

MEMORANDUM

Date: January 25, 2021

To: Marisa A. Zapata, PhD
Director, PSU-HRAC

From: Lauren E. M. Everett
Graduate Research Assistant, PSU-HRAC

Subject: Updates on COVID-19 response, housing, and people experiencing homelessness nationwide, January 18 - 24.

News

1. In response to President Biden's direction, The Center for Disease Control [extended its eviction moratorium](#) through March 31. The U.S. Department of Housing and Urban Development also extended its [foreclosure and eviction moratorium](#).
2. At the President's directive, [FEMA will now reimburse states for 100% of the cost](#) of hotel shelters for medically vulnerable individuals, through the end of September 2021.
3. In [San Francisco](#), advocates wonder if the city will use the change in FEMA funding reimbursement as an opportunity to expand its hotel program. Supervisor Matt Haney plans to introduce a law requiring the city to provide hotels for people experiencing homelessness.
4. The US Treasury released [an FAQ about how the \\$25 billion in rental assistance](#) will be distributed and allocated. The NLIHC has concerns about some aspects of the plan (see the NLIHC call below for more).
5. A recent poll reveals that [one in four renters expect to face homelessness](#) if they are forced to leave their current residence.
6. In [Orange County, Florida](#), many landlords and property managers have declined to participate in the eviction diversion program, which provides up to \$4,000 in back rent payments.
7. The situation in [Wayne County, Ohio](#) highlights how essential pro bono legal services are for keeping tenants housed.
8. In [Portland, Oregon](#), the city's decision to close a longstanding, independently governed tiny home village has met with resistance from both residents and advocates.
9. [California](#) state court officials estimate that landlords are expected to file 240,000 eviction cases due to a number of factors, including the expiration of the state moratorium at the end of January.
10. In contrast to the bitter legal struggle waged by one [New York](#) community to shut down a hotel shelter, residents of the Upper East Side voted to welcome a new shelter in their neighborhood.

National Low-Income Housing Coalition (NLIHC) weekly call and updates (January 19)

Diane Yentel: Last week on the 12th was when states and localities were required to submit their certification to the Treasury. So we can expect that allocations will be made public at any time. The statutory deadline is to get the funds out to communities by January 26th. Apparently Snohomish County, WA and the City and County of Los Angeles received theirs already (per the chat). Many of us have been having calls with the Treasury and the transition team for the Biden administration about guidance for the funds. It's been a little confusing because there are senior staff who will still be there under the Biden administration, and then there's the transition team, and then the incoming administration. So there have been multiple conversations gaining input from stakeholders about guidance from these funds. One of the main points is that it needs to be as simple as possible to access these funds, which means that tenants can use self-certification when possible. The Treasury put out [a FAQ](#) about the \$25 billion where they are urging grantees to require onerous documentation from applicants. This is really problematic, and in some cases this is actually counter to the statute. One thing is that internet is not considered a utility, which doesn't make sense. Another aspect is that the funds are supposed to go straight to the landlord, and if they won't participate then the tenant can apply. We suggested a time window of one week for the landlord to decide, but they state 21 days, with a number of letters that are required in the process. Another problematic place is around COVID hardship. The statute says that self-attestation is what's required, and the applicant must request in writing. The FAQ says that applicants must provide documentation, so that's really troubling. It also doesn't allow for self-verification for income.

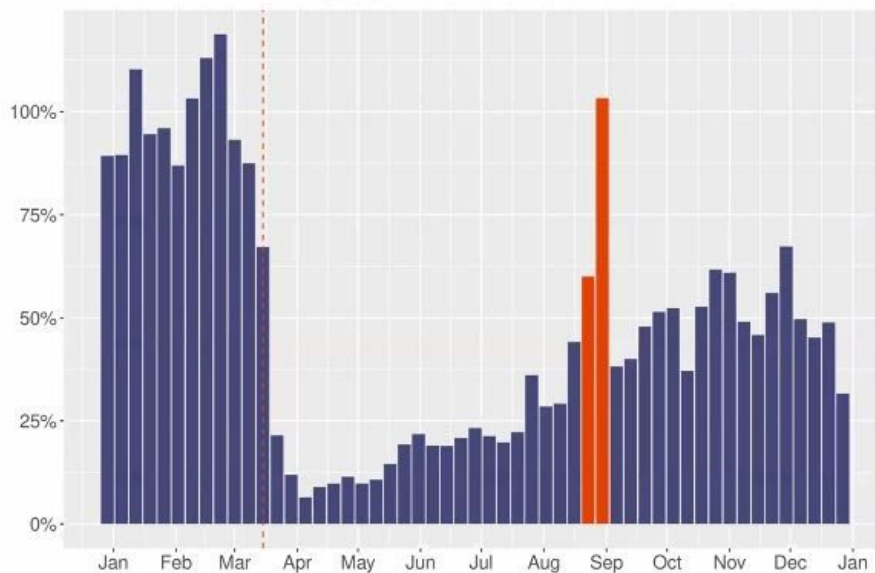
I reached out to the Treasury to register our concerns, and will also be reaching out to Janet Yellen — the new Secretary who was sworn in today — to share our concerns and request that they issue new guidance. The eviction moratorium is another issue. It expires January 31 and we have been calling on Biden to issue a new executive order on an extended and strengthened moratorium. Thank you to everyone who signed our letter to the Biden administration. We had just over 2,000 organizations and elected officials sign on. Last week when Biden announced his new COVID relief package he announced that he would extend the moratorium, so that is really exciting. What we'll be looking for are improvements as well as an extension. Several of us have had conversations with the transition team. This will be in the CDC's purview again, and the incoming CDC director is well aware of the improvements that are needed. I don't know if these will be reflected in the extension tomorrow or if that will take some time as the new administration settles in. Biden, in his COVID relief package, is asking Congress to extend the moratorium through September, but the executive order tomorrow will probably only be through March. There will be some announcements relatively soon about the number of staff who will be 'day one' staff, and we'll expect to hear confirmations of some of them. From what I've heard and seen, it's a fantastic group.

