

EVICTIONS IN RICHMOND

OVERVIEW, CURRENT RESPONSES, AND PROGRAM PROPOSALS

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CONTENTS

EXECUTIVE SUMMARY	1
OVERVIEW OF PROGRAM PROPOSALS	1
OVERVIEW OF EVICTIONS IN RICHMOND	2
BY THE NUMBERS	2
THE PROCESS	3
RELEVANT LAW	7
CAUSES	8
CONSEQUENCES	9
CURRENT RESPONSES IN RICHMOND	11
PROGRAM PROPOSALS	16
1 TENANT ONE-STOP SHOP	17
2 TENANT EDUCATION	20
3 LANDLORD EDUCATION	24
4 EMERGENCY RENTAL ASSISTANCE PLATFORM	26
5 SOCIAL WORKER AND CASE MANAGER SUPPORT	33
6 EVICTION DIVERSION PROGRAM	36
7 IN COURT SUPPORT	39
8 POST EVICTION SUPPORT	41
9 RENTAL REGISTRY AND LANDLORD REPAIR FUND	44
10 CENTRALIZED RESOURCES DATABASE AND REFERRAL SYSTEM	46
IMPLEMENTATION PLAN	49
ANNEXES	51
METHODOLOGY	51
AUTHOR INFORMATION	51
ACKNOWLEDGMENTS	51
LIST OF INTERVIEWEES	52

EXECUTIVE SUMMARY

In 2016, Richmond had the second highest eviction rate¹ in the country among large cities, at 11.44%, or three to four times the national average.² As is the case wherever eviction rates are high, Richmond's rate is the result of a myriad of factors, including a shortage of affordable housing, low and stagnating wages, and landlord-tenant laws that have historically been landlord-friendly and have only just begun to change.

Evictions hurt everyone. For tenants, an eviction results not only in loss of one's home and likely possessions but also in the disruption of employment and schooling and in separation from one's community. Having an unlawful detainer or an eviction on one's record also makes it significantly harder to find future housing. Evictions are costly for landlords, too, entailing court fees, attorney fees, apartment turnaround fees, search costs, and losses from missed rent, alongside non-financial costs. Evictions also impact communities and cities, increasing instability and entrenching economic inequality.

In the past few years, stakeholders in Richmond have devoted increasing effort, time, and resources to combating evictions. These stakeholders include the Mayor's Office; government agencies; legal aid organizations, faith-based organizations, and other nonprofits; tenants and tenant advocates; and landlords, property managers, and landlord attorneys, and initiatives run the gamut from legislative advocacy to the recently launched Eviction Diversion Program.

However, more needs to be done, including both increasing support for already launched initiatives and developing and implementing new responses. This is the moment to take action. Richmond is home to many who have been working on evictions, to a vibrant philanthropic and business community, and to politicians who have demonstrated their eagerness to think creatively about eviction responses. It therefore is ideally positioned to lead one of the most comprehensive, coordinated eviction response efforts in the country, propelling Richmond forward and also setting a model for other cities.

This report provides an overview of evictions in Richmond, outlines current responses, and then proposes a set of program ideas for consideration. These proposals span the lifecycle of an eviction: from eviction prevention, to in court support, to post eviction services.

This report is the product of extensive interviews and comparative research. Authors are current law school students who began focusing on evictions in Richmond in

¹ Defined as "the subset of those homes that received an eviction judgement in which renters were ordered to leave." "Methods," Eviction Lab, <https://evictionlab.org/methods/#filings-and-rates>.

² "Richmond, Virginia," Eviction Lab, <https://evictionlab.org/map/#/2016?geography=cities&bounds=-77.971,37.27,-76.971,37.77&type=er>.

November 2018. From June to August 2019, authors were based in Richmond, and during this time period conducted over eighty interviews with stakeholders, mainly in Richmond but also elsewhere in Virginia, including Arlington and Fairfax counties, and in cities across the country, including Syracuse, New York, and Durham, North Carolina.

This report's focus on evictions does not mean to suggest that eviction should be seen as an isolated issue. Richmond has established a goal of reducing the number of residents living in poverty by 40% by 2030³: promoting housing stability has to be a key aspect of any plan to do so, while failing to address poverty will in turn undermine efforts to reduce evictions. This report discusses the ways in which Richmond's high eviction rate is rooted in deeper issues, highlights current work that affects eviction in Richmond but is not framed as in response to eviction, and suggests program proposals that confront eviction both directly and indirectly. Additionally, while this report focuses on Richmond, it is important to keep in mind that state law shapes what can and cannot be done on the city level, and that a number of other cities in Virginia also have notably high eviction rates.

The hope is that this report can deepen the picture of what is currently happening, serve as a call to action on possible ways forward, and inspire similar efforts elsewhere. As a key first step, Richmond should establish a community-led working group comprised of representatives from all stakeholder groups and charged with taking a coordinated approach, including thinking critically about the program proposals outlined here, and pushing these and other ideas forward.

³ Mayor Levar M. Stoney, "Annual Report on Poverty Reduction and Community Wealth Building Initiatives in the City of Richmond, Virginia," http://www.richmondgov.com/CommunityWealthBuilding/documents/Mayors_Annual_Report_on_Poverty_Reduction_2017.pdf.

OVERVIEW OF PROGRAM PROPOSALS

1 TENANT ONE-STOP SHOP

Create a physical storefront with on-site staff to serve as a place where tenants can go for all housing-related issues.

2 TENANT EDUCATION

Improve the content, form, and distribution of materials aimed at educating tenants on their rights.

3 LANDLORD EDUCATION

Expand support for landlords and property managers on best practices around eviction, including promoting access to financial and non-financial support for tenants.

4 EMERGENCY RENTAL ASSISTANCE PLATFORM

Create a centralized helpline to receive all asks for emergency rental assistance and to coordinate among providers.

5 SOCIAL WORKER AND CASE MANAGER SUPPORT

Increase tenant access to support from social workers and case managers through partnerships with landlords and property managers.

6 EVICTION DIVERSION PROGRAM

Strategically implement the recently launched Eviction Diversion Program to maximize its impact and guide future program development.

7 IN COURT SUPPORT

Increase access to counsel and strengthen collaboration with courthouses.

8 POST EVICTION SUPPORT

Expand support for tenants around the time of eviction, including creating a checklist of key action steps.

9 RENTAL REGISTRY AND REPAIR FUND

Create a rental registry and repair fund to address code violations and to aid tenants in identifying suitable housing.

10 CENTRALIZED RESOURCES DATABASE AND REFERRAL SYSTEM

Create an online “wiki” through which practitioners can get information on relevant resources and track an individual’s progress accessing particular services.

OVERVIEW OF EVICTIONS IN RICHMOND

This section presents a brief overview of evictions in Richmond, not a comprehensive account.

BY THE NUMBERS

In 2016, Richmond had the second highest eviction rate⁴ in the country among large cities, at 11.44%, or three to four times the national average.^{5,6} In 2017, landlords in Richmond filed 17,981 eviction lawsuits,⁷ over 90%⁸ for non-payment of rent⁹ as opposed to for other lease violations. Many of these filings resulted in actual evictions, with over 17 evictions occurring per day in 2016.¹⁰ Rates vary by race, with more than 60% of all majority African American tracts facing eviction rates greater than 10%.¹¹ In terms of costs, data from one month of evictions at Richmond's John Marshall Court reveals that, where a judgment was for the landlord, the tenant owed an average of \$1,008 in rent.¹²

⁴ Defined as “the subset of those homes that received an eviction judgement in which renters were ordered to leave.” “Methods,” Eviction Lab, <https://evictionlab.org/methods/#filings-and-rates>.

⁵ “Richmond, Virginia,” Eviction Lab, <https://evictionlab.org/map/#/2016?geography=cities&bounds=-77.971,37.27,-76.971,37.77&type=er>. North Charleston, South Carolina, ranks first, while four other cities in Virginia make the top ten: Hampton: (third, at 10.49%), Newport News (fourth, at 10.23%), Norfolk (sixth, at 8.65%, and Chesapeake (tenth, at 7.9%). “Eviction Rankings,” Eviction Lab, <https://evictionlab.org/rankings/#/evictions?r=United%20States&a=0&d=evictionRate&l=1>.

⁶ Some argue that this number understates the actual eviction rate, because many landlords evict tenants illegally, without going through the courts. Others argue that this number overstates the eviction rate, either because many landlords will accept rent owed up until the moment the sheriff arrives (meaning a landlord often receives a writ of eviction but does not act on it), or because the data undercounts the number of rental housing units in Richmond. For example, using CoStar's count of rental units in Richmond, the percentage of judgments of possession may be more like 8%. Given these contrasting perspectives and the fact that the Eviction Lab at Princeton University has put out the most complete dataset, this report uses its number, with the hope that further research efforts will result in increasingly accurate data on evictions. Even if this number ultimately proves far off, there is no doubt that Richmond has a significant number of evictions, and, in fact, that any number of evictions merits attention.

⁷ Campaign to Reduce Evictions, “News,” <https://www.reduceevictions.org/category/news/>.

