

# Home for Good: Strategies to Prevent Eviction and Promote Housing Stability

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## About Enterprise Community Partners

Enterprise is a national nonprofit that exists to make a good home possible for the millions of families without one. We support community development organizations on the ground, aggregate and invest capital for impact, advance housing policy at every level of government, and build and manage communities ourselves. Since 1982, we have invested \$54 billion and created 873,000 homes across all 50 states – all to make home and community places of pride, power and belonging. Join us at [enterprisecommunity.org](http://enterprisecommunity.org).

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# Executive Summary

With inflation on the rise, rapidly depleting federal stimulus funds and millions of Americans still unable to pay their rent, preventing eviction and supporting long-term housing stability are urgent national imperatives. Among many other repercussions for families, eviction results in long-term financial instability and limited access to affordable housing, while also causing psychological strain, depression, physical health problems and child poverty.

Like most systems deeply rooted in our nation's history of segregation and discrimination, eviction's effects have entrenched disparate outcomes for people of color. Black people experience homelessness at a significantly higher rate than whites; according to the [Center for Social Innovation](#)<sup>1</sup>, "although Black people comprise 13% of the general population in the United States and 26% of those living in poverty, they account for more than 40% of the homeless population, suggesting that poverty rates alone do not explain the over-representation." Covid has exacerbated and gendered this disparity – a [USA TODAY analysis](#)<sup>2</sup> of local and national housing records and data found that Black women are more likely than any other group to be evicted – with Black women renters filed against at twice the rate of white women renters nationwide.

The harms exacted by the eviction process expand well beyond tenants. Eviction has exceedingly destabilized the affordable housing industry at large, exacting a financial toll on the very developers and owners who are needed to preserve and expand the limited supply of subsidized, affordable housing. Back-due rent, tenant turnover and court fees leave many affordable housing owners in a precarious financial position – particularly those that are small, independent owners. In hard hit areas, these realities threaten the viability of their properties and can have devastating economic impacts, including a diminished supply of the affordable housing that is so desperately needed.

The goal of this paper is to highlight a range of strategies that prevent or reduce the long-term harm of eviction across the stages of the eviction cycle: during housing instability ("upstream"), once a rent payment is missed ("after arrears/pre-filing"), after a landlord has filed for eviction

("post-filing") and after the court has determined that an eviction can proceed ("post eviction"). We posit that an upstream approach – more systematic and sustainable strategies that ensure renters have the resources they need to pay for their home – is key to reducing eviction and increasing housing stability across the country.

This paper outlines a roadmap that offers policymakers, practitioners and advocates a full suite of policy tools, evidence-based programs, and case studies. The roadmap organizes available strategies according to the various stages of the eviction cycle:

- **Upstream:** Prevention strategies that increase housing instability and reduce or eliminate the prospect of eviction.
- **After Arrears/Pre-Filing:** Intervention strategies to provide options, court alternatives, and emergency assistance once a rent payment is missed.
- **After Eviction Filing:** Mitigation strategies to assist tenants in navigating the court system after a landlord has filed for eviction.
- **Post-Eviction:** Harm reduction strategies to provide safe options and prevent homelessness after a court has determined that an eviction can proceed.

Each strategy is rated according to three components:

1. **Level of effort:** How difficult will it be to implement, from start to finish? Does it require a slight modification or a high level of effort to bring parties together and reach agreement?
2. **Cost of implementation:** Will it be costly for taxpayers or the public/private sectors to implement?
3. **Scale of impact:** Will it have a localized or broad impact? Will it be felt most significantly at the household, community, or systems level?

In making the case for upstream prevention and outlining an exhaustive list of solutions, our hope is that readers will be able to custom-tailor a set of intervention strategies that address the unique needs of each community. As communities strive to address the lingering impacts of the pandemic, the strategies outlined in this paper can help guide them toward an equitable recovery.



## Introduction

Every year, thousands of resilient, well-designed affordable homes are built –but many thousands more units are lost to disrepair, expiring affordability requirements, or market pressure. This cycling in and out of affordability has left the housing industry narrowly treading water, defying our ability to “build our way out of the problem.” An effective approach to the affordable housing shortage requires a comprehensive approach to build and preserve more housing for households with low and moderate income as well as ensure that people who have access to affordable homes are able to keep them. In other words, we must emphasize an approach that prioritizes preserving affordability and preventing eviction and other negative outcomes through upstream solutions. Nowhere is this framing more critical than in the context of the eviction crisis.

Covid-19 helped to recenter the national housing policy debate on evictions and instability, but evictions were at crisis levels long before the pandemic. Prior to Covid, an estimated 1.5 million<sup>3</sup> U.S. households received an eviction judgment each year, impacting nearly 3.8 million individuals. Additionally, there is evidence that the number of informal

displacements<sup>4</sup> could be twice as high, leaving over 11 million people at risk of displacement each year when considering both formal and informal evictions. That scale equates to potentially displacing, on an annual basis, more than every single resident of New York City and Chicago – the nation’s first and third most populous cities – combined.

This stark reality is the result of soaring housing costs and stagnating wages over the last two decades, which increased household vulnerability to eviction. The current crisis provides an opportunity to envision a more balanced ecosystem for keeping people stably housed. In this new ecosystem, we are prepared for a crisis rather than reacting to it with temporary solutions; the system is designed to minimize the number of eviction notices taped to apartment doors; systemic racial barriers give way to more equitable access to employment, housing and health care; the financial well-being<sup>5</sup> of individuals and their community are prioritized; and residents achieve level ground with landlords. Ensuring that renters have a safe, affordable home and the financial resources to remain stably housed is foundational to long-term resilience.

## About this Paper

The goal of this paper is to highlight a range of strategies that prevent or reduce the long-term harm of eviction across the stages of the eviction cycle: during housing instability (“upstream”), once a rent payment is missed (“after arrears/pre-filing”), after a landlord has filed for eviction (“post-filing”) and after the court has determined that an eviction can proceed (“post eviction”). We posit that an upstream approach – more systematic and sustainable strategies that ensure renters have the resources they need to pay for their home – is key to reducing eviction and increasing housing stability across the country.

## Eviction’s Impact

The lack of affordable housing causes a host of social problems, from poverty and homelessness to educational disparities. It also places immense burdens on people’s physical and mental health and in turn, the public health care system. Yet only one in five low-income renter households<sup>6</sup> who qualify for federal rental assistance receive it.

More than a quarter of renters, or 11.1 million renter households,<sup>7</sup> are severely cost-burdened, meaning they spend more than half their income on rent. And the number of affordable units needed to house all extremely low-income households far exceeds available supply.<sup>8</sup> Further, most Americans live with financial instability. More than half of Americans have less than \$2,000 in savings<sup>9</sup> and one-third of families have less than \$250 in savings.<sup>10</sup> Housing costs continue to rise and affordable housing is scarce. With these facts in mind, it’s not hard to imagine how even a small crisis could push many families toward eviction.

The pressures of poverty, combined with an inadequate affordable housing supply, can be tremendously destabilizing for households, communities and systems. Among many other repercussions, eviction can cause long-term financial instability, including: limited access to affordable housing, psychological strain, depression and physical health problems, the break-up of a family, and child poverty. Eviction takes a toll on landlords as well, leaving them in search of new residents and paying thousands of dollars in legal and court filing fees. For society at large, eviction is the source of millions of dollars in unnecessary taxpayer costs and weakens the resilience of families and communities nationwide.

## Defining Legal Terms

This paper references multiple technical and legal terms, highlighted here for ease of reference.

**Arrears** – Back rent due

**Default Judgement** – A court or judge decides the case in the landlord’s favor if a tenant does not show up for the hearing

**Eviction Notice** – A document informing the tenant of a landlord’s intention to initiate eviction proceedings

**Expungement** – In the context of evictions, expungement is the act of removing (or sealing) an eviction record from a court’s public record so it no longer shows up on an individual’s court record

**Final Judgement** – Last decision from a court that resolves all issues in dispute and settles the parties’ rights with respect to those issues

**Just Cause** – The requirement that landlords may only evict renters for specific reasons, such as failure to pay rent, in order to protect tenants from arbitrary, retaliatory or discriminatory evictions

**Mediation** – In some cases, a third party can work with the tenant and landlord to come to a negotiated settlement

**Money Judgement** – A court order stating that the plaintiff (here, the landlord) is entitled to a specific amount of money

**Possessory Judgment** – A court order that ties a judgment (debt) for unpaid rent to the tenant’s right to stay in the apartment

**Motion to Stay the Writ of Possession** – A tenant asks the court to pause an eviction action after the court has already issued a final judgment in favor of the landlord

**No-Fault Eviction** – The landlord evicts the tenant for any or no reason

**Notice to Cure or Quit** – A written notice from the landlord informing the tenant of the amount of time they have to remedy an alleged lease violation (cure) or vacate the unit (quit)

**Settlement or Stipulation** – Landlord and tenant negotiate outside of courtroom to come to a decision about how to resolve the case

**Summons and Complaint** – A legal notice to the tenant about the complaint (eviction filing) and their requirement to appear in court (summons)

**Time to Cure** – The time a tenant has to resolve a lease violation, usually non-payment of rent

**Writ of Possession** – A court order that authorizes enforcement of the final judgment to return possession of the rental unit to the landlord (also called a writ of eviction in some places)

**Writ of Restitution** – A court order that authorizes law enforcement to schedule an eviction and forcibly remove the tenant

## How the Eviction Process Works

As defined by Princeton University's [Eviction Lab](#),<sup>11</sup> eviction occurs when a landlord expels people from property he or she owns. There are two types of eviction. Court-ordered evictions are initiated by the landlord, finalized in court pursuant to state and local laws, and usually executed by law enforcement. Extra-judicial evictions are initiated by the landlord and take place outside of court, sometimes in violation of state and local laws.

This paper focuses primarily on the eviction court process and includes recommendations for robust tenant protections to prevent illegal extrajudicial evictions. It is important to note that each state has different laws in place with regard to the [process for evicting tenants](#).<sup>12</sup> Here we provide an overview (and a diagram on p. 8) of how the process typically works.

Eviction occurs most often because of non-payment of rent. Prior to the Covid-19 pandemic, many residents facing eviction owed [less than \\$1,300](#)<sup>13</sup> in arrears, and many even less than \$1,000. As of July 2021, however, the average household owed [approximately \\$3,800](#).<sup>14</sup> Landlords can also evict renters for a number of other non-monetary lease violations, such as taking on boarders, damaging property, causing a disturbance, or breaking the law. In most places in the United States, landlords can evict renters at the end of their lease term even if they have not violated their lease agreement, which is called a **no-fault eviction**. Many state and local governments have adopted **just cause** policies, permitting evictions only for specifically designated reasons.

