

# Welcome! We will begin shortly

---

**Audio:** To choose your audio connection, click on the phone icon at the bottom of the screen

- There is NO hold music, so **you will not hear anything** until the webinar begins.

**Slides/Materials:** <https://hhrctraining.org/> (scroll down to webinar announcement)

**Live Captioning** is available to enhance accessibility.

- Click “Accept” in the Multimedia pod on the lower right-hand corner of your WebEx screen.
- Change the color contrast to suit your needs. We recommend “high contrast” for best visibility.

**ASL Interpretation** services are available during this meeting

- In the upper-right hand corner of window, there will be a tab that says layout.
- Select Side by Side for best visibility of the interpreters



*For additional assistance, contact us at [info@hhrctraining.org](mailto:info@hhrctraining.org)*



**HOMELESS &  
HOUSING  
RESOURCE  
CENTER**

# **Eviction Prevention and Housing Retention During and After COVID-19**

---

December 16, 2020  
3:00-4:30pm ET

**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

## Disclaimer

---

The **Homeless and Housing Resource Center** is a program operated by Policy Research, Inc. and developed under grant 1H79SM083003-01 from the Substance Abuse and Mental Health Services Administration (SAMHSA), U.S. Department of Health and Human Services (HHS). Interviews, policies, and opinions expressed are those of the authors and do not necessarily reflect those of SAMHSA or HHS.



# ASL Interpretation

- We have arranged for ASL interpretation services during this meeting.
- The ASL interpreters for this meeting are:
  - Mareike Larsen
  - Dave Gratzner
- For best visibility of the interpreters, we recommend the following changes to your WebEx layout
  - In the upper-right hand corner of window, there will be a tab that says layout.
    - Select Side by Side for best visibility of the interpreters

# Live Captioning

---

- Live captioning is available to enhance accessibility.
- Click “Accept” in the Multimedia pod on the lower right-hand corner of your WebEx screen.
- Change the color contrast to suit your needs. We recommend “high contrast” for best visibility.



# Webinar Instructions

- All participant lines will be muted
- A recording will be available on the HHRC website and provided to all registrants
- Download webinar documents: <https://hhrctraining.org/>
- Questions: Please submit your questions to the presenters in the Q&A pod.
- Evaluation – browser will redirect following the webinar
- Certificate of Attendance (no CEUs are offered)

6

# Learning Objectives



1. Define national best practices in homelessness prevention and methods to prioritize household assistance when resources are scarce.
2. Explain the implications of the expiring Centers for Disease Control and Prevention order to temporarily halt residential evictions and identify key strategies to assist individuals at risk of eviction.
3. Describe data-driven best practices to target homelessness prevention assistance by zip codes, eviction rates, and impact of COVID-19 to reduce racial disparities and increase housing retention and stability.

# Presenters

---

- Moderator: Jen Elder, Director, SAMHSA Homeless and Housing Resource Center
- John Kuhn, Supportive Services for Veteran Families (SSVF) National Director, U.S. Department of Veterans Affairs
- Randy McCoy, Executive Director of Metro Area Continuum of Care for the Homeless (MACCH), Omaha, Nebraska
- Larry McDonough, Attorney at Law and Adjunct Professor of Law, Senior Minnesota Counsel, National Anti-Eviction Project, Lawyers' Committee for Civil Rights Under Law







# Introductory Poll Questions

Getting to know our participants



# John Kuhn

Supportive Services for Veteran Families (SSVF) National Director, U.S. Department of Veterans Affairs



VA



U.S. Department  
of Veterans Affairs

# Eviction Prevention

December 2020

John Kuhn, LCSW, MPH  
National Director, SSVF



# 2020

- COVID-19
- Racial Injustice
- Polarization
- Natural Disasters



2

What happens when the crisis response system has a crisis



## BARRIERS TO RESPONSE

*More than resources and policy*

- Personal trauma
- Uncertainty and sense of powerlessness
- Barriers to service delivery

3

We are not divorced from what is happening – these seismic events impact us, our families, our communities



## FIRST PHASE

### **Mobilization**

- Need to blunt the greatest risks
- COVID-19 immediate health risk



## CRISIS RESPONSE

- ✓ Emergency housing
  - Nearly 20,000 in hotels/motels (March – October)
  
- ✓ Permanently house
  - HUD-VASH collaboration
  
- ✓ Avoid entering homelessness



## IMPORTANCE of PREVENTION

### Well targeted homelessness prevention...

- ✓ Reduces potential for community transmission of coronavirus and negative health consequences of literal homelessness
- ✓ Reduces the overall number of Veterans experiencing homelessness ("inflow")
- ✓ Increases community's ability to shelter those with no alternatives by reducing unnecessary shelter entry/use





## SSVF HOMELESSNESS PREVENTION

- **Rapid Resolution/Housing Problem Solving/Diversion**
  - Focused on avoiding imminent homelessness (diversion) or ensuring brief shelter stay (rapid exit).
- **Targeted Homelessness Prevention**
  - Veterans who have less than 30 days left housing – ***including doubled up options*** –until literal homelessness.



## PREVENTION FOCUS

- **Homelessness Prevention is NOT the same as eviction prevention.**
- ***Diversion*** is the most targeted form of prevention
- When limited, HP resources must focus on those most likely to become homeless (SSVF uses screening tool)

8

**Homelessness Prevention is NOT the same as eviction prevention.**

***Diversion*** is the most targeted form of prevention focused on securing an immediate, safe housing option for Veterans seeking emergency shelter or who otherwise appear to need emergency shelter

Grantees must ensure limited HP resources focus on those who will become homeless and are most vulnerable – **use Stage 2 to prioritize when needed** and/or other data-informed targeting strategies.



## PHASE TWO

**Immediate crisis has been met**

➤ ***What's next?***



## TRANSITION

### Shift focus from emergency response

- As emergency needs subside, assess spending
- Likely less EHA and HP
  - Congregate shelter safe
  - Eviction and entry into homelessness less likely





## TRANSITION

- Re-direct resources to support primary mission of ending homelessness
- Focus on permanent housing solutions:
  - RRH
  - Rapid Resolution
  - HUD-VASH
  - Shallow Subsidies



## ADDRESSING VULNERABILITY

- Who faces the greatest risk
  - Invest in band-aid or fix
- What models can work
  - How does policy & training support
- Prioritize resources
  - *How do you decide?*



## ASSESS

- Identify available resources
- Model how resources can be matched to existing and projected demand
  - [www.urban.org/features/where-prioritize-emergency-rental-assistance-keep-renters-their-homes](http://www.urban.org/features/where-prioritize-emergency-rental-assistance-keep-renters-their-homes)
  - Know your HMIS and HOMES data
- Measure performance
  - Share outcomes and plan corrective action with staff

13

Start with the BNL and PIT, but go beyond it to project types of demand. Share information with staff and review with them. They will have observations and ideas to contribute.