⁸ Martin Wegbreit, “Evictions Ignore the Societal Costs They Impose,” Richmond Times-Dispatch (July 20, 2019), https://www.richmond.com/opinion/their-opinion/martin-wegbreit-column-evictions-ignore-the-societal-costs-they-impose/article_5e3e4255-d474-59bb-9c81-304528165064.html.

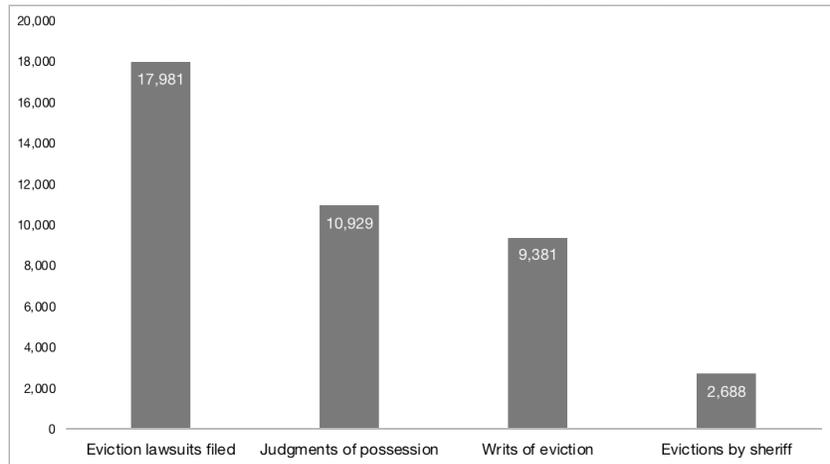
⁹ The Virginia Code defines “rent” broadly, to include all money owed by the tenant to the landlord apart from the security deposit. VA Code Ann. § 55.1-1200.

¹⁰ “Richmond, Virginia,” Eviction Lab, <https://evictionlab.org/map/#/2016?geography=cities&bounds=-77.971,37.27,-76.971,37.77&type=er>.

¹¹ “Why Have We Formed the RVA Eviction Lab,” RVA Eviction Lab, <https://cura.vcu.edu/ongoing-projects/rva-eviction-lab/>.

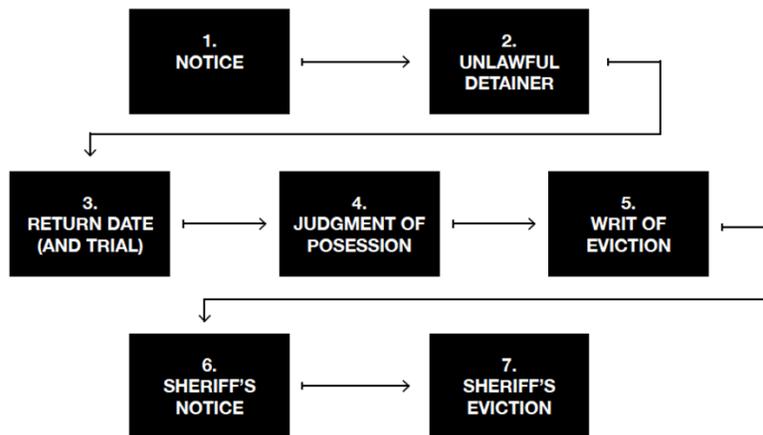
¹² The average court cost was \$56, the average attorney fees (when awarded) were \$196, and the average late fees (when awarded) were \$142. “Addressing Evictions in Richmond,” <http://www.richmondgov.com/PressSecretaryMayor/robocopy/documents/AddressingEvictionRVA.pdf>.

Breakdown of Evictions in Richmond¹³



THE PROCESS

The eviction process begins as soon as a tenant is late on rent, with challenges for tenants at each stage.¹⁴ This section outlines the formal process: a subset of landlords instead carry out so-called “informal” evictions, which are hard to track and arguably pose an even greater threat to tenants, depriving them of any legal safeguards whatsoever.



Calculations by the Central Virginia Legal Aid Society, based on court records for June-July 6, 2018. Data from May through June in 2019 revealed a similar average back rent owed and a median of \$780. Calculations by authors, from data compiled from the Central Virginia Legal Aid Society, based on court records from May 14-June 13, 2019.

¹³ Campaign to Reduce Evictions, “News,” <https://www.reduceevictions.org/category/news/>.

¹⁴ Adapted from materials provided to authors by Phil Storey.

1. NOTICE

The landlord sends the tenant a written notice, called a “pay or quit,” typically the day after the rent is late. This notice gives tenants five days to pay unpaid rent, with the threat of eviction proceedings if the rent, or a portion of it, remains unpaid.¹⁵

Challenge: Tenants often misunderstand the “pay or quit” notice, interpreting it as requiring that they leave their homes immediately, as opposed to as the beginning of an often lengthy process during which they may be able to reach an agreement that would allow them to stay in their homes.

2. UNLAWFUL DETAINER

After the notice period expires, the landlord files an unlawful detainer with the court. The tenant receives a summons for a court date, often approximately three weeks later.

Challenge: Unlawful detainers go on tenants’ records, potentially undermining tenants’ ability to access credit and future housing, even if they are not ultimately evicted.

3. RETURN DATE (AND TRIAL)

Up until the return date, the tenant can still avoid a judgment by exercising the “right to redeem,” which requires paying all owed rent and late fees. The tenant can also come to court with a “redemption tender,” showing a written commitment from a local agency or nonprofit to pay all or part of the owed rent. The judge then postpones the case by ten days to allow the tenant to come back with the full redemption amount.¹⁶ If the tenant does not exercise the right to redeem, the tenant can also contest the amount owed. The judge then orders a trial, typically set for a few weeks after the return date.

Challenge: Very few tenants are represented in court,¹⁷ at either the return date or, if the case proceeds to trial, at the trial stage. To someone observing, the court proceedings appear mechanical: tenant after tenant appears unrepresented, and judges issue judgment after judgment of possession, often to one of the same few landlords or landlord attorneys. While a legal aid attorney is now stationed in the courthouse, few tenants yet know this and few arrive in time to get legal guidance before entering the courtroom.¹⁸

¹⁵ Certain leases may provide for more tenant-friendly policies, such as grace periods for late rent, which tend to be five days. Va. Code Ann. § 55.1-1200 (“unless the rental agreement provides for a different notice period”).

¹⁶ Va. Code Ann. § 55.1-1200.

¹⁷ A study of disposed housing cases in Virginia found that defendants were represented in less than 1% of cases. Shauna Strickland, Scott Graves, and Richard Schauffler, “Virginia Self-Represented Litigant Study: Descriptive Analysis of Civil Data in General District Court,” National Center for State Courts (2017), <http://brls.org/wp-content/uploads/2018/03/GDCCDescriptiveReport.pdf>.

¹⁸ Note that this attorney is an advocate for tenants and completely distinct from lawyers who will be involved in the Eviction Diversion Program as third party neutrals to facilitate alternative dispute resolution.

4. JUDGMENT OF POSSESSION

At either the return date – if the tenant admits to owing rent – or at the later trial date, the judge can grant the landlord a judgment for possession, giving the landlord the right to evict the tenant.

Challenge: Judgments for landlords go on tenants' records, further undermining their ability to access credit and future housing. In Virginia, unlike in some other states, there is one judgment for both rent owed and for possession, which incentivizes landlords to file unlawful detainers for rent owed even if they have no intention of taking control of the property.

5. WRIT OF EVICTION

After winning the judgment for possession, the landlord may ask the court for a writ of eviction, which the judge typically issues immediately but which cannot be executed until at least eleven days later. The writ includes instructions from the court to the sheriff on scheduling the eviction, which must be issued within 180 days after the judgment of possession. Once issued, the writ of eviction must be executed within thirty days. Sheriffs usually serve the writ within five to ten days of issuance and execute it within ten to fifteen days of service.¹⁹

Challenge: Writs grant landlords the power to evict tenants without further court proceedings even if tenants are able to pay the full amount owed.

6. SHERIFF'S NOTICE

The sheriff must give the tenant at least 72 hours advance notice of the eviction, and typically gives five to seven days, depending on the season.

Challenge: At this stage, while tenants may still be able to avoid an eviction by paying all amounts owed, they already have the eviction on their record.

7. SHERIFF'S EVICTION

The sheriff arrives, changes the locks, and forces the tenant to leave their home.

Challenge: Tenants who have not yet secured new housing must find friends or family to store their larger belongings, pay for access to storage facilities, or lose their belongings.

LANDLORD AND PROPERTY MANAGER PERSPECTIVES ON RENT OWED AND PAYMENT PLANS²⁰

Most landlords and property managers interviewed follow systematic, non-negotiable, non-individualized procedures if rent is late, filing for an unlawful detainer as soon as the five day notice period has expired. The process is even more systematic when it is outsourced to law firms, as larger landlords and property managers commonly do.

¹⁹ Interviews with legal aid attorneys, June-July 2019.

²⁰ Quotations from interviews with landlords and property managers, June-July 2019.

However, most landlords and property managers have also indicated their willingness to accept rent payments at any point in the eviction process, both before and after court proceedings. In their view, it is strategic to file because it serves as a necessary “stick” to prompt payment and so that they have met all legal requirements to proceed with an eviction if payment arrangements do not work out, but they remain open to negotiating payment plans. That said, it is not clear if or how often these payments actually prevent tenants from being evicted.²¹

“Everyone gets the same letter at the same time. If you have someone [a property manager] decide they’re sorry for someone [a tenant], it’s a problem.”