Peter Hepburn, Assistant Professor of Sociology at Rutgers/Eviction Lab researcher: I'm going to be describing overall eviction trends in 2020, summarizing Eviction Lab's work over the

course of the year. We've now documented 221,247 filings since March 15, 2020, including 4,432 last week alone. We're now displaying data for whole states, not only cities. These full state pages include some new mapping features. All of our data comes from the courts, so we don't have any way to track 'self-help' evictions, where the landlord sends a termination letter illegally, or harasses the tenant until they leave.

Eviction filing patterns fell sharply when the pandemic began, and then started creeping up slowly, with a notable spike when the federal moratorium expired. Between March and December of 2020, we observed roughly [65% less evictions filings than normal](#). One of the limitations of the data set is that we don't have coverage everywhere. There are a lot of places where we can't track these numbers, so we use a regression analysis and then extrapolate that data to other counties where we don't have the data. When we plot the cumulative data, we can see that the number of cases drops when the pandemic begins, during the period when local moratoriums were their strongest. Then from September onwards, the rate rose even though there was the CDC moratorium in place. We also know that evictions disproportionately impact Black renters and women. Before the pandemic, Black renters made up over 30% of filings, despite representing about a quarter of total renter households in the US. Through quantitative analysis, we found that [filings increased slightly during the pandemic](#), while other races and ethnicities were underrepresented comparatively. The amount owed also varied by location, but overall landlords are filing for eviction at [much higher amounts](#) than before the pandemic.

Eviction filing patterns in 2020



Q: Do you know how many evictions are for non-payment of rent, versus other reasons?

A: Data on the reason for eviction is hard to come by, so we do not.

Q: Do you know how evictions look in rural areas, particularly the Black Belts?

A: We are seeing a growing number of filings in non-metro areas. Those are always going to be smaller than in the large metros, but if you look at small counties in Indiana there are filings above the historical average. So there's some sign of growing evictions in rural communities.

Diane Yentel: Now we're going to discuss President Elect Biden's [proposed COVID package](#). It includes \$30 billion for rent and utility assistance, \$5 billion for homeless shelter and service providers, and extending the moratorium until September. He also proposes increasing the minimum wage to \$15 an hour, extending unemployment benefits, and stimulus checks of \$2,000 and more. So overall there's a lot of cash going into the pockets of low-income people. He is saying that he wants to try to pass a bipartisan relief package as soon as possible. There's a deadline of March 15, which is when the current unemployment benefits expire. The likelihood of getting a 2 trillion dollar package passed in the next three weeks is slim. So one option is pulling out the parts of this proposal that are most likely to pass on a bi-partisan basis and trying to pass those. Another option is that Democrats could go it alone on this, and use a process called Reconciliation that just requires a simple majority vote. They also have in mind a major spending bill on infrastructure and stimulus — or Build Back Better. The first part is responding and recovering, and the next part is stimulus structure. I mention the infrastructure package now because there's a possibility that it would all get wrapped into a massive spending bill that would be passed through Reconciliation.

We have to recognize that \$30 billion — even though it's a lot of money and adds to the \$25 billion — is still not enough to meet the needs of rental assistance across the country. Very likely this whole amount, in addition to the stimulus checks (about \$31 billion to renters), will cover the amount of back utilities and rent owed as of the end of January. What it won't cover are ongoing needs. What we want to do is pivot out of emergency rental assistance. As we know, many of these renters were struggling pre-COVID and will need long-term rental assistance. So we need to target long-term investments. We're asking for \$28 billion for Housing Choice Vouchers, which would serve 500,000 households. We're also proposing \$44 billion in acquisition funds. What this is partly for is moving houseless people who have been sheltering in hotels into permanent housing. This funding would be to purchase hotels and motels and convert them into permanent supportive housing. We are also releasing a plan for the long term: universal housing vouchers; expanding the housing supply for people with the greatest needs through adding public housing; create a permanent emergency rental assistance program; enact policy like Right to Counsel, just-cause eviction protections, [and more](#).

Joanna Carr, Policy & research Director, Arizona Housing Coalition: One of the most pressing issues we're dealing with is managing the incoming federal rental assistance. We learned through the last round of funding that technology can both help and hinder our response. We worked on streamlining the application process with technology, but the reality has been that when multiple agencies are involved it can be like a turf war with technology. This results in renters having to use various applications and platforms, which is not efficient. When a renter is in crisis, these issues can be significant barriers to accessing funds. Another conversation we've been having is around the legality of evictions in the context of the CDC moratorium. We're seeing an increase in evictions since December, and we believe landlords are rushing to get their filing in by the time the

moratorium expires. Once the process reaches a certain point, between the filing and an order being made, rental assistance can't help. Also, many of the rental assistance programs don't pay for legal costs. We've thought about incentivizing landlords to reinstate the lease after an order, because they don't have to. We're also advocating for rental assistance to be allocated at the state level, but we anticipate there will be resistance to that due to the federal funds.

Other resources:

1. The National Homelessness Law Center's recommendations for the [Biden's administration's first 100 days](#), around ending homelessness in America.
2. The National Alliance to End Homelessness will be hosting a webinar on [Homeless Policy in the Biden Administration](#) on January 27.
3. HUD's guide to COVID-19 [Vaccination Conversation Tips for Homeless Service Providers](#).