

Local Interventions for Eviction Prevention

and Why They Are Needed



November 2020

Experts anticipate a tsunami of evictions to begin in January 2021. Given the limited state dollars available and the uncertainty of additional federal dollars, local governments must take the lead to protect their residents. This Working Paper profiles interventions from around the state in order to provide ideas and templates for communities that need housing stabilization programming.

Background on Government Support for Renters During the Coronavirus Pandemic

Ohio residents were caught up in a housing crisis prior to the pandemic, and COVID has deepened the cracks in the system. Before COVID-19, nearly 400,000 Ohio households were spending over half of their monthly income on rent while there was an estimated 250,000-unit shortage of affordable housing available to the lowest income renters across the state.¹ Almost immediately following state lockdown orders, local courts instituted a patchwork of eviction moratoria that temporarily kept renters out of eviction courts. Federal benefits, including the one-time \$1,200 stimulus payment and supplementary \$600 unemployment insurance benefits, cushioned renters as nearly 1.3 million people filed for jobless claims across the state. Expanded unemployment assistance was then reduced to \$300 per week, which many experts believe is insufficient to meet the needs of struggling households. In the fall, the CDC issued a sweeping order temporarily halting evictions nationwide to prevent the spread of COVID-19 that would be associated with a major eviction crisis. The moratorium will stay in effect until December 31, 2020. The CDC eviction moratorium provides breathing room for low- and moderate-income renters, but by itself doesn't provide any economic relief for tenants or property owners.

Through the CARES Act, the State of Ohio received \$4.5 billion; \$2 billion of which was designated for local governments. The City of Columbus and the state's five largest counties received direct allocations. All other local government jurisdictions – including counties, cities, villages, and townships – have received money through legislative appropriations and controlling board hearings; to date, all CARES Act Coronavirus Relief Fund money for local governments has been allocated. The state still has approximately \$400 million of its CARES Act money left to spend.²

¹ Housing Needs by State - Ohio. National Low-Income Housing Coalition <https://nlihc.org/housing-needs-by-state/ohio>

² How Ohio Has Deployed Federal CARES Act Dollars. Susan Jagers. Published October 13, 2020. <https://www.greaterohio.org/blog/2020/10/13/guest-blog-how-ohio-has-deployed-federal-cares-act-dollars>

To ward off the most devastating impacts of COVID-19 on rental housing, advocates urged Governor DeWine and his administration to create a statewide emergency rental assistance program over the summer. In late October, Governor DeWine announced the creation of an emergency assistance program to help people facing eviction, foreclosure, or water shut-off. These dollars will be available locally by early-November. The assistance program is funded through the state's CARES Act dollars, which means they must be encumbered by December 30, 2020. Ohio is the 42nd state to create a rental assistance program using CARES Act funds.

With federal measures merely delaying the inevitable, and limited dollars available from the state, it is critical that local communities in Ohio begin planning how they will tackle the looming eviction crisis.

An Eviction Worst-Case Scenario

Nearly 400,000 Ohioans weren't confident in their ability to make their October's rent payment,³ and experts estimate between 250,000-400,000 Ohio renter households could be at risk of eviction by January 1, 2021.⁴ Ohio's unemployment rate has decreased from a record high in April, but still remains at nearly double the state's pre-pandemic levels.⁵ Meanwhile, data from Opportunity Insights' Economic Tracker indicate that employment rates among Ohioans earning <\$27,000 decreased by 11% as compared to the beginning of the year.⁶ The health and economic impacts of the pandemic have left many people in a vulnerable position.

Eviction has always been hugely disruptive to households, but in the middle of a pandemic, not having access to stable housing can overwhelm local homelessness support services and create opportunities for viral spread. In a period where many school-aged children are adjusting to remote learning, an eviction during the pandemic would be particularly damaging to a child's ability to learn. A spike in local evictions will have wide-ranging implications, affecting not only renters, but landlords who may see an impact in their ability to pay a mortgage or property taxes. The combination of evictions and landlord bankruptcy could devastate hundreds of neighborhoods, but there are actions that communities can take now to avoid a worst-case scenario.