## PLAN

- Identify stakeholders in each service phase: outreach, VAMCs, SSVF, CoCs, emergency/transitional housing providers, HVRP/DOL
- Chart client flow prioritizing the most vulnerable (literally homeless)
- Formalize stakeholder agreement on processes

14

Part of understanding demand is the type of demand. Some households may need relatively few services or financial support, while others with more complex needs, will be best served by a range of services that will need to be coordinated across programs. Rather than having to figure out each household through an ad hoc process, established processes can lessen the burdens on staff and ensure that stronger practices are routinely used.





## ENGAGE

- Identify barriers to engagement
  - High risk geographies adequately served
  - Resources are available to get literally homeless into safety (EHA, GPD, CRS)
- Coordination
  - Deliver service(s) that best meet needs
  - Use of CE supported by BNL and case management meetings to assign and follow-up care

15

Inclusion of appropriate emergency housing reduces risks to households while improving chances to engage Veterans. Meet their needs while addressing concerns they may have about entering services. Understanding resources available and who may be offered services based on projected demand allows for honest and realistic discussions with Veterans.



## LESSONS LEARNED

- EHA is engaging new Veterans
- Health care navigators improve access and health care delivery
- Improved partnerships between SSVF, VAMCs, and HUD-VASH



## “OTHER” CRITICAL SERVICES

- Health care
  - Homeless at heightened risk of suicide
  - High rates of co-morbidity
  - 75% have COVID-19 vulnerability
- Navigators support care coordination
- Legal services
- Income, employment and benefits

17

Successful transition to permanent housing may require a broad range of supports beyond the basics of rental supports, housing search, and basic case management. It can be challenging as Veterans may not always volunteer legal needs, causing agencies to underestimate needs. Also, some benefits and employment opportunities take time that may extend beyond the typical 4 month SSVF engagement. Can HVRP make the difference? When does it make sense to extend “typical” LOS?



## THE OPPORTUNITY

### **End homelessness**

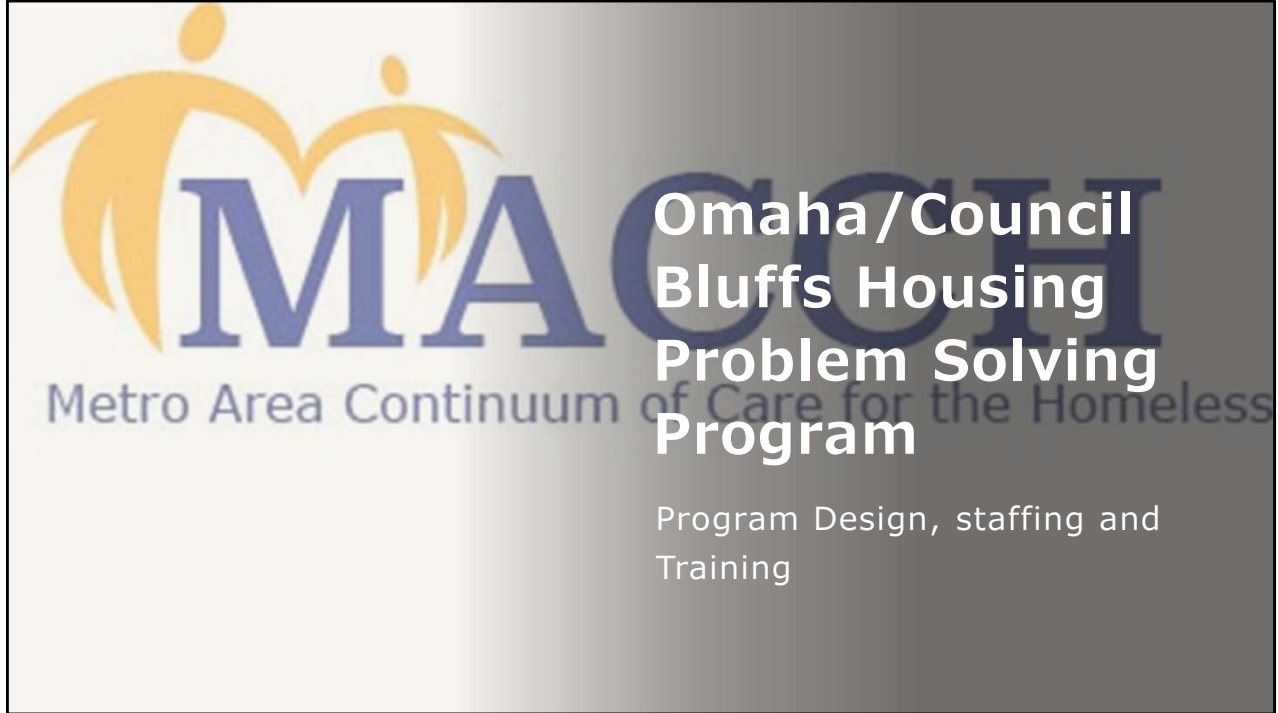
- Lift up people facing economic inequality
- Heal communities



# Randy McCoy

Executive Director of Metro Area Continuum of Care for the Homeless (MACCH),  
Omaha, Nebraska





# Program Design

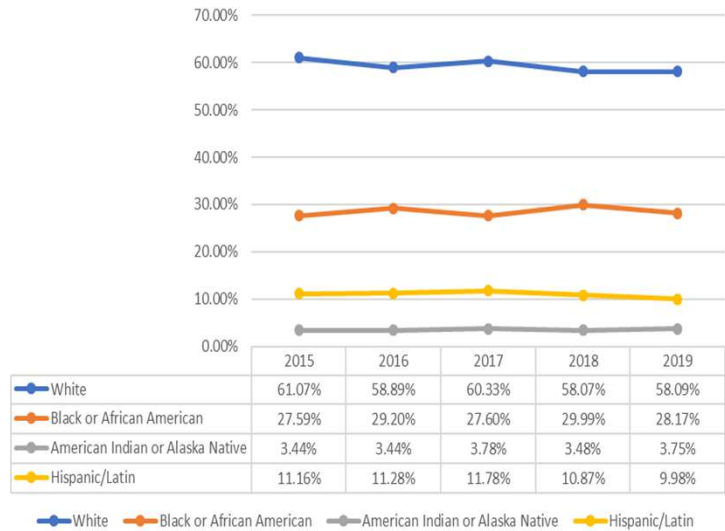
- Start with the DATA
- Decide where HPS occurs in the crisis response system
- Design the intervention
- Evaluate system capacity and staffing needs
- Develop training and plan for ongoing training and support
- Evaluate performance and tweak where necessary



