



EVICITION PREVENTION:

A Guide for Local Governments



About the National League of Cities

The National League of Cities (NLC) is the voice of America’s cities, towns and villages, representing more than 200 million people. NLC works to strengthen local leadership, influence federal policy and drive innovative solutions.

NLC’s Center for City Solutions provides research and analysis on key topics and trends important to cities, creative solutions to improve the quality of life in communities, inspiration and ideas for local officials to use in tackling tough issues, and opportunities for city leaders to connect with peers, share experiences and learn about innovative approaches in cities.

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About the Stanford Legal Design Lab

The Legal Design Lab is a research and development group at Stanford Law School. The Design Lab works on improving access to justice and legal reform through user research, developing new technology and service interventions, and evaluating pilots of new initiatives. It partners with legal aid groups, courts, government agencies, and other civic groups to develop and test interventions that can improve how people find and use legal help to have better outcomes for their housing, finance, and families.

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Executive Summary

THE eviction crisis has roots deep in systemic housing issues and economic factors. Racially discriminatory policies and entrenched poverty, combined with the market transition to corporate property owners and protectionist ordinances instituted by cities, counties and states, have exacerbated eviction rates for decades, particularly for communities of color.

The pandemic has prompted federal, state, local, and community stakeholders — including community-based organizations and landlords — to think creatively about responding to missed rent and utility payments, and helping families avoid the severe legal, economic and social consequences of eviction proceedings. Local governments have pivoted to rapidly launch and refine programs, services and strategies to effectively leverage newly available funding, retool existing policy infrastructure, and bring equitable results for residents.

Cities, including 30 that have participated in the Eviction Prevention Learning Lab (EPLL) operated by the National League of Cities and Stanford Legal Design Lab, are partnering more than ever across agencies, departments, levels of government and with community organizations, to help renters who have lost their livelihoods and income during the pandemic make up past rental and utility payments and remain housed.

Rooted in the work of the Eviction Prevention Learning Lab and longstanding policy research, this publication provides a guide for local governments and their community partners to engage in eviction innovations in their laws, policies, and services to stabilize housing and foster opportunities for communities.

When implemented effectively and strategically, these approaches and services bring radical and cost-effective improvements in housing security — while also addressing longstanding racial inequities and disparate impacts on communities of color.

This report guides local governments through a step-by-step process and menu of program offerings to develop effective interventions responsive to community needs. In that vein, city governments should:

Develop a coordinated plan of action tailored to the unique needs of their community.

A community-based eviction task force that brings together diverse, and often competing, stakeholders can help to surface issues, assess gaps and find common ground.

Champion awareness of local housing issues at the state and federal levels.

By collaborating with state general assemblies and the federal government, local government officials can create or update laws and policies that drive equitable results for both tenants and landlords.

Map the local eviction process.

Visualizing the eviction landscape helps to align resources and communication channels among community stakeholders, service providers, government agencies, housing providers and tenants. It helps ensure that housing stabilization resources are effectively deployed at each phase.

Center racial equity and lived experiences.

Eviction prevention strategies that target racial inequities will help to counter generational legacies of exploitative laws, policies, and practices that egregiously harm communities of color. By emphasizing racial equity in program design and selection processes, cities can work proactively across stakeholders to combat the effects of historic discrimination on the basis of race. By seeking to address these racial inequities head-on and taking advantage of this opportunity, cities can further the long-term housing stability of households of color in their communities.

Develop an eviction data infrastructure.

By partnering with universities, foundations, and nonprofits, cities can gather data that reveal who is being evicted, which neighborhoods are most affected, where serial evictions occur, the causes for evictions, and the average past due balance associated with eviction judgements.

Partner with local courts.

Strong relationships between city agencies and community organizations with local court staff help guarantee the success of eviction diversion and/or mediation programs.

Implement targeted communication and outreach strategies.

Effective communication ensures that renters and landlords both understand their rights and responsibilities at every phase: in a rental agreement, throughout the eviction process, and their access to housing resources. Outreach strategies should be especially attentive to tenants who may be experiencing exploitative practices, and to both tenants and landlords who face additional barriers to information and services due to challenges such as limited English-language proficiency or internet connectivity.

Dedicate resources from the general fund budget.

Eviction prevention programs, services and data systems that address both looming evictions and upstream interventions require long-term planning and continued investment. Sustainable funding strategies could leverage taxes, fees, levies, housing trust funds, philanthropic grants, and federal housing funding such as the HOME Investment Partnerships (HOME) and Emergency Solutions Grants (ESG) to ensure long-lasting services.

Develop a sustainable and affordable housing stock.

Cities should align an eviction prevention strategy with a long-term plan to address the production and preservation of affordable housing.

Prioritize at-risk households.

In all work, cities should seek to serve the most in-need and at-risk households by developing a need or vulnerability index, or by relying on existing indices. This should inform outreach efforts and decision-making related to applications for assistance or program participation.

Employ an evidence-based, data-driven, multi-pronged eviction prevention strategy.

Depending on the needs of the community, this may involve a combination of eviction prevention tools or approaches, including operating eviction diversion or mediation programs; providing robust financial assistance for rent, utilities, moving costs, and other expenses; establishing a right to counsel or providing for legal aid to tenants; or implementing equitable protection policies such as Just Cause eviction laws.

Armed with previously unseen recovery and response funding — along with clear evidence that points to best practices — cities, towns and villages nationwide are now faced with a unique opportunity to tackle the eviction crisis. The scalable approaches and recommendations outlined in this publication have the potential to ensure that local governments address their current and impending eviction challenges, along with laying the foundation for systems that foster improved housing stability for communities in the long-term.

Learn More

The Eviction Prevention Learning Lab has enabled cities to share their experiences and ideas across sectors and regions to inspire cohort partners with interventions at every phase — before, during, and after an eviction. Learn more about the Eviction Prevention Learning Lab at www.nlc.org.





The Current Landscape of Evictions

EVICTIONS are a cause — not a condition — of poverty and reflect the increasing obstacles renters face in America due to housing shortages, escalating rents, the market transition to corporate property owners, and laws and ordinances instituted by cities, counties and states.

The compounding impacts of eviction are drivers for the persistence of poverty and inequality in America. Many households most at risk of eviction are also those with less accumulated wealth due to the lasting impacts of redlining and residential housing segregation. These households are more likely to live paycheck-to-paycheck, and many are on the precipice of financial instability.¹

When families live with such tight financial means, even a small cost burden can lead to a nonpayment of rent and, eventually, eviction. Most evictions in the United States are not the result of lease violations such as disruptive behavior, but of simply not being able to afford rent.

As housing costs continue to climb in American cities, towns and villages and wages continue to stagnate, eviction rates are showing no signs of subsiding.

Evictions exacerbate cycles of poverty and inequality, trapping households — particularly those led by women and individuals who are Black, Indigenous, People of Color (BIPOC) — in a cycle of instability and housing insecurity.

Beyond the immediately destabilizing impacts of a loss of housing, evictions have a long-lasting impact on people's lives, their mental and physical health, relationships, job, and children's education.² These compounding impacts of evictions threaten to trap marginalized groups in cycles of poverty.

The gravity and scale of the eviction crisis will need a whole-of-government, all-hands-on-deck approach from city, county, state, and federal government bodies, as well as community partner organizations.

Helping renters stay stably housed is not just about averting near-term consequences; it is critical to ensuring that everyone has the economic opportunity to thrive.

The Impact of the COVID-19 Pandemic on Evictions

Eviction Filing Rate

The number of court-filed eviction cases per 100 renter homes in an area. The filing rate includes multiple cases filed against the same household in the same year. *E.g., A 6 percent eviction filing rate means that 6 evictions were filed for every 100 renter homes.*

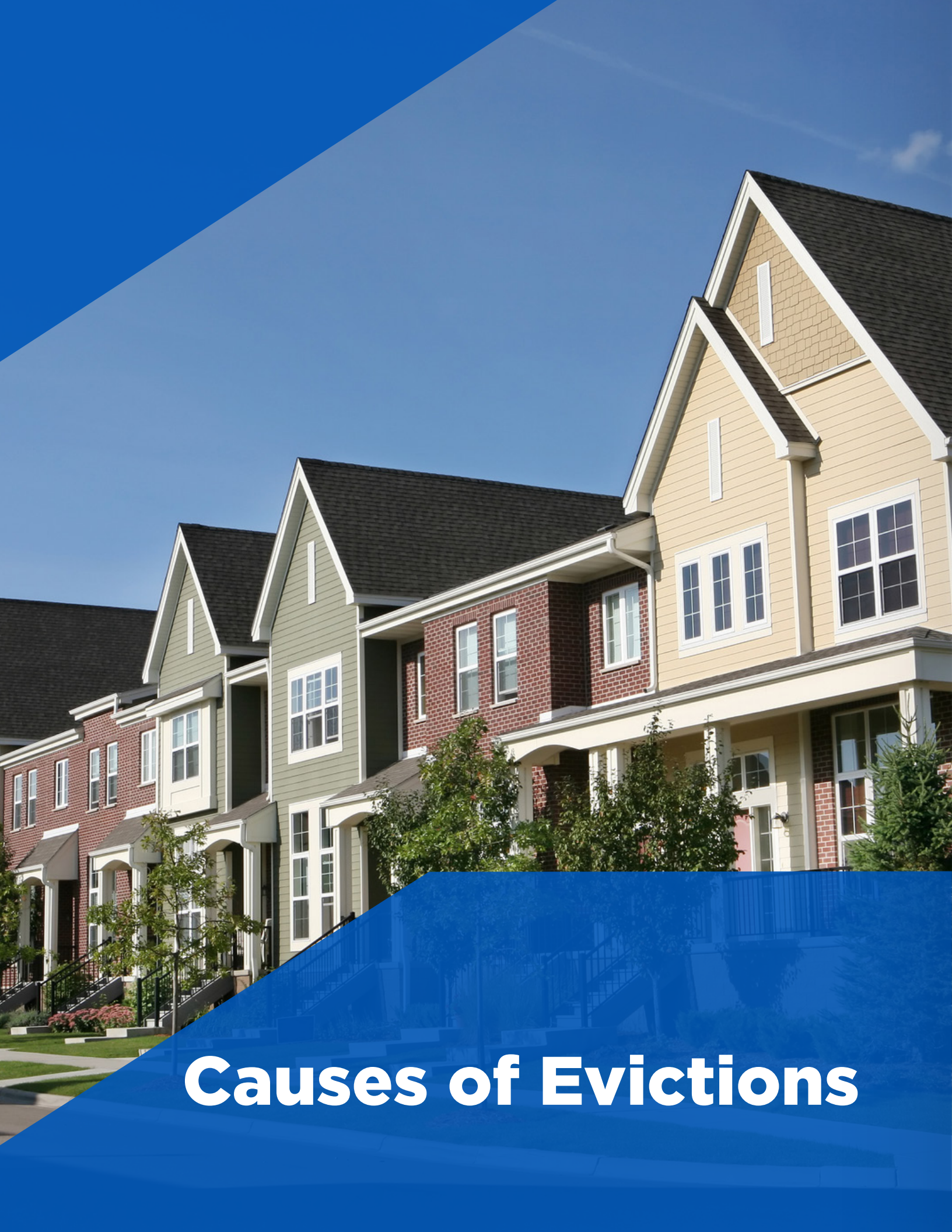
Eviction Rate

The number of evictions per 100 renter homes in an area. *E.g., a 5 percent eviction rate means that 5 of every 100 renter homes received an eviction judgement.*