State laws vary in terms of whether a landlord must give a tenant time to correct a lease violation before formally beginning the eviction process. Typically, the eviction process begins with a landlord serving the tenant an **eviction notice**, which notifies the tenant that their landlord has filed or will file court documents to initiate eviction proceedings. In some places, an eviction notice can be served immediately upon nonpayment of rent or lease violation, while in other locations, landlords are required to first serve the tenant with a **notice to cure**, giving the tenant a specified amount of time to correct the violation of the lease. The “time to cure” can provide the tenant with [anywhere from 0 to 30 days](#)<sup>15</sup> to correct the violation. If the tenant does not resolve the violation, the landlord files an eviction case in court and a **summons and complaint** is issued to the tenant notifying them of the pending eviction court case.

Most often, an eviction is filed in civil court. Unlike defendants in criminal cases, tenants are not guaranteed an attorney, even though landlords are usually represented by an attorney. Because of this lack of representation, most renters do not appear in eviction court. When this happens, the judge can issue a **default eviction judgment** deciding the case in the landlord's favor.

If the tenant does appear in court, the judge may dismiss the case, rule in favor of the tenant, or issue a judgment requiring the tenant to vacate their home by a specified date. Alternatively, the tenant and landlord can come to an agreement, known as a **settlement** or **stipulation**.





The settlement spells out how much time the tenant has to pay owed rent or correct other violations, as well as any actions the landlord must take, such as making required repairs. A settlement may include a **money judgment**, which allows the landlord to collect the amount owed, a **possessory judgment**, which gives the landlord possession of the apartment if the terms of the settlement are not met, or both. Once a settlement has been reached, it is reviewed by a judge.

If a settlement cannot be reached, the tenant can request a hearing, where the tenant and landlord can argue their claims in front of the judge. At that point, the judge can either rule in favor of the tenant, in which case there is no eviction, or in favor of the landlord, allowing the eviction to proceed.

If the tenant is able to fulfill the terms of a settlement, there is no eviction. If the judge rules in favor of the landlord, or the tenant does not resolve the violation within the specified time, the judge may issue a court order for eviction. The judge will typically sign a **final judgment** stating that the eviction is granted. Next, the landlord can ask the court for

a **writ of possession**, which authorizes enforcement of the final judgment to return possession of the rental unit to the landlord. (In some places, this is also called a **writ of eviction**).

Law enforcement then serves the writ of possession to the tenant or posts it on their door. The Writ of Possession specifies when the law enforcement officer will be back to remove the tenant, usually 24 to 48 hours after the writ is served. In most jurisdictions, however, the tenant may be able to ask the court to delay their removal<sup>16</sup> from their home by filing a **motion to stay the writ of possession** within a statutorily allowed period of time. If the evicted renters do not leave by the specified date, the landlord may file a **writ of restitution**, the mechanism by which the judge permits law enforcement to carry out the eviction and take possession of the property on behalf of the landlord, forcibly removing a family and their belongings if necessary.

The flow chart on the following page outlines the typical eviction process.





**Time to cure alleged violation (0-30 days)\*\*\***



**Tenant/landlord agreement**



**Judge finds in favor of tenant or case is dismissed**



**Judge finds in favor of landlord**

**Outcome: No eviction**

Tenants and landlords can come to agreement for a variety of reasons. The most successful and proven methods for reaching an agreement are through eviction diversion – an array of court-run and court-adjacent programs such as mediation that focus on finding an amenable resolution between the tenant/landlord that prevents eviction and allows the tenant to remain stably housed. This is the favored outcome in any eviction case.

**Outcome: It depends**

A case may be dismissed by a judge if the tenant is found to not be in violation of the lease or the law, or if the landlord/plaintiff chooses to drop the case for any reason. If the case is dismissed, the tenant cannot be legally evicted. However, some landlords may use illegal tactics to force or pressure their tenant to leave, which is considered an illegal eviction.

**Outcome: Eviction**

If a judge rules in favor of the landlord, they will sign a final judgment authorizing law enforcement to serve the tenant with written notice that they will be evicted (or post the notice on the tenant’s door). If the tenant does not remove themselves, law enforcement may forcibly remove the tenant and their possessions.

**“The Scarlet E”**

Regardless of the outcome, an eviction can become a permanent part of a tenant’s record. That is because the landlord’s filing to evict is part of the court record even if the landlord and tenant reached an agreement or the case was dismissed, and the tenant was not legally removed from the unit. Moreover, a landlord may name all the tenants on an eviction filing, which means that family members and even children could unknowingly end up with eviction records. These records can severely limit a tenant’s access to rental opportunities.

A growing number of states are implementing laws to provide a process for expungement that would provide tenants with the right to clear their record under certain circumstances.

\* Where applicable. Not all states mandate that tenants receive a “notice to cure” or “notice to quit” which informs tenants of the amount of time they have to “cure” (pay their rent or remedy the alleged lease violation) or “quit” (vacate the unit) before an eviction is filed. In some places where such notices are not required, the landlord can proceed directly to the eviction filing on the first day of nonpayment of rent or lease violation.

\*\* Some tenants may choose to voluntarily move out at this stage rather than be displaced by law enforcement. If so, they are still considered to be legally evicted under most laws and will carry the eviction on their court record.

\*\*\* Varies significantly by state and local laws, but in most places, the amount of time tenants have to “cure” (remedy) their lease violation is 5-10 days, on average, before an eviction is filed. However, tenants can and often do cure the lease violation after the eviction filing, including during their court appearance.

# A Roadmap to Prevent Eviction and Promote Housing Stability

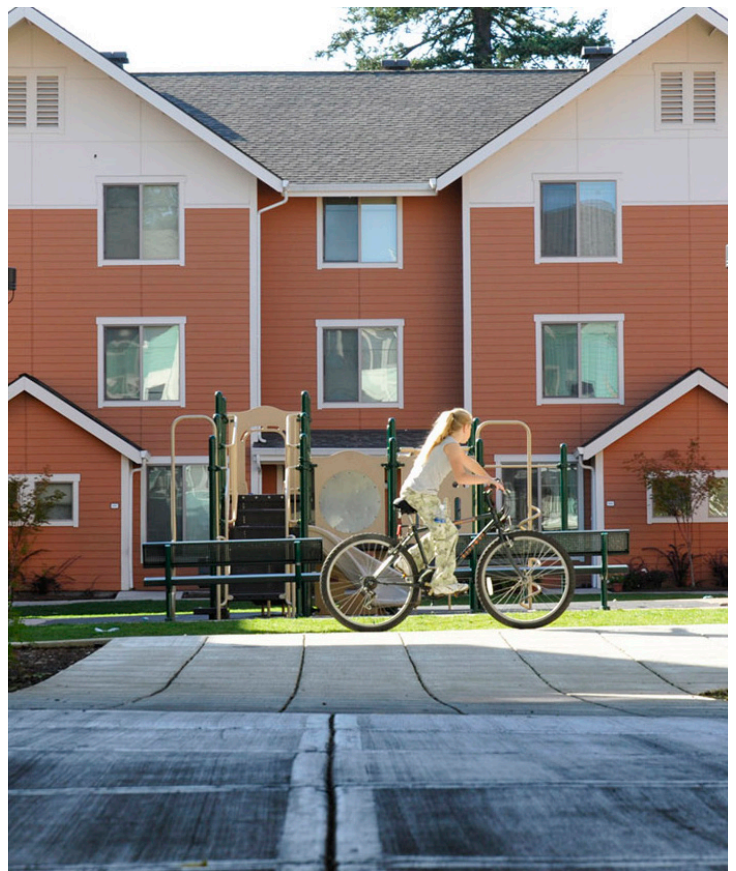
Policy makers, researchers and advocates have explored dozens of interventions aimed at mitigating and preventing eviction. While many of those policies and programs have been successful, they often address eviction downstream – when a household is already facing the threat of eviction – and therefore come with a high price tag. Having a broad range of policy and programmatic measures – including those that ensure housing stability upstream – is essential to achieving a more proactive approach to eviction prevention and better outcomes for households and property owners alike. These upstream approaches address the root causes and systemic failures that lead individuals and families into eviction in the first place, generating savings and alleviating the pressures on courts and social safety net systems. Proper investment in upstream approaches allows downstream strategies to be leveraged only in instances where they are truly needed.

To this end, Enterprise has developed a roadmap that offers policymakers, practitioners and advocates an overview of available tools and when to use them. This roadmap organizes available strategies according to the various stages of the eviction cycle:

- **Upstream:** to avoid housing instability in the first place
- **After Arrears/Pre-Filing:** once a rent payment is missed
- **After Eviction Filing:** after a landlord has filed for eviction
- **Post-Eviction:** after the court has determined that an eviction can proceed

The roadmap also includes links to related information and examples of the strategy at work on the ground. Each strategy has been rated according to three parameters:

1. **Level of effort:** How difficult will it be to implement, from start to finish? Does it require a slight modification or a high level of effort to bring parties together and reach agreement? (We recognize that level of effort will vary depending on dynamics in each locality).
2. **Cost of implementation:** Will it be costly (to taxpayers or a private or nonprofit organization)?
3. **Scale of impact:** Will it have a broad impact? Will it be felt most significantly at the household, community or systems level?