# What the Data Told Us

Disparities in Homelessness  
Existed

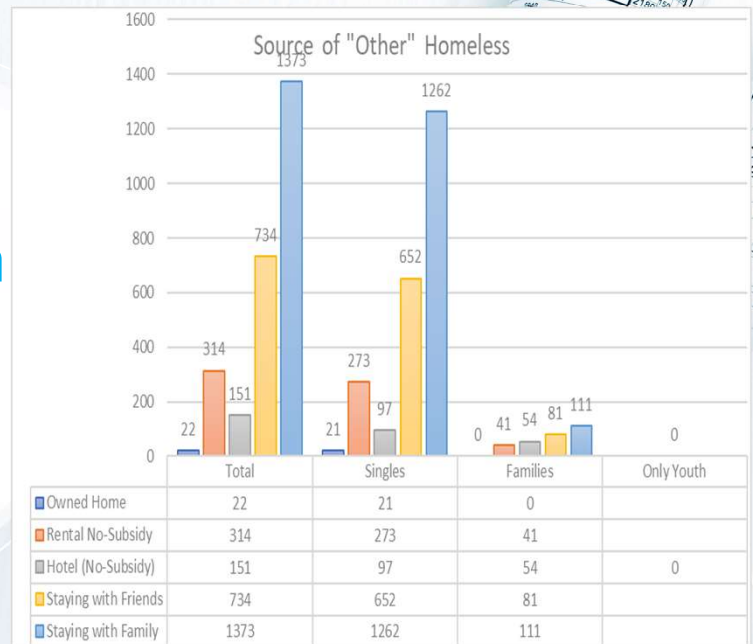
Emergency Shelter: Demographics of Individuals Served- %





# What the Data Told Us

HPS Could Reduce Shelter Inflow



# Building Momentum- Important First Steps

- Partners need to believe in the project
- Foundations/Funders need to believe and support the project
- Allows for you to determine staffing needs and develop trainings to support the partners



# Omaha's Design-The Core Items

## Principles-

- Individual Choice, Respect and Empowerment
- Crisis Resolution
- Progressive Engagement

## Interventions-

- Homelessness Prevention
- Diversion from shelter
- Rapid Exit from Shelter



# Omaha's Staffing Design

**Partners buy-in, but lacked staff capacity- How do we support their needs and better support people in crisis?**

- **HPS Managers (2)- Focus on training, support partners and ensure fidelity to the model. Track data and outcomes and use of flexible funds.**
- **HPS Specialists (4)- Support front line staff at partner agencies in doing the day to day work.**

# Omaha's Training Design

**Partners buy-in but lacked the technical skills**

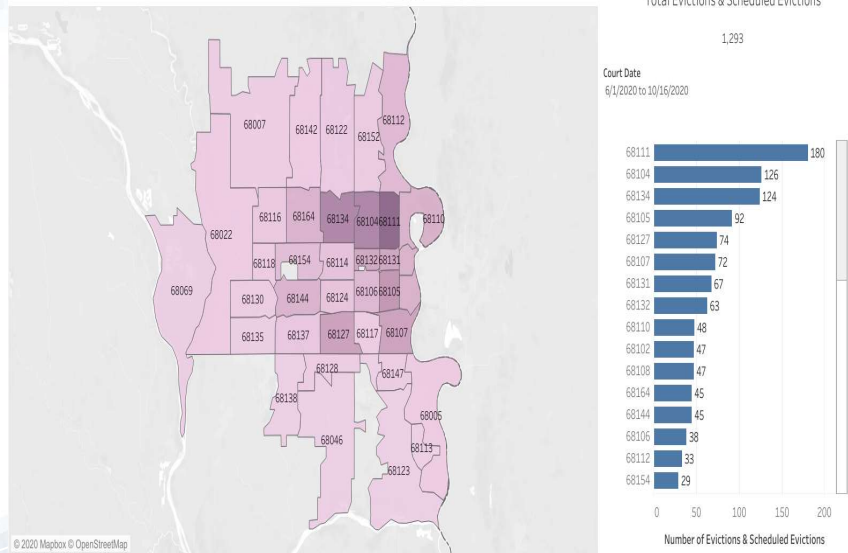
- **Initial training**-Building a base of knowledge and skills to support the work
- **Ongoing training and skill development**- Advanced techniques and ongoing skill development, especially as the program grows and changes
- **Learning circles**-Structured training opportunities where frontline staff learn from each other or opportunities for additional training



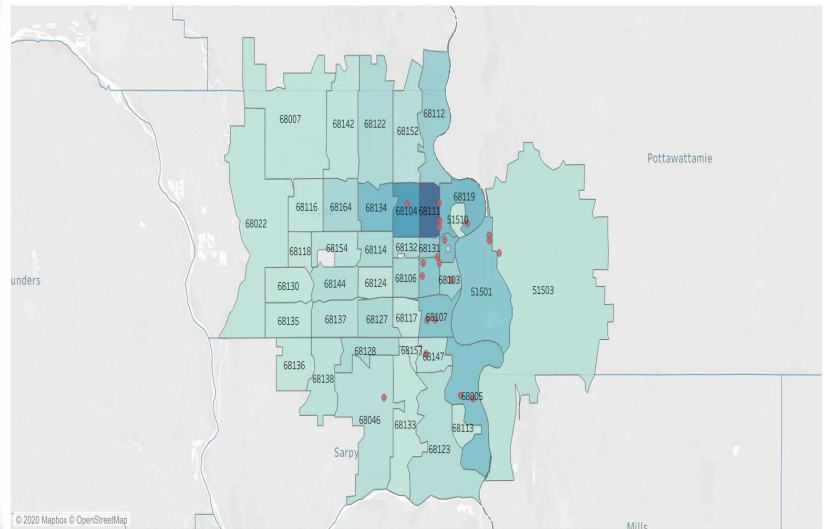
# Targeting To Achieve the Goal

Are We  
Connecting With  
the Right  
People?

Douglas and Sarpy County Evictions and Scheduled Evictions: 6/1/20-10/8/20



## Are We Connecting With the Right People?





# Lawrence McDonough

Attorney at Law and Adjunct Professor of Law, Senior Minnesota Counsel, National Anti-Eviction Project, Lawyers' Committee for Civil Rights Under Law





# Legal Supports or Strategies in Eviction Prevention and Housing Retention During and After COVID-19



LAWRENCE R. MCDONOUGH  
ATTORNEY AT LAW

PRESENTED AT THE HOMELESS AND HOUSING  
RESOURCE CENTER WEBINAR:  
EVICTON PREVENTION AND HOUSING  
RETENTION DURING AND AFTER COVID-19

DECEMBER 16, 2020

## Presenter



Lawrence McDonough

Attorney at Law

Adjunct Professor of Law, University of Minnesota School of Law

Senior Minnesota Counsel, Lawyers' Committee for Civil Rights Under Law

651-398-8053

[mcdon056@umn.edu](mailto:mcdon056@umn.edu)

<http://povertylaw.homestead.com/Biolarrymcdonough.html>

Housing Law in Minnesota

<http://povertylaw.homestead.com/HousingLawinMinnesota.html>

## State Eviction Suspensions



Some states have suspended some evictions. More states let their suspensions expire, or never had one.