“On the 6th of each month, we print out late letters and give tenants until the 11th to pay rent and a late fee. Then if we don’t receive this by the 15th, we file an unlawful detainer through an attorney. The tenant usually won’t get a court date until the middle of the following month, so the tenant will have around two months to pay for whatever they owe for the prior month and the month up until court.”

“We also let some tenants [just over 10%] rely on a payment plan. Some plans are half and half, where you pay half by the 15th and half by the 30th, since you don’t want any of the month owed rolling into the next month; some are in full by the 18th. We allow them to give us any date in the month. If they miss a payment date, then court action is filed five days from the delinquent notice. If they pay anytime before the court date, then court is dismissed. We do have an average of around five residents that will not contact us or respond to our reaching out for them to use a payment plan. These residents get a five-day as soon as rent is past due and court papers are filed as soon as the five-day delinquent notice has expired if payment has not been received.”

“Whether landlords or property managers are more willing to work with the tenant is sometimes dependent on personal involvement: in some larger properties, the owner is involved in management of the asset and may have goals besides revenue.”

“All units have a due date of the 5th, but about half of these units have an additional five-day grace period and a late fee is not charged until after the 10th.”

“Landlords think about efficiency.”

“As long as they pay, they can stay.”

“You’re racing a slow clock [the legal eviction process] [in explaining why to file immediately].”

“Tenants can pay anytime before a court appearance. Also, once there has been a judgment, there is very often an agreement.”

“On balance sheets, property managers have space for delinquent accounts and usually assume once past a certain date they will not be able to collect and write it off as a loss.”

“Eviction costs everyone money, so if there is a way to save a unit without having delinquency, most will try to work something out.”

²¹ This may be an area especially ripe for further research, including collecting empirical data.

RELEVANT LAW

Evictions in Richmond are governed by a number of different bodies of law, listed in the chart below.²² All of these laws should be understood in the context of Virginia’s laws more generally: most significantly, the fact that Virginia is a Dillon Rule state, which limits action by local governments to that specifically delegated by the Virginia General Assembly.²³

Federal	State
<i>Public Housing (24 CFR §§ 966.1-.57)</i>	<i>Virginia Residential Landlord and Tenant Act (VRLTA) (Va. Code §§ 55.1-1200 through 55.1-1262)</i>
<i>Section 8 Housing Choice Vouchers (24 CFR §§ 982.1-.555)</i>	<i>Virginia Non-Residential Tenancies Law (Va. Code §§ 55.1-1400 through 55.1-1428)</i>
<i>Site-Based Section 8 Housing (24 CFR §§ 983.251-.262)</i>	<i>The Manufactured Home Lot Rental Act (MHLRA) (Va. Code §§ 55.1-1300 through 55.1-1319)</i>
<i>Low Income Housing Tax Credit (42 USC § 42(h)(6)(E)(ii)(I))</i>	<i>Requirements for unlawful detainers (Va. Code §§ 8.01-124 through 8.01-130)</i>

Seven new laws went into effect on July 1, 2019. The new laws, the outgrowth of extensive discussions involving both tenant advocates and landlords and property managers as well as of a series of political compromises, provide for²⁴:

- Written leases,²⁵
- The consolidation of non-payment of rent lawsuits into one able-to-be amended suit,²⁶
- The launch of a pilot eviction diversion program in Danville, Hampton, Petersburg, and Richmond (set to begin July 1, 2020),²⁷

²² Adapted from materials provided to authors by Phil Storey.

²³ Hon. Jon D. Russell and Aaron Bostrom, “Federalism, Dillon Rule and Home Rule,” American City County Exchange (2016), <https://www.alec.org/app/uploads/2016/01/2016-ACCE-White-Paper-Dillon-House-Rule-Final.pdf>.

²⁴ For a more detailed overview, see “7 New Laws that are More Fair, Favorable & Friendly to Tenants,” Central Virginia Legal Aid Society, <https://www.reduceevictions.org/wp-content/uploads/2019/04/new-landlord-tenant-laws-0319.pdf>.

²⁵ VA Code Ann. § 55.1-1204. Note that Title § 55.1 is not yet in effect. This report cites to new code sections so it is up-to-date when Title § 55.1 goes into effect in October 2019.

²⁶ VA Code Ann. § 8.01-126.

²⁷ VA Code Ann. § 55.1-1262.

- Tenant attorney’s fees in certain cases,²⁸
- An extended right of redemption,²⁹
- A shortened time period for writs of possession (from twelve months to 180 days) and the vacating of unexecuted writs of eviction,³⁰ and
- Elimination of the requirement to pay future rent in advance within ten days in order to appeal.³¹

These laws are a huge step forward in increasing protections for tenants, though interviewees expressed the need for careful monitoring and evaluation to determine whether the laws are having their desired effect.³² Many also emphasized that significantly more reform is needed.³³

CAUSES

A myriad of factors – briefly mentioned here but which deserve significantly more attention – contribute to Richmond’s high eviction rate.³⁴ Underlying all of these factors is Richmond’s long history of segregation and institutional racism, understanding of which should be viewed as crucial to all efforts to develop effective responses.

In brief, tenants in Richmond are victims of an extreme shortage of affordable housing: over 18,000 housing units (both single family and multi-family) are needed in the Richmond

²⁸ Va. Code Ann. § 55.1-1210.

²⁹ Va. Code Ann. § 55.1-1250.

³⁰ Va. Code Ann. § 8.01-470.

³¹ Va. Code Ann. § 16.1-107.

³² The Virginia Department of Housing and Community Development, among others, is already working on plans to evaluate the effectiveness of the seven new laws, including collecting data on relevant baselines and determining timeframes for evaluations. Some of the new laws (e.g., the new written lease requirement) may be especially difficult to monitor and may require volunteers from legal aid organizations or other relevant organizations to observe court to collect qualitative data.

³³ This report avoids extensive discussion of legislative reform, since it is focused on evictions in Richmond and since there are many stakeholders (including CARE) leading statewide eviction efforts that include strategic lobbying for legislative reform. Briefly, the top “wish” for additional reform expressed by interviewees is pushing for legislation that makes evictions records impossible or difficult to access or that restricts their use, such as through: sealing records related to eviction after a certain time period; limiting public access to tenant-specific information through removing address data from court websites; and/or preventing landlords from considering an eviction record after a certain time period. Analogues include efforts in California (where eviction records are sealed automatically at the point of filing); in Illinois and Minnesota (where the records of certain post-foreclosure evictions are automatically sealed), in New York City (where online court records exclude tenants’ names and addresses), in Wisconsin (where dismissed cases are visible online for only two years); and in Oregon (where landlords are barred from considering a rental applicant’s eviction court record if the action was dismissed before the submission of the application, judgment was entered in favor of the applicant, or the judgment was entered five or more years before the application was submitted). For a good overview of these efforts, see Esme Caramello and Nora Mahlberg, “Combatting Tenant Blacklisting Based on Housing Court Records,” Clearinghouse Community (September 2017), <https://www.povertylaw.org/clearinghouse/article/blacklisting>.

³⁴ Analysis informed by conversations with Marty Wegbreit, who pulled together and provided to authors a list of top causes of Richmond’s high eviction rate.

region.³⁵ Simultaneously, Richmond residents face low and stagnating wages. More specifically, almost 35% of Richmond residents earn under \$25,000 annually, which at best supports an affordable rent of approximately \$500 per month for a two-bedroom unit,³⁶ while only 19% of Richmond’s rental housing units rent for under \$500 a month.³⁷ In fact, fair market rent for a 2-bedroom in the Richmond Metropolitan Statistical Area (MSA) is \$1,042,³⁸ putting affordable housing out of the reach of most renters. 28% of Richmond households are cost-burdened, spending more than 50% of their income on housing,³⁹ and, since 2000, the proportion of cost-burdened households has increased across all income levels.⁴⁰ High demand means housing prices are expected to increase, without corresponding increases in income.

Alongside high rents and low wages, the lack of other supports for those at high risk of eviction – including insufficient healthcare – makes it even harder to pay rent, or forces tenants to forego fulfilling other basic needs in order to stay stably housed.

Gentrification, the aftermath of the foreclosure crisis, and the predominance of older housing stock have not helped, nor have landlord-tenant laws that, despite the new laws, remain relatively unfavorable to tenants.

CONSEQUENCES

For tenants, the consequences of evictions are devastating.

Tenants typically lose not only their homes, but also often their possessions or, alternatively, have to pay for storage as they search for new places to live. Tenants who experience evictions are also more likely to lose their employment, by as much as 15%.⁴¹ Alongside financial losses, tenants who are evicted lose access to social support networks – including churches, neighbors, and mentors – and to location-based services. The impact on access to education is particularly significant: families with children are evicted

³⁵ “Insights Report: Background information in preparation for updating Richmond’s Master Plan,” Richmond 300 (September 2018), http://richmond300.com/sites/default/files/InsightsReport_Sept2018_180906.pdf.

³⁶ Insights Report: Background information in preparation for updating Richmond’s Master Plan,” Richmond 300 (September 2018), http://richmond300.com/sites/default/files/InsightsReport_Sept2018_180906.pdf.

