts

The CFPB is committed to providing up-to-date information and resources to help consumers protect and manage their finances in the wake of the coronavirus pandemic. Thank you for helping us spread timely and important information for renters, homeowners and other consumers who have been affected by these difficult financial times. By collaborating with partners like you, we can provide consumers with the facts and tips they need to understand their rights, beware of scams, and learn how to access financial assistance programs such as forbearance, mortgage relief, and eviction help.
Questions?
Eviction Laws Database

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What is LSC?

- An independent 501(c)(3) non-profit corporation established by Congress in 1974 to provide financial support for civil legal aid for low-income people.
- The single largest funder of civil legal aid in the United States, supporting 132 independent non-profit legal aid organizations in all 50 states, DC, and 8 territories/independent states.
- Learn more at [www.lsc.gov](http://www.lsc.gov)!
THE EFFECT OF STATE & LOCAL LAWS ON EVICTIONS

- Congressionally-directed study to investigate the unmet legal needs surrounding eviction in the United States
- Focuses on evictions as a legal process and identify the scope of unmet legal needs involving eviction at the state and local level
- Uses a multi-site, comparative approach to explore how variations in evictions laws and legal services affect the prevalence of evictions at the local level
- Project will conclude in December 2021
- See more on our project page here
LSC Eviction Laws Database

- Created in partnership with the Center for Public Health Law Research (CPHLR) at Temple University Beasley School of Law
- Includes two datasets capturing laws & procedures as of January 1, 2021:
  - **State/Territory Dataset:** Covers all 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, and Palau
  - **Local Dataset:** Covers a sample of 30 jurisdictions across the U.S. selected to represent the demographic, socioeconomic, and legal differences among American communities
State/Territory Dataset

The State/Territory Dataset covers state/territory-level eviction laws for all 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, and Palau. This is the first public dataset known to date to include information on eviction in U.S. territories.

Related resources: How to use the State/Territory Dataset | Research Protocol | Codebook | Download as Excel File

1. Does the law regulate residential tenancies?  
   - Yes
   - No

2. Does the law have the typical set of defenses?  
   - Yes
   - No

   2.1 What type(s) of landlords can evict tenants?  
   - Residential landlords generally
   - Corporate landlords
   - Landlords with superior properties
   - Insider landlords or family landlords
   - Owners
   - Other landlords

   2.2 Does the jurisdiction have separate legal processes for different types of landlords?  
   - Yes
   - No

   2.3 Does the law regulate the amount a landlord can charge as a fee for late rent?  
   - Yes
   - No

3. Does the law directly regulate the amount a landlord can charge as a fee for late rent?  
   - Yes
   - No

   3.1 What is the maximum amount that can be charged as a fee for late rent?  
   - $10
   - $25
   - $50
   - $100
   - $150 or less
   - $0
   - Maximum fee not specified
The Legal Services Corporation (LSC) Eviction Tracker provides access to multi-year trend data on evictions filings and related information for 530 counties in 19 states across the United States.

In 2020, LSC launched a congressionally-directed Eviction Study to investigate the unmet legal needs associated with the eviction crisis in the United States. It is particularly timely since the COVID-19 pandemic has exacerbated and highlighted the eviction crisis and continues to disrupt the lives and financial security of people across the country. This study focuses on evictions as a legal process and explores the variability of eviction laws at the state, local, and tenancy level, with the goal of empowering civil legal aid providers with the information required to better serve their clients and providing policy makers and researchers with insight into the eviction crisis. For additional information, please visit the LSC Eviction Tracker site.

The LSC Eviction Tracker was created by LSC’s Office of Data Governance and Analysis (ODGA). For additional information, or if there are other jurisdictions for which you would like to see data, please email data@lsc.gov.
LSC Eviction Tracker

The Legal Services Corporation (LSC) Eviction Tracker provides access to multi-year trend data on evictions filings and related information for 500 counties in 19 states across the United States.

In 2020, LSC launched a congressionally-directed Eviction Study to investigate the unmet legal needs associated with the eviction crisis in the United States. It is particularly timely since the COVID-19 pandemic has significantly impacted housing stability, with millions of individuals at risk of eviction.