E. Benfer, *COVID-19 Eviction Moratoria: Federal (CDC), State, Commonwealth, and Territory* (viewed Dec. 9, 2020)

<https://docs.google.com/spreadsheets/u/1/d/e/2PACX-1vTH8dUIbfnt3X52TrY3dEHQCAm60e5nqo0Rn1rNCf15dPGeXxM9QN9UdxUfEjxwvfTKzbCbZxJMdR7X/pubhtml>

*COVID-19 Housing Policy Scorecard* (Eviction Lab - viewed Dec. 9, 2020)

<https://evictionlab.org/covid-policy-scorecard/>

## Minnesota Eviction Suspension: Executive Order 20-79

It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

Prohibits evictions actions and lease terminations, with exceptions (listed in notes).

***Nonpayment of rent is not an exception.***

Does not affect late fees.

Executive Order 20-79:

[https://mn.gov/governor/assets/EO%2020-79%20Final%20Signed%20and%20Filed%20%28002%29\\_tcm1055-440501.pdf](https://mn.gov/governor/assets/EO%2020-79%20Final%20Signed%20and%20Filed%20%28002%29_tcm1055-440501.pdf)

Prohibits evictions actions and lease terminations, except where: (1) the tenant violates Minn. Stat. § 504B.171, subdivision 1, (2) the tenant seriously endangers the safety of other residents, (3) the tenant materially violates a residential lease by the following actions on the premises, including the common area and the curtilage of the premises: seriously endangers the safety of others, (4) the tenant materially violation of a residential lease by the following actions on the premises, including the common area and the curtilage of the premises: significantly damages property, (5) the tenant holds over after residential landlord termination of lease or nonrenewal of lease due to the need to move the property owner or property owner's family member(s) into the property and where the property owner or property owner's family member(s) move into the property within 7 days after it is vacated by the tenant. Written notice of intent to file an eviction action to the tenant at least 7 days prior to filing the action, or the specified notice period included in the lease, whichever is longer, or (6) writs designated as a priority execution under Minn. Stat. § 504B.365, subdivision 2.

## CARES Act § 4024



CARES Act § 4024:

<https://library.nclc.org/sec-4024-temporary-moratorium-eviction-filings>

<https://library.nclc.org/major-consumer-protections-announced-response-covid-19#content-1>

Applies only to covered properties: federal public and subsidized housing, and rental properties with federally backed mortgages

Prohibited late fees from March 27 through July 25, 2020

Requires 30-day lease termination notice given July 25, 2020 or afterward for all eviction bases with no expiration date

## CDC Eviction Suspension Order



CDC Eviction Suspension Order:

<https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/eviction-moratoria-order-faqs.pdf>

Effective until December 31, 2020

"Residential property" is defined to include "any property leased for residential purposes," and goes on to specify the term includes "any house, building, mobile home or land in a mobile home park, or similar dwelling leased for residential purposes."

Exception: any hotel, motel, or other guest house rented to a temporary guest or seasonal tenant" as defined under state law.

There are exceptions to Eviction Suspension Order, including criminal activity, damaging property, and violating building codes (full list in notes).

Exceptions: (1) engaging in criminal activity while on the premises; (2) threatening the health or safety of other residents; (3) damaging or posing an immediate and significant risk of damage to property; (4) violating any applicable building code, health ordinance, or similar regulation relating to health and safety; or (5) violating any other contractual obligation, other than the timely payment of rent or similar housing-related payment (including non-payment or late payment of fees, penalties, or interest).

## CDC Eviction Suspension Order



**Tenant must provide a required declaration, sworn under penalty of perjury, to the landlord:** (1) used best efforts to obtain all available government assistance; (2) limited income; (3) unable to pay my full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary out-of-pocket medical expenses; (4) using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses; (5) risk of homelessness; and (6) understand rent obligation. Form: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf>

Resources available from the National Housing Law Project and National Low Income Housing Coalition

### Additional Resources:

#### National Housing Law Project

- <https://www.nhlp.org/campaign/protecting-renter-and-homeowner-rights-during-our-national-health-crisis-2/>
- <https://www.nhlp.org/wp-content/uploads/CDC-FAQ-for-Renters.pdf>

#### National Low Income Housing Coalition

- <https://nlihc.org/coronavirus-and-housing-homelessness/national-eviction-moratorium>
- <https://nlihc.org/sites/default/files/Overview-of-National-Eviction-Moratorium.pdf>

## Financial Assistance for Tenants



*State and Local Rental Assistance* (National Low Income Housing Coalition - viewed Dec. 9, 2020)

<https://nlihc.org/rental-assistance>



## Expiration of Minnesota Executive Order 20-79 and the CDC Eviction Suspension Order



Expiration of Minnesota Executive Order 20-79 and the CDC Eviction Suspension Order will leave some properties governed by:

The CARES Act § 4024: requires 30-day lease termination notice given July 25, 2020 or afterward for all eviction bases with no expiration date for covered properties

Order Continuing Operations of the Minnesota Judicial Branch under Emergency Executive Order No. 20-33 has no expiration date.

Local orders may stay in effect.

House File No. 4556, Art. 1, § 16 continues suspension of statutory deadlines for court proceedings until 60 days after the end of the peacetime emergency declaration or February 15, 2021, whichever is earlier.

### Citations:

- <http://mncourts.gov/About-The-Courts/NewsAndAnnouncements/ItemDetail.aspx?id=1900>
- <http://www.mncourts.gov/Emergency.aspx>
- <https://www.revisor.mn.gov/laws/2020/0/Session+Law/Chapter/74/>

## The Minnesota Eviction Tsunami

16,000 eviction court actions were filed in Minnesota in 2017, or 1,333 per month.

There are around 6,000 annual eviction actions in Hennepin County, or 500 per month.

3,000 evictions per year are for tenants in Minneapolis, or 250 per month.

In 2019, Anoka County had 1080 eviction cases, or 90 per month.

### Citations:

- 16,000 eviction court actions were filed in Minnesota in 2017, or 1,333 per month. S. Spaid, *Evictions in Greater Minnesota Report* (HOME Line June 1, 2018) <https://homelinemn.org/5709/evictions-in-greater-minnesota-report/>
- There are around 6,000 annual eviction actions in Hennepin County, or 500 per month. A. Holdener, et. al, *Eviction and Homelessness in Hennepin County*, at 2 (Hubert H. Humphrey School of Public Affairs May 19, 2018) [https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/Minnesota\\_humphrey-report-eviction-homelessness-may-2018.pdf](https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/Minnesota_humphrey-report-eviction-homelessness-may-2018.pdf)
- 3,000 evictions per year are for tenants in Minneapolis, or 250 per month. *Evictions in Minneapolis* (Minneapolis Innovation Team May 2017) <https://lims.minneapolismn.gov/Download/RCA/3855/Evictions%20in%20Minneapolis%20BRIEF%20May%202017.pdf>
- In 2019, Anoka County had 1080 eviction cases, or 90 per month. Email from John Murphy, Anoka County Law Library Director, to Lawrence McDonough (Oct. 26, 2020).

## The Minnesota Eviction Tsunami



If the suspension were to end December 31, it will have been in place for a little more than 8 months. With no other factors present, on January 1, 2021, 10,667 would be on hold statewide (4,000 in Hennepin County, 2,000 in Minneapolis, and 720 in Anoka County), or **8 times** the pre-virus monthly number of evictions.