Prior to the onset of the COVID-19 pandemic, the national **eviction filing rate** and **eviction rate** in 2016, which is the most recent year national data is available on both eviction filings and the eviction rate, was 6.12 percent and 2.34 percent respectively.³ In both 2020 and 2021, the estimated eviction filing rate was 5.9 percent — due to a combination of mechanisms such as local eviction moratoriums implemented by cities, counties and states and the Centers for Disease Control and Prevention (CDC) eviction moratorium implemented by the federal government.⁴

Despite what these percentages might suggest, the impact of the pandemic on the eviction crisis is profound. As of November 2021, more than 3.1 million payments of emergency rental assistance have been made by state, local and tribal governments to renters and landlords in order to prevent displacement and evictions.⁵ Many of the driving factors of evictions — including financial and job insecurity — have been exacerbated by the pandemic, particularly for low-wage workers of which Black, Indigenous and People of Color earners make up an outsized proportion.⁶





Causes of Evictions

A NETWORK of causes created the conditions for the eviction crisis in the United States, including the shortage of affordable housing, the steady decline in federal investment in low-income housing, and wage growth stagnation.⁷

In the face of obstacles such as a “not-in-my-backyard” (NIMBYism) mentality around affordable housing, or the rising of cost of construction materials and labor, the United States has consistently underbuilt housing.⁸ According to the National Low Income Housing Coalition (NLIHC), the U.S. has a shortage of 6.8 million rental homes affordable and available to extremely low-income renters.⁹

Beyond this overall shortage of available units, the public housing system is also under pressure. According to a 2019 report from the NLIHC, there is a \$70 million backlog in public housing maintenance and repairs.¹⁰ Furthermore, only a small percentage of households who qualify for government housing assistance receives it — just 24 percent of the 19 million households eligible for assistance from the Department of Housing and Urban Development received it in 2017.¹¹

Furthermore, in no state, metropolitan area or county in the U.S. can a worker earning the federal or prevailing state or local minimum wage afford a modest two-bedroom home at fair market prices by working a standard 40-hour work week without spending more than 30 percent of their income.¹²

Beyond the broader scope of policy failures that created these conditions for the eviction crisis, on a micro-scale, evictions most often occur because renters cannot pay their rent.¹³ Landlords can also file for eviction for a variety of other reasons, including property damage, nuisance complaints or lease violations.¹⁴



The U.S. has a shortage of **6.8 million** rental homes available to extremely low-income renters and there is a **\$70 million** backlog in public housing maintenance and repairs.

Common Reasons for Which Households are Evicted

- Non-payment of rent
- Lease violations
- Property damage
- Illegal activity
- Nuisance complaints
- No fault evictions

Not all of these reasons have substantial legal backing to justify an eviction. Establishing just cause legislation related to evictions can limit the number of illegal/informal evictions filed.

Informal and Illegal Evictions

Attempts made by landlords to remove tenants from a residence without initiating a legal eviction process, such as through threats, coercion, or by performing an illegal lock-out.

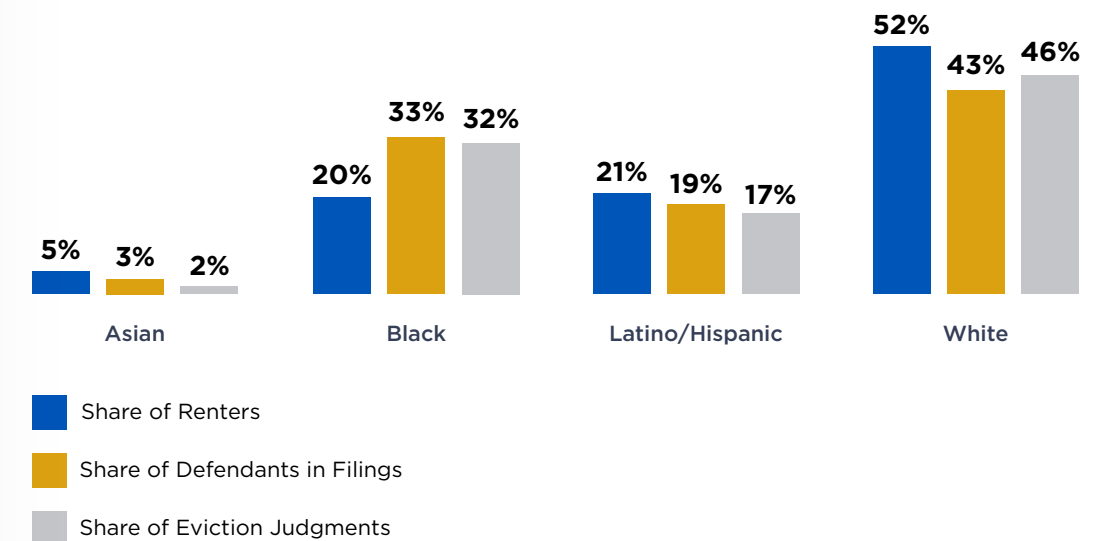
Additionally, for every formal eviction that takes place or is filed, there are many more that go undetected. These **informal and illegal evictions** can involve landlords attempting to evict tenants without following the required court processes, including through harassment; threats of legal action; refusing to make necessary repairs, or conversely, initiating noncrucial or inconvenient construction on a unit; by performing lockouts; or by removing an individual's belongings from the property.¹⁵ Such evictions are detrimental to the stability of households and circumvent the ability of government to intervene.¹⁶

Who is Disproportionately Impacted & Why?

Renters

Many root causes of eviction, such as racially discriminatory policies or entrenched poverty, disproportionately impact renters of color. With the economic fallout of the COVID-19 pandemic, low-wage workers, of which people of color make up a disproportionate percentage,¹⁷ have been most dramatically impacted.

Share of All Renters, Eviction Filings & Eviction Judgments by Race & Ethnicity



Source: Hepburn, P., Louis, R., & Desmond, M. (2020). Racial and Gender Disparities among Evicted Americans. The Eviction Lab. <https://evictionlab.org/demographics-of-eviction/>

According to a study by the Princeton Eviction Lab,



One in every five adult renters is Black



Yet **one in every three** eviction filings is served to a Black renter.

Mom and Pop Landlords

Investors with a small portfolio of properties, often 10 or fewer rentals, relative to larger-scale real estate companies and property owners.

Disproportionate impact does not stop at race/ethnicity, however. Among renters, women — particularly Black and Latina women — face higher eviction rates than men. Overall, the eviction risk is 2 percent higher for women than for men. This number jumps to 4 percent for Black renters, and 9 percent for Latino renters.¹⁸ Families headed by a woman of color, particularly Black and Latina women, are also disproportionately represented in evictions.¹⁹ Limitations in data preclude deeper analysis, however.²⁰ These disparities are likely to be even more acute if examined by composition of household, immigration status, incarceration history and other characteristics.

Landlords

According to the Joint Center for Housing Studies of Harvard University, mom and pop landlords, landlords with a small portfolio of rental units, own more than half of the stock renting for less than \$750.²¹ Furthermore, Black and Latino landlords are more likely to be mom and pop landlords, which underscores the disproportionate vulnerability that BIPOC communities face, regardless of whether they are renters or landlords.²²

Mom and pop landlords are more likely to be socially and economically vulnerable themselves, and house lower-income renters.²³ For example, only 12 percent of small rental properties (1-4 units) were covered by the CARES Act eviction moratorium, compared to half of renters in apartments with at least 5 units.²⁴

Unlike in the case of landlords with a larger portfolio of rental units, missing payments would be more detrimental to mom and pop landlords who typically own single-family and small multi-family rental properties, may reside in the same property, and are more likely to have their own financial vulnerabilities.²⁵ Without the ability to weather the loss of income due to deferred rent payments, some small landlords are going into forbearance on mortgages.²⁶

Little comprehensive data exists on mom and pop landlords, making it difficult to pinpoint the scope of the issue. A lack of data does not imply a lack of importance. For the same reasons that mom and pop landlords are more difficult to collect information on — language barriers, capacity issues, mistrust of government — they are also less likely to be aware of government services available to support them and their tenants.





What is Eviction Prevention?

EVICTION prevention refers to strategies or programs intended to keep individuals and families in their homes. Eviction prevention is often seen as an “upstream” solution to keep individuals and families stably housed.

A host of strategies fall under eviction prevention that intervene and provide support at different points in the eviction process — before an eviction is filed with the courts, during an eviction proceeding, and after an eviction judgement is given.

Eviction Prevention Phases and Interventions²⁷

Phase	Intervention	Goal
Before an Eviction	Eviction mediation*	Interventions focus on educating tenants and landlords about their rights and responsibilities, and on putting policies in place to reduce the number of evictions that are filed.
	“Just Cause” policies*	
	Outreach to landlords and tenants* (e.g., information sheets, direct outreach etc.)	
	Legal assistance	
	Local eviction prevention services website	
	Supportive services and education for landlords and tenants	
	Rental registries	
During an Eviction	Hotlines	Interventions focus on improving tenant and landlord understanding of the eviction process, supporting them throughout the legal process, and connecting them to resources and supports.
	Data-driven identification of high-evicting landlords	
	Standard lease models	
	Eviction mediation*	
	Emergency rental assistance*	
	Eviction diversion programs*	
	Eviction or housing navigators*	
	Outreach to landlords and tenants* (e.g., information sheets, direct outreach etc.)	
	Local eviction prevention services website*	
	Right to Counsel legislation and programs*	
Culturally competent outreach		
Hotlines		
Court watchers and navigators		

Eviction Prevention Phases and Interventions (cont.)

Phase	Intervention	Goal
After an Eviction	Local eviction prevention services website*	Interventions focus on mitigating the consequences of an eviction, such as by facilitating access to new housing, education or employment, and supporting individual and family recovery from an eviction.
	Sealing or expunging court records*	
	Supportive services and education for landlords and tenants*	

**See the appendix of this publication for greater details on the starred interventions and for examples of these strategies in action at the local level.*

The interventions listed here target different phases of the eviction process. A comprehensive system of strategic interventions will yield greater success than programs focused on single interventions or stages.²⁸

Eviction prevention strategies are the crucial short-term steps to disrupt the eviction crisis; however, solutions that focus on the root causes of evictions — such as increasing the stock of affordable housing and tackling poverty — are equally necessary. Those longer-term, systemic policy changes, however, are not the explicit focus of this guide.

Who Benefits from Eviction Prevention?

Renters

Successful eviction prevention ensures that households at risk of or facing eviction are supported at various steps of the eviction process. Ideally, successful eviction prevention ensures housing stability for the household in question and addresses the disproportionate impacts on communities such as renters of color and women-led households.

Establishing a just cause ordinance, for example, can prevent arbitrary, retaliatory, or discriminatory evictions by specifying that landlords can only evict renters for specific reasons, such as failure to pay rent.²⁹ Eviction mediation programs support renters by helping them work toward mutually beneficial and agreed upon arrangements with their landlords while avoiding court hearings that can be costly, time-intensive, traumatic, and involve lopsided power dynamics.³⁰

Eviction diversion programs benefit renters by formalizing an array of social, legal, mediation and housing services. By coordinating a clear process wherein tenants and landlords receive a continuum of services to avoid an official eviction court order, eviction diversion interventions improve tenant and landlord understanding of the legal process while also providing key support and resources.³¹

Even after an eviction is issued, cities still have an opportunity to mitigate the impact and support tenants after the fact. Policies that seal or expunge eviction records, or those that limit the extent to which landlords can take such records into account, can lessen the discrimination that tenants with an eviction record often face when they re-enter the rental market.³²





58%

of mom and pop landlords do not have access to lines of credit for emergencies.