Prioritizing investments and programming to stabilize families and mitigate the worst effects of the crisis will require cooperation between local government, nonprofits,

³ US Census Bureau Household Pulse Survey, Week 15. Housing Table 1b. Last Month's Payment Status for Renter-Occupied Housing Units, by Select Characteristics: Ohio https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk15/housing1b_week15.xlsx

⁴ STOUT, on behalf of the National Council of State Housing Agencies. "Analysis of Current and Expected Rental Shortfall and Potential Evictions in the U.S." published September 25, 2020. https://www.ncsha.org/wp-content/uploads/Analysis-of-Current-and-Expected-Rental-Shortfall-and-Potential-Evictions-in-the-US_Stout_FINAL.pdf

⁵ Monthly Unemployment Rate Map. Ohio Department of Jobs and Family Services <https://ohiolmi.com/Home/RateMapArchive>

⁶ <https://www.tracktherecovery.org/> last accessed: 10/16/2020

philanthropy, and private sector leaders.

Use Locally-Allocated Federal Money for Local Rent Assistance

The most important initial step a community can take to prevent mass eviction and homelessness is to set up a rent assistance program for tenants negatively affected by the pandemic. This program can either take the form of direct assistance to impacted tenants, in which renters must meet eligibility requirements and apply for assistance, or as loss mitigation assistance to landlords, where landlords apply for assistance on behalf of their affected tenants. In either scenario, housing advocates in Ohio recommend that rent relief payments be made directly to landlords. Cities can pool money from Community Development Block Grant - Coronavirus Funds (CDBG-CV), Emergency Solutions Grants (ESG), FEMA, and local sources to seed a Rental Assistance Program. Additionally, cities can utilize legislatively appropriated dollars from the Coronavirus Relief Fund (CRF).

Local governments can use CRF resources to address immediate community needs for responding to the pandemic, including cleaning and sanitation supplies, personal protective equipment, or hiring contact tracers or other health department staff. Guidance from both the state and federal government specifies that CRF money can additionally be used for⁷

- Rent assistance (up to 3-months)
- Utility Assistance
- Food Assistance

All CRF money must be spent by year-end 2020.

When planning a rental assistance program, it will be important for communities to know the scale of the problem they face. A good starting point is to reach out to local landlords to inquire about the number of tenants that missed all or part of their payments. Cities can work with local landlord associations, or if applicable, contact landlords through municipal rental registry programs. Early best practices from around the nation suggest that the most successful rent assistance programs are those that: conduct considerable outreach to impact renters early on in their struggles to pay rent; simplify application processes and reduce documentation necessary to apply; and that monitor/track which groups are accessing and benefiting from these programs.

⁷ The CARES Act Provides Assistance for State, Local, and Tribal Governments. US Department of the Treasury. <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>; Funding Opportunities. Ohio Office of Budget and Management. <https://grants.ohio.gov/funding-opportunities.aspx>; CARES Act Funding Resources. County Commissioners Association of Ohio. <https://ccao.org/cares-act-funds/cares-act-funds-resources/>; Legislative Bulletin. Ohio Municipal League. https://myemail.constantcontact.com/Ohio-Municipal-League-Legislative-Bulletin.html?_soid=1105067396620&aid=YOTIFYmHV1U



Community Spotlight: Hancock Helps, Hancock County

After state lockdown orders were issued, housing advocates in Hancock County quickly put together an eviction task force to find solutions for mounting pressure on homeowners and renters as jobless numbers rose. Funds were pooled from the Findlay-Hancock Community Foundation, the HHWP Community Action Commission, and the United Way of Hancock County to establish a \$225,000 short-term rent assistance fund. Local government leaders also contributed to the pot, including a \$400,000 grant from federal CARES Act/CRF for COVID-related rent assistance. The task force partnered with [Findlay Hope House](#), a nonprofit serving homeless and impoverished individuals and families in Hancock County, to modify their existing work portfolio and deploy rent assistance dollars. To date, Hope House has distributed nearly \$225,000 in rental assistance.⁸