Some tenants have moved, some have negotiated with their landlords, and some have received assistance, perhaps lowering the number, *if the economy is ignored.*

**But, what about economy?**

## Tenants Already Were Rent Burdened



*Cost Burdens Rise for Middle-Income Households in Most Metros* (Harvard Joint Center for Housing Studies January 2020) <https://www.jchs.harvard.edu/cost-burdens-rise-middle-income-households-most-metros>

M. Moylan, *Report: More Middle-income Renters Burdened by Housing Costs* (Minnesota Public Radio Jan. 31, 2020) <https://www.mprnews.org/story/2020/01/31/report-more-middleincome-renters-burdened-by-housing-costs>

*Housing Burden: All Residents Should Have Access to Quality, Affordable Homes* (National Equity Atlas) [https://nationalequityatlas.org/indicators/Housing\\_burden#/](https://nationalequityatlas.org/indicators/Housing_burden#/)

*American Families Face a Growing Rent Burden - High Housing Costs Threaten Financial Security and Put Homeownership out of Reach for Many* (The Pew Charitable Trusts April 19, 2018) <https://www.pewtrusts.org/en/research-and-analysis/reports/2018/04/american-families-face-a-growing-rent-burden>

### Citations:

- *Cost Burdens Rise for Middle-Income Households in Most Metros* (Harvard Joint Center for Housing Studies January 2020) <https://www.jchs.harvard.edu/cost-burdens-rise-middle-income-households-most-metros> (viewed Dec. 9, 2020)
- M. Moylan, *Report: More Middle-income Renters Burdened by Housing Costs* (Minnesota Public Radio Jan. 31, 2020) <https://www.mprnews.org/story/2020/01/31/report-more-middleincome-renters-burdened-by-housing-costs> (viewed Dec. 9, 2020)
- *Housing Burden: All Residents Should Have Access to Quality, Affordable Homes* (National Equity Atlas) [https://nationalequityatlas.org/indicators/Housing\\_burden#/](https://nationalequityatlas.org/indicators/Housing_burden#/) (viewed Dec. 9, 2020)
- *American Families Face a Growing Rent Burden - High Housing Costs Threaten Financial Security and Put Homeownership out of Reach for Many* (The Pew Charitable Trusts April 19, 2018) <https://www.pewtrusts.org/en/research-and-analysis/reports/2018/04/american-families-face-a-growing-rent-burden> (viewed Dec. 9, 2020)

## Minnesota Tenants Already Were Rent Burdened



The percent of occupied units paying rent that are spending more than 30% of income on rent costs in selected counties in Minnesota:

Hennepin County: 47.1%

Ramsey County: 49.4%

Anoka County: 46.5%

Stevens County: 54.1%

Itasca County: 54.1%

Waseca County: 54.2%

Wilkin County: 55.0%

Clay County: 55.7%

Citation:

*Percent of Occupied Units Paying Rent That Are Spending More than 30% of Income on Rent Costs* (Tableau Public Mar. 24, 2020)

[https://public.tableau.com/profile/magda.olson#!/vizhome/HousingCosts\\_15849937311970/HousingCosts](https://public.tableau.com/profile/magda.olson#!/vizhome/HousingCosts_15849937311970/HousingCosts) (viewed Dec. 9, 2020)

## Unemployment in Minnesota



Unemployment is high.

The Minnesota unemployment rate in October was 4.6.%, down from 7.4% in August, while in May it was 9.9%, up from 2.9% in March.

*State and National Employment and Unemployment Current Data* (Minnesota Department of Employment and Economic Development - viewed Dec. 9, 2020) <https://mn.gov/deed/data/current-econ-highlights/state-national-employment.jsp>

*Minnesota Unemployment* (Department of Numbers - viewed Dec. 9, 2020) <https://www.deptofnumbers.com/unemployment/minnesota/>

## Unemployment in Minnesota



Minnesota cumulative unemployment insurance applicants by county from March 16 to December 9, 2020 as a share of 2019 annual labor force:

Hennepin County: 36.6%  
Ramsey County: 37.7%  
Anoka County: 38.3%  
Cook County: 49.1%  
Mahnomen County: 49.4%  
Roseau County: 69.5%

Citation:

*Unemployment Insurance Statistics* (Minnesota Department of Employment and Economic Development - viewed Dec. 9, 2020)

<https://mn.gov/deed/data/data-tools/unemployment-insurance-statistics/>

## Unemployed Tenants Around the Country



In April 2020, Supermajority News reported:

“‘We find that renters have both a higher unemployment rate and that their income fluctuates from month to month,’ Jung Hyun Choi, a research associate with the Housing Finance Policy Center at the Urban Institute, told Supermajority News. Renters are more likely to be hourly workers — The 2018 American Community Survey by the Census Bureau found 23 percent of renters worked in industries like retail, hospitality, and restaurants. As Choi noted, ‘those kinds of jobs are more susceptible to unemployment.’”

Citation:

L. Gandhi, *As Unemployment Numbers Rise, Renters Are Particularly Vulnerable*  
(Supermajority News April 3, 2020)

<https://supermajority.com/news/education-fund/as-unemployment-numbers-rise-renters-are-particularly-vulnerable/>



## Unemployed Tenants Around the Country



In September 2020, the Pew Research Center reported:

“Among lower-income adults, 46% say they have had trouble paying their bills since the pandemic started and roughly one third (32%) say it’s been hard for them to make rent or mortgage payments.”

“About one-in-five or more adults ages 18 to 29 (25%) and 30 to 49 (21%) have had trouble paying their rent or mortgage.”

“27% of those who have experienced job loss or a pay cut in their household had problems paying their rent or mortgage...”

### Citation:

K. Parker, R. Minkin & J. Bennett, *Economic Fallout From COVID-19 Continues To Hit Lower-Income Americans the Hardest* (Pew Research Center Sep. 24, 2020)

<https://www.pewsocialtrends.org/2020/09/24/economic-fallout-from-covid-19-continues-to-hit-lower-income-americans-the-hardest/>

## Unemployed Tenants Around the Country



On October 5, 2020, in Massachusetts, the Metropolitan Area Planning Council estimated that with the August unemployment rate being 11.3%, “125,000 of the claims filed during the week ending on September 5 were filed by workers in renter households (37.4% of all claims).”

It noted that the “The Census Bureau Pulse survey indicates that nearly one in six renters in Massachusetts are already behind on their rent payments and one in five were not confident they could pay October rent.”

Citation:

*The COVID-19 Layoff Housing Gap - October Update: The Crisis Continues*  
(Metropolitan Area Planning Council October 5, 2020)

<https://www.mapc.org/resource-library/covid-19-layoffs-october/>

## Tenants Behind on Rent



“According to [Community Housing Improvement Program (CHIP)’s] self-reported surveys of its membership, **an average of 8% of renters don’t pay rent in normal times. During the coronavirus crisis to date, that share has gone up to 15 to 20% of renters not paying.** In California, the total rent collected from Class C renters (those in properties typically more than 20 years old, which are often in need of updating) dropped 35% from June to July alone—from 59% in June to 24% in July—according to a recent LeaseLock report. Those figures are down from 85% in January, showing that these renters, who are already more vulnerable, are seeing the deepest financial strain.”