Landlords

Mom and pop landlords own 22.7 million out of 48.5 million rental units in the market — but 58 percent do not have access to lines of credit for emergencies.³³ As a result, the unanticipated costs and lack of rental income associated with eviction can lead to an inability to pay mortgages, property taxes and maintain the property. Over time, this puts landlords at risk of foreclosure and bankruptcy. Additionally, for those property owners who reside in the property in question, foreclosure can mean housing instability for the landlord, in addition to the tenant.

With the implementation of eviction prevention strategies, landlords — and mom and pop landlords in particular — may benefit by receiving payment for past-due rent. Prevention strategies can also help landlords avoid the potentially excessive costs associated with eviction proceedings, such as legal fees, property turnover costs and lost rent.

Community

It is well documented that evictions disproportionately affect low-income neighborhoods, especially those with a significant share of households of color. High rates of eviction in these neighborhoods not only have a destabilizing effect on the households themselves, but also on the community at large due to the erosion of neighborhood safety, social connections and stability.

By stemming high eviction rates in communities, there is likely to be more disposable income that is spent back into the community and more tax paid for public services, schools and infrastructure.³⁴ Furthermore, research suggests that people who are connected to their community are more likely to undertake activities that foster community cohesion, and to promote community investment and reinvestment.³⁵

Cities and Courts

Eviction prevention is also a cost-effective strategy, reducing potential stresses on the social safety net that displacement will likely cause. According to an estimate from The Economist, keeping a family in their home in New York City, for example, will save taxpayers \$38,000 per year in shelter costs.³⁶ Estimates from the Philadelphia Bar Association reveal that for every dollar Philadelphia invests in legal representation to prevent evictions, nearly \$13 will be saved in costs for city services, such as homeless services, emergency hospital visits and mental health costs.³⁷ Funds that would otherwise be used for bandage solutions — such as homeless shelter services — can be directed to strategies that tackle the eviction crises at their root.

Lastly, courts themselves can benefit from eviction prevention efforts and diversion strategies. Housing and state or municipal courts that would otherwise be responsible for processing eviction filings and hearing cases often face overwhelmed court dockets and overburdened staff. Minimizing the number of eviction cases moving through the court system can cut costs by reducing the need for additional judges, staff and court rooms, while also freeing up capacity such that cases that are heard can be more rigorously and judiciously processed.



For every

\$1

that Philadelphia invests in legal representations to prevent evictions, nearly

\$13

will be saved in costs for city services.

When Should Intervention Begin?

There are many points in the eviction process — before, during and after — where policies and programs may intervene. Intervention should begin as early as possible to prevent the compounding impacts of the threat of an eviction. Pre-filing interventions and prevention are particularly key for supporting tenants in avoiding an eviction record that may preclude them from finding stable housing in the future.

For example, as an outcome of a successful eviction mediation, landlords and tenants may agree upon a new payment rate for a housing stability period until the tenant can locate a new housing source.³⁸ By disrupting an eviction early in the process, renters will be spared the destabilizing impacts of an eviction.

Even more so than single-intervention approaches, there should be a comprehensive system in place that leverages several prevention strategies to intervene at critical points throughout the eviction process, understanding that not every household's experience of eviction will be the exact same and therefore supported by the same policy or program.



The Role of Local Government

OFTEN on the frontline for connecting with both landlords and tenants, local governments play the critical roles of understanding the scope of a local eviction landscape, convening stakeholders to develop a coordinated approach, and implementing appropriate policy tools to prevent evictions.

Understanding Your Local Eviction Landscape

To develop an effective, data-driven, human-centered approach to preventing evictions, local governments should think holistically about who they serve and the full context of the local eviction landscape.

Beyond the necessary task of collecting and analyzing data regarding the individuals facing eviction, municipalities are in a unique position to holistically understand an eviction crisis by identifying root causes and patterns related to their local eviction landscape. Doing so will enable cities, towns and villages to more successfully target services to those households and individuals of the greatest need, and to deploy funding toward policies and practices that are appropriate based on the local context.

By considering the following questions about the causes, scope and disproportionate impacts of eviction proceedings, local governments and community stakeholders will be better equipped to develop and implement targeted policy solutions:

The Scope of Your Local Eviction Crisis

- ◆ What is the local eviction filing rate? (Number of evictions filed per 100 renter households)
- ◆ How many evictions are executed annually?
- ◆ Where do evictions most frequently take place?
- ◆ What percentage of eviction filings are based on nonpayment of rent?
- ◆ What are the other top reasons cited in eviction filings?
- ◆ What data is being collected on both formal and informal evictions in your community, what organizations or government entities are collecting it, and how accessible is it?

Your Landlord Community

- ◆ What percentage of local units are managed by large scale property managers?
- ◆ What percentage of local units are managed by “mom and pop” landlords with 10 or fewer units?
- ◆ What economic burdens do local landlords face, such as mortgages, property taxes and maintenance requirements?
- ◆ Are there trends in who frequently files for eviction? If so, who are these “serial evictors”? (E.g., specific leasing companies or landlords)

Your Tenant Community

- ◆ What is the demographic makeup of renters in your community? (E.g., by race, age, languages spoken, family size)
- ◆ Who is most at-risk of eviction? Relevant factors may include race and/or ethnicity, language, immigration status, household income or employment status, family size, incarceration history and neighborhood.
- ◆ What share of tenants have faced eviction at least once in their lifetime? What share have faced eviction two or more times?
- ◆ For eviction filings based on non-payment of rent, what is the average amount owed?

Your Economic and Other Drivers of Evictions

- ◆ What is the median gross rent?
- ◆ What is the median household income?
- ◆ What percentage of household income do renters spend on housing?
- ◆ What percentage of renters spend more than 30 percent of their income on housing and are therefore considered cost-burdened?
- ◆ What is the rental vacancy rate?
- ◆ What is the local employment rate, and what are the top employment industries?
- ◆ What is the local poverty rate?
- ◆ What additional housing is needed by AMI group or unit size?

Your Local Court & Housing Policy Landscape

- ◆ What barriers or incentives are built into your court policies related to eviction? (E.g., fees associated with filing, or mandating mediation)
- ◆ What is the local judicial sentiment and understanding of eviction and eviction prevention programs?
- ◆ What is the timeline and process associated with eviction, from the moment of filing through expulsion from a unit?
- ◆ What legal protections are in place at the state or local level related to landlord and tenant litigation? (E.g., “Just Cause” eviction laws, right to counsel programs)

Your Eviction Prevention Programs & Community Partners

- ◆ What local stakeholders are involved in the process of filing, processing or carrying out an eviction?
- ◆ What prevention programs and supports are available through both government agencies such as state, local and county departments and community partners, and how are these programs funded?
- ◆ How do the available prevention programs and supports center racial and gender equity to ensure those disproportionately impacted are being served?
- ◆ What local stakeholders are involved in eviction prevention work?
- ◆ What types of individuals or households are not being served by the existing eviction prevention programs?

Learn More

For more on understanding a local eviction landscape, utilize the [fillable worksheet and questionnaire](#) developed by National League of Cities and Stanford Legal Design Lab found on www.nlc.org.

Convening Stakeholders

Regardless of city size, local governments should seek to bring all relevant parties to the table when tackling their local eviction challenges.

Large cities may rely on a complex interdepartmental team to head up prevention efforts — or conversely, they may leverage a diverse network of nonprofit and community-based organizations to meet the needs of residents.

Smaller cities may be more reliant on supports provided by other entities in the housing space, such as the local Continuum of Care addressing homelessness, or on social service providers, faith-based organizations, or other community groups. External parties can also play a critical role in outreach and communication with both tenants and landlords.

Stakeholders may include:

- ◆ Local, county and state-level staff working in:
 - ◆ Public Housing Authority
 - ◆ Court system (Clerks, judges, etc.)
- ◆ Housing or community development
 - ◆ Sheriff's office
- ◆ Neighborhood services
 - ◆ Legal aid or mediation partner organizations
- ◆ Human/social services
 - ◆ Landlord associations
- ◆ Racial equity
 - ◆ Tenant associations
- ◆ Municipal data
 - ◆ Philanthropic partners
- ◆ Administering body of emergency rental assistance, tenant or landlord education programs, or other related supports
 - ◆ Research partners, such as universities
 - ◆ Faith-based organizations
- ◆ Elected officials or their staff working on housing policy
 - ◆ Other non-municipal service providers or community-based organizations engaged in eviction prevention or housing stability/support
- ◆ Housing-related commission
- ◆ Local Continuum of Care

✓ Tip

Cities should consider establishing a set schedule by which to meet with relevant stakeholders, including through regular eviction taskforce meetings (e.g., weekly or monthly roundtables). When considering new legislation or designing a program, cities should also be intentional in seeking direct feedback from stakeholders, particularly from landlords and tenants.

Developing a Coordinated Plan of Action

With all the critical stakeholders convened, cities should align with all partners on a coordinated approach to eviction prevention. This plan of action should consider the respective strengths, resources and opportunities that each player brings to the table.

Cities and their partners can consider tools such as system mapping, qualitative stakeholder analysis, and logic models to assess the status quo and develop a coordinated approach. By including a range of stakeholders in that evaluation and alignment process, a more efficient, equitable and effective strategy can be achieved.

Critical questions for developing a coordinated approach:

- ◆ Are there overlaps in the support provided by government and non-municipal service providers?
- ◆ Where are the gaps in services, and can any existing resources be reallocated to fill those gaps? (E.g., Leveraging funds from faith-based or community-based organizations to cover rental arrears or legal expenses beyond those covered by a government program.)
- ◆ Are there warm hand-off procedures in place between agencies and organizations?
- ◆ What communication, outreach and engagement opportunities are available to each stakeholder? (E.g., What entities are well-positioned to reach landlords? What about renters? What about “hard-to-reach” communities or BIPOC individuals at higher risk of eviction?)

- ◆ What unique service, benefit, funding source or strength does each stakeholder bring to the table?
- ◆ How is racial and gender equity being centered in the coordinated approach to prevent evictions?

Regardless of whether or not a municipal government is tasked with direct implementation of eviction prevention programs, establishing a coordinated approach for eviction prevention across government agencies and partners — including county and state governments and community organizations — is critical.

While the specifics of an approach will depend on the local policy landscape, available resources, and the nature of the eviction challenges that they face, all cities will need to coordinate with a range of partners to meet community needs.

City Snapshot: **Boston, MA**

Released in 2019 under the leadership of Mayor Martin Walsh, *An Action Plan to Reduce Evictions in Boston* details the eviction landscape in Boston, MA and provides recommendations on the expansion of local eviction prevention programs and services. The Action Plan is a result of the work of the city's Eviction Prevention Task Force, a coalition of non-profit tenant advocacy organizations, housing service providers, legal aid organizations, the real estate community, and staff from both the Boston Housing Authority and the Department of Neighborhood Development.³⁹

The Action Plan offers a comprehensive assessment of the eviction landscape in Boston by compiling data collected by the Office of Housing Stability and HomeStart, Inc. from the Eastern District Housing Court over the course of three years. It also examines the effects of eviction locally, catalogues relevant resources and organizations, assesses existing supports, and charts goals and recommendations for further work.⁴⁰

Though the Action Plan was released shortly prior to the COVID-19 pandemic taking hold and therefore did not anticipate the enormous impact of the public health crisis, it serves as a foundation for the work that lies ahead for Boston's Eviction Prevention Task Force. While some of the goalposts may have shifted, the difficult work of developing a shared playbook enabled the City of Boston to quickly pivot to meet the immediate housing challenges and needs arising from COVID-19.