High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>Upstream: ADDRESS SYSTEMIC STRUCTURAL BARRIERS</b>				
Provide guaranteed basic income for low-income households	High	Medium	Household	<a href="#">Mayors for a Guaranteed Income</a> <a href="#">US Senators Michael Bennett and Sherrod Brown's American Family Act</a> <a href="#">Universal Income Project</a> <a href="#">Build the Floor</a> <a href="#">Stockton Economic Empowerment Demonstration (SEED)</a>
Offer reparations in the form of financial resources (flexible or dedicated to housing), acknowledging the history of extreme disenfranchisement of Black Americans in the housing market	High	High	System	<a href="#">City of Evanston Chicago Local Reparations</a> <a href="#">Evanston Reparations Guide</a> <a href="#">Can a Local Reparations Program Undo Decades of Housing Discrimination?</a> <a href="#">Demanding Racial Equity Fighting for A New Systemic Vision</a> <a href="#">What Truth and Reconciliation Look Like In Practice</a> <a href="#">Evanston Moves Forward with Housing Reparations Plan</a>
Provide living wages	Medium	Medium	Household	<a href="#">San Diego Living Wage Program</a> <a href="#">Dallas County Employees' Living Wage</a> <a href="#">Minimum Wage Earners Can't Afford Rent Anywhere in the US Out of Reach</a>
Implement policies to uphold and enforce the Fair Housing Act, including 'source of income' protections, to ensure equal access to housing for people at risk of discrimination	High	Medium	System	<a href="#">National Fair Housing Alliance</a> <a href="#">New York State Fair Housing</a> <a href="#">Washington State Fair Housing</a> <a href="#">Poverty &amp; Race Research Action Council</a> <a href="#">Washington D.C. Source of Income Protections</a> <a href="#">Testing as an Enforcement Tool</a> <a href="#">Fair Housing Enforcement Best Practices</a>
Increase health insurance enrollment among the most vulnerable populations to benefit people's physical health, their long-term financial health and that of their city	Medium	Medium	Community	<a href="#">SEP Enrollment Extension</a>
Invest in youth and young adults through paid internships and apprenticeships and connect them to safe, low-cost bank or credit union accounts for receiving, spending and saving their earnings	Low	Low	Household	<a href="#">CareerWise Colorado</a> <a href="#">Youth Apprentice Toolkit</a> <a href="#">Summer Youth Employment</a>
Combat gentrification and displacement with inclusive growth policies	Medium	Low	Community	<a href="#">What Inclusive Urban Development Can Look Like</a>
Integrate economic and workforce development	Medium	Low	System	<a href="#">Workforce Innovation and Opportunity Act</a>
Improve access via single point of entry (including mobile apps and website portals) for support services, including help with rent arrears, child care, health services and food assistance	High	Medium	System	<a href="#">Single Stop Service Centers, Child Center Benefits Access</a>
Expand homeownership assistance programs that offer down payment and closing cost assistance or shared equity housing alongside homeownership education and counseling	Medium	Medium	Household	<a href="#">Homeownership Builds Financial Security and Shrinks Racial Wealth Gap</a> <a href="#">Down-payment Assistance Programs By State</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
Use more inclusive and de-stigmatized language in housing program outreach materials	Low	Low	Household	<a href="#">Reducing Stigma to Improve Take-up of Rental Assistance</a>
Implement targeted outreach to meet at-risk populations where they are. Partner with neighborhood-based organizations, resident service organizations, religious institutions and schools to identify strategies that go beyond technology-based outreach and address barriers to internet access	Medium	Medium	Community	<a href="#">Partnering with Schools To Prevent Evictions</a> <a href="#">Department of Justice Tips for Conducting Effective Community Outreach</a> <a href="#">Community Outreach Lessons Learned &amp; Best Practices</a>
<b>Upstream: IMPROVE FINANCIAL HEALTH OF RESIDENTS</b>				
Integrate financial coaching, counseling, credit building and incentivized savings interventions into programs	Medium	Low	Community	<a href="#">EMPath (Economic Mobility Pathways) Mobility Mentoring Program</a> <a href="#">Resource Guide: Building Financial Capability</a>
Make saving easy through incentivized programs such as matching funds	Low	Medium	Household	<a href="#">Seeding Accounts for Kindergartners and Hoping to Grow College Graduates</a> <a href="#">St Louis College Kids Program</a> <a href="#">Oakland Promise: Kindergarten to College Program</a> <a href="#">Lessons Learned from Matched Savings Programs</a> <a href="#">Baby Bond Proposal, Senator Cory Booker</a>
Use technology (mobile apps, website portals, etc.) to help build residents' financial well-being through savings and other strategies	Low	Low	Household	<a href="#">Providers' App for Low-Income Households to Manage Government Income and Other Income</a> <a href="#">NYC HRA Mobile App for Managing Benefits</a> <a href="#">New York State My Benefits</a> <a href="#">California's AssistHub to Search Public Benefits</a> <a href="#">Washington DC Online Hub to Apply for Public Benefits</a> <a href="#">Illinois Online Portal for Public Benefits</a>
Protect consumers from unfair, deceptive or abusive business practices by enforcing municipal consumer protection regulations, and collecting consumer complaints	Medium	Low	Household	<a href="#">Statement of Policy Prohibition on Abusive Acts or Practices</a>
Facilitate access to banking institutions in low-income neighborhoods and to safe and affordable accounts in a bank or credit union instead of high-cost alternatives such as payday loans	Medium	Low	Community	<a href="#">Self-Help Credit Union</a>
<b>Upstream: PRESERVE AND INCREASE SUPPLY OF AFFORDABLE HOUSING</b>				
Preserve existing subsidized and unsubsidized affordable housing	Medium	High	System	<a href="#">Preservation Compact</a>
Increase affordable housing unit production through inclusionary zoning and pro-housing regulation	High	High	System	<a href="#">Inclusionary Zoning Regulation</a> <a href="#">Minneapolis Sets Aside Money for Affordable Housing Construction</a> <a href="#">Minneapolis Housing Plan 2040</a>
Take new construction development to scale by providing robust funding for affordable housing programs or developments	High	High	System	<a href="#">Protect and Expand the National Housing Trust Fund</a> <a href="#">HOME Investment Partnerships Program</a>
Expand federal Low-Income Housing Tax Credit to increase acquisition, rehabilitation and new construction of affordable rental homes	Medium	High	System	<a href="#">Low-income Housing Tax Credits</a> <a href="#">Preserve and Expand the LIHTC</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>Upstream: SUPPORT LANDLORDS' ABILITY TO MAINTAIN PROPERTY</b>				
Provide small/medium-sized landlords with operating relief or property tax abatements in exchange for maintaining long-term affordability	Medium	Medium	Community	<a href="#">Minneapolis 4D Affordable Housing Incentive</a> <a href="#">Tax Abatements for Owners of Affordable Housing</a> <a href="#">Tax Exemption for Affordable Housing Developers</a>
Provide financial assistance for landlords experiencing financial hardship in exchange for maintaining affordability	Low	Medium	Community	<a href="#">Massachusetts Loan Modification and Foreclosure Resources</a>
Provide access to maintenance capital for owners of affordable housing	Low	Medium	Community	<a href="#">Washington DC's Small Building Program</a> <a href="#">Property Tax Abatement for Renovation of Affordable Housing</a>
Offer landlords financial incentives to rent to households with vouchers, households exiting homeless shelters, vulnerable youth, and young adults exiting the foster system	High	Medium	System	<a href="#">Rhode Island Landlord Incentive Program</a> <a href="#">Colorado Landlord Incentive Program</a> <a href="#">New Hampshire Landlord Incentive Program</a> <a href="#">San Gabriel Valley (CA) Landlord Incentive Program</a> <a href="#">Illinois HCV Tax Savings Program</a>
<b>Upstream: IMPROVE ACCESS TO AFFORDABLE HOUSING FOR LOW-INCOME HOUSEHOLDS</b>				
Create security deposit maximums to increase access for low-income households	Low	Low	Household	<a href="#">Security Deposits Are the Bane of Many Renters: Lawmakers Want to Change That</a> <a href="#">Security Deposit Limits By State</a> <a href="#">Massachusetts Security Deposit Cap</a>
Limit late fees	Low	Low	Household	<a href="#">NYC Tenant Protections</a> <a href="#">DC's Late Fee Fairness Amendment Act of 2016</a> <a href="#">Colorado Legislation</a>
Pass rent stabilization legislation or anti-rent-gouging laws	High	Low	System	<a href="#">California Assembly Bill 1482</a> <a href="#">Rent Stabilization in NYC</a> <a href="#">Oregon Rent Stabilization</a> <a href="#">DC Rent Stabilization Guide</a> <a href="#">Los Angeles County Rent Stabilization Ordinance</a> <a href="#">City of Los Angeles Residential Stabilization Ordinance (RSO)</a>
Expand funding for federal Housing Choice Voucher program so all who qualify for federal assistance receive a voucher	High	High	System	<a href="#">Expanding Housing Vouchers</a>
Expand programs that create deeply affordable housing for extremely low-income households with incomes below 30% AMI	Medium	High	System	<a href="#">Funding for Permanent Supportive Housing</a> <a href="#">San Jose Inclusionary Housing Program</a>
Provide shallow rent subsidies for households that require moderate financial assistance to make their housing affordable	Medium	Medium	System	<a href="#">Supportive Services for Veteran Households: Shallow Rent Subsidy Program</a> <a href="#">The Salvation Army Shallow Rent Subsidy Program</a> <a href="#">DC Flexible Rent Subsidy Program</a> <a href="#">Can a Shallow Flexible Rent Subsidy Prevent Homelessness?</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
Redefine affordability calculations in housing assistance programs using the residual income approach so households can afford both rent and other essential monthly expenses	Low	Low	System	<a href="#">The Rent Eats First: Most Renters Can't Afford a Comfortable Standard of Living</a>
<b>Upstream: RESIDENT AND LANDLORD EDUCATION</b>				
Provide renter/landlord fair housing training, renter prep and best practices for landlords and property managers	Medium	Low	Community	<a href="#">Kansas Tenant &amp; Landlord Training &amp; Educational Programs</a>
Resolution councils/sessions to provide guidance for landlords and residents	Low	Low	Community	<a href="#">Whatcom (WA) Dispute Resolution Center</a>
Educate residents on their legal housing rights	Low	Low	Community	<a href="#">Housing Court Answers</a>
Provide letter-writing tools for residents to proactively communicate legally sound problems to landlords	Low	Low	Community	<a href="#">Hello Landlord</a> <a href="#">Build My Letter</a>
<b>Upstream: BOLSTER RESIDENTS' RIGHTS</b>				
Require landlords to provide renter rights information, including legal aid contacts, with lease signing	Low	Low	Household	<a href="#">San Jose Tenant Protection Ordinance</a>
Require just cause evictions	Medium	Low	Household	<a href="#">Portland Landlords Must Pay Some Tenants' Moving Costs for Evictions Without Cause</a> <a href="#">"Just Cause" Required for Evictions Under the Rent Ordinance of San Francisco</a> <a href="#">New Jersey Just Cause Eviction Code</a> <a href="#">Just Cause Required for Eviction in Oakland, CA</a>
Strengthen warranty of habitability laws and provide residents with recourse when landlords do not remedy violations of the law	Low	Low	Household	<a href="#">Colorado Residential Tenants Health and Safety Act</a> <a href="#">Georgia Habitability Bill</a>
Disincentivize evictions by increasing court filing fees for landlords	Low	Low	Community	<a href="#">The High Cost of Eviction and Low Cost of Filing</a> <a href="#">Congresswoman Norton Pushes for Higher DC Filing Fees</a>
Address outdated local nuisance orders that can lead to unnecessary evictions, especially for victims of domestic violence and other vulnerable people	Low	Low	Household	<a href="#">Chicago Housing Justice League Fighting to End No-fault Evictions</a> <a href="#">Public Health Implications of Housing Laws: Nuisance Evictions</a>
Legislate clean hands eviction requirements	Low	Low	Community	<a href="#">New York City Bill Requiring Clean Hands to Proceed with Eviction</a>
Identify and engage landlords with a history of high eviction rates and building violations through a searchable database	Medium	Low	Community	<a href="#">Landlord Watchlist Project PA</a>
Link updated housing inspection records with court proceedings. Create easily accessible database of code violations for affordable housing property owners	Medium	Low	Community	<a href="#">NYC Maintenance Code Violations Database</a> <a href="#">Brevard County (FL) Code Enforcement Case Search</a>
Provide residents in public, nonprofit and private housing access to social workers and eviction prevention counselors	Medium	Medium	Community	<a href="#">City of Phoenix Landlord and Tenant Program</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>Upstream: USE TECHNOLOGY TO UNDERSTAND THE EVICTION CRISIS</b>				
Create national and local eviction data systems to track and evaluate outcomes	Medium	High	System	<a href="#">Recommendations for Creating National and Local Eviction Data Systems</a> <a href="#">Eviction Lab Data Tracking Tool</a> <a href="#">NYC Council Eviction Data and Intervention Tools</a>
Gather data and create data transparency around rental assistance programs	Medium	Medium	System	<a href="#">Houston Rental Assistance Dashboard</a>
Start a citywide rental registry	Medium	Low	System	<a href="#">We Need Rental Registries Now More Than Ever</a> <a href="#">The Case for a Federal Rent Registry</a> <a href="#">Los Angeles Rent Registry</a>
Set and track affordable housing goals; gather data on supply and levels of affordability within that supply	Low	Low	System	<a href="#">City of Atlanta Housing Affordability Tracker</a>
Use data patterns and machine learning tools to identify residents at risk of possible eviction	Low	Low	System	<a href="#">Urban Institute Map of Vulnerable Renters</a> <a href="#">UC Berkeley Housing Precarity Risk Model</a>
<b>After Arrears/Pre-Filing: PREVENT EVICTION FILING AND KEEP RESIDENTS IN THEIR HOME</b>				
Implement eviction prevention programs with co-located services, upstream of court filing	Medium	Medium	System	<a href="#">Philadelphia Eviction Prevention Project</a>
Offer residents phone and chat hotlines to discuss options, eviction process and other resources	Low	Low	Household	<a href="#">Virginia's Eviction Legal Helpline</a> <a href="#">Minnesota Tenant Advocacy Organization's HOME Line</a> <a href="#">New York City's Homebase Program</a> <a href="#">Ramsey County, Minn., Pre-eviction Neighborhood Crisis Clinic</a>
One-off advice clinics or consultations, such as lawyers-for-a-day programs, that provide residents quick access to a lawyer to help form a strategy outside/inside court	Low	Low	Household	<a href="#">Hampden County (MA) Legal Clinic</a> <a href="#">Hampshire County (MA) Bar Association - Lawyer for a Day - Housing Court</a> <a href="#">New York State Courts Access to Justice Program</a>
Create emergency rental assistance programs to assist residents with arrears and prospective payments during financial hardship	Medium	High	System	<a href="#">Catholic Charities Rental &amp; Emergency Assistance</a> <a href="#">Open Door: Resources for New Yorkers Facing Housing Instability</a> <a href="#">Beaufort County (SC) Emergency Rental Assistance</a>
Improve rental assistance programs to target households based on need and vulnerability	Medium	Low	System	<a href="#">Rental Assistance in Dallas County</a> <a href="#">Rental Assistance Doesn't Reach Most Who Need It</a> <a href="#">National League of Cities: How to Establish and Improve Rental Assistance Programs</a>
Offer mediation services to residents and landlords	Low	Medium	Household	<a href="#">Landlord-Tenant Mediation in Washington State</a> <a href="#">Dispute Resolution Center (St. Paul)</a> <a href="#">Philadelphia Eviction Diversion Program Requires Landlord-Tenant Mediation</a>
Develop landlord-initiated eviction prevention programs	Low	Low	Community	<a href="#">The Aamo Community Group</a> <a href="#">WinnCompanies Massachusetts' Housing Stability Program</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>After Arrears/Pre-Filing: BOLSTER RESIDENTS' RIGHTS</b>				
Enact early termination of lease rights for victims of domestic violence	Low	Low	Household	<a href="#">California Expanded Early Termination Rights</a> <a href="#">Michigan Housing Laws for Victims of Domestic Violence</a>
Extend time to cure/notice to cure and length of time resident has to rectify lease violation, including nonpayment of rent	Low	Low	Household	<a href="#">San Marcos (TX) Extends Time to Cure to 90 days COVID Pandemic</a>
Encourage payment plans for measured repayment of rent	Low	Low	Household	<a href="#">Sample Payment Plan by State</a> <a href="#">Negotiating Payment Plan with Landlord</a> <a href="#">Avalon Properties Payment Plan</a> <a href="#">HUD's Recommended Repayment Agreement</a>
Require landlords to give sufficient notice to resident before filing for eviction	Low	Low	Household	<a href="#">Indiana Eviction Process: Rules for Landlords and Property Managers</a>
Require landlords to notify a government agency of intent to evict to increase awareness and tracking of informal evictions	Low	Low	System	<a href="#">San Francisco Rent Board's General Eviction Notice Requirements</a> <a href="#">Michigan Legislature's Practical Guide for Tenant and Landlords</a> <a href="#">San Jose Rental Termination Procedures</a>
Require landlords to give notice before entering rented premises	Low	Low	Household	<a href="#">State Laws on Landlords' Access to Rental Property</a>
Impose criminal or civil penalties for illegal evictions such as lockouts, self-help, withholding services, utility shut off, etc.	Medium	Low	Household	<a href="#">NYC Illegal Eviction Law</a> <a href="#">Rhode Island Attorney General Statement on Illegal Evictions</a>
Waive eviction filing or housing court proceeding requirement if eligible for local rental assistance	Low	Low	Household	<a href="#">NYS Temporary Suspension of Eviction Requirement for FHEPS Eligibility</a>
Encourage cash for keys agreement (landlord pays resident to leave)	Low	Low	Household	<a href="#">Pros of Cash for Keys Over Eviction</a>
<b>After Eviction Filing: EVICTION DIVERSION PROGRAMS</b>				
Create eviction diversion programs with comprehensive and holistic support services	Medium	Medium	System	<a href="#">Homestart's Renew Collaborative (Boston) Eviction Diversion Programs</a> <a href="#">Jackson (MI) Eviction Diversion Program</a> <a href="#">Diagnostic Tool by the National Center for State Courts</a> <a href="#">Texas Eviction Diversion Program</a>
Provide negotiation and settlement assistance	Low	Medium	Household	<a href="#">American Bar Association Best Practices for Court-Based and Court-Adjacent Eviction Prevention and/or Diversion Programs</a>
Ensure online dispute resolution (ODR) tools take digital divide into account	Low	Low	Household	<a href="#">Online Dispute Resolution Technologies</a>