The amount of COVID-related assistance Hope House provided doubled between April and May, and then nearly doubled again later in the summer. Need for assistance continues to grow; the nonprofit has received 75% more COVID-related intake calls in the first two weeks of October than in the entire month of September. Hope House and The Hancock County Affordable Housing Alliance manage client intake through “[Hancock Helps](#)” – a mobile friendly app to assist with housing, food, mental health, substance use, utilities, and of course eviction prevention. Currently, over 85% of clients are seeking housing assistance for the first time, indicating the widespread need for local housing resources.

Information provided by Sue Lehman, Dir. of Findlay Hope House, and Wendy McCormick, Executive Dir. of Habitat for Humanity Findlay Hancock County.

Leverage Federal Money to Increase Legal Access for Tenants

Eviction is an expensive process for both landlords and cities; providing avenues for landlord/tenant mediation can be an attractive alternative to the eviction process. Additionally, tenants with legal representation tend to have much better outcomes in court than tenants who represented themselves.⁹ Funding programs to extend legal representation to affected tenants could improve outcomes in eviction hearings as they

⁸ Sara Arthurs. “Help is out there for renters.” The Courier; Findlay, OH. Published October 3, 2020. https://thecourier.com/news/280436/Help_is_out_there_for_renters/

⁹ Teresa Wiltz. “How Free Legal Help Can Prevent Evictions.” Stateline, Pew Charitable Trusts. Published October 27, 2017. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/10/27/how-free-legal-help-can-prevent-evictions>

move through the court system, and in some cases, can help landlords and tenants resolve disputes and create plans to preserve tenancies.

Additionally, local advocates and cities can conduct outreach to local landlords, either through landlord associations or rental registrations, to communicate the costs of eviction in the middle of a pandemic. Eviction proceedings are costly in the short and long term, and whenever possible, landlords should be encouraged to work with their tenants to keep them housed.¹⁰ This messaging can be effective if connected with a landlord loss mitigation program.



Community Spotlight: Eviction Help Center, Hamilton County

Hamilton County has created a one-stop [Eviction Help Center](#) at the Justice Center in downtown Cincinnati to help guide tenants facing eviction through the process and connect them to supplementary services where applicable. Hamilton County has committed \$3.5 million in emergency funding from the CARES Act for rental assistance, dispersed through St. Vincent de Paul and the Community Action Agency—two local nonprofits. The Help Center is intended to help provide resources for individuals to represent themselves. By providing landlords and tenants a connection to various resources, the Help Center can improve outcomes in court.

The Help Center provides the following benefits to both landlords and tenants:

- Legal advice to apply for emergency financial assistance
- Assistance with landlord/tenant rental agreements
- A new web search function to find out eviction court dates
- Help with finding attorneys to assist landlords and tenants¹¹

¹⁰ "Preventing Evictions during COVID." YouTube, uploaded by LISC FOC Network. August 3, 2020. <https://youtu.be/WFX5UH9PyOo?t=2415>

¹¹ Tino Bovenzi. "Ohio Anticipating Eviction Crisis, Providing Assistance Through CARES Act." Spectrum News; Cincinnati, OH. <https://spectrumnews1.com/oh/columbus/news/2020/06/15/ohio-anticipating-eviction-crisis-providing-assistance-through-cares-act>; Mike Shell and Jared Goffinet. "Help Center established for renters in Hamilton County." Fox19; Cincinnati, OH. <https://www.fox19.com/2020/06/08/help-center-established-renters-hamilton-county/>