Implementing Policy & Tools

With a range of policy levers available, individual cities will need to assess, tailor and implement programs and policies based on the unique needs of their community.

Leveraging resources such as federal and state funding, staff time, and existing policy infrastructure, cities might bolster prevention efforts through the execution of diversion programs or the implementation of court rule changes. Local government officials also play the role of determining gaps in current policies and introducing additional legislation.

Eviction prevention strategies vary widely, but local governments are well-positioned to reach community members and, significantly, to track results. **Examples of specific policies and tools available to local governments to prevent evictions are addressed in the “Tools for Eviction Prevention” section of the Appendix of this publication.**

✓ Tip

To ensure that potential policies effectively meet the needs of the population they aim to serve without duplicating efforts, launch an Eviction Taskforce that will assess gaps in current programs and available resources. This group should also convene stakeholder feedback sessions that engage community partners, along with individuals who have relevant lived experiences. This should include residents who have faced or experienced eviction, along with members of your landlord community.

Championing Awareness at the State & Federal Level

Local voices often know their communities best. As a result, local governments and their elected officials should serve as advocates and resources for their communities at risk of housing instability: *What approaches are working to reach tenants and landlords? How are people falling through the cracks? What tools are missing from the local government toolbox?*

By collaborating with state general assemblies, local government officials can create or update laws and policies that drive equitable results for both tenants and landlords.

Amplifying local challenges can help elevate eviction prevention and housing stability to the state legislative agenda. Legislators are especially motivated by issues supported by coalitions of cities facing similar concerns. Housing policies have ripple effects that extend beyond geographic limits, so a more regional or state-level approach can yield greater success.





Building a Successful Eviction Prevention Strategy

BUILDING a successful eviction prevention strategy requires an approach that considers the availability of accurate and timely eviction data, collaborative community input, intergovernmental partnerships, and creative municipal funding strategies. Strategies should also be centered in racial equity to support all households in need of stabilizing resources, and to begin to decrease the occurrence of racial disparities in eviction proceedings.

Ultimately, the implementation of an eviction prevention strategy will aid municipalities in addressing the root causes of evictions — such as unfair rental practices, lack of affordable housing, and weak tenant protections — and decrease local rates of eviction.

Developing an Eviction Process Map

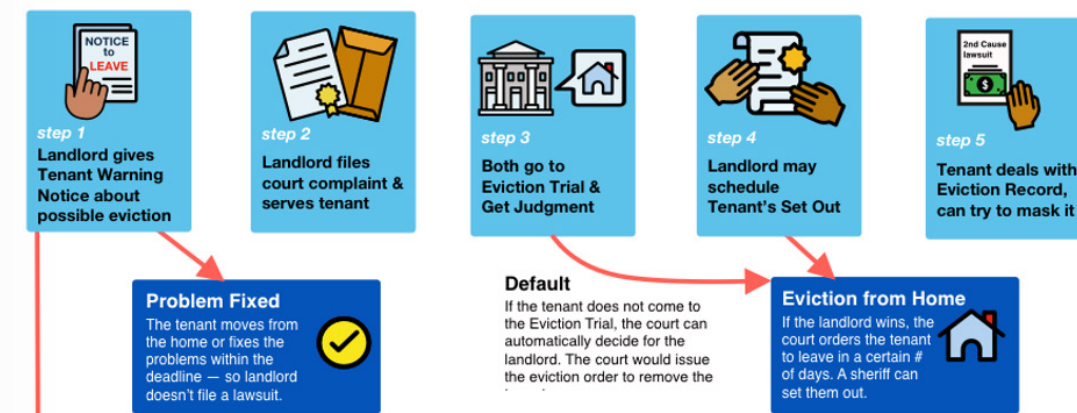
When developing an eviction prevention strategy, it is helpful to first map out the eviction process to gain insights on the entities and intervention points associated with the local eviction system.

Outlining a local eviction process, similar to the example below provided by the Stanford Legal Design Lab, provides opportunity to align resources and communication channels among community stakeholders, service providers, government agencies, housing providers, and tenants. This can ensure that eviction prevention pathways are explored prior to an eviction being filed, or that housing stabilization resources are effectively deployed, in the event that an eviction filing is already in motion.

The Eviction Process

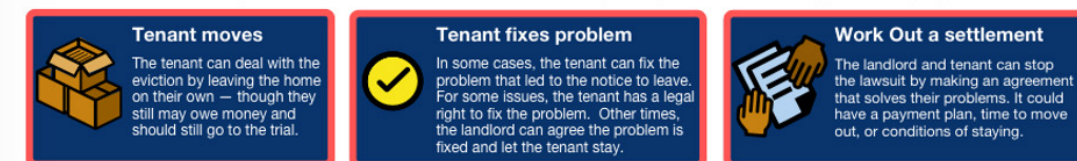
The eviction process is different in each state. Please check with your local courts or lawyer for your local rules.

Landlords cannot evict tenants on their own. They must follow this court process to get a court order to evict the tenant. Or they can solve the problem outside court.



You can also solve the problem outside of court, even after filing the lawsuit.

These solutions are available any time before or after the court case has been filed. They can help both sides reach their goals without going to court.



Source: Stanford Legal Design Lab, [EvictionInnovation.org](https://evictioninnovation.org)

Creating an eviction process map is most effective when developed in partnership with a wide array of stakeholders who are directly involved with or impacted by evictions. Entities such as municipal courts, social service agencies, state, county and local government agencies, tenants' rights groups, landlord associations, local universities, community-based organizations and legal aid organizations (among others), all contain critical insight into viable solutions that can stabilize a household prior to the filing of an eviction.

Eviction process maps should also consider illegal eviction methods such as lockouts, retaliatory evictions, or notice of eviction without a court order to protect vulnerable renters that may never cross paths with the court system or social service agencies before being removed from their residence.

✓ **Tip**

Once the mapping of a city's eviction process is complete, cities will have insights on the entities and intervention points associated with their local eviction system. With this insight, cities can take a critical look, through an equity lens, at both opportunities and challenges in their local eviction systems and address them accordingly.

Centering Racial Equity & Lived Experiences

Embedding a racial equity framework is essential to the success of an eviction prevention strategy, given the disproportionate impacts of evictions on Black and Latino households.^{41, 42} A 2016 study of national eviction data revealed that Black and Latino-led households were more likely to receive a notice of eviction, and were more likely to be evicted from their residence than white-led households.⁴³ More recent data, focused on the impacts of the COVID-19 pandemic, highlight the ways in which Black, Latino, and Indigenous households experienced higher rates of housing cost burden, lower confidence in their ability to pay rent on time, and higher rates of falling behind on rent, in comparison to white-led households.⁴⁴

Racial disparities within evictions occurred long before the onset of the coronavirus pandemic and are the result of racially targeted policies and practices that have governed zoning laws, homeownership attainment, rental protections, and more.⁴⁵

With this context, eviction prevention strategies must acknowledge the racial inequities that exist within the current eviction systems and develop solutions that protect Black, Latino, Indigenous, and other vulnerable households from exploitative eviction practices.

Eviction data and reports from academic research centers can assist municipalities in identifying racial disparities within their local eviction landscape. Academic partners such as the Princeton Eviction Lab,⁴⁶ the University of Washington eviction study,⁴⁷ and the RVA Eviction Lab at Virginia Commonwealth University⁴⁸ support the development of solutions that correct inequities. In this quest, additional data points, such as the lived experiences of those who have experienced eviction, or that of those who are at an elevated risk of eviction, will contribute to more robust and holistic eviction prevention strategies.

By partnering with stakeholders who have experienced eviction, inclusive of both renters and landlords, municipalities can identify early points of intervention within their local eviction pipeline. Fostering relationships with individuals impacted by eviction is a delicate task and should be pursued with the authentic aim of developing a mutually beneficial relationship grounded in transparency and trust; yet, such relationships can improve actionable solutions that support impacted households.

Promoting racial equity and the inclusion of lived experiences in an eviction prevention strategy will assist in supporting the needs of those most impacted by evictions and ensure that deployed solutions produce sustainable outcomes.



Developing an Eviction Data Infrastructure

As this guide suggests, current and accurate eviction data is a key resource when developing an eviction prevention strategy. However, for many localities, accessing eviction data is complicated by the lack of a centralized eviction database; the sealing of eviction records; the absence of requirements for agencies to collect eviction data; or where data is collected by another less accessible government or community entity, the data is often harder to obtain or aggregate.

These challenges are common within U.S. localities, as a New America study revealed that one in three U.S. counties have no annual local eviction data available to them.⁴⁹ Without a credible local eviction data source, municipalities lose their sightline to critical insights such as who is being evicted, which neighborhoods are experiencing the highest rates of evictions, whether serial evictions (the occurrence of repeat filings against the same address or by the same landlord) occur, the cause of evictions, the average past due balance associated with eviction judgements, and more.

If court records are available but a local data infrastructure system does not exist, working with local court systems to capture, de-identify, and establish an eviction data collection process can support the creation of centralized eviction data network. Local organizations such as universities, research centers, or think tanks can assist municipalities in this effort by collecting court records, converting the records into data sets, and analyzing the data for trends and insights.

If a centralized eviction data system does not exist, municipalities should explore the use of state and federal funding to erect a local eviction data infrastructure. Municipalities can explore pathways to partner with universities, national technical assistance providers, database software providers, or local housing and data experts in this endeavor.⁵⁰



1 out of 3

U.S. counties have no annual eviction data available to them.

As municipalities build out their eviction data infrastructure, data collected through mediums outside formal court proceedings — including eviction mediation, eviction diversion, and emergency rental assistance programs — can serve as supplemental data sources to analyze risk factors for households.

Data that Cities Need⁵¹

Type of Data	Description
Historical	Collecting historical eviction data allows cities to establish a baseline for what eviction filings in a given week, month and year typically look like. With this point of reference established, cities are better able to understand the landscape of evictions in their communities, including spikes or falls in trends.
Courts	Real-time or frequently updated eviction data from the courts can provide cities, community-based organizations and legal aid organizations with the information they need to intervene at the point tenants are most at risk in the formal eviction process.
Geographic	Data that displays the individual address or neighborhood where each eviction occurs allow cities to identify hotspots in eviction cases and to more strategically deploy resources and target outreach efforts in those areas.
Demographic	Data disaggregated by race/ethnicity, gender and age allows cities to better identify demographics of evicted renters and appropriately target programs to those with the greatest level of need.
Program Metrics	Data that investigates the results of eviction prevention programs — including mediation, housing navigator, right to counsel and emergency rental assistance programs — enable cities to better determine program efficacy and shed light on which programs should be scaled.

City Snapshot: Louisville, KY⁵²

The Office of Performance Improvement in Louisville, KY developed a historic data-sharing agreement with the Kentucky Administration Office of the Courts to increase the frequency of eviction data received from the court. The new, two-year memorandum of understanding allows the city to receive real-time access to forcible detainer eviction cases for Louisville-Jefferson County from the courts' centralized database, a significant leap forward from their previous agreement to receive quarterly static eviction filing reports.

The city has established open channels of communication with its government, community and university-based partners regarding the current eviction data that they receive from the courts. Together, these groups are collaborating on what data each organization is collecting in their outreach efforts that can be used to augment court-based datasets.

The city and its partners are currently using this data to inform door-to-door outreach to households that are facing an eviction filing and are incorporating evictions into social determinant of health metrics.