This study focuses on tracking eviction filings and related information required to better serve their clients and providing policymakers, researchers, and others with better insights into the eviction crisis. For additional information, please visit the Eviction Study website.

The LSC Eviction Tracker was created by the LSC Office of Data Governance and Analysis (ODGA). For additional information or if there are other jurisdictions for which you would like to receive, please contact us at datatrends@lsc.gov.

19 States
500 Total counties
425,178 Eviction Filings since March 16, 2020

South Carolina

16,762 Filings in 2 available counties:
Charleston
Greenville

EXPLORE TRENDS
LSC Eviction Tracker

Trends in Eviction Filings
Select a state and county to explore eviction filing trends. In states where all counties are available, state-wide summaries are also available.

In 2018, there were 353,000 people living in Charleston County, South Carolina, of which about 39% are renters. The median income was $40,183 and the median rent was $1347. Approximately 40% of renters are considered rent-burdened. The unemployment rate was 2.8% in 2018. 1

During the COVID-19 pandemic, there was a state moratorium on evictions from March 17, 2020 through May 15, 2020. 2 The CDC moratorium has been in place since September 4, 2020.

Monthly Filings During the COVID-19 Pandemic
Measured as a percent of historical averages. Dotted line represents the historical monthly average (2016-2019).

Weekly Filings
Filing counts in the past month are subject to change due to processing delays. 3

9,635
Eviction Filings
03/01/2020 - 07/31/2021
Thank you!
datateam@lsc.gov | @LSCtweets
New NLIHC Reports

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New NLIHC Reports:
*The Road Ahead for Low-Income Renters*

&

*Direct-to-Tenant Payment Implementation: Increasing Flexibility and Equity in Emergency Rental Assistance Programs*

July 26, 2021

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THE ROAD AHEAD
For Low Income Renters
Renter Households Not Caught Up on Rent
(in millions)

Share of Renters Behind, August 2020-June 2021, by Race/Ethnicity

Share of Renter Households Behind, by Any Loss of Income Since March 2020

Source: U.S. Census Bureau, Household Pulse Survey.
• The Road Ahead for Low-Income Renters: https://bit.ly/3y8CrtA

• Questions about the Pulse Survey or other research cited here: dthreet@nlihc.org
DIRECT-TO-TENANT PAYMENT IMPLEMENTATION:
INCREASING FLEXIBILITY AND EQUITY IN EMERGENCY RENTAL ASSISTANCE PROGRAMS

EMMA FOLEY
Research Analyst

NATIONAL LOW INCOME HOUSING COALITION
Policy Overview

**ERA1**

ERA1 programs are *strongly encouraged* to provide direct to-tenant payments when landlords refuse to participate or do not respond to program requests.

**ERA2**

ERA2 programs *must* provide direct-to-tenant assistance when a landlord refuses to participate.

ERA2 grantees are permitted to provide assistance directly to tenants without first seeking landlord participation.
A recent survey by NLIHC, the Housing Initiative at Penn, and NYU Furman Center found that of 64 Treasury ERA1 programs, 44% of program administrators identified landlord responsiveness as a challenge.
Overview

Direct-to-Tenant Design Features

- Landlord outreach
- Outreach tracking
- Program accountability
- Tenant requirements
- Making tenant payments
- Transparency about direct-to-tenant availability
Key Takeaways

Programs should eliminate added burdensome documentation requirements for tenants who receive funding directly.

Programs should make clear on their public documents and program websites that direct-to-tenant assistance is available for tenants with landlords who are unwilling to participate.

In addition to direct-to-tenant payments, programs should provide housing stability services to ensure tenants are stably housed after their arrears are paid.
Questions

Direct-to-Tenant Payment Implementation: nlihc.org/sites/default/files/Direct-To-Tenant.pdf

Questions about the report: efoley@nlihc.org
• The Road Ahead for Low-Income Renters: [https://bit.ly/3y8CrtA](https://bit.ly/3y8CrtA)

• Questions about the Pulse Survey or other research cited here: [dthreet@nlihc.org](mailto:dthreet@nlihc.org)
Field Updates

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Field Updates

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Illinois Eviction Moratorium and Supreme Court Order