³⁷ Insights Report: Background information in preparation for updating Richmond’s Master Plan,” Richmond 300 (September 2018), http://richmond300.com/sites/default/files/InsightsReport_Sept2018_180906.pdf.

³⁸ Randy Moore, Virginia Housing Alliance, Virginia: Congressional Housing Profiles: 2019, https://vahousingalliance.org/wp-content/uploads/2019/04/2019-Virginia-Congressional-Housing-Profiles-FINAL-45-COPIES_compressed.pdf.

³⁹ Percentage refers to renters in Virginia’s 4th District, based on the most recently updated information (from February 2016). National Low Income Housing Coalition, “Congressional District Housing Profile,” https://nlihc.org/sites/default/files/CDP_VA.pdf.

⁴⁰ Insights Report: Background information in preparation for updating Richmond’s Master Plan,” Richmond 300” (September 2018), http://richmond300.com/sites/default/files/InsightsReport_Sept2018_180906.pdf.

⁴¹ Martin Wegbreit, “Evictions Ignore the Societal Costs They Impose,” Richmond Times-Dispatch (July 20, 2019), https://www.richmond.com/opinion/their-opinion/martin-wegbreit-column-evictions-ignore-the-societal-costs-they-impose/article_5e3e4255-d474-59bb-9c81-304528165064.html.

at much higher rates than families without children,⁴² with evictions leading to lengthy school absences and/or disruptive mid-year transfers for children.

The effects of an eviction follow tenants and their families long after moving out. Having an eviction – or even just an unlawful detainer – on one's record makes it significantly harder to find future housing and in fact may render a family ineligible for affordable housing entirely. Often, the only landlords who will rent to tenants with an eviction on their record are landlords with ill-maintained buildings and little regard for municipal codes, forcing families into a vicious cycle of progressively poorer and poorer quality housing.

Consequences of eviction vary by property type. Detailed discussion of this variation is beyond the scope of this report, but key distinctions include those between evictions from private rental properties and from public housing – with tenants evicted from the latter often left with even fewer options – and the special case of mobile home parks, in which tenants may own their mobile home but rent the land on which it sits, posing significant additional logistical problems of where and how to move their home if evicted.

Evictions also have consequences for landlords. While costs are highly variable, the burden on landlords is undoubtedly significant, with estimates of financial costs clustering around \$5,000⁴³ per eviction, alongside harder to quantify costs with additional financial implications, such as lower incentives for tenants to invest in taking care of their apartments.

Far more than only affecting individual tenants and landlords, evictions also undermine communities and cities, weakening education systems, lowering employment rates, and entrenching economic inequality. When high eviction rates are not sufficiently addressed, cities face mounting financial and non-financial costs, and are forced to make greater, later investments that at that point are often too late to mitigate the consequences of unstable housing.

⁴² Matthew Desmond et al., “Evicting Children,” *Social Forces* 92(1) 303–327, September 2013, available at <https://doi.org/10.1093/sf/sot047>.

⁴³ Costs include: attorney fees (\$180-500); court fees (\$100-200), sheriff fees for delivery of writ (\$50), locksmith to change the locks after eviction (\$150), repair and cleaning fees (\$2,000, though can be up to \$5,000 if the unit is destroyed), and missed rent and search cost of finding a new tenant (up to \$3,000, though are dependent on the season, with less demand and thus more difficulty finding tenants in the winter). Though generally high demand means search costs are lower than they would otherwise be, even a landlord with a ready waiting list will have missed rent from the time lapse in which the prospective tenant notifies their current landlord. Interviews with landlords, property managers, and tenants, June-July 2019.

CURRENT RESPONSES IN RICHMOND

Most interviewees characterized attention on evictions in Richmond as having drastically increased in the past few years: following the publication of Matthew Desmond's *Evicted* in 2016, and even more so after an April 2018 New York Times article, "In 83 Million Eviction Records, a Sweeping and Intimate New Look at Housing in America,"⁴⁴ spotlighted Richmond as "a city with one of the highest eviction rates in the country," drawing on data from the Eviction Lab at Princeton University. Richmond's stated goal of reducing the number of residents living in poverty by 40% by 2030 has brought even more attention to evictions, since any plan to combat poverty must directly address housing stability.⁴⁵

In the past few years, a growing number of Richmond stakeholders have devoted increasing effort, time, and resources to addressing evictions, expanding and/or reorienting existing work and launching new initiatives. These stakeholders include the Mayor's Office; state and local government agencies; legal aid organizations, faith-based organizations, and other nonprofits; tenants and tenant advocates; landlords, property managers, and landlord attorneys; and coalitions such as the Campaign to Reduce Evictions (CARE) (focused on the state level), and initiatives run the gamut from lobbying for legislative reform to providing direct services.

This section presents an overview of ongoing work in Richmond related to eviction (with some mention of statewide initiatives with city-level implications), some specifically aimed at combating eviction and some not. The specific organizations mentioned are doing notable work, but so too are many that are not mentioned.

TENANT EDUCATION

There is no one organization whose core function is to provide regular trainings for tenants, but a number of organizations do provide tenant education in various forms, including written materials, group workshops, and individual counseling sessions. The Virginia Housing Alliance (VHA) sponsors trainings around the state led by the Virginia Poverty Law Center (VPLC) in conjunction with local legal aid organizations. The VPLC, the Central Virginia Legal Aid Society (CVLAS), and the Legal Aid Justice Center (LAJC) hold sessions

⁴⁴ Emily Badger and Quoc Trung Bui, "In 83 Million Eviction Records, a Sweeping and Intimate New Look at Housing in America," *The New York Times* (April 7, 2018), <https://www.nytimes.com/interactive/2018/04/07/upshot/millions-of-eviction-records-a-sweeping-new-look-at-housing-in-america.html>.

⁴⁵ Mayor Levar M. Stoney, "Annual Report on Poverty Reduction and Community Wealth Building Initiatives in the City of Richmond, Virginia," http://www.richmondgov.com/CommunityWealthBuilding/documents/Mayors_Annual_Report_on_Poverty_Reduction_2017.pdf.

for (1) those who receive rent vouchers from the Richmond Redevelopment and Housing Authority (RRHA) and, on an-requested basis, (2) other groups of tenants and service providers working with tenants.

TENANT COUNSELING AND SUPPORT SERVICES

A number of Richmond-based nonprofits provide counseling and support services for tenants. Legal aid organizations provide legal support (including direct representation) to eligible individuals. Other nonprofits staffed by case managers and social workers provide non-legal guidance on staying stably housed and connect tenants with other available services. Notable examples include Richmond Opportunities Inc. (ROI), which provides services in RRHA's public housing developments, including in Creighton Court,⁴⁶ and nonprofit affordable housing developer Better Housing Coalition (BHC), which provides on-site resident services in its own properties.⁴⁷ Other organizations operate outside of housing structures and without a housing focus to provide comprehensive support for families and children, many of whom are facing eviction or other housing-related challenges. Communities in School (CIS), for example, stations coordinators in schools to connect vulnerable students and their families to available public and private resources.

⁴⁶ ROI's work centers on promoting self-sufficiency and housing choice. Family transition coaches work with residents to assess their households' strengths and needs in preparation for moving into project-based voucher units or, ultimately, home ownership. ROI also arranges community workshops on financial management and works with other community partner organizations to refer residents to additional resources. Materials provided to authors by Richmond Opportunities Inc.

⁴⁷ BHC's portfolio includes fifteen multi-family rental communities, with 1,500 rental units. BHC provides a range of services to its residents, including academic programs for children, parent education, financial and career development programming, and individual counseling sessions with social workers.

EMERGENCY FINANCIAL ASSISTANCE

Several organizations – including ACTS,⁴⁸ Commonwealth Catholic Charities, and CAP-UP⁴⁹ (as well as the Richmond Department of Social Services⁵⁰) – provide funds for emergency needs, including rental assistance and utilities. Funds are limited, with cycles in which funding becomes available and then dries up, and typically allocated to those with one-time needs: e.g., tenants who usually can pay their rent, as opposed to those who are chronically behind.

EVICTION LEGAL HELPLINE

The recently launched Eviction Legal Helpline, managed by VPLC and staffed by a network of intake volunteers and pro bono attorneys, connects tenants at risk of eviction with legal assistance. The Helpline serves tenants who have either received an eviction notice or whose landlords have changed their locks or cut off utilities without going through the formal process and provides basic information about tenant rights and obligations, individually-tailored legal advice and connections to other relevant services. Pro bono attorneys affiliated with the Helpline do not directly provide legal representation in court for helpline cases. The Helpline also offers a potential new source of data on evictions in Virginia, with callers who consent connected to the RVA Eviction Lab for follow-up conversations.