Partnering with Local Courts

Local courts can also serve as a key resource when creating an impactful eviction prevention strategy. As a centralized touchpoint for eviction proceedings, local courts can function as a medium for deploying interventions once an eviction has been filed.

Local courts can also create systems to offer alternative resolutions for landlords and renters experiencing a dispute. Mandatory eviction mediation programs, for example, are effective tools in decreasing the number of evictions filed or processed and can help landlords and renters arrive at a resolution acceptable to both parties.⁵³

Similarly, eviction diversion programs that are hosted in partnership with courts provide opportunity to deploy rental assistance or other stabilizing resources to renters in need, thus circumventing the need for legal action. Hosting these programs in partnership with local courts provides opportunity to resolve rental disputes in a neutral environment, while ensuring that the rights of renters and landlords are being upheld throughout the process.

✓ Tip

Establish an ongoing relationship with local court staff such as judges, clerk of court and judicial administrative staff. Local court buy-in is critical to the success of eviction diversion or mediation programs. Given access and awareness of programs and available services, courts can act as the primary source of referrals to such programs or other resources.⁵⁴

Implementing Communication & Outreach

Access to eviction data, building strong community coalitions, and partnerships with local courts can assist in deploying a well-informed eviction prevention outreach and awareness strategy. An effective eviction prevention outreach and awareness strategy ensures that renters and landlords understand the rights and responsibilities that govern a rental agreement, that both parties fully understand the eviction process, and that households-in-need are aware of available housing resources.

Outreach strategies are especially important when seeking to connect with “hard-to-reach” households that may not be aware of tenant protections, feel limited by language barriers, lack access to digital communications, or who are experiencing exploitative rental practices.

The following chart and examples provide an outline for increasing measures of outreach and awareness with landlords and renters:



Communications and Outreach Tactics

Outreach Tactics	Description	Examples	Considerations
Events	Events, in-person and virtual, provide a forum for local governments to establish relationships with landlords and tenants and communicate what resources are available to assist with navigating the eviction process.	Landlord orientations Educational programming for landlords and tenants Annual community events	Leverage partnerships with community-based organizations to host both informal and formal meetings with residents can help your city build relationships with community members. Recognize the obstacles that some residents may face in accessing online events, such as a lack of internet connectivity; working outside of typical business hours; and language barriers. When appropriate, events should be recorded and posted online with language captioning.
Online and Digital Resources	Online resources can bolster your outreach efforts. A website or web page can provide a platform for your city to host all eviction prevention information and resources in one place. ⁵⁵ Social media platforms can extend promotional outreach for planned events or refer to resources and programs that may be able to assist landlords and tenants via video and/or graphics. ⁵⁶ Online resources can additionally accommodate translation services and allow information to be easily updated. ⁵⁷	Websites Web pages Mobile applications Social media platforms such as Facebook, Instagram, Nextdoor, Twitter, TikTok and YouTube	Online and digital resources should be augmented by outreach events, paper-based resources, and commercials/PSAs to ensure that all members of your community (including those without digital access) can obtain eviction prevention information. Use Facebook, Instagram, Nextdoor and Eventbrite to market local eviction prevention resources and events. Ask trusted community partners to share social media posts advertising program offerings on their sites and channels to reach your target audience.

Communications and Outreach Tactics (cont.)

Outreach Tactics	Description	Examples	Considerations
Paper-Based Resources	Paper-based resources provide landlords and tenants with information on what tools are available to them to use either to prevent or navigate an eviction.	Brochures Fact sheets Pamphlets Postcards	Information should be presented in a streamlined, accessible format. Checklists, bullet points, and visual graphics can increase a resource's readability for diverse audiences.
	Paper-based resources can include evergreen materials and more timely resources when applicable for a municipality.	Mailers Flyers Newspaper ads Landlord letters of testimony Business cards ⁵⁸	Ensure written materials are provided in multiple languages to extend your outreach efforts, notably for non-English speaking tenants who face informational and linguistic barriers when navigating resources. ⁵⁹ Consider leveraging a culturally relevant volunteer base and dedicated group of city and court staff (e.g., police, city planners, code enforcement), to deliver flyers door-to-door. Give collateral to trusted organizations around the city to share with residents who may need assistance.
Local Service Providers and Associations	Partnerships with local service providers, such as hospitals, can offer outreach and intake opportunities for municipal eviction assistance programs.	Hospitals Legal Aid organizations Public health departments Social services agencies Landlord associations	Connect with your local Public Utilities to provide direct mailer resources with utility bills. Connect with property management and landlord associations and use them as channels to disperse information to landlords.

Outreach Tactics	Description	Examples	Considerations
Commercials and Public Service Announcements (PSAs)	Commercials and PSAs can provide information on eviction prevention resources in an accessible format by distributing this information via media that residents already engage with, including television, radio and municipal text platforms. Commercials and PSAs offer a way to easily transmit information on services to a wider audience.	PSAs SMS alert systems Phone calls Television ads Radio ads	Special consideration should be given to platforms that serve non-English speaking populations as a way to broaden outreach efforts and reach tenants potentially not being served by other outreach strategies.
Partnerships	Establishing partnerships within the local community can provide cities with another avenue to distribute informational materials to landlords and tenants. ⁶⁰ Partners can also refer tenants to available eviction prevention programs and services offered by the city.	Public housing agencies Housing developers Landlord associations Continuums of Care Community organizations Service providers Tenant associations Advocacy organizations Faith-based groups	Community-based partnerships can provide a means to establish deeper relationships with local communities and residents, including those who have been historically disenfranchised.

✓ Tip

Hire a landlord-tenant liaison. This liaison can assist landlords and tenants with navigating or answering questions about the eviction process, host landlord and tenant workshops, build a coalition between government and community-based agencies working to prevent evictions, and implement outreach and engagement strategies to connect with hard-to-reach households.⁶¹

Funding Eviction Prevention Strategies

To foster program sustainability and continuity of services, decisions need to be made to ensure that funding is available year-to-year to support eviction prevention programs and services.

Cities need to establish a dedicated funding source in their general fund budget to fund eviction prevention programs, services and data systems that address not only looming evictions, but also upstream solutions.

Historically, cities have funded tools, programs, and services to prevent evictions through a combination of taxes, fees, levies, housing trust funds, philanthropic grants, and federal housing funding such as HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), Housing Choice Voucher (HCV) Program, Veterans Affairs Supportive Housing (HUD-VASH) and Housing Opportunities for Persons With AIDS (HOPWA).*

Most recently, cities have used COVID-19 relief funding, such as the Community Development Block Grant-CARES (CDBG-CV), Emergency Rental Assistance and the State and Local Fiscal Recovery Funds, to establish or bolster eviction prevention resources such as rental assistance, mediation programs, access to legal representation, and other supportive services.

* For more information visit the HUD Exchange webpage on rental housing counseling and eviction prevention: <https://www.hudexchange.info/programs/housing-counseling/rental-eviction/>

Emergency Federal Funding Available for Eviction Prevention*

Federal Program	Federal Agency Responsible	Examples of Eligible Uses of Funding
Coronavirus Relief Fund	Department of Treasury	<p>Payment of overdue rent payments related to the COVID-19 public health emergency</p> <p>Eviction prevention related to the public health emergency</p> <p>Utility fees to maintain essential services, related to the public health emergency</p>
Community Development Block Grant - CARES Act (CDBG-CV)	Department of Housing and Urban Development	Emergency rent or mortgage assistance and utility payments for up to six consecutive months
Community Services Block Grant	Department of Health and Human Services	Helping clients obtain and maintain adequate housing and emergency assistance to address and prevent economic instability
Emergency Housing Vouchers	Department of Housing and Urban Development	Emergency rental assistance vouchers
Emergency Rental Assistance	Department of Treasury	<p>Payment of back and forward rent, utility payments, and other housing expenses incurred due to the COVID-19 pandemic</p> <p>Case management and other services related to the pandemic to help keep households stably housed</p>
Emergency Solutions Grants - CARES Act (ESG-CV)	Department of Housing and Urban Development	<p>Incentivizing landlords to rent to individuals or families experiencing homelessness or at risk of homelessness, including with payments of up to three times the rent charged for the unit, signing bonuses, security deposits, repairing damages, and costs for extra cleaning or maintenance</p> <p>Emergency rental assistance</p>

* For additional information visit, *COVID-19 response and relief funding chart for housing counselors* from the HUD Exchange housed by the U.S. Department of Housing and Urban Development: <https://files.hudexchange.info/resources/documents/CARES-Act-Housing-Assistance-Funding-Chart.pdf>

Emergency Federal Funding Available for Eviction Prevention (cont.)

Federal Program	Federal Agency Responsible	Examples of Eligible Uses of Funding
HOME Investment Partnerships - American Rescue Plan (HOME-ARP)	Department of Housing and Urban Development	<ul style="list-style-type: none"> Production or preservation of affordable housing Tenant-Based Rental Assistance (TBRA) Supportive services, homeless prevention services and housing counseling Purchase and development of non-congregate shelter
Homeless Assistance and Supportive Services Program	Department of Housing and Urban Development	<ul style="list-style-type: none"> Tenant-based rental assistance (TBRA) Rental housing development Supportive services
Housing Opportunities for Persons with AIDS-CARES Act (HOPWA-CV)	Department of Housing and Urban Development	<ul style="list-style-type: none"> Permanent housing placement Housing counseling is an eligible activity Emergency rental assistance
Low Income Energy Assistance Program	Department of Health and Human Services	Utility bills and expenses
State and Local Fiscal Recovery Funds	Department of Treasury	Funding to support the needs communities face as they respond to the COVID-19 pandemic and its negative economic impacts, including eviction prevention and housing instability

City Snapshot: Portland, OR

The City of Portland, OR currently funds eviction prevention efforts through a Residential Rental Registration Program.* The program, which began in 2018, requires all owners of residential rentals to report the address of each property and a record of annual rental activity along with their Business License tax return.⁶²

As of 2019, the program has expanded to require owners to pay an annual \$60 fee on all apartment units that are rented more than 30 days per calendar year. This has created a \$3 million funding stream for the Rental Services Office,⁶³ a new division of the Portland Housing Bureau that provides a host of programs for Portland's landlords and tenants, including data analysis, housing policy development, landlord-tenant education and outreach, and contracting services for fair housing and landlord-tenant law.⁶⁴

The Residential Rental Registration Program fee fully funds the Rental Services Office, including its staffing, software and administrative expenses, in addition to its programmatic offerings.⁶⁵ The following is a list of the Rental Services Office's current programs and sub-contracted work that is funded through the rental registration fee:⁶⁶

Help desk operation

- ◆ Costs associated with staffing a help desk 3 days a week, or 6 hours per day, to answer landlord and tenant questions about rental policies and regulations in Portland, and their interaction with state landlord-tenant law.

Grant-based funding for 12 sub-contracted organizations providing landlord-tenant services that include:

- ◆ Tenant legal services
- ◆ Eviction legal defense
- ◆ Upstream services (including anti-displacement strategies)
- ◆ Criminal record expungement clinics
- ◆ Landlord-tenant educational services
- ◆ Fair housing services
- ◆ Tenant relocation services for tenants living in sub-standard housing
- ◆ Rental hotlines
- ◆ Volunteer mediation services

* For more information about the Residential Rental Registration Program in Portland, OR, see: <https://www.portland.gov/revenue/rrr>

Developing, Maintaining & Sustaining an Affordable Housing Stock

The creation and deployment of upstream and emergency solutions to prevent evictions do not resolve a local eviction crisis alone; in addition to these solutions, cities should strategically align their eviction prevention strategy with a long-term plan to address the production and preservation of affordable housing, as well as ending homelessness.