High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>After Eviction Filing: LEGAL SUPPORT AND DEFENSES FOR RESIDENTS</b>				
Legislate right to counsel — universal access for all residents facing evictions — or base on established eligibility (e.g., income level or type of eviction)	High	High	System	<a href="#">Maryland House Bill 18: Residential Tenants Access to Counsel</a> <a href="#">National Momentum of Right to Counsel Movement</a> <a href="#">NYC Right to Counsel</a> <a href="#">Do Lawyers Matter? Early Evidence on Eviction Patterns After the Rollout of Universal Access to Counsel in NYC</a>
Ensure legal clinics inform residents of their rights and power to effect change	Low	Low	Household	<a href="#">Kansas City Empowers Renters through Rights Education</a> <a href="#">Lawyer and Client Stage Demonstration Halt Eviction</a> <a href="#">Waco (TX) Legal Clinic Offers Holistic Services</a>
Provide legal service organizations with template forms and other DIY resident resources	Low	Low	Household	<a href="#">Nevada Civil Law Self-Help Center</a> <a href="#">Nevada Civil Law Self-Help Center Forms</a> <a href="#">Massachusetts Housing Court Forms</a> <a href="#">Washington State's Tenant Union Self-Help Education Program</a>
Prohibit landlords from evicting residents solely on the basis of unpaid late fees	Low	Low	Household	<a href="#">Colorado Rights in Residential Lease Agreements</a>
Automate appeal process for residents	Medium	Low	Household	<a href="#">City of Oakland (CA) Appeal Process</a>
<b>After Eviction Filing: COURT-BASED INTERVENTIONS TO IMPROVE EVICTIONS SYSTEMS &amp; PROCESSES</b>				
Partner with community organizations and legal services providers to raise awareness of rental assistance funds	Low	Low	Community	<a href="#">U.S. Department of Justice letter</a> <a href="#">Philadelphia Eviction Prevention Program</a> <a href="#">Ingham County (MI) Eviction Diversion Program</a>
Make information sheets, notices and official documents available in multiple languages and across different digital platform as well as in print	Low	Low	Household	<a href="#">San Francisco Rent Board's General Eviction Notice Requirements</a> <a href="#">NYC Civil Court Housing Fact Sheets</a>
Establish visual design standards for all notices, summons and complaints	Low	Low	Household	<a href="#">Legal Design Toolbox</a>
Courts tend to be sensitive to language requirements and generally ensure landlords, attorneys and courts communicate in residents' preferred language	Low	Low	Household	<a href="#">California Department of Consumer Affairs' Guide to Residential Tenants' And Landlords' Rights and Responsibilities</a>
Court or legal aid can provide housing settlement masters and standards for default agreements	Low	Low	Household	<a href="#">Nevada Bar Eviction Settlement Checklist</a>
Educate judges about laws on eviction, residents' rights and consequences of eviction	Low	Low	Community	<a href="#">University of New Mexico Online Training Program for Judges</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>After Eviction Filing: COURT-BASED INTERVENTIONS TO REDUCE LIKELIHOOD OF EVICTION</b>				
Impose state-level ban on pursuing evictions in small claims court; barrier to entry is too low and legal representation is not required	Low	Low	System	<a href="#">Effect of State and Local Policy on Eviction in the United States</a>
Permit conditional dismissal of a court case to keep an eviction judgment off resident's housing history and credit report	Low	Low	Household	<a href="#">Michigan Negotiations in Eviction Cases: Conditional Dismissals</a>
Use motion to set aside default judgment for missed appearance so residents may still have a hearing or pursue other options	Low	Low	Household	<a href="#">Vacating a Default Judgment in NY State</a>
Court can use motion to stay to postpone actual eviction	Low	Low	Household	<a href="#">Motion to Stay as Delay Tactic</a>
Courts can require landlords to apply for rental assistance before filing	Low	Low	Community	<a href="#">U.S. Department of Justice Letter</a> <a href="#">HUD Article on Philadelphia Eviction Diversion Program</a>
Courts can extend time in pending cases to give residents more time to access rental assistance resources	Low	Low	Household	<a href="#">U.S. Department of Justice Letter</a>
Courts can modify summonses and other form filings to inform residents of available assistance	Low	Low	Household	<a href="#">U.S. Department of Justice Letter</a>
Courts can provide resident advocates or navigators to accompany a resident through the procedure and hearing, and provide some amount of explanation and guidance (though not legal advice)	Low	Medium	Household	<a href="#">NYC Court Navigator Program</a>
<b>After Eviction Filing: COURT-BASED DATA TRANSPARENCY</b>				
Courts can track filings and share outcomes with policymakers to raise awareness about the what, where and impact of evictions	Medium	Medium	System	<a href="#">Rochester Memo on Court Data Sharing</a> <a href="#">NYC: Example of Open Data Set</a>
<b>Post-Eviction: PREVENT HOMELESSNESS</b>				
Create and implement rapid rehousing programs for households that need short-term or emergency household assistance to avoid homelessness	High	High	Household	<a href="#">HUD Brief on Rapid Rehousing</a> <a href="#">National Alliance to End Homelessness Training Resources</a> <a href="#">Supportive Services for Veteran Families Rapid Rehousing Program</a>
Create case management and navigator programs that assist tenants, including people facing eviction, in accessing affordable housing and connecting them to financial resources, legal advice, employment programs, benefits, and other support.	High	High	Household	<a href="#">Housing Navigator Massachusetts</a> <a href="#">U.S. Department of Veteran Affairs Housing Navigator Toolkit</a> <a href="#">Chicago Housing Navigation</a> <a href="#">South Carolina NAACP Housing Navigators</a>