⁴⁸ ACTS works with over fifty congregations and partner organizations, taking calls only from these designated referrers. ACTS' trained case managers work with each referred individual to analyze the root of the problem and to determine whether the individual meets ACTS' eligibility criteria, which aims to ensure that the individual will not be in the same position the next month and that the grant will be sustainable. In 2018, ACTS received 1,252 referrals and was able to provide some form of assistance to 1,154 of them. Of these, 328 households received financial assistance, amounting to over \$162,395 toward payments of rent and utilities, with an average of \$527 per referral. An additional 826 households received non-financial support, amounting to over \$82,935 in case management, including referrals to resources for housing counseling, financial counseling, and legal aid. ACTS emerged out of the recognition that decentralized provisions of assistance by individual congregations were not as effective as they could be, and its model is based on similar models elsewhere, most notably, Crisis Assistance Ministry (CAM), which provides support from its main office in Charlotte, North Carolina, triaging potential clients by the urgency of their needs, and conducting extensive intake interviews. Materials provided to authors by ACTS and interview with ACTS, July 2019.

⁴⁹ Authors were not able to get data from CAP-UP on the amount of assistance.

⁵⁰ DSS has several pots of funding for families and individuals facing financial crises related to rent and utilities payments, with distinct eligibility criteria for different pots of funding. Families with children under the age of eighteen may be eligible for Promoting Safe and Stable Families (PSSF) funds operated by the Family Preservation Unit: criteria for this funding include being a Richmond resident for at least thirty days, having lease and utility bills in one's name, being financially able to sustain the rent or utility payments in future months, showing proof of having exhausted all other funding sources (such as family or friends), and having valid identification. Tenants receiving PSSF funds can apply for additional assistance once every two years. DSS-administered funding from federal programs like SNAP or TANF may have additional eligibility requirements. DSS requires recipients of funding to enlist in money management services. Interview with DSS, July 2019.

EVICTIION DIVERSION PROGRAM

Alongside the statewide diversion program stipulated in the new laws and set to begin in 2020, Richmond has launched its own eviction diversion program. Unlike the state program, Richmond's program has received dedicated city funding, but it is also voluntary, meaning landlords need to opt in. Led by the City, CVLAS, and Housing Opportunities Made Equal (HOME), and based on existing eviction diversion programs in Lansing, Michigan and Durham, North Carolina,⁵¹ the program provides tenants with: pro bono legal aid attorneys as in-court mediators, financial literacy education, financial assistance (for eligible tenants),⁵² and referrals to support services.⁵³ The program is slated to begin in the fall of 2019.

CONTINUUM OF CARE

A network of well-coordinated nonprofits provide a range of services to prevent homelessness and to support homeless individuals in Richmond.⁵⁴ In accordance with federal guidelines (from the Department of Housing and Urban Development), the Greater Richmond Continuum of Care (CoC) uses a coordinated entry system⁵⁵ to assess each individual's needs and to connect the individual to appropriate services. The main point of entry is the Homeless Crisis Line,⁵⁶ which is led by nonprofit Homeward, staffed by a team of diversion specialists, and targets those three days or fewer away from becoming homeless.⁵⁷

⁵¹ "Addressing Evictions in Richmond,"

<http://www.richmondgov.com/PressSecretaryMayor/robocopy/documents/AddressingEvictionRVA.pdf>.

⁵² "Addressing Evictions in Richmond,"

<http://www.richmondgov.com/PressSecretaryMayor/robocopy/documents/AddressingEvictionRVA.pdf>.

Tenants must be able to pay a percentage of rent owed by the time they appear in court. They receive an additional percentage through the program, and then enter into a payment plan with their landlord for the remainder of the funding. Interview with CVLAS, July 2019.

⁵³ "Eviction Diversion Program," <http://www.usmayors.org/wp-content/uploads/2019/02/RICHMOND-VA.pdf>.

⁵⁴ Evictions and related issues are key causes of homelessness. A 2018 survey of 389 adults as part of Homeward's point-in-time analysis revealed the most common causes of homelessness to be: unemployment (23.7%), family/relationship breakdown (20.6%), cost of housing (9.8%), drug and alcohol abuse (9.3%), and eviction (8.7%). Homeward, "Eviction Data from July PIT Count," <http://homewardva.org/news/blog/174-eviction-data-from-july-pit-count>.

⁵⁵ "Coordinated Entry," <http://endhomelessnessrva.org/service-providers/coordinated-entry>.

⁵⁶ Homeward, "Get Help," <http://homewardva.org/get-help>.

⁵⁷ Homelessness in the Richmond region has been decreasing: in the winter of 2019, there were approximately 497 people sleeping in shelters or on the streets according to Homeward's point-in-time analysis, down from a peak of 1,150 in 2009. In fact, the Richmond region now has one of the lowest per capita rates of homelessness in the United States. Homeward, "Greater Richmond Continuum of Care (GRCoC) January 2019 Point-in-Time Count," http://homewardva.org/images/news/PressReleases/2019/PIT_Final_Release.pdf.

AFFORDABLE HOUSING ADVOCACY AND DEVELOPMENT

A number of stakeholders in Richmond, including local government and both for-profit and nonprofit developers, are working to address the massive shortage of affordable housing and the deterioration of existing affordable housing stock. Key recent developments include the influx of City funding to the Affordable Housing Trust Fund,⁵⁸ the creation of a separate department of Housing and Community Development, the establishment of the Maggie L. Walker Community Land Trust, the development of the Richmond Regional Housing Framework through the leadership of the Partnership for Housing Affordability, and ongoing efforts to lobby for new policies related to tax abatement and zoning.

LEGISLATIVE REFORM

Richmond's eviction rate is shaped by Virginia's landlord-tenant laws, which have been the object of growing scrutiny and calls for change. Most recently, collaboration among a range of stakeholders resulted in the adoption of seven new laws by the General Assembly (see "Relevant Law"). Both CARE and VHA have also played leading roles in statewide advocacy efforts.

RESEARCH AND ANALYSIS

A number of groups are conducting research and analysis on evictions and related issues. The RVA Eviction Lab, housed at Virginia Commonwealth University's Wilder School of Government and Public Affairs, responds to the needs of the range of local stakeholders focused on eviction. It has released several articles on completed research and data analysis and has a large number of ongoing and planned projects. Other groups, like Virginia Tech's Virginia Center for Housing Research, are similarly producing important research, though on housing more generally. A third category of stakeholders, while not focused on research and analysis, have dedicated resources to eviction research to inform their other efforts, with Richmonders Involved to Strengthen our Communities (RISC), for example, selecting eviction as a key priority area and conducting extensive research to then inform its advocacy work.

The number of existing stakeholders and the extent of their ongoing work positions Richmond stakeholders to capitalize on these current responses, push for coordination of efforts, and move them forward.

⁵⁸ "City of Richmond FY 2020 Federal Funds & FY 2019 Affordable Housing Trust Fund Request for Funding Application Guidelines," <http://www.richmondgov.com/PressSecretaryMayor/robocopy/documents/FY19-20FederalFundingGuidelines.pdf>.

PROGRAM PROPOSALS

This section presents a number of program proposals. The discussion of each proposal includes: the identified need to which the proposal responds, a detailed description of the proposal, relevant analogues, and tentative next steps to move the proposal forward.

The emphasis across the full set of proposals is on eviction prevention, which is focused on tenants at risk of being evicted, often before any legal proceedings, as opposed to eviction diversion, which is focused on tenants who have received an unlawful detainer. This is not only because there are a number of promising possible eviction prevention programs, but also because earlier interventions help tenants stay in their homes and thus avoid the more significant consequences of an eviction (see “Consequences”). Moreover, as Richmond’s efforts to date have been largely focused on eviction diversion, there is a significant gap and therefore opportunity around earlier interventions.

While the program proposals complement each other, they are not a comprehensive strategy: each program could be implemented individually or in combination with others,⁵⁹ and all could and should be implemented alongside other existing, planned, and future efforts.

Moving these proposals forward will likely require the formation of a community-led working group focused on eviction and made up of representatives of all relevant stakeholders. This working group would take the lead in strategically advocating for and leading a comprehensive response to eviction, including through fleshing out these and other program proposals and assigning roles and responsibilities to ensure they move forward.

⁵⁹ Implementing some combinations of proposals – for example, the Tenant One-Stop Shop, the Centralized Resources Database and Referral System, and the Emergency Rental Assistance Platform – may require additional coordination to ensure these efforts are not duplicative and best leverage each other. For example, One Stop-Shop staff should have access to the Centralized Resources Database and Referral System and should use it to direct tenants to relevant support. The Centralized Resources Database and Referral System should in turn include the number for the Emergency Rental Assistance Platform.

1

TENANT ONE-STOP SHOP

Create a physical storefront with on-site staff to serve as a place where tenants can go for all housing-related issues.

IDENTIFIED NEED

While a number of organizations in Richmond provide crucial services related to housing, there is no one entry point for tenants to access them. Alongside the lack of a common entry point, specific services are particularly inaccessible: because they are located in places that are difficult for tenants to reach or because they appear unapproachable. The lack of a common entry point and inaccessible services means that tenants either do not access relevant resources at all or waste precious time trying to identify where to get support. It means that organizations devote unnecessary time and effort to figuring out who is doing what and where to refer tenants. From a systems perspective, it makes it difficult to identify gaps in services and to develop programming that meets these needs.