Evictions are the visible part of the housing affordability problem. Only one in five low-income renter households who qualify for federal rental assistance receive it. More than a quarter of renters are cost burdened and spend more than half of their income on rent.⁶⁷ Evictions are further fueled by a shortage of affordable and available rental homes for extremely low-income renters.⁶⁸

Without an intentional plan to connect issues of housing affordability, affordable housing, homelessness and evictions, an eviction prevention strategy will fall short of its intended goal. When creating or updating a local housing plan or strategy, each of these issues should be part of a multi-pronged approach to address each area simultaneously — thus, working comprehensively to address housing-related issues that disproportionately impact households of color and low-income renters.

City Snapshot: Milwaukee, WI

The City of Milwaukee funds its affordable housing programs through a mixture of federal and local dollars. On the federal side, HOME and CDBG funds make up the majority of Milwaukee's affordable housing funding portfolio, though some programs have also been funded through low-income housing tax credit (LIHTC) and Historic Preservation Tax Credit dollars. At the local level, Milwaukee utilizes funding from the city budget, in addition to tax increment financing (TIF) revenues, Housing Trust Fund* dollars and cash equity from landlords.⁶⁹

Tax-Increment Financing

The City of Milwaukee has been using revenue from tax increment financing to fund affordable housing through the establishment of tax increment districts (TID). With revenue generated through property taxes on new or redevelopment, the city is able to pay off loans that spark local development and grow the local housing stock.

Tax increment districts allow taxable properties within the TID to have a base value ascribed to them that will stay consistent for the duration of the TID (roughly 20 – 27 years). This base value will be used to calculate tax revenues, and any additional revenue resulting from an increase in a property's value will be allocated as funds utilized to pay back housing development project costs.⁷⁰ This method has been employed by such projects as the Welford Sanders Lots and the conversion of Schuster's department store** into 53 affordable housing units.⁷¹*** The City has also been utilizing revenues gained from TIF closeouts (the practice of extending a TID for one year after project costs have been repaid in order to generate additional property tax revenue) to provide funding for Milwaukee's affordable housing initiatives.⁷²

Milwaukee's Housing Trust Fund

Milwaukee's Housing Trust Fund was formed in 2004 and has been funded through a combination of bonds and city budget allocations. It has provided over \$3 million in grants and loans to support the development and/or rehabilitation of 421 housing units, over half of which are intended to support persons who previously experienced homelessness.⁷³

* Housing Trust Funds are not subject to the same restrictions as federally subsidized programs, so often can be more flexible, adaptive and responsive to local needs. Learn more at: <https://localhousingsolutions.org/housing-policy-library/housing-trust-funds/>

** For more information on Milwaukee's tax increment districts and the Welford Sanders Lots please visit Urban Milwaukee: <https://urbanmilwaukee.com/2017/01/10/eyes-on-milwaukee-inside-the-welford-sanders-lofts/> and the Milwaukee Journal Sentinel for more information on the conversion of Schuster's department store: <https://www.jsonline.com/story/money/real-estate/commercial/2019/11/19/former-schusters-redeveloped-15-million-city-cash/4237519002/>

***Please note that TIF revenues are but one stream of funding used to fund affordable housing projects, which often require mixed packages of federal and local funds.



Ensuring Equitable Eviction Prevention

WITH the severe impacts of eviction falling disproportionately on communities of color, low-income individuals and immigrant households, cities must be intentional in prioritizing equity — not just equality — in all eviction prevention efforts.

With certain factors putting households at greater risk of eviction, a “color-blind” approach will inevitably further the detrimental effects of historic discriminatory housing policies. Instead, municipalities should seek to target and tailor their prevention efforts with the specific needs, vulnerabilities, and limitations of their at-risk communities in mind.

Addressing Racial Inequities

Given that communities of colors so clearly face greater rates of eviction and eviction filings and are therefore also disproportionately impacted by the long-term effects leading to greater housing instability,⁷⁴ cities should address these racial inequities intentionally and directly through preventative efforts.

This includes embedding racial equity in program design and selection processes, taking a proactive approach to outreach and staffing by engaging or hiring culturally relevant partner organizations or staff, and by forging meaningful relationships with community-based organizations. Each of these elements is an opportunity to account for and combat the effects of historic discrimination on the basis of race.

The development and implementation of eviction prevention resources and supports represents an opportunity for cities to achieve transformational change in a policy area that has a long history of disadvantaging or causing direct negative harm to households of color. By seeking to address these racial inequities head-on and taking advantage of this opportunity, cities can further the long-term housing stability of households of color in their communities.

Program Prioritization & Targeting

Across all eviction prevention efforts, cities and program administrators should seek to target and support households with the greatest need, and those most at-risk of eviction. This includes prioritizing outreach to high-need households, as well as embedding these equity considerations in selection processes. Cities can achieve this by considering participant income levels, or other economic and housing-related factors such as the share of income households spend on rent, geographic area or neighborhood, or unemployment rates.⁷⁵

While many federal programs require prioritizing low- or very low-income households (those with 50 percent AMI or less), further targeting extremely low-income households with 30 percent AMI or less can have a significant impact on who is ultimately served by municipal programs. People of color are much more likely to have extremely low incomes: 20 percent of Black households, 18 percent of American Indian or Alaska Native households, 14 percent of Latino/a households, and 10 percent of Asian households are extremely low-income renters, compared to 6 percent of white non-Latino/a households.⁷⁶ Limiting program participation or emphasizing outreach to extremely low-income households can ensure that funds are used to assist the highest-need renters.

Cities can apply this prioritization principle to applicant selection or assistance awards in several ways:*

Point-Based Systems

Applicants may be assigned points based on whether they meet certain criteria or fit a given set of high-priority characteristics, such as whether they are unemployed or fall below a certain AMI threshold. Applicants with the highest number of points are then assisted first.

* For additional guidance on prioritization and for examples of how states and cities applied these approaches to emergency rental assistance programs in response to COVID-19, see *Prioritization in emergency rental assistance programs* from the National Low Income Housing Coalition: <https://nlihc.org/sites/default/files/Prioritization-in-Emergency-Rental-Assistance-Programs.pdf>

Shortlisted First-Come, First Served

Programs that prioritize the order in which people apply can significantly disadvantage people who may face such additional barriers as language proficiency or limited internet access. Instead, the applications of households meeting certain priority factors can be flagged as they come in during the application window, and then these priority applications may be served in the order in which they were received, prior to any non-priority applications being addressed.

Weighted Lottery

Instead of following a random lottery approach to service, priority applications can be weighted so that they are more likely to receive assistance or be selected for program participation than lower-need households. This approach works well in cases where there are multiple periods of application selection.

Varying Duration and Level of Assistance

The length or extent of assistance that a household receives can vary based on level of need or factors such as income, ZIP code, whether the household includes children or faces an active eviction filing. Households meeting such priority characteristics may receive more support or assistance for a longer period than households with fewer priority factors.

✓ Tip

Administrators of municipal programs can prioritize high-need households by developing a need or vulnerability index, or by relying on existing indices. Variables such as unemployment rates or eviction filing rates can be weighted on importance by program administrators and mapped at the ZIP code or census tract-level to identify neighborhoods where renters likely face high-risk of housing instability.⁷⁷ This mapping can inform outreach efforts, while indices can also be used in decision-making processes related to applications for assistance or program participation.

Accessibility

When establishing eviction prevention efforts, it's important to ensure that programs are made accessible to all potential users. In many cases, those tenants who are the hardest to reach may also be the same tenants who are most at-risk of eviction. Offering multiple points of entry and considering the accessibility of the program from multiple perspectives can be key.

Awareness

Simply put, to make use of a program of service, tenants and landlords must be aware of them. A lack of awareness ensures that those programs and services will go unutilized and evictions will be exacerbated.

To prevent this, communication and outreach should be conducted through a wide range of platforms and strategies, including social media, digital ads, traditional media and public relations, SMS messaging, partner organizations, and physical marketing materials.

Over-reliance on particular communication tools may result in certain segments of the community being overlooked. Cities should regularly assess the applications or interest they receive relative to the makeup of their high-risk populations to identify who they are missing in their outreach efforts.

✓ Tip

To get the word out about eviction prevention programs and resources through trusted community voices, partner with culturally relevant community-based organizations and develop a “warm-handoff” procedure.

Language Accessibility

In order to prevent language accessibility from being a significant barrier to participation, all program-related materials should be written in plain, easy to understand language. Additionally, cities should assess local language needs for both landlords and tenants.

In 2016, nearly 5.3 million heads of households had limited English proficiency, representing 4.5 percent of U.S. households, and a significant share of which are low-income renters.⁷⁸ With that in mind, program materials, services and supports, applications, and outreach or promotional efforts should all be made available in the most relevant and appropriate languages using professional translation services.

✓ Tip

Offer a language accessibility hotline or partner with a translation service that can help people complete application materials or ask questions over the phone in the language of their choice.

Digital Accessibility

Roughly 43 percent of adults with an annual household income of less than \$30,000 do not have broadband service at home, and 41 percent report not having a desktop or laptop computer. Roughly a quarter of these low-income households (24 percent) report not having a smartphone.⁷⁹ By comparison, higher-income households are significantly more likely to have multiple devices that can bring them online. In light of this digital divide, applications and eviction prevention resources should be accessible through a variety of means.

Digital applications or online resources should be optimized for mobile devices, require the minimum amount of data usage, and should be tested on a range of devices and web browsers.

Non-digital pathways should also be available. Cities should still offer “hardcopy” applications and materials, leveraging utilizing pick-up and drop-off locations, as well as mail-in options. Hotlines or call centers should also be available for troubleshooting technical difficulties, answering questions, and for assistance in completing full applications over the phone.

Eligibility Criteria and Application Requirements

Complex applications, documentation requirements or eligibility criteria can pose significant hurdles for tenants, landlords and program administrators responsible for processing applications. For example, requiring a Social Security number can be prohibitive to potential applicants who are undocumented.⁸⁰ Applications should be simplified as much as possible.

Particularly with respect to the impact of COVID-19 and federal funding for emergency rental assistance, the Department of the Treasury made clear that self-attestation by an applicant is acceptable in cases where formal documentation of income, financial hardship, housing instability and rental obligation is not available.⁸¹ Cities can offer examples of self-attestation forms in order to streamline processes and improve access for households that may have informal employment or leasing arrangements.^{*} Cities should continue this practice of allowing for self-attestation and offering flexible application requirements in the years ahead.

^{*} For examples of self-attestation forms compiled by the U.S. Department of the Treasury, see: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/forms>



Right to Counsel Legislation & Programs

While a broad right to legal representation is guaranteed for criminal cases, that right does not extend to civil court cases such as eviction. As a result, the already uneven power dynamic between tenant and landlord is tilted even further, with an estimated 90 percent of landlords having legal representation in comparison to just 10 percent of tenants.⁸² This imbalance in legal representation directly contributes to the frequency with which rulings are made in favor of landlords.