High-Impact Intervention Strategies	Level of Effort	Cost of Implementation	Scale of Impact	References, Examples, Models
<b>Post-Eviction: RESTORE STABILITY AFTER EVICTION</b>				
Pass state legislation to seal records and enact other court policies that seal or restrict access to records to eliminate long-term impact to housing access for someone with a history of eviction	Medium	Low	System	<a href="#">Expunging an Eviction Record in Minnesota</a> <a href="#">How to Seal an Eviction Record in Illinois</a> <a href="#">Colorado Court Records Suppression Law</a> <a href="#">D.C. Proposed Legislation to Seal Eviction Records</a>
Increase transparency in landlord processes for accepting or rejecting rental applications, including placing limits on use of eviction histories as the sole basis for denying applicants	Medium	Low	System	<a href="#">Philadelphia Renters' Access Act</a> <a href="#">NY State Housing Security, Stability and Tenant Protection Acts</a> <a href="#">Tenant Screening and Selection in the Twin Cities Metro Area</a>
<b>Post-Eviction: ADDRESS HOMELESSNESS</b>				
Ensure sufficient supply of adequate shelter and services	Low	High	System	<a href="#">United Way of Pennsylvania</a> <a href="#">Miami Dade County (FL) Assistance for Evicted</a>
Expand supply of permanent supportive housing for homeless or severely at-risk people who were recently evicted	High	High	System	<a href="#">U.S. Interagency Council on Homelessness</a> <a href="#">Coalition for the Homeless</a> <a href="#">Win Shelter and Supportive Housing (NYC)</a> <a href="#">Seattle Downtown Emergency Service Center</a>
Ensure strong coordinated entry systems that prioritize the most vulnerable people for access to appropriate housing	Medium	Medium	System	<a href="#">Houston Continuum of Care Programs</a> <a href="#">Minnesota Housing Finance Agency</a> <a href="#">Texas Homeless Network</a> <a href="#">Homeless Services Consortium of Dane County (WI)</a>





## Making the Case: The Evidence Base for Preventing Eviction

The evidence is clear that a proactive, upstream approach to keeping people in their homes benefits residents, property owners, and society at large. This section presents the evidence base for preventing eviction – what we know about the negative impacts of eviction; what we gain from a proactive, upstream approach to supporting housing stability; and what the most successful upstream interventions tell us about what works.

With this information, policymakers can do more to address housing inequities and take steps toward keeping people in their homes.

### The Status Quo: A Crisis Response System

No one wins when an eviction takes place. It is costly to all involved. Landlords, tenants, courts, and communities all pay the financial, emotional, and systemic costs of eviction.

Still, the eviction filing is landlords' most widely used lever to compel rent collection for households in arrears.

*Eviction takes a severe toll on the mental and physical health of people who face the prospect of losing their home.*

Evictions both stem from and exacerbate stressors related to poverty that can lead to poor mental health outcomes. Lacking enough resources to provide for one's family often leads to unrelenting stress. Job loss and decreased income, disputes over landlord mismanagement, domestic violence, and health crises<sup>17</sup> can all be precursors to non-payment of rent. The need to juggle many priorities (finding affordable housing, caring for family, getting or staying healthy, managing debt and savings, completing school or job training), paired with social biases (racism, classism, and social isolation), can take a devastating toll on families. In addition, families experiencing poverty are more likely to have been exposed to stress-inducing traumas like violence, homelessness, or persistent hunger.

Long-term stress has lasting negative impacts on individual mental health. In a 2020 study of mental health outcomes in eviction court<sup>18</sup>, 39% of tenants had generalized anxiety disorder, 37% had PTSD, 33% had major depressive disorder, and 17% reported suicidal ideation. One study found<sup>19</sup> that mothers who experienced eviction reported higher rates of material hardship and depression two years after their move.

Evictions affect adult health through several different channels:<sup>20</sup> stress brought about by housing instability, changes in housing quality, exposure to health hazards and increased likelihood of ending up in substandard housing. Evictions could also worsen health if evicted households sacrifice preventative care or forego other basic needs to afford new moving costs, such as a security deposit or broker's fee. In one national survey of renters and medical professionals,<sup>21</sup> more than half of surveyed renters reported that they had delayed medical care specifically because they couldn't afford it. In fact, evictions have been linked to loss of Medicaid coverage, reduced spending on prescriptions, and a reduction in health care spending; <sup>22</sup> at the same time, when people who have experienced evictions do continue to spend money on health care, their costs increase by 20%. Yet another study shows a causal link between evictions and hospitalization for mental health as well as increased emergency room use<sup>23</sup> in the two years following an eviction filing.

### *Eviction perpetuates housing instability.*

Eviction displaces people from their homes, and yet it creates the conditions for another eviction. A household may lose their community and support network because they may have to leave their neighborhood to find another place to live. Families often need to double or triple up with family or friends in housing not designed for large households. Children may have to switch schools and parents may lose proximity to a job. Often, eviction puts families on a trajectory toward increasingly poor housing conditions<sup>24</sup> or homelessness.

The very filing of an eviction action, even if it does not lead to immediate displacement, blemishes a tenant's record and makes it much harder to find decent rental housing moving forward. Even if a tenant manages to settle or avoid a formal eviction, a legal eviction generates a court record – a stain on a household's credit and a scar on their rental history that make finding a new home considerably more difficult. Landlords regularly purchase tenants' rental history data<sup>25</sup> during the first stage of the tenant screening process – which contains information about credit history, criminal background, and available records of landlord-tenant legal disputes. Landlords can then use this information to avoid renting to any tenants who have been a part of a court filing, regardless of the outcome of the case.

Evictions can put people's employment at risk as well. One study shows that renters who were forced to move were 11 to 25% more likely to lose their job,<sup>26</sup> usually because their new housing was further away from work, or they had to take off from work to show up to court. Eviction creates a cycle of instability from which it can be very difficult to recover.

### *Housing instability has negative consequences for children's educational and health outcomes.*

Housing instability causes long-term harm to children,<sup>27</sup> leading to detrimental health, social,<sup>28</sup> and economic consequences.<sup>29</sup> In young children, chronic stress can impact brain development. While some stress is normal – such as challenging learning moments – too much stress, without regular or predictable alleviation, impacts the brain's architecture and makes developing self-regulation in the future more difficult.



Housing instability and the threat of eviction lead to the same negative health outcomes for children<sup>30</sup> as homelessness. Eviction and the threat of eviction cause frequent school moves, high rates of absenteeism, and low test scores among children.<sup>31</sup> Children in families displaced from their homes are at greater risk of entering the foster care system, and children impacted by eviction are more likely to experience the juvenile delinquency system. And in the extreme consequence of homelessness, children are more likely to be arrested, whether for crimes of necessity or conflicts created by homelessness itself. Conversely, children whose families receive housing subsidies experience housing stability, and have lower incarceration rates and higher pay as adults.<sup>32</sup>

### *Eviction adds to the financial burden on renters who are already struggling.*

The cost of eviction to a renter<sup>33</sup> may include the remainder of a month's rent, replacement of abandoned or confiscated possessions, legal costs if the landlord obtained a legal order to vacate, and the costs of moving to a new home. Tenants may owe hundreds or thousands of dollars in back rent, late fees and court fees. Often tenants lose possessions or have to pay to reclaim their belongings from a storage site.

The eviction process is costly even before a tenant is formally evicted. Courts may charge landlords filing fees and court fees,<sup>34</sup> which are often passed through to the tenant, along with any filing costs. Even if tenants win or settle their case, clearing their rental history record can incur an additional fee.

When taking into account that over 50% of American households have less than \$2,000 in savings,<sup>35</sup> it is not surprising that short-term liquidity, or a lack of cash, plays an outsized role in housing court and eviction overall, and is a profound motivation to provide upstream rental assistance to vulnerable tenants.

### *Eviction is also costly for landlords.*

For landlords, evictions can be costly. These costs can include legal fees, court costs, lost rent, property turnover costs, property damages, and financial damages. The time commitment can be extensive, stressful and expensive. For example, as of 2019, in Boston the cost of pursuing an eviction for a private landlord<sup>36</sup> was estimated to be between \$5,500 and \$8,000.

If a landlord successfully evicts a tenant, the housing unit may need repairs to be able to turn it over to a new tenant. Throughout the eviction process and the search for a new tenant, the landlord will not receive any rental income. But unfortunately, because the barrier for landlords to file an eviction in court is relatively low, it has become standard practice to use the initial steps of the eviction process to compel a tenant to pay back rent or to prevent any formal complaints about the maintenance of the unit.





### *Ultimately, eviction threatens the affordable housing stock and strains local governments.*

Small, independent landlords play a crucial role in maintaining the supply of unsubsidized affordable housing, which represent about 75% of the affordable housing stock nationwide.<sup>37</sup> Because unsubsidized affordable rental units are typically older and financially fragile, if an owner of an affordable property cannot collect sufficient rent to pay their mortgage, they may be forced to sell their property. If the property is sold or foreclosed upon, it is frequently redeveloped as market-rate housing, causing more affordable housing stock to be lost.<sup>38</sup>

After an income disruption, financially insecure households are three times more likely to miss a utility payment, and may fall behind on automobile and student loans, all of which has a cost to the public. Local governments may face declining revenue<sup>39</sup> when financially insecure residents (people with less than \$2,000 in savings) are evicted. In Miami, for example,<sup>40</sup> the impact to the city from eviction and unpaid property taxes and utility bills ranges from \$6 million to \$14 million of a total annual operating budget of \$1.1 billion.

The costs of homelessness further speak to the need to prevent evictions before they happen.<sup>41</sup> Eviction is a growing cause of homelessness, and each instance of homelessness can cost a local government tens of thousands of dollars a year. Caring for temporarily or permanently

unhoused individuals and families, who are medically and financially vulnerable<sup>42</sup> is incredibly costly to state and local governments. This is especially true in places where affordable housing and housing support services are in very short supply and local governments struggle to keep up with the costs of providing services to residents. California's Santa Clara County studied the cost of unsheltered homelessness in Silicon Valley<sup>43</sup> and found that health care for serious medical conditions exacerbated or caused by experiencing unsheltered homelessness accounted for over 50% of the county's homelessness total expenditures. In total, health care, law enforcement and environmental impact comprise the majority of Santa Clara's \$500 million annual homelessness budget<sup>44</sup> in a county with a total population of 2 million. These enormous costs point to the value of investing in eviction prevention and housing stability to avert the downstream pressures of homelessness.