DETAILED DESCRIPTION

PHYSICAL SPACE

The Tenant One-Stop Shop should be housed in a storefront-type space that is strategically located to be accessible to as many tenants as possible, i.e. that is close to places that tenants live and frequent and/or can be easily reached by public transportation, and that appears approachable.⁶⁰

STAFFING MODEL

Depending on available resources, the Tenant One-Stop Shop could be staffed in shifts. Staff could include those with relevant skills and experience – such as volunteer attorneys and employees of nonprofits providing relevant services – as well as, depending on needs, those who simply care about evictions and undergo necessary training – such as University of Richmond School of Law (UR Law) students and dedicated community members.

SERVICES

Services offered could include but are not limited to:

⁶⁰ The geographic distribution of evictions in Richmond could make it necessary to have two One-Stop Shops: one located north of the James River (to serve Northside and East End) and one located south of the James River (Hull Street and Jeff Davis Highway).

- **Answering specific questions:** Staff (or the subset of staff qualified to do so) would answer tenant questions, such as how to understand particular lease provisions.⁶¹
- **Accessing materials and training:** The Tenant One-Stop Shop would have available all developed know your rights materials and also possibly serve as a site for workshops for tenants (see “Tenant Education”) and for landlords (see “Landlord Education”).
- **Connecting to legal and social services:** The Tenant One-Stop Shop would also connect tenants to the range of existing legal and social services, including legal aid organizations and providers of emergency rental assistance.
- **Addressing one-time needs:** Depending on available resources, the Tenant One-Stop Shop could also support tenants with discrete needs that are not the main priority of any existing organization, for example, for residents of public housing, following up with RRHA when income changes, or, for soon-to-be evicted or recently evicted individuals, searching for future housing.

FUNDING

The Tenant One-Stop Shop could be funded by a mix of public and private stakeholders, including local government, local businesses, and philanthropic organizations. Costs should be low: if possible, the space should be obtained for free (by identifying an organization willing to allocate currently unused space) and staff members would not be compensated (since they would be either volunteers or, for the portion of staff drawn from existing organizations, possibly represent an “in-kind” donation from these organizations of staff members’ time), leaving utilities and other supplies as the main cost categories.

ANALOGUES

The clearest evidence of the success of coordinated services is Greater Richmond’s own CoC, and particularly the Homeless Crisis Line, which offers a single entry point to a large number of services. Other analogues, most focused on housing generally, include:

- *Community Housing Information Hour – Kalamazoo, Michigan:* Housing Resources Inc., a nonprofit in Kalamazoo, hosts a weekly housing information hour at Goodwill during which tenants facing housing crises can ask questions and get connected to resources and services.⁶²
- *Housing Resource Center – Michigan:* The Housing Resource Center offers a free helpline for community members with housing challenges. A trained housing specialist conducts an intake screening and connects the individual to resources and services.⁶³

⁶¹ While making sure to steer clear of the unauthorized practice of law.

⁶² Housing Resources, Inc., “Behind in Rent in Kalamazoo?,” <https://www.housingresourcesinc.org/need-housing-assistance/behind-in-rent-in-kalamazoo/>.

⁶³ Community Housing Network, “Housing Resource Center,” <https://communityhousingnetwork.org/services/housing-resource-center/>.

- *Housing Hub – Greensboro, North Carolina*: A public-private partnership between Greensboro local government and nonprofits came together to sponsor the Greensboro Housing Hub, which serves as a one-stop shop for community members looking for affordable housing.⁶⁴
- *One Stop Housing Resource Center – Flint, Michigan*: Shelter of Flint, Inc.’s One Stop Housing Resource Center is a partnership between local nonprofit organizations to provide comprehensive support for community members looking for housing placements.⁶⁵

NEXT STEPS

- Identify a suitable location and acquire it.
- Secure funding (ideally only for utilities and supplies).
- Secure staff, through (1) developing a clear explanation of the Tenant One-Stop Shop and what would be required from staff; (2) developing partnership agreements (specifying the exact nature of the commitment) with stakeholders including:
 - Pro bono attorneys (making sure to coordinate with other recently-launched eviction responses making use of pro bono attorneys, namely, the Eviction Legal Helpline and the Eviction Diversion Program),
 - Employees of nonprofits providing relevant services,
 - UR Law students, and
 - Dedicated community members.
- Develop guidelines and protocols for staff outlining the process from when a tenant walks into the Tenant One-Stop Shop to the end of the One-Stop Shop’s engagement with the tenant. These guidelines and protocols should include a system for tracking data related to tenants’ visits.
- Equip the Tenant One-Stop Shop with all available materials and information about relevant services.
Note: The One-Stop Shop’s ability to meet tenants’ needs would increase over time as these materials and services are themselves developed and strengthened.
- Launch operations.
Note: The One-Stop Shop’s hours and services would be dictated by available funding and staff. Depending on available resources, the One-Stop Shop may have more limited hours initially and expand its operations over time.
- Publicize the Tenant One-Stop Shop’s existence, including by asking all existing service providers to raise awareness.

⁶⁴ Nancy McLaughlin, “Greensboro Housing Hub aspires to be 'one-stop shop' for people needing affordable housing,” *Winston Salem Journal* (March 22, 2018), https://www.journalnow.com/greensboro-housing-hub-aspires-to-be-one-stop-shop-for/article_18df440a-b8ea-522c-8fc1-d44e86f941c3.html.

⁶⁵ Shelter of Flint, Inc., <https://www.shelterofflint.org/onestophousing.html>.

2 TENANT EDUCATION

Improve the content, form, and distribution of materials aimed at educating tenants on their rights.

IDENTIFIED NEED

There is already a wealth of online resources for tenants⁶⁶ and thus general wariness about the prospect of just developing more materials. Instead, tenant education efforts should focus on three identified shortcomings:

- Existing materials are too complicated and/or extensive (especially for tenants with lower literacy levels), while not in fact capturing the most common issues tenants face.
- Tenants rarely access these resources early enough, and are instead left looking for them at the moment of crisis.
- Access is in part limited by insufficient dissemination, with workshops, for example, often held in parts of Richmond which are less accessible by public transport.

These shortcomings are related to a deeper problem all tenant education efforts must address: widespread skepticism among tenants that there are stakeholders out there that will actually provide useful help, which limits the extent to which tenants seek out and/or trust these efforts.

DETAILED DESCRIPTION

CONTENT

Advocates should develop simple, well-designed handouts on subjects such as the “Ten Most Common Issues Tenants Face and What to Do.” Three of the issues that have come up most frequently (and that should therefore be addressed in these materials) are⁶⁷:

- What to do when there is a code violation (such as mold) in one’s unit that the landlord is not properly addressing: Many tenants think they can stop paying rent when a landlord fails to address the violation, stop, and are then faced with an unlawful detainer.⁶⁸
- What a “pay or quit” notice means: Many tenants think the notice requires them to vacate their apartment immediately.

⁶⁶ CVLAS has many tenant education materials, on topics including evictions, repairs, and security deposits, and disseminates at least 1,000 of each flier a year.

⁶⁷ Issues with tenants’ legal rights related to security deposits and Section 8 vouchers also came up frequently, including situations where landlords threaten the loss of a tenant’s voucher through a court process if they do not vacate their unit.

⁶⁸ Additionally, there is widespread confusion about landlords’ ability to enter units for repairs without notice or when tenants are not home.

- Lease misunderstandings: Written leases can be incredibly dense and filled with legal jargon that is difficult to understand. As a result, tenants are often unaware of key provisions and may later unknowingly violate them.⁶⁹

As much as possible, materials should not be developed from scratch, and should instead build on existing materials and/or leverage efforts to develop new materials that are already underway.⁷⁰ Over time, data from the Eviction Legal Helpline and the Tenant One-Stop Shop, as well as from other sources, should also inform the development of materials, enabling identification of additional common misconceptions to include.

DISSEMINATION

Materials need to be distributed at places tenants facing housing issues are likely to frequent: both places where they interact with housing-related direct service providers (e.g., legal aid, the Tenant One-Stop Shop, etc.), but also at bus stops, grocery stores, schools (daycares, pre-schools, and elementary, middle, and high schools), and other public spaces (e.g., the Richmond public library).

Reaching these and other locations depends on partnering with individuals who are already well-integrated into the lives of populations at high risk of eviction, equipping them with materials to disseminate. These individuals include but are not limited to:

- Members of the Richmond Ambassador Program, a group of twenty-five individuals who have come through the Office of Community Wealth Building's Workforce Innovation Program and serve to connect community members with government services and supports,⁷¹
- Richmond City Health District Community Health Workers, who staff mini health clinics in Richmond's six major public housing communities, serving approximately 10,000 residents,⁷²
- Homeless Crisis Line diversion specialists,
- Guidance counselors, school nurses, and administrators in schools with the highest eviction rates (as well as CIS coordinators), and
- Landlords and property managers.⁷³

⁶⁹ For example, RRHA leases do specify that tenant payments go first to additional fees and then to monthly rent, but misunderstandings of this provision can result in confusion about why tenants end up in court despite having paid their full rent owed. This is not to single out RRHA: there are likely even more pervasive misunderstandings related to private rental properties.

⁷⁰ CARE has members who are already dedicating time and effort to developing tenant education materials.

⁷¹ Ambassadors already help Richmond residents through housing crises and occasionally host community events related to housing but would benefit from being even more equipped to do so.