Legislation providing free and adequate legal representation for tenants in eviction cases has been shown to significantly address this glaring disparity:^{*} In New York City, for example, legal services to low-income tenants decreased the number of cases resulting in an eviction warrant by 77 percent.⁸³ Similar results have also been found in Massachusetts.⁸⁴ And in Hennepin County, Minnesota, tenants with full legal representation won or settled in 96 percent of cases and those with limited representation won or settled 83 percent of cases, compared to only 62 percent of unrepresented tenants.⁸⁵

In addition to providing legal services to avoid undue eviction judgements, right to counsel can also be beneficial in connecting tenants with other programs such as rental assistance, help negotiate terms such as reducing money owed or time for a tenant to move out, and can help keep eviction filings off of a tenant's credit score.⁸⁶

Ultimately the provision of these services through right to counsel can result in significant cost savings by preventing homelessness, preserving affordable housing and freeing up overburdened court dockets. It is estimated that right to counsel will result in net savings of \$320 million per year for New York City,⁸⁷ with Philadelphia set to realize \$40 million in annual net savings for a similar program.⁸⁸ Additionally, significant federal funding has been made available for expanding tenant representation as part of COVID-19 recovery efforts, including through the Coronavirus Relief Fund, Community Development Block Grants, Emergency Solutions Grants, and Emergency Rental Assistance Program funding for housing stability.⁸⁹

^{*} For examples of enacted legislation related to right to counsel for tenants compiled by the National Coalition for a Civil Right to Counsel, see: http://civilrighttocounsel.org/uploaded_files/283/RTC_Enacted_Legislation_in_Eviction_Proceedings_FINAL.pdf

City Snapshot: Newark, NJ

In 2018, the City of Newark became the third city in the country after New York City, NY and San Francisco, CA to pass a right to counsel ordinance.

To house the new right to counsel program, the City of Newark established the Office of Tenant Legal Services (OTLS).⁹⁰ The purpose of OTLS is to deliver free legal services to low-income tenants who are facing eviction or the threat of eviction.

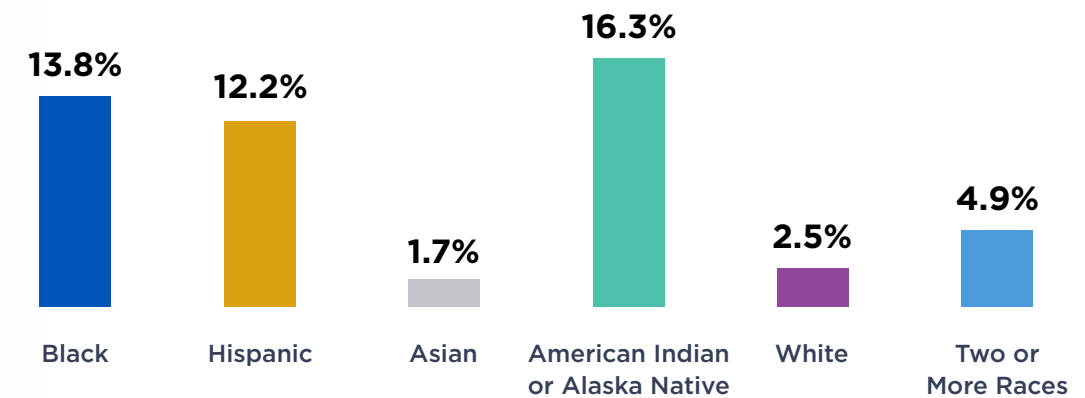
OTLS's services include providing free legal services such as legal counsel on the eviction process, court representation, legal advice on fighting for necessary housing repairs and help to ensure rent is calculated correctly.⁹¹ Services, through OTLS, are provided to tenants with a gross income at or below the 200 percent Federal poverty level—income exception are made for applicants age 60 or older and infirm.⁹² The initial \$400,000 in funding for the right to counsel program was provided by the City of Newark in 2018 to expand pro bono work and Essex County Legal Services.⁹³

Serving Unbanked & Underbanked Tenants

In cases where financial support may be provided directly to tenants, such as in the form of rental or utility assistance, individuals can face significant barriers in accessing the funds if they lack a bank account entirely or access to a banking institution, as may be the case for more rural residents. This can include exorbitant fees for cashing checks or having a share of the funds be reappropriated to cover outstanding debts.

This is particularly prevalent for low-income households, households of color, and for individuals with a disability. In 2019, 16.2 percent of working-aged disabled households were unbanked, relative to 4.5 percent on nondisabled households.⁹⁴ Additionally, roughly 37 percent of households earning less than \$40,000 are either unbanked or underbanked.⁹⁵ This disparity also falls starkly along racial lines, with Black, Hispanic/Latino, and American Indian or Alaska Native populations experiencing far higher rates of being unbanked, as demonstrated by the chart below.

Unbanked Status by Race & Ethnicity



Source: Federal Deposit Insurance Corporation. (2019). How America Banks: Household Use of Banking and Financial Services. <https://www.fdic.gov/analysis/household-survey/2019report.pdf>

To meet the needs of these disproportionately at-risk residents, cities should consider alternatives to checks and direct deposits, such as mailing prepaid debit cards. Partnerships can also be established with credit unions or local businesses to offer no-fee check-cashing services for government assistance. Cities should also take the opportunity to connect unbanked tenants with local financial empowerment resources and initiatives by including information about them when connecting with tenants, or by facilitating a warm hand-off to those programs directly.

City Snapshot: Providing Financial Assistance Directly to Renters

Many cities leverage alternatives to the traditional check-cutting process to expedite direct-to-tenant payments and to make funds more accessible to unbanked renters. This includes alternatives such as distributing pre-paid debit cards or issuing app-based payments:

Honolulu, HI's Office of Economic Revitalization issued \$500 cash cards in 2020 that could be spent at grocery stores and convenience stores.⁹⁶ Funded by the CARES Act, the cards were mailed to roughly 6,000 households that participated in the city's Household Hardship Relief Fund or other city-sponsored financial assistance programs.⁹⁷

Portland, OR took a similar approach in partnering with the United Way of the Columbia-Willamette to provide debit cards covering \$500 in household costs such as food, care, medicine, rent, utilities and transportation.⁹⁸ Cities looking to pursue similar approaches should be mindful of agreement terms with card providers, including negotiating minimal overdraft and access fees.

Los Angeles, CA has taken this model one step further with its Angeleno Connect Card program,⁹⁹ which has enabled the distribution of approximately \$36 million in assistance through more than 37,000 prepaid debit cards, ultimately helping more than 100,000 Los Angeles residents pay rent since the program began in March 2021.¹⁰⁰ The prepaid debit Mastercards facilitate direct-to-tenant payments for the city's ERAP program, along with other financial assistance initiatives, regardless of immigration status.¹⁰¹

Chicago, IL has further leveraged technology for innovative methods of disbursement by offering payment through PayPal or CashApp as alternatives to direct deposit for its COVID-19 Housing Assistance Grants.¹⁰²

Sealing or Expunging Eviction Records

Eviction — or even just being at-risk of eviction — brings a harsh toll on households, a disproportionate share of which will be households of color. This includes significant impacts on mental and physical health,¹⁰³ and education achievement of children,¹⁰⁴ along with lowering an individual's credit score and making it more difficult for them to be approved for housing in the future.¹⁰⁵ In many cases, tenants who become defendants in eviction cases — regardless of the legal outcome — may face discrimination when applying for future housing because lenders and landlords will screen out anyone listed as a defendant in an eviction case.¹⁰⁶

Despite these consequences, studies show that many landlords regularly employ the threat of eviction even when the eviction is stopped short of being carried out.¹⁰⁷ A 2014 survey of eviction court records from 28 states showed that of households that were subject to at least one eviction filing, one third (30.4 percent) were filed against multiple times at the same address.¹⁰⁸ This phenomenon of **serial eviction filing** is most common in jurisdictions where legal and regulatory barriers to eviction filings are low, such as cities with low filing fees, and Black-majority neighborhoods.¹⁰⁹

To counteract the already drastic consequences of evictions — along with this weaponization of filing for eviction — cities and states should look to automatically seal or expunge all eviction-related court records, unless a landlord prevails. This action also corrects for overreliance on misleading tenant screening reports, such as in the case of evictions due to foreclosure, discrimination, or retaliation, which do not represent a tenant's future behavior.¹¹⁰ California has already adopted the automatic approach,¹¹¹ while Nevada,¹¹² Oregon¹¹³ and Minnesota¹¹⁴ allow expungement on a case-by-case basis.



30%

Of households subject to an eviction filing were filed against multiple times at the same address.

Serial Eviction Filing

The phenomenon of landlords frequently filing against the same household(s) or leveraging the eviction court process as a method of rent debt collection.



Conclusion

In the midst of the pandemic, many cities have stood up programs such as emergency rental assistance, eviction diversion, eviction mediation and right to counsel, along with hiring eviction navigators to address the needs of both renters and landlords.

Significant improvements in managing evictions have scaled rapidly in some cities, while others continue to face obstacles ranging from a lack of administrative expertise and capacity, to legal barriers. Many local governments echo concerns about maintaining the current level of services without emergency federal aid in the future — particularly when confronted with a joint crisis in affordable housing that counters their efforts to address housing instability. Now, cities, towns and villages nationwide are at a crossroad where they must continue to be nimble in how they address evictions induced by the pandemic, but also scale and refine their eviction prevention strategy for non-pandemic-related evictions.

The COVID-19 pandemic has proven to be a testing ground for what cities, towns and villages can do to address evictions with an array of such partners as federal, state and county agencies; community-based organizations; legal aid providers; courts; philanthropies; and community action groups.

The process of designing and implementing a comprehensive eviction prevention strategy does not start and end with the COVID-19 pandemic, but rather continues from this critical moment forward to ensure that each resident has a safe, quality and affordable place to call home. This publication, based on the lessons learned from the Eviction Prevention Learning Lab, can serve as a guide to a future where all residents have access to resources that contribute to a stable economy, and a vibrant quality of life.

Appendix:

Tools for Eviction Prevention

Included here are examples of eviction prevention programs, resources and ordinances being implemented around the country.



Emergency Rental Assistance

Emergency rental assistance offers direct cash assistance to tenants and landlords facing unforeseen or unpredictable circumstances. These funds help tenants remain stably housed.

City Snapshot: San Antonio, TX

In 2020, the City of San Antonio created an Emergency Housing Assistance Program (EHAP). Building off the city's previous Risk Mitigation Fund, EHAP aids both tenants and homeowners through the provision of housing, rental and utility-based financial assistance.¹¹⁵

Since the start of the of the COVID-19 pandemic, the city has served 37,000 households with over \$100 million in funding from CARES Act funding, federal Emergency Rental Assistance funds, and funds from the San Antonio's formal rental assistance program, the Risk Mitigation Fund, which was funded by the city's general fund.



Eviction Diversion

Eviction diversion programs are a holistic combination of services that divert a landlord-tenant dispute away from an eviction filing or court proceeding. Services may include rental assistance, mediation, access to legal representation and other supportive services. Diversion programs should be available, or mandatory, prior to an eviction being filed in order to achieve the greatest level of impact.

City Snapshot: Philadelphia, PA

In 2020, the City of Philadelphia launched a mandatory Eviction Diversion pilot program for tenants and landlords who have experienced hardship due to COVID-19, notably when either party has suffered from income loss.

This initiative is the programmatic manifestation of Philadelphia's Emergency Housing Protection Act, which requires landlords to inform tenants of their rights and conduct a mediation session with the tenant and a volunteer mediator prior to filing a formal eviction.¹¹⁶



Eviction Mediation

Eviction mediation is an alternative process to filing or litigating a court-based eviction. With assistance from a neutral and trained mediator, landlords and tenants can reach mutually agreed-upon terms to resolve a potential eviction dispute.¹¹⁷ An eviction mediation program establishes more equal power between the landlord and tenant, increases communication between the two parties, diverts evictions cases away from the courts,¹¹⁸ and preemptively prevents an eviction record for the tenant.¹¹⁹

City Snapshot: Pittsburgh, PA

Just Mediation Pittsburgh, a nonprofit offering free mediation services to landlords and tenants in Allegheny County, was launched in 2020. These mediation services are available both pre- and post- an eviction filing.