### Citation:

K. Toussaint, *Americans Laid off Due to COVID-19 Want to Know How Landlords Expect Them to Pay. We Asked Some* (Fast Company Aug. 10, 2020)

<https://www.fastcompany.com/90537795/americans-laid-off-due-to-covid-19-want-to-know-what-how-landlords-expect-them-to-pay-we-asked-some>

## Census Data: Tenants, Unemployment, and Rents



The United States Census Bureau produces data on the social and economic effects of coronavirus on American households. The Household Pulse Survey collects data to measure household experiences during the coronavirus pandemic.

*Measuring Household Experiences during the Coronavirus Pandemic,  
Household Pulse Survey – Phase 3 (October 28, 2020 – December 21, 2020)*

(United States Department of Commerce - viewed Dec. 9, 2020)

<https://www.census.gov/data/experimental-data-products/household-pulse-survey.html>

## Census Data: Tenants, Unemployment, and Rents



The tables below show data that were collected from November 11 through November 23.

- Table 1a. Last Month's Payment Status for Owner Occupied Housing Units, by Select Characteristics
- Table 1b. Last Month's Payment Status for Renter Occupied Housing Units, by Select Characteristics
- Table 2a. Confidence in Ability to Make Next Month's Payment for Owner Occupied Housing Units, by Select Characteristics
- Table 2b. Confidence in Ability to Make Next Month's Payment for Renter Occupied Housing Units, by Select Characteristics
- Table 3a. Likelihood of Having to Leave this House in Next Two Months Due to Foreclosure, by Select Characteristics
- Table 3b. Likelihood of Having to Leave this House in Next Two Months Due to Eviction, by Select Characteristics

*Week 19 Household Pulse Survey: November 11 – November 23* (United States Department of Commerce Dec. 2, 2020, viewed Dec. 9, 2020)

<https://www.census.gov/data/tables/2020/demo/hhp/hhp19.html>

## Census Data on Minnesota Tenants, Unemployment, and Rents

The Census Bureau Household Pulse Survey showed that in Minnesota through November 23, 2020, of 713,083 adult tenants surveyed:

- 77,329 (10.8%) reported that they were not currently caught up on rent payments,
- 234,077 (32.8%) reported they were unemployed, and
- 417,658 (58.9%) reported loss of employment income of a household member.

The survey sample is strong. In 2019, there were 611,160 renter households in Minnesota.

### Citations:

- *Table 1b. Last Month's Payment Status for Renter Occupied Housing Units, by Select Characteristics: Minnesota* (United States Department of Commerce Dec. 2, 2020) [https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing1b\\_week19.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing1b_week19.xlsx) (downloaded Dec. 9, 2020)
- *State of the State's Housing 2019 - Biennial report of the Minnesota Housing Partnership* at 4, 6 <http://www.mhponline.org/images/stories/images/research/SOTS-2019/2019FullSOTSTFinal-small.pdf> (viewed Dec. 9, 2020)

## Census Data on Minnesota Tenants and Rents



When asked about confidence to pay the next month's rent:

32,959 (4.6%) occupied housing without rent  
1,823 (0.2%) reported deferred rent  
80,298 (11.3%) reported no confidence  
148,685 (20.9%) reported slight confidence  
119,154 (16.8%) reported moderate confidence

**Only 330,163 (46.3%) reported high confidence**

**228,983 (31.1%) reported no or slight confidence**

Citation:

*Table 2b. Confidence in Ability to Make Next Month's Payment for Renter Occupied Housing Units, by Select Characteristics: Minnesota* (United States Department of Commerce December 2, 2020)

[https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing2b\\_week19.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing2b_week19.xlsx)

(downloaded Dec. 9, 2020)

## Census Data on Risk of Eviction in Minnesota



With a smaller sample, of the 77,329 adult tenants who responded to the question about the likelihood of leaving this home due to eviction in next two months:

39,989 (51.7%) responded not likely at all

19,197 (24.8%) responded not very likely

**7,299 (9.4%) responded somewhat likely**

**10,845 (14.0%) responded very likely**

With the above sample less than 10.8% of the larger 713,083, of the 77,329 adult tenants who responded to the question about the likelihood of leaving this home due to eviction in next two months, **18,144 (23.4%)** responded very likely or somewhat likely. **When multiplied by 9.26 to match the larger sample, the number is 168,000.**

***Note that these tenants were assessing the risk of eviction while Executive Order 20-79 has suspended evictions for nonpayment of rent.***

Citation:

*Table 3b. Likelihood of Having to Leave this House in Next Two Months Due to Eviction, by Select Characteristics: Minnesota* (United States Department of Commerce Dec. 2, 2020)

[https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing3b\\_week19.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing3b_week19.xlsx) (downloaded Dec. 9, 2020)



## People of Color Are at Great Risk of Eviction in Minnesota



In October 2020, the 6-month moving average unemployment rate for Minnesota was 7.1%, up from 2.8% in October 2019. **The rate for Minnesota African Americans was 15.4%**, over twice the overall rate and almost three times higher the 5.3% rate for African Americans in October 2019.

It is reasonable to assume that the unemployment rate for African American tenants is higher than the 32.8% rate of unemployment for Minnesota tenants in general.

When asked about confidence to pay the next month's rent, **only 62.1% of African Americans reported no or slight confidence.**

**When asked about the likelihood of leaving home due to eviction in next two months, 100% of African Americans responded very likely or somewhat likely.**

### Citations:

- In October 2020, the 6-month moving average unemployment rate for Minnesota was 7.1%, up from 2.8% in October 2019. *The rate for Minnesota African Americans was 15.4%*, over twice the overall rate and almost three times higher the 5.3% rate for African Americans in October 2019. *Alternative Measures of Unemployment*, Table 5 (Minnesota Department of Employment and Economic Development - viewed Dec. 9, 2020) <https://mn.gov/deed/data/current-econ-highlights/alternative-unemployment.jsp>.
- It is reasonable to assume that the unemployment rate for African American tenants is higher than the 32.8% rate of unemployment for Minnesota tenants in general.
- When asked about confidence to pay the next month's rent, *only 62.1% of African Americans reported no or slight confidence. Table 2b. Confidence in Ability to Make Next Month's Payment for Renter Occupied Housing Units, by Select Characteristics: Minnesota* (United States Department of Commerce December 2, 2020) [https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing2b\\_week19.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing2b_week19.xlsx) (downloaded Dec. 9, 2020)
- *When asked about the likelihood of leaving home due to eviction in next two months, 100% of African Americans responded very likely or somewhat likely. Table 3b. Likelihood of Having to Leave this House in Next Two Months Due to Eviction, by Select Characteristics: Minnesota* (United States Department of Commerce Dec. 2, 2020)

[https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing3b\\_week19.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2020/wk19/housing3b_week19.xlsx) (downloaded Dec. 9, 2020)

## Homelessness in Minnesota

Homelessness already had reached a record high in Minnesota before the pandemic.