⁷² Institute for Public Health Innovation, "Richmond City Health District Community Health Workers," <https://www.institutephi.org/our-work-in-action/community-health-worker-initiatives/richmond-city-health-district-community-advocates/>.

⁷³ Though it may seem counterintuitive to involve landlords and property managers in tenant education initiatives, as emphasized throughout this report, landlords and property managers have real incentives to keep tenants stably housed.

FORM

For some tenants, interactive workshops or in-person forums to ask questions and to learn about their rights may be more effective than simply being given more written materials. While the Tenant One-Stop Shop may meet this need for individual tenants, the many organizations working on evictions should consider holding regular workshops on specific topics related to evictions. These workshops should be located in accessible spaces, such as the Tenant One-Stop Shop or community spaces such as the public library, and led by those who might be willing to dedicate a few hours a week to help answer questions, including staff members at nonprofits working on evictions and related issues, pro bono attorneys, and other volunteers, such as UR Law students.⁷⁴

ANALOGUES

Public schools campaign – Syracuse, New York: Syracuse’s Mayor’s Office recently launched an information campaign that leverages public schools. Public schools were given pamphlets on housing resources and other information to hand out to students in the hope that they share them with their parents. The Mayor’s Office put a Google number on the pamphlet for tenants to call and has been measuring the success of the campaign through tracking the analytics associated with that number.⁷⁵

United Tenants of Albany (UTA) – Albany, New York: UTA responds to more than 5,000 requests for information annually through a drop-in center, a helpline, and trainings on landlord/tenant issues. UTA also helps bring together different groups of tenants who are suffering from the same housing issues to lobby for change.⁷⁶

Tenant Union Representative Network (TURN) – Philadelphia, Pennsylvania: TURN provides free workshops to educate tenants about their rights daily during lunch hour and twice a week after work. TURN also offers individualized counseling for tenants who have attended workshops and need more individual help from volunteers to answer specific questions.⁷⁷

⁷⁴ Interviews suggested involving law school students in tenant education efforts might be a good way to expand UR Law’s work on evictions, especially given challenges with involving students in the legal process directly (see “In Court Support”).

⁷⁵ Interview with Syracuse Director of Innovation, June 2019.

⁷⁶ UTA’s funding comes from the New York State Division of Housing and Community Renewal, the Albany County Department of Social Services, the City of Albany through an Emergency Solutions Grant, the US Department of Housing and Urban Development, Catholic Charities of the Albany Diocese, corporate donors, and individual donors, many through the State Employee Federate Appeal and Community Works. United Tenants of Albany, <https://utalbany.org/services/>.

⁷⁷ Philadelphia Tenant Union Representative Network, <http://rturn.net/>.

NEXT STEPS

- Develop new materials focused on the most common issues Richmond tenants face.
- Disseminate the materials through a wide array of channels.
- Launch a series of workshops focused on key issues.

3 LANDLORD EDUCATION

Expand support for landlords and property managers on best practices around eviction, including promoting access to financial and non-financial support for tenants.

IDENTIFIED NEED

Tenants, landlords, and those working on evictions have all identified the need for more landlord education. For tenants, it makes a significant difference to have a landlord who is aware of the relevant laws and thus what they can and cannot do. Many landlords, too, want to follow the law, and do not see eviction as a desired outcome: evictions are costly for everyone involved (see “Consequences”). Landlords and property managers have in particular expressed eagerness to connect tenants with emergency rental assistance and with services that would increase the likelihood of them staying in their units.⁷⁸

DETAILED DESCRIPTION

Richmond stakeholders should expand landlord education through landlord-facing materials and workshops for landlords and property managers. Materials and workshops should focus on relevant laws, corrections to common landlord misunderstandings, and best practices for keeping tenants stably housed, including how to identify tenants who are struggling, how to open communication with them as early as possible, how to determine the underlying causes of their rent difficulties (such as low financial literacy), and how to connect them with available services.

In terms of common landlord misunderstandings, the Fair Housing Act (FHA) seems to be especially commonly misunderstood among some landlords and property managers, with many wrongly understanding the FHA to prohibit any kind of individualized payment plan.

The new Virginia law requiring written leases also represents an exciting opportunity for new landlord education focused on how to develop fair, easy-to-understand written leases, for landlords who have not previously used written leases, and, for landlords who have, how to edit existing ones.

To equip landlords to connect tenants with available services, landlords should also have access to the most up-to-date lists of resources, including any developed for the Tenant One-Stop Shop and any pulled from the centralized resources database (see “Centralized Resources Database and Referral System”).

⁷⁸ Interviews with landlords and property managers, June-July 2019.

As with tenant education, landlord education efforts should, as much as possible, leverage materials that have already been developed or are currently being developed.⁷⁹

ANALOGUES

While tenant unions and activist groups across the country do host occasional trainings for landlords, there are few examples of comprehensive efforts emphasizing the fundamental message that collaboration between landlords and tenants can be beneficial, for both economic and non-economic reasons. Arlington County, however, does offer free seminars for landlords who own or manage fewer than three residential properties focused on topics including tenant screening, the FHA, and lease requirements.⁸⁰

NEXT STEPS

- Develop and disseminate landlord-facing materials.
- Host workshops for landlords.
- Equip landlords with tenant-facing resources, such as information about emergency rental assistance.

⁷⁹ CARE has members who are already dedicating time and effort to developing landlord education materials.

⁸⁰ Arlington Housing, "Information for Landlords," <https://housing.arlingtonva.us/get-help/rental-services/tenant-landlord-rights/information-landlords/>.

4

EMERGENCY RENTAL ASSISTANCE PLATFORM

Create a centralized helpline to receive all asks for emergency rental assistance and to coordinate among providers.

IDENTIFIED NEED

Current efforts in Richmond to provide emergency rental assistance fall short in several ways:

- The overall pot of money is relatively limited, failing to meet the significant demand. Across Virginia, the number of asks for assistance is significant: from January through May of 2019, 15,524 calls were made to 2-1-1 Virginia on housing-related needs.⁸¹
- The funding that does exist is skewed toward later in the process, with new funds for the Eviction Diversion Program, for example, accessible only after a tenant has received an unlawful detainer, and resources like the Homeless Crisis Line serving only those within three days (or fewer) of becoming homeless. This means the funding may successfully contribute to keeping a tenant in their home, but may not mitigate other issues, such as the consequences of having an unlawful detainer on one's record.
- Funding is not centrally administered, or even tracked, but is instead given out by different organizations with different eligibility criteria. While there are good reasons this is the case – and these individual organizations are doing extremely important work – this creates burdens, both for tenants, who must try to access multiple sources of funding, with no clear way to navigate among them, and for these organizations, which often only give partial funding once it is clear a tenant can come up with the full amount and therefore most coordinate with and get guarantees from other organizations. As one interviewee put it, “there is lots of organizational back and forth required, and time is ticking.”

In addition to undermining individual tenants and organizations, fragmented efforts prevent a comprehensive view into the overall need, the timing of requests, the average amount tenants ask for, the common reasons tenants are having trouble paying their rent, and what happens after tenants receive funding. They also prevent experimentation, such as the possibility of testing different financial arrangements to figure out how funds can be best used to help as many people, as well, as possible.

⁸¹ Housing-related need defined as the sum of calls tagged by: Affordable Housing, Counseling-Housing, Financial Aid-Housing, Homelessness Prevention, Housing, Housing-Subsidized, Landlord-Tenant, Shelter-Crisis. Data provided to authors by 2-1-1 and interview with 2-1-1, June 2019.

Richmond is at a crucial moment to get this right, with the opportunity to not only drive more effective programs, but also to set a model for cities across the country, many of which are in the early stages of rethinking their own approaches to emergency financial assistance.

Both tenants and landlords are in support of expanded emergency rental assistance. Tenants and tenant advocates interviewed have spoken clearly to the impact of receiving funding earlier, especially if early enough to avoid a court process that costs more, takes time, disrupts work and school, and to avoid the even more significant consequences of having an eviction on one's record.

Landlords also benefit from more rental assistance for tenants, accessible earlier on. Many landlords are willing to accept payment up to the point at which the sheriff arrives (see "The Process"), suggesting they would be eager to support efforts that increase tenants' ability to pay much earlier in the process. This is because evictions are costly for landlords, amounting to around \$5,000 per eviction, on average.⁸² Costs for landlords increase as the eviction process moves forward, both because additional cost categories come into play, and because it becomes less and less likely that a tenant will be able to pay the amount of rent owed. Put simply, landlords have no reason not to support efforts to provide tenants more assistance, earlier on.

The fact that comprehensive evaluations of emergency rental assistance are still limited (few in number, typically based on relatively small sample sizes, and rarely including longitudinal information on tenant outcomes after receiving assistance)⁸³ should be seen as another reason to support a centralized system that allows for research and evaluation and, as detailed below, for a staged intervention that uses learnings from initial stages to drive improvements in program design and to scale those interventions that have been found to be successful. Data-backed evaluations would also support the inclusion of eviction prevention efforts, and emergency financial assistance in particular, in future proposals for additional legislative reform and in requests for city and state support.

DETAILED DESCRIPTION

INITIAL STAGES

In the initial stages, the helpline should:

- **Receive all calls related to emergency rental assistance:** This requires that all organizations currently providing assistance⁸⁴ refer calls to the helpline, trusting that eligible tenants will soon be directed back to them, and that they will have a chance to complete their own intake process and apply their own eligibility criteria as desired.