To participate in Just Mediation Pittsburgh's services, a landlord or tenant must complete an intake form, and once their eligibility is determined, a pre-mediation call is made to both parties to prepare them for the mediation process. Following this, a virtual mediation will be held, and a legally binding contract will be created to define the terms resolving the dispute between the two parties.¹²⁰

City Snapshot: **Boulder, CO**

In 2021, the City of Boulder launched an Eviction Prevention and Rental Assistance Service program in response to the city's No Eviction Without Representation movement.¹²¹

The program provides free mediation services to any tenant facing a potential eviction. Tenants can reach out through an online form or via phone to connect with an eviction prevention coordinator who will assess their circumstances and connect the tenant with relevant resources and support, including mediation services, legal aid and rental assistance.¹²²



Eviction Record Masking, Sealing or Expunging

Eviction record masking and sealing processes aim to limit who can access an individual's eviction records, including their eviction filing and eviction court order history. Eviction sealing can establish a period after which the eviction record will be sealed (e.g., 3 years after the eviction), and can prohibit leases from requiring a sealed eviction record be disclosed.¹²³

City Snapshot: **Washington, D.C.**

As part of its COVID-19 emergency response and relief efforts, Washington, D.C. put in place a temporary order that seals all eviction court records after 30 days if the ruling was in the tenant's favor, or three years after the proceedings if the ruling was in the landlord's favor.¹²⁴ The legislation issues exceptions in cases where a tenant experiences repeated eviction notices over the three-year period. It also gives discretion to the court to seal records, particularly for instances of eviction proceedings brought over small amounts of rent.

Though initially passed as emergency and temporary legislation, the bill sets an important precedent for sealing evictions in D.C. It offers significant protection to renters who may otherwise have faced housing instability or difficulties in finding housing because of an eviction record sparked by the pandemic.



Eviction Moratoria

Eviction moratoria is a tool that may be put in place by a local, state or federal government to stop the serving and processing of eviction filings for residential rental properties due to a public health emergency, natural disasters or extreme weather.¹²⁵

City Snapshot: **Seattle, WA**

On March 16, 2020, the City of Seattle put a temporary residential eviction moratorium in place in response to the COVID-19 pandemic. The moratorium states that short of a tenant threatening the health and safety of other residents, any other "just causes" (including nonpayment of rent, a tenant violating their lease, and a rental agreement expiring) cannot be used as a cause to file an eviction against a tenant.¹²⁶

The ordinance also prohibited landlords from charging late fees during the moratorium, and both landlords and tenants were encouraged to create a payment plan to mitigate rental bill accrual upon the termination of the moratorium.



Eviction Navigators

Eviction navigators are volunteer non-lawyers who help tenants to navigate an eviction by guiding them to pertinent financial and legal resources and offering them emotional support throughout the process. These volunteers can also help tenants to understand their rights and responsibilities during an eviction.¹²⁷

City Snapshot: **Columbia, SC**

In response to growing housing instability in Columbia, South Carolina, Columbia's National Association for the Advancement of Colored People (NAACP) chapter partnered with local supporters to launch a pilot Housing Navigator program in 2021. Open to all Richland County residents, the program encourages anyone experiencing housing instability — including those behind on rent, facing future financial instability, or facing an eviction — to fill out an intake form to connect with an available navigator who can help tenants access available legal, financial, and social resources.¹²⁸



Just Cause Evictions

Just cause evictions require landlords to have a “just cause” when evicting a tenant. A just cause for eviction can mean that the tenant has not paid their rent, has damaged the property, or has violated the terms of their lease. Just cause policies protect tenants against an “arbitrary, retaliatory, or discriminatory eviction.”¹²⁹ Just cause laws protect tenants who report code compliance violations, or those who request repair services to their unit from being evicted, and they limit landlords from evicting tenants in favor of renovating their property and bringing in new renters willing to pay higher monthly rents.¹³⁰

City Snapshot: **San Jose, CA**

In 2017, the City of San Jose created a Tenant Protection Ordinance that defines just cause reasons that landlords can evict a tenant, and additionally outlines landlord and tenants’ responsibilities, tenants’ rights in San Jose and anti-retaliation regulations in place to protect immigrant tenants.¹³¹ Landlords can only evict tenants due to one of the outlined just causes, which include nonpayment of rent, material damage to the unit, lease violations, or a non-tenant related cause, including landlord owner move-in, code enforcement actions requiring a move, and removal of a unit from the rental market.¹³²

City Snapshot: **Albany, NY**

In 2021, the City of Albany passed a Good Cause Eviction law which requires landlords to obtain an order from an Albany City Court judge before removing a tenant from their rental unit. Landlords must meet at least one of the just cause criteria for a judge to approve their eviction filing against a tenant. The criteria include nonpayment of rent, lease violations, conducting illegal activity in the unit, causing nuisances for the property, or a landlord’s recovery of the building premises.¹³³



Landlord Incentives

Landlord incentives involve providing financial resources and referral services to landlords who are supportive of tenants seeking affordable housing.¹³⁴ Landlord incentives can include reimbursement for vacant units awaiting a tenant using a housing choice voucher (HCV), giving a financial reward to landlords who join an HCV program or agree to allocate more rental units to HCV voucher holders, assisting HCV families with security deposit payments, providing tenant and city service-based referrals or promotion, and offering financial support for repairs to rental units.¹³⁵

City Snapshot: **Tulsa, OK**

In 2021, the City of Tulsa launched the Gold Star Landlord program to encourage landlords and property managers to utilize best rental practices, which include: Utilizing the Tulsa Health Department’s Safe and Healthy Homes Program; adding available rental units to the city’s affordable housing waitlist; utilizing mediation services before evicting tenants; and prioritizing emergency rental and utility assistance applications. In exchange, landlords receive financial incentives through the city’s Affordable Housing Trust Fund, tenant referrals for renters who have completed the city’s Housing Stability Certificate, and direct referrals to city resources and services.¹³⁶

City Snapshot: **Tallahassee, FL**

The City of Tallahassee has established a Landlord Risk Mitigation Fund for landlords who offer stable housing support for vulnerable and at-risk tenants. The program provides financial assistance funding to landlords, notably to aid tenants who experienced hardship related to the COVID-19 pandemic. Additionally, the fund provides community and consultation-based services to both landlords and tenants to prevent potential evictions and reduce rental turnover rates.¹³⁷



Local Eviction Prevention Website

A local eviction prevention website or web page allows renters and landlords to better access relevant eviction prevention resources in one, centralized location.¹³⁸

City Snapshot: Milwaukee, WI

In March 2021, the City of Milwaukee launched the Rental Housing Resource Center, an online and physical center that brings all the city's eviction prevention resources (including financial assistance, education, legal and mediation services) together into one centralized location.¹³⁹

The site provides two checklists — one for tenants and one for landlords — which detail potential options to describe their current circumstances. Based on the user's responses, a list of suggested resources will be generated with next steps and points of contact. The site is accessible in English and Spanish.



Outreach to Tenants and Landlords

Outreach strategies for tenants and landlords provide eviction prevention information to all relevant stakeholders in the eviction process, including landlords, tenants, courts and community-based organizations.

Outreach efforts can take the form of events, paper-based resources, online-based resources, partnerships, commercials, and public service announcements (PSAs).¹⁴⁰

City Snapshot: Tacoma, WA

The City of Tacoma, in coordination with the passing of a new rental housing code in 2019, launched a Landlord-Tenant program to provide both landlords and tenants with information, referrals and educational training necessary to resolve disputes related to the Washington State Residential Landlord-Tenant Act.¹⁴¹ Both landlords and tenants can begin the information and referral process by filling out an intake form that will be processed by the Landlord-Tenant Program Coordinator.

City Snapshot: Richmond, VA

Launched in 2020, the Housing Resource Line (HRL), a bilingual hotline and online form service available to residents within the Greater Richmond area, is used to help residents navigate available housing services and resources.¹⁴² Residents who call the hotline are asked to verbally complete an intake profile which will be used to determine what housing services they may be eligible to receive. Following the completion of the form, HRL will provide information on available financial, legal and educational housing resources.



Right to Counsel

Right to counsel programs provide free legal representation services to tenants experiencing an eviction. Enshrining a renter's right to counsel can help address the inherent power and resource imbalance in the eviction court process, as landlords typically have an attorney present while tenants do not, which often results in cases being decided in favor of the landlord.¹⁴³

City Snapshot: Denver, CO

In 2021, the City of Denver passed an ordinance to make free legal counsel available to tenants below 80 percent AMI who undergo an eviction case.¹⁴⁴ The legislation also requires landlords to inform tenants of these available legal services. Through the provision of right to counsel services, the city hopes to foster eviction prevention efforts, increase housing stability for tenants, increase rental payments to landlords and reduce the downstream costs of homelessness.¹⁴⁵

City Snapshot: Cleveland, OH

In 2019, the City of Cleveland created a right to counsel program for low-income tenants with children below 100 percent AMI who experience an eviction filing.¹⁴⁶ The program was created as a result of the efforts of Legal Aid's Housing Justice Alliance initiative, which procured funding and formed an advisory committee to foster the creation of a right to counsel program for the city. Legal representation is provided through pro-bono attorneys from the Legal Aid Society of Cleveland.



Rental Registry

Rental registry is an information repository set up to effectively enforce life and safety standards and collect property registration information from all landlords operating rental units in a municipality.¹⁴⁷ Required information can include: a list of apartment building addresses, the name and contact information of the owner, and information on the building's operating manager.¹⁴⁸

City Snapshot: **Syracuse, NY**

In 2007, the City of Syracuse created a rental registry that requires landlords of one-and two-family, non-owner-occupied rental properties to register with the city. Syracuse's intention behind the rental registry is to maintain the quality of its housing stock and ensure the health and safety of residents and neighborhoods. Through the rental registry, Syracuse has been able to collect extensive data on the local housing stock, which has allowed the city to develop a data-driven code enforcement strategy¹⁴⁹ and to engage proactively with renters and landlords.¹⁵⁰

In 2020, Syracuse went on to enact legislation that prohibits landlords from collecting rent during any period of noncompliance with the city's rental registry.¹⁵¹ The intention of the legislation is to increase compliance with the rental registry and give protection to tenants.¹⁵²



Supportive Services and Education for Landlords and Tenants

Supportive services are social, legal and financial resources offered to landlords and tenants in order to reduce eviction rates and ensure long-term housing stability.

Supportive services can include case management, benefit counseling, trauma informed care and treatment, peer support, welfare checks, services for non-English speakers, services for persons with disabilities, healthcare consultations and referrals, employment assistance, and behavioral health services.¹⁵³

City Snapshot: **Minneapolis, MN**

The state of Minnesota currently runs HOME Line, a toll-free hotline offering free and low-cost legal help to tenants in English, Spanish, Somali and Hmong. The hotline is run by lawyers, law students and community volunteers who respond to legal information questions and provide follow-up assistance and formal letters of support, if-needed. The program has helped 268,000 rental households since 1992.¹⁵⁴

City Snapshot: **Boston, MA**

The City of Boston launched a free counseling program for small landlords who are facing challenges with vulnerable and low to moderate income tenants.¹⁵⁵ Counseling services include connecting landlords with stabilization resources, providing information on best practices and landlord rights and responsibilities, and offering troubleshooting support for landlord-tenant disputes.

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