During the pandemic, the county costs of housing the homeless has skyrocketed.

Attorney representation of tenants increases favorable outcomes for tenants, reduces the risk of homelessness, and reduces government emergency financial assistance and shelter costs.

### Citations:

- Homelessness already had reached a record high in Minnesota before the pandemic. K. Smith & R. Olson, *Hennepin County: Weekly Cost of Housing Homeless During Pandemic Could Reach \$1 Million* (Star Tribune Mar. 26, 2020), <https://www.startribune.com/hennepin-county-weekly-cost-of-housing-homeless-during-pandemic-could-reach-1-million/569128792/>; K. Smith, *Minnesota's Homeless Population Reaches Record High Number* (Star Tribune Mar. 21, 2019), <https://www.startribune.com/minnesota-s-homeless-population-reaches-record-high-number/507437932/>.
- During the pandemic, the county costs of housing the homeless has skyrocketed. D. Chanen, *Hennepin County Poised to Spend \$22 Million on 6 New Sites to Help the Homeless* (Star Tribune Mar. 26, 2020), <https://www.startribune.com/hennepin-county-poised-to-spend-22-million-on-6-new-sites-to-help-the-homeless/572655742/>.
- Attorney representation of tenants increases favorable outcomes for tenants, reduces the risk of homelessness, and reduces government emergency financial assistance and shelter costs. *Legal Representation in Evictions - Comparative Study* (Mid-Minnesota Legal Aid and Volunteer Lawyers Network Nov. 2018), <https://www.minnpost.com/wp-content/uploads/2018/11/2018-Eviction-Representation-Results-Study-with-logos.pdf>.

## Minnesota Eviction Estimates



Stout estimates for Minnesota:

127,000-160,000 at risk of eviction  
\$191,000,000-\$221,000,000 current rent shortfall  
59,000-74,700 potential evictions in January  
\$292,000,000-\$338,000,000 January rent shortfall

*Estimation of Households Experiencing Rental Shortfall and Potentially Facing Eviction* (Stout Risius Ross - viewed November 12, 2020)

<https://app.powerbi.com/view?r=eyJrIjojNzRhYjg2NzAtMGE1MC00NmNjLTIOTMtYjM2NjFmOTA4ZjMyIiwidCI6Ijc5MGJmNjk2LTE3NDYtNGE4OS1hZjI0LTc4ZGE5Y2RhZGE2MSIsImMiOiN9>

## Minnesota Eviction Estimates

In June 2020, the Aspen Institute estimated nationally, that if the tenant “unemployment rate is 25 percent, 19 million people would be at risk of eviction by September 30, as their unemployment benefits expire, stimulus payments are spent, and savings dwindle; that rises to 23 million if renters’ unemployment rate is 30 percent.”

It concluded the risk of eviction at 30% renter unemployment for Minnesota on December 31, 2020 would be 281,085 tenants.

### Citation:

K. McKay, Z. Neumann & S. Gilman, *20 Million Renters Are at Risk of Eviction; Policymakers Must Act Now to Mitigate Widespread Hardship* (The Aspen Institute June 19, 2020)

<https://www.aspeninstitute.org/blog-posts/20-million-renters-are-at-risk-of-eviction/>

## Minnesota Eviction Estimates



While the national estimates of eviction in Minnesota might be high, the high unemployment rate among tenants, high rent burden, and limited financial assistance indicate that the eviction numbers will be considerably higher than before the pandemic.

Remember the Census data.

Out of 713,083 adult tenants surveyed,

234,077 (32.8%) reported they were unemployed

417,658 (58.9%) reporting loss of employment income, and

228,983 (31.1%) reported no or slight confidence to pay the next month's rent.

With a sample less 10.8% of the larger 713,083, of the 77,329 adult tenants who responded to the question about the likelihood of leaving this home due to eviction in next two months, 18,144 (23.4%) responded very likely or somewhat likely. When multiplied by 9.26 to match the larger sample, the number is 168,000.

**Compare this with 16,000 eviction court actions in 2017.**

## Minnesota Eviction Estimates



When I managed the housing unit of Mid-Minnesota Legal Aid covering Hennepin County, I regularly handled 300 cases a year, but most of those were advice cases. At my high point of my work as a staff attorney, I went to court three to five times a week and handled one to two trials a month.

The MMLA housing unit currently includes 14.5 attorneys, providing full representation to a range of 15-30 per month in Hennepin County.

***A very conservative estimate of possibly of over ten times the pre-pandemic number of evictions when nonpayment of rent evictions start could result in 13,330 eviction court actions statewide, with 5,000 in Hennepin County, 2,500 in Minneapolis, and 720 in Anoka County for the first month, with similar percentage increases in counties throughout the state, overwhelming the legal services housing attorneys.***

## Health Impact of Renewed Evictions During the Pandemic

One study concluded: “Our model predicts that even for lower eviction rates that don’t dramatically change the population-level epidemic burden, the **individual risk of infection was always substantially higher for those who experienced eviction, or who merged households with those who did....** However, the increased risk of infection was not only felt by those who doubled-up: for individuals who were neither evicted nor merged households with those who did, the risk of infection relative the counterfactual scenario of no evictions was 1.05 for an eviction rate of 0.25%/month and 1.5 for 2.0% evictions per month.... This increased risk highlights the spillover effects of evictions on the wider epidemic in a city.”

### Citation:

J. Sheen, A. Nande, E. Walters, B. Adlam, A. Gheorghe, J. Shinnick, M. Tejada, A. Greenlee, D. Schneider, A. Hill & M. Levy, *The Effect of Eviction Moratoriums on the Transmission of SARS-CoV-2* at 4 (Johns Hopkins University Institute for Computational Medicine and University of Pennsylvania Perelman School of Medicine)

Abstract - <https://www.medrxiv.org/content/10.1101/2020.10.27.20220897v1>

Study - <https://www.medrxiv.org/content/10.1101/2020.10.27.20220897v1.full.pdf>



## Health Impact of Renewed Evictions During the Pandemic

One of the study authors described it at a recorded seminar on September 8, 2020. The modeling study from the Johns Hopkins University Institute for Computational Medicine and University of Pennsylvania Perelman School of Medicine found that **when tenants are evicted, they often move in with other family members, increasing the size of households and the chance for viral transmission**, and concluding that policies to stem evictions are a warranted and important component of COVID-19 control. The model did not include the effect of homelessness in shelters and encampments.

### Citation:

M. Levy, *Evictions and the Spread of Coronavirus*, in Coronavirus and Housing/Homelessness (National Low Income Housing Coalition Sep. 8, 2020)  
Slides 16-20

Recording at 29:20-42:10

<https://nlihc.org/resource/recording-available-nlihcs-september-8-national-call-coronavirus-disasters-housing-and>

## Health Impact of Renewed Evictions During the Pandemic

Another study found a connection between eviction and health outcomes, and concludes that eviction prevention, through moratoria and other supportive measures, is a key component of a pandemic control strategy to mitigate COVID-19 spread and death.