## The Benefits of A Proactive, Upstream Approach

Preserving a family's housing stability not only benefits that household, but also the landlord, local government, and society at large. Simply keeping people housed over a longer term makes sense for all stakeholders, both financially and for the well-being of residents. There is evidence of widespread buy-in<sup>45</sup> for eviction prevention programs that include a focus on housing stability.

### *Financial stability is the key to preventing eviction and the cycle of poverty it perpetuates.*

The most effective approach to improving housing stability requires identifying populations most vulnerable to the short and long-term impacts of eviction and deploying an array of community-based resources and investments at the front end—before tenants experience eviction, and even before they are behind on their rent. Families with financial stability are less likely to be evicted, miss a housing or utility payment, or receive public benefits<sup>46</sup> when income disruptions occur.

Housing stability means that a tenant is able to stay in their home, stop moving from place to place, stop paying unsustainable amounts toward rent and/or has the ability to weather an economic disruption or emergency. Parents have time and energy to look after their children and create stability for them. One study suggests that stability might mean avoiding lifelong poverty.<sup>47</sup>

A sense of permanency fosters connection to community and the ability to turn attention to longer-term financial, professional, and educational goals. Having the peace of mind that eviction is not around the corner is an immense stress lifted, which translates into better mental and physical health for the whole family.

In fact, providing renters with a guaranteed modest income<sup>48</sup> has been shown to significantly improve recipients' mental health—shifting from having a mild mental health disorder to likely mental wellness over a year-long intervention.



### *Housing stability for tenants is often in landlords' best interest.*

For landlords, housing stability among tenants is key to stable rental collections and low vacancy rates. When tenants are financially secure, landlords have a reliable source of revenue to sustain and properly maintain their property. Tenant housing stability eliminates high turnover and the continual need to find a new tenant.

Given the high financial cost of an eviction as described in the previous section, it can be economically beneficial to work with a tenant to prevent an eviction rather than have no tenant (or rent) at all, especially when considering the volume of renters facing eviction who owe less than \$600 in arrears.<sup>49</sup> According to one program in Massachusetts, for example, evicting a resident for non-payment in that state costs 2.5 to 5 times more than the expense of keeping the resident in their home.<sup>50</sup>

If landlords work proactively with tenants and service providers when a tenant is behind on rent or may be experiencing hardship, the service provider may have an opportunity to intervene and help the tenant secure resources. Shifting an oppositional landlord-tenant relationship toward a less adversarial, more mutually beneficial relationship can be an essential tool to support tenants' housing stability and proactively address challenges.



As mediation programs have expanded in the wake of Covid, landlords have increasingly recognized their benefits, appreciating the ability to talk to a third party when a tenant may be non-responsive or communication has stalled. In the words of a [Philadelphia landlord](#),<sup>51</sup> “When you go to court, there is a lawyer between you and the tenant... there’s resentment in the air. Here, it was a conversation.”

At the onset of Covid, because the barriers for eviction were often higher or banned altogether, many landlords used other means such as payment plans, mediation, re-negotiated leases, and settlements out of court to resolve their dispute with a tenant. Ideally, these alternative approaches will continue to be used to resolve disputes over the long term.

### *The financial health of individuals translates into the financial health of communities.*

Housing stability is the foundation for economic mobility. When a community implements robust tenant protections to ensure that eviction is an action of last resort, a diverse workforce develops, savings increase, more bills are paid, and a financially sound population takes shape. The community becomes stronger and more resilient.

Local governments benefit from reduced financial burdens to the municipal courts and other systems, including lower shelter costs and lower hospital costs. When landlords and tenants reach agreements outside of the formal adjudication process, court dockets [lighten](#)<sup>52</sup> and judges have the time to adjudicate more pressing cases. By providing tenants facing eviction with a right to counsel and reducing eviction, local governments could [avoid significant financial costs](#),<sup>53</sup> including costs related to the education, juvenile justice, and child welfare systems associated with children experiencing housing instability. Additional cost savings would be incurred through reduced homeless services, reduced reliance on social safety net programs such as unemployment, and more.

### **What Works: Lessons from Successful Upstream Interventions**

Upstream approaches that identify populations most vulnerable to short and long-term impacts of eviction and intervene before people are at risk is the key to preventing eviction. The most successful strategies for housing stability empower the tenant while taking into account the

financial pressures on both the tenant and the landlord. These strategies foster communication and generate trust, encouraging property managers, case workers, and tenants to listen to and educate one another. Successful strategies provide multiple and complementary services that include follow-up to maximize the opportunity for the family’s long-term stability.

### **Targeting Vulnerable Populations**

Successful eviction prevention programs target assistance to neighborhoods that are particularly vulnerable to evictions. This could include areas with low to median incomes; neighborhoods at risk of gentrification-induced displacement, redevelopment or zoning changes; areas with high rates of homelessness or homeless shelter entry, or areas that have had historically high eviction rates. People of color – specifically Black women – should be a focus of outreach and assistance. Black people already experience homelessness at a significantly higher rate; according to the [Center for Social Innovation](#),<sup>54</sup> “although Black people comprise 13 percent of the general population in the United States and 26 percent of those living in poverty, they account for more than 40 percent of the homeless population, suggesting that poverty rates alone do not explain the overrepresentation.” Covid has exacerbated and gendered this disparity. In fact, a [USA TODAY analysis](#)<sup>55</sup> of local and national housing records and data found that Black women are more likely than any other group to be evicted – with Black women renters filed against at twice the rate of white women renters nationwide. Outreach through institutions, community networks and services associated with the care, protection, and education of children increases the chances that the right preventative measures will reach the most at-risk populations.

Many rentals are informal arrangements lacking leases or other legal documents, which can pose challenges for outreach activities. For example, efforts to direct emergency rental assistance to those in need during the Covid-19 pandemic was significantly [more difficult than anticipated](#).<sup>56</sup> To reach all at-risk tenants, intentional efforts and strategic partnerships must be made to connect to subletters, roommates of leaseholders, boarders, people living in illegal units, undocumented tenants, and people renting without a lease or formal contract.

## Communication Strategy

Communicating with residents at risk for housing instability is most effective when it acknowledges the linguistic and cultural characteristics of a neighborhood. Successful outreach takes place in neighborhood-based locations such as community centers, laundromats, schools, street fairs, barber shops, and playgrounds. How and where the message is crafted and delivered matter profoundly in building trust with communities and reducing the stigma associated with public benefits. Various social media platforms can also be instrumental in reaching a variety of demographics.

UC Berkeley's The People Lab and Denver's Office of Social Equity and Innovation conducted a study<sup>57</sup> of the efficacy of a mailer with more inclusive and de-stigmatized language about eviction and rental assistance as compared to a mailer with the status quo outreach information. Renters who received the de-stigmatized postcard were 19% more likely to request an application than those who received the status quo postcard. The de-stigmatized postcard also led to a higher proportion of completed applications from Black/African-American and Latino respondents.

## Collaboration and Networks

Community-based organizations are often most knowledgeable about residents' specific needs and can work within communities to identify highly impactful solutions. If an organization works at a larger scale, forming community-based partnerships will ensure that community members are at the table creating new programs that are trusted and easily accessible.

Resident organizations and community-based groups that work together can be very effective and can empower their neighbors and clients. Together, they can build networks with service providers and government programs to create a full continuum of services and supports. Services might include assistance accessing rental assistance, benefits to help with a disability, child care, health care, and/or education; education on how to attain financial stability, and information on the client's rights as a tenant and how to negotiate with a landlord.

## Streamlined Applications and Reduced Bureaucracy

The barrier to entry for many safety net programs can be extremely high, including cumbersome applications, unnecessary documentation requirements, and long wait times. To ensure that upstream eviction prevention strategies are successful, governments must work to make programs easy to access and quick to distribute aid. For example, the Emergency Rental Assistance Program<sup>58</sup> created by the U.S. Treasury in 2021 addressed many of these concerns by allowing tenants to self-attest to their financial hardship so grantees could reduce bottlenecks to accessing resources, and making eviction prevention activities, such as legal counsel, eligible uses under the program.

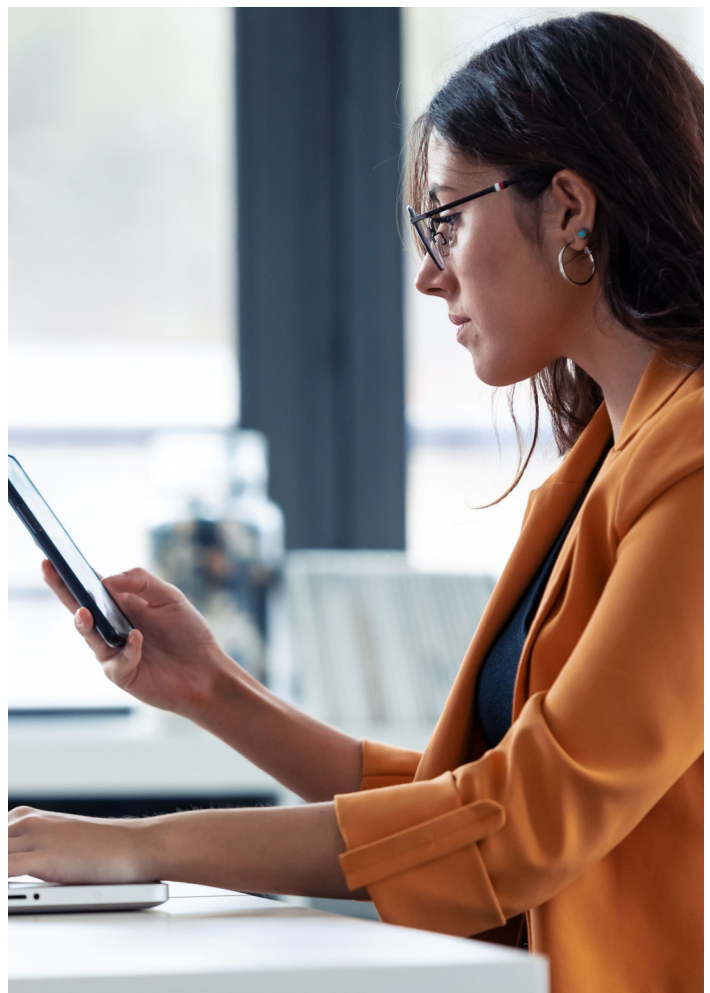
Reduced documentation requirements and quick distribution of funds are critical to keeping tenants stably housed and avoiding unnecessary eviction.