Community Spotlight: Community Mediation and Rent Assistance Program, Columbus



In May 2020, city officials committed \$2.65 million towards housing supports: \$250,000 of the funds were dedicated to hiring additional attorneys for Legal Aid of Columbus, and \$100,000 went towards community mediation services. The bulk of the commitments went directly to tenant-based community assistance and cash payments to those facing eviction, distributed in partnership with

IMPACT Community Action through the IMPACT HOPE FUND.¹² Money from the city was combined with CARES Act money from the county, bringing the total funding dedicated to rent assistance to \$12 million. The HOPE Fund faced overwhelming demand and officially stopped accepting applications in mid-October. As of late October, more than 3,000 applications were still being processed.¹³

Other Policies and Programs to Prevent Displacement

Rent relief remains the most important strategy to ensure stability for tenants and landlords. However, local governments can take on the following policies to complement rent assistance programs and bolster efforts to avoid renter displacement.

Community Spotlight: Tenant Right to Counsel, Cleveland

In October 2019, the City of Cleveland created a right to counsel for low-income tenants with children.¹⁴ Though this response predates the pandemic, having an attorney during an eviction proceeding significantly diminishes the likelihood that someone will be evicted and often results in more time or better terms for those who are evicted. Additionally, the CARES Act and other pandemic-response legislation have created new defenses that tenants may not understand and may need legal assistance to raise. In Cleveland, the United Way of Greater Cleveland has been working with City Council to lead the program and contracted with the Legal Aid Society of Cleveland to provide legal services.



¹² Dean Narciso. "Columbus to thwart evictions with federal assistance funds." Columbus Dispatch; Columbus, OH. Published May 14, 2020. <https://www.dispatch.com/news/20200514/columbus-to-thwart-evictions-with-federal-assistance-funds>

¹³ Rita Price. "With no end to COVID pandemic in sight, money for eviction aid dwindles." Columbus Dispatch; Columbus, OH. Published October 19, 2020. <https://www.dispatch.com/story/news/local/2020/10/19/covid-rages-money-eviction-aid-dwindles/3639004001/>

¹⁴ "City of Cleveland creates right to counsel in Cleveland Housing Court." Legal Aid Society of Cleveland. Published October 1, 2019. <https://lasclv.org/20191001/>

Community Spotlight: Tenant Protection Laws, Dayton

The City of Dayton passed a law that aims to limit the amount of late fees and fines that a landlord may charge a tenant.¹⁵ This effort is part of an ongoing effort in the city to curb evictions and support low-income renters. The new law, which went into effect in June 2020, limits the fees that a landlord in the city may charge on late rent payments at 5% of monthly rent, up to a \$25 limit. The law also prohibits landlords from charging interest on late fees or charging multiple fees for one missed rent payment. Dayton has an eviction rate nearly double the national average, and the Mayor has warned that the economic effects of the pandemic are likely to deepen this crisis. Dayton enacted the late fee cap along with another law that requires landlords to provide receipts to renters who pay rent with cash or money orders. Both laws are intended to reduce the rent burden on tenants and help reduce evictions.



Information provided by Debra Lavey, senior attorney with Advocates for Basic Legal Equality, Inc.



Community Spotlight: Pay to Stay Ordinance, Village of Yellow Springs

Under “Pay to Stay,” a landlord is obligated to accept back rent (including reasonable late fees and court costs) up to the point where the bailiff is knocking on the door to begin physically removing tenants’ belongings. Pay to stay prevents a landlord from evicting a tenant where the tenant can pay back rent and reasonable late fees prior to the eviction judgment. If the eviction has been granted, the tenant can stop the eviction by paying

back rent, reasonable late fees and court costs. The Village of Yellow Springs is the only municipality in the state to have passed a Pay to Stay ordinance, creating the law as a temporary tactic to protect against displacement during the COVID-19 emergency.¹⁶

Information provided by Debra Lavey, senior attorney with Advocates for Basic Legal Equality, Inc.