### Citation:

E. Benfer, D. Vlahov, M. Long, E. Walker-Wells, J. Pottenger, G. Gonsalves, & D. Keene, *Pandemic Housing Policy: Examining the Relationship Among Eviction, Housing Instability, Health Inequity, and COVID-19 Transmission* (November 2020). The authors include professors from Wake Forest University School of Law, Yale University Law School, School of Public Health and School of Nursing, and Columbia University Mailman School of Public Health, to be published in the Journal of Urban Health.

<https://ssrn.com/abstract=3736457>

## Health Impact of Renewed Evictions During the Pandemic

Yet another study tested whether lifting eviction moratoriums was associated with COVID-19 incidence and mortality. It concluded that **“[l]ifting eviction moratoriums was associated with significant increases in COVID-19 incidence and mortality in U.S. states,** supporting the public health rationale for use of eviction moratoriums to prevent the spread of COVID-19. Lifting moratoriums amounted to an estimated 433,700 excess cases and 10,700 excess deaths during the study period (March 13-September 3).”

### Citation:

K. Leifheit, S. Linton, J. Raifman, G. Schwartz, E. Benfer, F. Zimmerman, & C. Pollack, *Expiring Eviction Moratoriums and COVID-19 Incidence and Mortality* Abstract (November 30, 2020). The authors include professors from University of California, Los Angeles (UCLA), Johns Hopkins University Bloomberg School of Public Health, Boston University, University of California, San Francisco (UCSF) Institute for Health Policy Studies, and Wake Forest University School of Law.

<https://ssrn.com/abstract=3739576>

## Health Impact of Renewed Evictions During the Pandemic

The study included a table of estimated infections and deaths in states that ended their eviction suspensions. Texas topped the list with estimates of 148,530 infections and 4,456 deaths. *Id.* at 14.

Comparing states with populations similar to Minnesota can suggest the number of infections and deaths that were prevented by maintaining Executive Order 20-79 and its predecessors.

## Health Impact of Renewed Evictions During the Pandemic

A: July 1, 2019 Estimated Population

B: Date Eviction Suspension Ended

C: Weeks End of Suspension to September 3, 2020

D: Estimated Excess Virus Cases after Date Eviction Suspension Ended

E: Estimated Excess Virus Deaths after Date Eviction Suspension Ended

State	A	B	C	D	E
Maryland	6,045,680	July 25, 2020	6	2,310	37
Wisconsin	5,822,434	May 26, 2020	14	19,840	346
Colorado	5,758,736	June 13, 2020	12	8,620	254
Minnesota	5,639,632	Eviction suspension maintained			
South Carolina	5,148,714	May 14, 2020	16	37,590	1,090
Alabama	4,903,185	May 31, 2020	14	26,470	621
Louisiana	4,648,794	June 15, 2020	12	29,650	959

### Citations:

- The population estimates are from *Annual Estimates of the Resident Population for the United States, Regions, States, and The population estimates are from Annual Estimates of the Resident Population for the United States, Regions, States, and Puerto Rico: April 1, 2010 to July 1, 2019* (NST-EST2019-01) <https://www2.census.gov/programs-surveys/popest/tables/2010-2019/state/totals/nst-est2019-01.xlsx> (viewed Dec. 9, 2020)
- The estimates can be found at *State Population Totals and Components of Change: 2010-2019* (United States Census Dec. 30, 2019) <https://www.census.gov/data/tables/time-series/demo/popest/2010s-state-total.html> (viewed Dec. 9, 2020)

Study co-author Dr. Leifheit has estimated infections prevented and lives saved between May and September in states that maintained their eviction suspensions.

State	Deaths Prevented by Suspension
Arizona	2,540
California	6,520
Connecticut	1,520
D.C.	170

Florida	6,140
Hawaii	30
Illinois	2,670
Massachusetts	2,400
<i>Minnesota</i>	<i>680</i>
Montana	60
Nevada	580
New Jersey	3,940
New Mexico	310
New York	10,230
Oregon	180
Vermont	20
Washington	740
<b>TOTAL</b>	<b>38,730</b>

<b>State</b>	<b>Cases Prevented by Suspension</b>
Arizona	63,700
California	186,600
Connecticut	17,100
D.C.	3,900
Florida	197,700
Hawaii	2,200
Illinois	63,200
Massachusetts	31,800
<i>Minnesota</i>	<i>22,200</i>
Montana	2,100
Nevada	16,400
New Jersey	53,000
New Mexico	6,800
New York	135,000
Oregon	6,200

Vermont	600
Washington	18,400
<b>TOTAL</b>	<b>826,900</b>

Citation:

K. Leifheit, *State-level COVID-19 Cases and Deaths Associated with Eviction Moratoriums* (Dec. 2020)

[https://drive.google.com/file/d/1x8qezy\\_mXiaw7eKsU\\_D9zQnQYY0YMfgP/view](https://drive.google.com/file/d/1x8qezy_mXiaw7eKsU_D9zQnQYY0YMfgP/view)

(viewed Dec. 15, 2020)

Note that this estimate does not cover the fall of 2020 when many states saw dramatic increases in infections and deaths.

## What Can You Do? Refer, Volunteer and Donate



Free Legal Aid Programs Representing Tenants: Law Help <https://www.lawhelp.org/find-help>

Housing Litigation and Policy Advocacy:

National Housing Law Project <https://www.nhlp.org/>

National Low Income Housing Coalition <https://nlihc.org/>

Advocate:

United States: President Elect, Senate, House of Representatives, Centers for Disease Control and Prevention (CDC), Department of Housing and Urban Development (HUD)

States: Governors, Legislators, Housing Agencies, Health Agencies, Courts

Localities: County Boards and Agencies, City Mayors, Councils, and Agencies



## Questions



Lawrence McDonough

Attorney at Law

Adjunct Professor of Law, University of Minnesota School of Law

Senior Minnesota Counsel, Lawyers' Committee for Civil Rights Under Law

651-398-8053

[mcdon056@umn.edu](mailto:mcdon056@umn.edu)

<http://povertylaw.homestead.com/Biolarrymcdonough.html>

Housing Law in Minnesota

<http://povertylaw.homestead.com/HousingLawinMinnesota.html>



## Questions and Answers

Please submit your questions to the presenters in the Q&A pod. The presenters will address as many questions as time permits.

*Please complete the webinar evaluation following the Q&A Session*

*\*Certificate of attendance only available following completion of the evaluation*

# Thank You!

*SAMHSA's Homeless and Housing Resource Center provides high-quality, no-cost training for health and housing professionals in evidence-based practices that contributes to housing stability, recovery, and an end to homelessness.*

## Contact Us:

<http://hhrctraining.org/>

[info@hhrctraining.org](mailto:info@hhrctraining.org)

518-439-7415x4