## Key Characteristics of Successful Eviction Prevention Programs

Following is a short list of key characteristics of successful upstream eviction prevention programs.<sup>59</sup>

- Have clearly defined goals, alignment, and coordination between all the actors, agencies, and organizations involved
- Promote early interventions and solutions, especially before an eviction case is filed
- Maintain active case management from pre-filing to post-judgment
- Build and support holistic eviction diversion interventions that address parties' human needs, financial needs, and legal needs in the eviction process
- Be aware of technological, access, and linguistic barriers that people may experience as a participant in the program
- Provide housing stability services to ensure tenants are stably housed after their arrears are paid
- Put energy into opening channels of communication between renters and property owners/managers to establish trust in that relationship
- Be flexible enough to adapt quickly, e.g., when demographics shift or emergencies arise
- Track outcomes qualitatively and quantitatively
- Center the design and implementation of the program in its users; when gathering feedback to make improvements and evaluate the success of the program, always consult with the users – the tenants and the landlords – first and foremost
- Use technology and data transparency to help reduce the burdens of access to benefits, information and support for renters and landlords





## Case Studies

This section uses case studies to bring to life many of the eviction prevention strategies described throughout this paper. Whether the strategy is utilized upstream of the eviction process with an emphasis on housing stability, further along when tenants are behind on rent, or once law enforcement has removed tenants from their home, these in-depth examples of on-the-ground programs demonstrate a wide range of possible eviction prevention approaches.

### Upstream

Upstream approaches to preventing eviction focus on addressing the root causes of housing instability and proactively develop strategies to address them – from strengthening tenants’ financial health and providing access to housing affordability to addressing systemic racial inequities. The following case studies represent a sampling of these best practices.



### Basic Income Programs

Recognizing that financial well-being is the foundation of eviction prevention, dozens of cities across the country have begun piloting basic income programs that distribute funds to a targeted population, conditionally or unconditionally. In the last 20 years, basic income programs have focused explicitly on addressing structural economic and racial injustices to help close the stark income and wealth gaps<sup>60</sup> between Black and white households.

**Springboard to Opportunities’ Magnolia Mother’s Trust**<sup>61</sup> in Jackson, Mississippi, is the first guaranteed income program specifically focused on improving the financial and mental health of extremely low-income families headed by Black women living in affordable housing in the United States.

The program provides low-income Black mothers \$1,000 cash on a monthly basis, with no strings attached, for 12 consecutive months. Additionally, the program has developed strategies for its participants to share their stories with others, including policymakers, through the Springboard Storytelling Lab<sup>62</sup> and through Front & Center,<sup>63</sup> a collaboration with Ms. magazine.

The initial cohort of participants showed a number of promising results<sup>64</sup> for both immediate economic security (participants able to pay all their bills on time increased from 37% to 80%) as well as for longer-term economic opportunity (participants who completed high school increased from 63% to 85%). Additionally, more than \$10,000 of predatory debt was paid off during the initial pilot. In the second cohort,<sup>65</sup> which started in parallel with the Covid-19 pandemic, participants saw an increase in their ability to save for an emergency (from 40% of women to 88%), access health insurance coverage (an increase in 25% of women), and increase their food budget and other household costs (by up to \$150).

There are currently more than 60 local basic income initiatives nationwide<sup>66</sup> and many have shown encouraging outcomes. The **Stockton (California) Economic Empowerment Demonstration (SEED)**<sup>67</sup> has reduced participating households' income volatility<sup>68</sup> (the month-to-month income fluctuations<sup>69</sup> that low-income households face) and measurably decreased<sup>70</sup> anxiety and depression, as compared to the control-group participants. Participants were able to cover unexpected expenses, which was particularly important with the onset of the pandemic, and to find full-time employment. Rather than drop out of the workforce, participants found jobs at twice the rate of a control group.<sup>71</sup>

A study<sup>72</sup> done five years after an early basic income program in Milwaukee called the **New Hope Project**<sup>73</sup> ended showed long-term impacts on participants' children, including staying on grade, not being in special education, and graduating from high school. Eight years after entering the program, the children continued to report more engagement in school, more optimism for the future and better emotional well-being compared to a control group and other studied children of low-income families.

## Enforcing Source-of-Income Protections for Rental Subsidies

Rental subsidies, such as the federal Housing Choice Voucher Program administered through local public housing agencies, are an important source of long-term rental assistance that enable low-income renters to pay for housing in the private market. However, many landlords refuse to accept government assistance as a form of payment, making it very difficult for

voucher holders to find affordable housing.<sup>74</sup> Unfortunately, renters who rely on government assistance to pay their rent are not considered a protected class under the Fair Housing Act of 1968, spurring state and local governments to enact their own laws to protect renters from discrimination based on the source of their income.

Source-of-income discrimination occurs when a landlord refuses to rent to someone because of their form of income,<sup>75</sup> such as a voucher or child support. This form of discrimination could violate the Fair Housing Act<sup>76</sup> because housing vouchers disproportionately serve<sup>77</sup> families with children, persons with disabilities and people of color. Some states and localities have passed protections explicitly prohibiting source-of-income protection discrimination as a strategy to increase access to housing among voucher holders. In fact, 20 states and dozens of localities<sup>78</sup> have laws to protect renters based on various sources of income.

Critical to the success of such protections is enforcement, including incentives for landlord participation in voucher programs. In the District of Columbia, the Office of Human Rights conducts a variety of Fair Housing enforcement activities, community education and outreach events, including the use of “testers” who present themselves to prospective landlords as voucher holders. The combination of source-of-income antidiscrimination laws, partnership with fair housing advocates, and robust enforcement activities have resulted in significantly higher voucher acceptance rates<sup>79</sup> in the District.





## Integrated Financial Coaching Strategies

Deeper financial coaching strategies can proactively support at-risk families to build their financial resilience and strengthen housing stability.

**EMPath (Economic Mobility Pathways) Mobility Mentoring Program in Boston**<sup>80</sup> provides resources, skills, and coaching in the sustained behavior changes required to achieve economic independence. Coaching staff (“Mobility Mentors”) work one-on-one with low-income, housing-vulnerable individuals to create short- and long-term goals to achieve financial health. EMPath takes a comprehensive approach to problem solving, recognizing that achieving economic independence is more likely if individuals take stock of all areas of their lives rather than tackling one area alone.

Out of approximately 1,300 participants served over the course of a year,<sup>81</sup> the percentage of participants who felt like they were thriving in their overall well-being increased from 29% to 46%. Seventy-seven percent of participants met their annual family stability goal. With regard to financial health, 80% of participants without a bank account opened one, and 85% of participants without savings started saving money. Sixty-five percent of participants increased their credit score by an average of 128 points.

## After Arrears / Pre-Filing

Pre-filing interventions occur after a tenant has fallen behind on rent but before action is taken to file for an eviction. Eviction prevention interventions offered before a tenant is served notice have a more sustainable and often less costly impact on all stakeholders involved. Some programs provide financial assistance, while others work with tenants to resolve conflicts with landlords and/or to achieve economic stability. Once a tenant is in arrears, intervening quickly is critical to reduce negative impacts on the tenant; minimize costs for the tenant, landlord and taxpayer alike; and ultimately help the tenant avoid a court-based process and stay in their home. In fact, most stakeholders share a desire<sup>82</sup> for resources address residents’ arrears before entering the court system.

## A City-Funded Eviction Prevention Program

**New York City's Homebase**<sup>83</sup> program is a network of service providers, located in neighborhoods of high need throughout New York City, designed specifically to help vulnerable families stay in their homes, build skills to maintain housing stability, and avoid shelter entry. The program serves clients at a range of points in the eviction process, including people facing housing instability, in the midst of an eviction crisis, and stabilizing in housing after experiencing eviction or homelessness. Services include assistance obtaining public benefits, education and job placement; financial counseling and money management; mediation; help relocating; legal referrals; and short-term financial assistance to pay rental or utility arrears, security deposits, or moving costs. Eligible families are assigned a case manager, who prioritizes helping the family preserve their housing and develop a long-term plan for housing stability.

The Homebase program was found to reduce shelter entry<sup>84</sup> and the program's savings in reduced nights of shelter more than offset its operating costs. The program indicates that prevention services can effectively and efficiently target and engage at risk families before they actually become homeless.

## A Philanthropically Funded Eviction Prevention Program

The Ramsey County Court Clinic and Neighborhood Crisis Clinic in St. Paul, Minnesota<sup>85</sup> began as a one-stop eviction prevention program located in housing court. To bring these services even further upstream – to prevent court appearances altogether – the Family Housing Fund<sup>86</sup> and the McKnight Foundation brought stakeholders together to expand the Court Clinic into a **Pre-Eviction Neighborhood Crisis Clinic**,<sup>87</sup> in which providers are able to find, connect with, and direct tenants to funding sources; educate tenants on their rights via legal services and an economic justice unit; and apprise tenants of mediation as an option for settling disputes with a landlord – all within a much less stressful environment than the court. Because many of the providers worked together at the Housing Court Clinic, they were able to ramp up quickly. The neighborhood-based Crisis Clinic has helped over 650 tenants in their first six months of operation.

In contrast to the court-based clinic, the neighborhood-based Crisis Clinic is an accessible, non-intimidating environment in which multiple partners can collaborate on solutions to support clients' housing stability, drawing on a variety of resources. Case managers work to address housing instability holistically, providing assistance for a range of issues, including fluctuating income, unclaimed benefits, and conflicts with a landlord or other tenants. Representatives from Neighborhood House and Ramsey County Emergency Assistance coordinate resource allocation from their respective funding pools, or suggest other local funding options to help people pay rent. Tenants have access to a mediator who can help them learn how to communicate effectively with their landlord, and potentially set up a meeting with their landlord to try to work out an agreement before an eviction filing.



## Landlord-Initiated Eviction Prevention Programs

### The Alamo Community Group's Eviction Prevention

**Program**<sup>88</sup> operated by Alamo Community Group, a nonprofit affordable housing provider in San Antonio, Texas, offers its residents a proactive program to help them stay current on rent while addressing issues impacting their ability to pay, such as a job loss. Tenants develop a realistic work plan with resident coordinators and property managers to ensure payment of rent. Participants agree to attend three of the 10 financial literacy classes offered at an on-site Learning Center. As long as residents are in compliance with the agreed upon plan, all late fees are waived and eviction proceedings are halted.