¹⁵ Cornelius Frolik. “Dayton passes new rules on rent late fees, receipts.” Dayton Daily News; Dayton, OH. Published June 8, 2020. <https://www.daytondailynews.com/news/local/dayton-passes-new-rules-rent-late-fees-receipts/nl0UFJj5puidhdQ7qPIIWP/>

¹⁶ Yellow Springs, OH., ORD 2020-07 (2020) <https://www.yso.com/egov/apps/document/center.egov?view=item;id=2118>



Community Spotlight: Source of Income Protection, City of Bexley

Hundreds of thousands of families in Ohio rely on HUD's Housing Choice Voucher (HCV) Program, sometimes referred to as "Section 8," to access stable and affordable housing. The success of the HCV program depends on the participation of private-market landlords to accept voucher holders as tenants. Unfortunately, source of income discrimination is common across the state¹⁷ and the country have very few municipalities have legislation

to protect tenants against this type of housing discrimination. A handful of cities in the state explicitly outlaw source of income discrimination; most recently, the City of Bexley passed an ordinance that prohibits this type of discrimination.¹⁸ While the ordinance is not intended to be the only solution to improve accessibility to stable housing, the measure will increase openings for low-income voucher holders to access housing in higher opportunity neighborhoods.

Conclusion

The foreclosure crisis, a decade ago, exemplified how disruptive displacement can be for individual households, and how that disruption can ripple out to negatively affect a whole community. Extreme rates of housing cost burden prior to the pandemic coupled with the record unemployment figures today leaves all communities across the state vulnerable to a spike in evictions, which presents a threat not only to the economic well-being of Ohio's communities but also to public health. At a time when it is safest to be at home, it is especially important that community members from all sectors support measures that would help Ohioans stay in their homes.



¹⁷ "Housing Voucher and Race Discrimination in Cuyahoga County" <https://www.thehousingcenter.org/wp-content/uploads/2017/12/Voucher-and-Race-Discrimination.pdf>; Mead, Joseph and Hatch, Megan and Tighe, J. Rosie and Andrasik, Kristi, Policy Brief: Source of Income Discrimination in Ohio (April 30, 2019). Available at SSRN: <https://ssrn.com/abstract=3380463>

¹⁸ Mark Ferenchik. "Bexley Council adopts ordinance prohibiting rental discrimination based on income source." Columbus Dispatch; Columbus, OH. Published September 30, 2020. <https://www.dispatch.com/story/news/local/2020/09/30/bexley-law-prevents-income-source-being-used-against-renters/3579399001/>

More Tools and Resources

Interactive Sites

- [“Emergency Rental Assistance Priority Index.”](#) Urban Institute.

Publications

- [“NLIHC Research Note: Emergency Rental Assistance Programs in Response to COVID-19.”](#) National Low Income Housing Coalition, October 27, 2020.
- [“Preparing for the Expiration of COVID-19 Eviction Moratoria.”](#) Local Housing Solutions, October 13, 2020.
- [“Approaches to Eviction Prevention.”](#) Benfer, Emily and Greene, Solomon J. and Hagan, Margaret, July 28, 2020.
- [“Safe at Home: Non-Monetary Relief for Tenants During the COVID Emergency.”](#) National Housing Law Project, June 2, 2020.

Webinars

- [“COVID-19 and Housing Stability: State and Local Eviction Prevention.”](#) Federal Reserve Bank of Philadelphia, October 22, 2020.
- [“Responding to the Housing Challenges Posed by the Pandemic – Session 2.”](#) HUD, August 12, 2020.
- [“Responding to the Housing Challenges Posed by the Pandemic – Session 1.”](#) HUD, July 13, 2020.



About the Greater Ohio Policy Center

The Greater Ohio Policy Center (GOPC) is a statewide non-profit organization with a mission to improve Ohio’s communities through smart growth strategies and research. Our vision is a revitalized Ohio. GOPC is highly respected for its data-driven, nonpartisan policy analysis, research expertise, and policy development, and regularly provides expert analyses to public, private and nonprofit leaders at the local, state and national level.

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