- Eviction filings against those previously covered by the Illinois moratorium will not be prohibited as of August 1.
- Existing restrictions on enforcement of eviction orders by law enforcement are expected to be in place through August 31.
- Effective August 1, the Illinois Supreme Court has in place a revised order to align with the resumption of eviction filings. This establishes a one-month period in which county court judges will stay residential eviction proceedings against covered persons and refer landlords and tenants to emergency rental assistance (ERA) programs and other resources.
  - Access the declaration for a tenant to attest they are covered person at https://bit.ly/ILDecForm.
Eviction Prevention Resources in Illinois

• Visit https://IllinoisRentalAssistance.org to connect to a service provider who can help people apply for State of Illinois ERA and other services right now.

• Visit https://EvictionHelpIllinois.org for free legal assistance.

• Some IL counties have ERA programs that are currently open. Additional rounds of ERA will be available from the State of Illinois and local governments starting in September. Check the status of programs at https://housingactionil.org/era.

• A new statewide court-based ERA program will be starting in August.
Examples of Local Initiatives to Prevent Evictions

• Early Resolution Program of the Cook County Legal Aid for Housing and Debt project: https://www.cookcountylegalaid.org/


• Chicago’s COVID-19 Eviction Protection Ordinance was recently amended to require landlords who have received “Tenant Notice of COVID-19 Impact” to either register with the City, state and/or county ERA programs: https://bit.ly/CHIEPO721

• The Cook County Sheriff has established a policy to not allow evictions to be scheduled unless the housing provider certifies that they have not received ERA with eviction prohibitions and there is no ERA application pending: https://bit.ly/CCSEviction
Field Updates

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ERA and ERASE Project Updates

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Emergency Rental Assistance and ERASE

Updates on tracking and webinars

July 26, 2021

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ERASE Webinar Series

**Accessible:**
Creating Flexible, Streamlined and Low Barrier Application Processes
August 4, 2021, 3:00 - 4:30 EST
- Claire Stanley, Public Policy Analyst, National Disabilities Rights Network
- Veronica Soto, Director, San Antonio Neighborhood and Housing Services Department
- Gregory Zlotnick, Director of Pro Bono Programs, St. Mary’s University School of Law’s Center for Legal and Social Justice
- Erin Barbee, Senior Vice President of Programs and Fund Development, DreamKey Partners, North Carolina

**Preventive:**
Connecting Emergency Rental Assistance to Courts and Tenant Protections
August 11, 2021, 3:00 - 4:30 EST
- Trevor Samios, Vice President, Connected Communities, Winn Companies
- Webb Brewer, General Counsel for ERA, Memphis & Shelby County Emergency Rental Assistance Program
- Greg Payne, Director, Maine Housing Coalition

**Visible:**
Ensuring Equitable Outreach, Marketing and Targeting of Emergency Rental Assistance
July 28, 2021, 3:00 - 4:30 EST
- Barbara Poppe, National Homelessness Expert
- Samantha Batko, Senior Research Associate, Urban Institute
- Terry Hickey, Deputy Director of Housing and Community Development, Baltimore County DHHS
- Dr. Joel Arvizu-Zavala, Utah’s Division of Multicultural Affairs and Department of Workforce Services
- Santa Clara County Homelessness Prevention System
Updated Treasury Data

- Treasury released updated spending data on Emergency Rental Assistance programs on July 21st
  - The data reflect spending progress for states and localities through June 30th
  - Data available on the Treasury [webpage](#)

- Approximately $3 billion of $25 billion spent, representing 12% of funds
Emergency Rental Assistance Funding Spent as of June 30th (in millions)

12% of $25 billion ERA1 allocation spent as of June 30th
State/Local Spending

States increased their spending from 4% to 10% between the end of May and the end of June.

Cities and counties increased their spending from 13% to 20% between the end of May and the end of June.
Spending Challenges

• Only five states have distributed over 20% of their funds
  • Virginia, Texas, District of Columbia, Massachusetts, Alaska

• Several states have distributed less than 1% of their funds
  • New York, Florida, Wyoming, Arkansas, and South Carolina

• Only 10% of localities have distributed over 50% of their funds
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): Campaign Updates