When **WinnCompanies**<sup>89</sup>, a national housing developer and operator of affordable and mixed income housing, recognized that they accounted for a disproportionate share of the evictions in the city of Boston in 2019, they set a goal of cutting their eviction rate in half by 2025 and instituted a culture shift across their portfolio. They also recognized the financial case for eviction prevention as it can cost them between \$2,500 and \$8,000 per case<sup>90</sup> in lost rent, legal fees, leasing and other costs. Winn has trained over 1,700 of their property management staff to know both the implications of evictions as well as the operating changes necessary to prevent them, all while building trust with both residents and community partners to reach their goal. According to WinnCompanies, their program has supported over 75,000 residents (16,500 households) across their national housing portfolio to avoid the threat of eviction and remain stably housed despite financial hardship during the pandemic. Their housing stability program has four core pillars:

- Upstream resident education and outreach
- Early intervention, communication and coordinated financial assistance
- Reasonable, responsible and integrated payment plans and pro-active mediation
- Strategic, accountable property-level goal development

In addition to proactive outreach and communication, prevention strategies include negotiating arrears payment plans, support to secure financial assistance, and recalculation of rent owed for subsidized residents who have experienced financial hardship. Internally, WinnCompanies' approach includes each property setting housing stabilization goals, designating a housing stability coordinator, and establishing key performance indicators to drive accountability and recognition.

### A Pre-Court Diversion Program

In 2020, the city of Philadelphia launched a new court-adjacent **Eviction Diversion Program**<sup>91</sup> (EDP) to avoid formal eviction proceedings altogether, partnering with nonprofit organizations to offer housing counseling and mediation to tenants and landlords. The mediation-based program is designed for landlords and tenants to settle on an agreement without the involvement of a legal judgment that can stain a tenant's credit and make finding another place to live difficult. Landlords can seek out federal rent relief on behalf of their tenants or use local housing mediators to find common ground with residents on payment arrangements, repairs and maintenance needs, voluntary exits, and other solutions that do not require law enforcement.





Reopening of lines of communication between landlords and renters has motivated them to reach agreements that they would not have or could not have reached on their own. The program has also helped landlords recover rents during a time when finding replacement tenants was more difficult. Over 90% of mediations in which both the tenants and landlords participated<sup>92</sup> reached an agreement or “an agreement to continue negotiating.” EDP has helped reduce court caseloads, as significant numbers of litigants have chosen to resolve their disputes through mediation. The Associate Attorney General of the United States praised Philadelphia’s EDP<sup>93</sup> as a model program.

Between April 1, 2021, and December 31, 2021, a municipal court order required landlords in Philadelphia to apply for emergency rent relief and go through mediation with the EDP before filing eviction cases for nonpayment of rent. As of January 2022, a change in the city’s code<sup>94</sup> required landlords to participate in the EDP before they can file an eviction in court.

## After Eviction Filing

Once an eviction notice has been served, and the tenant has not successfully resolved the violation of the lease, a landlord will file an eviction with the local court. At this point, there are a number of eviction prevention and eviction diversion programs<sup>95</sup> available to assist the tenant and landlord and attempt to reach a resolution that does not end in eviction.

When an eviction prevention program requires that a household have an eviction case pending against them in housing court, a crisis is already in motion. Stress, time, and resources have been committed already, and the eviction filing is already on the resident’s record. Assistance at this point, while still impactful, is relatively late in the process,

and residents may end up moving before resources are made available. Had interventions taken place earlier, the crisis may have been mitigated or prevented altogether.

## Access to Counsel

New York City’s Right to Counsel<sup>96</sup> program provides access to legal representation to income-eligible renters facing eviction. The program began with 20 zip codes in 2017 and expanded to all zip codes in New York City in 2021. In the program’s first year, evictions declined more than five times faster in zip codes with the program in place than in zip codes without it. Several local governments have followed suit, recognizing that the financial benefits to a community with universal access to legal support outweigh the costs.

Even in places where the right to counsel is not legislated, programs can expand access to legal representation. For example, even before Philadelphia passed right to counsel legislation in 2019, Philadelphia’s Eviction Prevention Project<sup>97</sup> (PEPP) was an innovative project to assist tenants facing eviction through legal representation, financial counseling, a live hotline, a court help center, community training, and educational materials. Formed in 2018, it is managed by a collaborative of nonprofits who provide pro bono legal services and financial resiliency programs for low-income Philadelphia residents. As Philadelphia has a large stock of small rental properties, PEPP’s outreach efforts focus on small landlords. Tenants who see a PEPP advocate are more likely to show up to court, win their cases, and enter into an agreement than tenants who do not. For every \$1 invested<sup>98</sup> into legal representation to prevent eviction in Philadelphia, nearly \$13 is saved in costs to city services, including shelter and health care costs. PEPP was resourced<sup>99</sup> to begin implementing the city’s Right to Counsel program.





## Court-Based Diversion Programs

**Texas Eviction Diversion Program (TEDP)**<sup>100</sup> is a statewide interagency rental assistance program launched by the State Supreme Court and the Office of Court Administration and administered by the Texas Department of Housing and Community Affairs' Texas Rent Relief Program (which is currently funded through the Cares Act and American Rescue Plan Act). When renters in Texas are served with an eviction citation, they receive information about the program and the availability of rental assistance if they are at risk of experiencing homelessness or housing instability. While participation is not mandatory, the presiding judge discusses the program with both tenants and landlords at the eviction hearing. For a case to be diverted from a trial, both parties must agree to participate in the program, and the tenant must meet program requirements. Diverted cases are dismissed and made confidential from public disclosure, and lump sum payments are made to landlords in exchange for allowing tenants to remain in their homes. TEDP requires participating landlords to waive any fees or penalties not covered by the program, not pass court costs on to the tenant, waive all claims raised in the eviction case, and not evict tenants during the period they receive rental assistance from the program.

A court-led program, the justice courts are a formal part of TEDP, and the state's Office of Court Administration provides training for judges on program implementation. TEDP staff leads outreach and education events targeted to renters, landlords, legal aid staff, and community stakeholders; receives and reviews applications for eligibility; and processes payments to participating landlords. TEDP focuses on language inclusivity; its website is available in five languages (English, Spanish, Korean, Mandarin, and Vietnamese), and a language line is available in more than 200 languages six days per week. A recent statewide mailer printed in both English and Spanish was sent to 228,000 renters whose annual incomes are less than \$30,000. TEDP also has a staff member dedicated to Spanish-language media coverage.

## A Cost-Effective Eviction Prevention Program

**HomeStart's Renew Collaborative in Boston**<sup>101</sup> is a short-term, intensive intervention model that provides case management and rental assistance to a tenant who is at risk of eviction. HomeStart prioritizes residents of subsidized affordable housing because two-thirds of households evicted for non-payment in Boston live in this type of housing. Once evicted, these households are not eligible for future housing subsidies and are banned from state-funded family emergency shelters for three years.

The Renew Collaborative program negotiates directly with the landlord on behalf of the tenant, accompanies the tenant to Housing Court and makes a one-time payment toward back-rent owed to halt an eviction. (As of 2017, the median owed rent in non-payment cases for residents of subsidized housing was just over \$1,700.) HomeStart works with the tenant to create an individualized plan to address factors that led to the eviction filing. The tenant will typically repay the balance of the rent owed within eight to 12 months. The cost of HomeStart's eviction prevention efforts is lower than the \$10,000 the Boston Housing Authority would spend, or the \$6,200 a landlord would spend, to execute an eviction. HomeStart also provides 12 months of post-crisis stabilization services for clients, including frequent check-ins and referrals to additional community resources.

Based on HomeStart's initial work with Boston's Housing Authority, 48 months after the intervention, 95% have avoided eviction due to non-payment and 87% of the program participants have maintained housing stability.

## Post-Eviction

If an eviction is successful, a tenant must vacate their rental unit and potentially enters a phase of pure crisis intervention. The evicted household will have endured financial and emotional strain and had their lives upended. Landlords have spent time and money on court and legal fees, only to have to go through a new tenant search. The state and local government has supplied financial resources in the form of judges and court staff toward a fraught and, depending on the resources of the evicted household, further public resources may be needed to provide shelter and additional support services.

At this stage, key interventions are needed to provide support for tenants to relocate and remain housed, and to remove their eviction file from the public record to avoid adding further barriers to finding stable housing in the future.

## Rapid Rehousing

Rapid rehousing refers to short-term financial assistance programs designed to [quickly connect](#)<sup>102</sup> individuals and families experiencing, or at imminent risk of, homelessness to permanent housing or safety net resources to maintain housing. The goal is to assist households in weathering a sudden financial crisis such as the loss of a job, unexpected medical event, or a car breaking down. These rapid connections help residents avoid the damaging outcomes

associated with homelessness and the threat of eviction. Rapid rehousing programs provide a combination of temporary (typically 30-90 days) financial assistance and targeted services, and are often funded through a mix of public and philanthropic sources. While [rapid rehousing](#)<sup>103</sup> has been found more cost-effective than transitional housing and shown some promising results for residents' housing stability, it is limited in addressing the root causes of housing instability—namely the structural imbalance between incomes and rent.

Since it was created a decade ago, the U.S. Department of Veterans Affairs' Supportive Services for Veteran Families ([SSVF](#))<sup>104</sup> program has provided housing assistance and services to more than half a million veterans. The nationwide rapid rehousing program has successfully stabilized [veterans](#)<sup>105</sup> experiencing homelessness or at imminent risk of losing their home and has been a critical tool contributing to the dramatic reduction in homelessness among veterans. Although a portion of the veteran population requires deeper subsidies and longer-term services, such as those provided by the HUD-VASH program, the SSVF program clearly and effectively targets individuals and families with temporary needs.

## Clearing Eviction Records

The threat of eviction can follow a person for years since, in most places, the filing is documented on their official court record. That record can remain on the books for years or even indefinitely, regardless of the outcome. A court record can greatly hinder a person's ability to secure new housing in the future and push households into unsafe or illegal renting arrangements. Policymakers have begun revisiting these procedures and identifying ways to seal, or discard, eviction court records for tenants who did not ultimately receive an eviction judgment or whose eviction judgment is considered old and outdated.

Under [Colorado's court records suppression law](#)<sup>106</sup> passed in 2020, any court filings from eviction proceedings that do not proceed to judgment in favor of eviction are automatically suppressed, meaning they are not available to the public and cannot be published online. The law also enables the suppression of a record, even if there is an eviction judgment, if there is mutual agreement among the tenant and landlord. The suppression of those records can be critical to the success of a person's housing search, particularly if they were never legally evicted.



## Conclusion

Eviction prevention requires a holistic and integrated approach to overcoming the inequities that cause poverty in this country. It must address the profound shortage of affordable housing; foster financial, mental and physical health; even the playing field of access to quality education and affordable health care; train a diverse workforce, and keep people in their homes.

The eviction crisis is not new, but with more attention to this crisis, courts, policymakers, and advocates alike may gather valuable data to better tell the story and inform solutions. With intentional approaches to solving the root causes of the crisis, funding for upstream prevention may become the norm, rather than the exception, as local governments become increasingly aware of all the available tools for protecting tenants and preserving affordable housing.

Eviction creates unnecessary economic hardship and emotional stress on everyone. If we can target households at risk of housing instability with proactive, upstream interventions, we can save lives, reduce poverty, and create a stronger, more economically resilient nation.

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