⁸² See Footnote 43 for a more detailed breakdown of costs.

⁸³ Materials provided to authors by NeighborWorks and interview with NeighborWorks, July 2019.

⁸⁴ Those involved should decide on the list of participating organizations, including how to address providers of non-rental emergency assistance such as Dominion Energy, which provides some assistance for utilities.

- **Conduct initial intake:** The staffer at the helpline asks for basic information on the caller. What information the staffer asks for should include any questions currently being asked by all organizations, such that, once referred, these organizations should only have to ask organization-specific questions.
- **Maintain a list of all providers of emergency rental assistance:** This list should include information on how much money each provider typically provides and any additional eligibility criteria they may have.
- **Refer callers to specific organizations:** After receiving basic information, the staffer directs the caller to the most suitable organization. This requires that all organizations currently providing assistance agree on a referral process that works well for all of them, and sees the goal of serving all tenants better to matter more than maximizing their individual numbers reached (though this system may in fact do that as well).
- **Track data:** The helpline tracks all data that will be useful for evaluating the program and building the case for more emergency rental assistance. This includes but is not limited to data on: timing of the call, how the caller found the helpline, amount requested, call outcome (if referred to a specific organization(s)), if obtained assistance and whether full amount or partial amount, and from what sources), overall outcome (stayed in apartment that month, still in apartment x months later – if possible to do follow-up, made repeat request, etc.).
- **Share data with relevant stakeholders:** This data should be regularly shared with relevant stakeholders, including the organizations providing assistance, the RVA Eviction Lab, and any other stakeholders working on eviction efforts who may be interested in analyzing it.

EXPANDED ROLES

Once the helpline has been launched, it can perform two additional roles.

First, the helpline should seek to obtain more funding for emergency rental assistance. A better coordinated system will not solve the current shortage of emergency rental assistance. The helpline can therefore pursue additional sources of funding – which it can either independently distribute (likely requiring it to develop into an independent legal entity) or fairly distribute among existing providers of assistance – from the following potential sources:

- **State and local government:** As Richmond continues to expand its responses to eviction, it should increase support for eviction prevention, and specifically for emergency rental assistance.
- **Philanthropic foundations:** Philanthropies have not yet significantly invested in responses to eviction. Richmond should consider tapping into possible philanthropic sources, for eviction prevention generally, and in particular for emergency rental assistance.
- **Social lending platforms:** There is high potential to increase emergency rental assistance through some kind of social lending platform, in which community members pitch in to help keep neighbors stably housed. This kind of model has

been shown to be appealing in relation to emergency rental assistance (see “Analogues” below) and also in Richmond with initiatives like the Giving Wall (in which individuals donate money to other individuals’ specific needs).⁸⁵ The Giving Wall might in fact itself serve as this platform.⁸⁶

Second, the helpline should more actively seek to determine what works. Stakeholders working on eviction prevention in Richmond, as well as property managers and landlords, have consistently identified four groups of tenants: (1) those who are consistently able to pay rent on time; (2) those who are consistently able to pay rent, but are habitually late (e.g., they consistently pay toward the end of the month); (3) those who struggle rarely, often only in one or two months, due to a “one-time” emergency such as a medical emergency; (4) and those who struggle month-to-month and are consistently barely able to make their rent. Existing emergency rental assistance programs largely cater to group (3), hoping that one-time support will help tenants who experienced a particularly bad month stay stably housed. That said, there is only a small evidence base on whether this one-time payment really works, and whether there might not be other models that would work better.

The helpline, with dedicated research support, can lead the way in moving this research forward by employing careful study designs that test different programs and answer questions such as:

- Are there instances in which providing loans (as opposed to grants), at no-to-very low interest rates, might work to keep tenants in their homes, while simultaneously increasing the sustainability of emergency rental assistance programs?
- What variables best identify tenants who are most likely to receive assistance once and then stay stably housed?
- How early in the process should emergency rental assistance be provided? How can the provision of emergency rental assistance best contribute to efforts to minimize the costs of going to court, for both landlords and tenants?
- How can emergency rental assistance best be paired with other interventions, such as financial literacy training? More generally, what bundles of interventions work best, for which tenant segment?

Over time, answers to these questions can drive increasingly evidence-based interventions.

⁸⁵ The Giving Wall, <https://www.thegivingwall.org/>.

⁸⁶ If the Giving Wall is used as the social lending platform for expanded emergency rental assistance, it may be necessary to change some of its current requirements, such as the cap on amount requested (\$250).

ANALOGUES

EFSP Grants – Richmond, Virginia: Organizations involved in distributing Emergency Food and Shelter Program (EFSP) grants already employ a limited version of this form of coordination. Since individuals cannot receive more than one grant, participating organizations contribute to a spreadsheet that is kept up-to-date with information on recipients.

Coordinated Services Planning – Fairfax, Virginia: In Fairfax County, those seeking emergency rental assistance know to call one place: Coordinated Services Planning (CSP).⁸⁷ CSP consists of thirty-one specialists, eight supervisors, and one program manager and operates on a \$2,775,215 annual budget.⁸⁸ The specialists conduct an initial screening process and then provide tenants with information on resources for which they are eligible, e.g., the nonprofit in their area providing emergency rental assistance. When one nonprofit cannot provide the full amount requested (as is often the case), CSP plays an additional coordinating role, securing guarantees from multiple nonprofits and itself often then providing a promissory letter to the landlord specifying the sources from which funds will be coming. A CSP employee interviewed stated that essentially all nonprofits in the county have agreed to be part of the system. CSP's role also enables it to collect crucial data, including on both call volumes and outcomes.⁸⁹

Arlington Thrive – Arlington, Virginia: Nonprofit Arlington Thrive provides emergency rental assistance to residents of Arlington County who are in contact with social workers. The social worker contacts Arlington Thrive on the tenant's behalf, and Arlington Thrive then pays the landlord directly, with an average grant amount of approximately \$800. This funding comes from the county government, foundations, individual donors, faith groups, and business and civic organizations.⁹⁰ Arlington Thrive is willing to help tenants more than once a year and typically receives referrals from tenants who have had a particularly

⁸⁷ Many community members have heard about CSP from 2-1-1 or from one of the various CSP-led community outreach presentations. Interview with CSP, June 2019.

⁸⁸ Department of Neighborhood and Community Services, Coordinated Services Planning, https://www.fairfaxcounty.gov/budget/sites/budget/files/assets/documents/fy2016/lobs/lob_160.pdf.

⁸⁹ Data collected includes the number of contacts for emergency rental assistance (5,505 in 2018); the "% of basic needs met where the client did not again seek similar assistance from CSP within six months" (in 2018, 95% of those seeking housing counseling and 83% seeking housing payment assistance); and a breakdown of the amount requested. Department of Neighborhood & Community Services Coordinated Services Planning, "CSP Trends" (FY 2018), <https://www.fairfaxcounty.gov/neighborhood-community-services/sites/neighborhood-community-services/files/assets/documents/coordinated%20services%20planning/cap%20trends.pdf>.

⁹⁰ In 2017, Arlington Thrive's donated income was \$1,062,652, with 52% coming from the county government, 13% from foundations, 30% from individuals, 2% from faith groups, and 3% from business and civic organizations. The organization has two main assistance programs: the Daily Emergency Financial Assistance Program (with a \$345,000 annual budget) and the Carter-Jenkinson Housing Assistance Program (with a \$320,000 annual budget and which is exclusively used to prevent evictions). Arlington Thrive, "About," <https://arlingtonthrive.org/about/>.

difficult stretch (as opposed to tenants with unsustainably high rents).⁹¹ Arlington Thrive employs three staff members and then relies on a group of twenty trained volunteers to serve more than 5,000 clients annually.

*Homeport's Eviction Prevention Program – Columbus, Ohio*⁹²: Homeport is a nonprofit housing developer in Columbus, Ohio that launched an eviction prevention pilot with its residents in 2014. The program combines financial education, coaching, and connections to social services with emergency financial assistance in the form of a one-time individual grant from The Columbus Foundation, which residents can use to pay their rent or medical, transportation, or education-related expenses. From August 2014 through August 2017, Homeport provided \$215,712 in financial assistance. The program's results ultimately showed that, for many residents, one-time financial assistance coupled with financial education and counseling represented a successful intervention: the program successfully prevented 149 households from experiencing eviction. Only 22% of the program participants (thirty residents) moved out of their homes, the majority of whom did so voluntarily, with only twelve program participants evicted. The program also succeeded in helping residents improve their on-time rent payments months after receiving the one-time financial assistance: more than twice as many residents (10.3% as opposed to 4.3%) paid every rent payment on time one year after receiving financial assistance than the year prior. The residents who participated in the eviction prevention program also showed sustained interest in attending financial capabilities training, with 105 of the 141 residents attending at least one follow-up financial capabilities education group or seeking individual counseling.

Community Giving – Syracuse, New York: In Syracuse, eviction prevention efforts have mainly centered on expanding social services (see “Social Worker and Case Management Support”) but have also included efforts to create a larger pot of funding for emergency financial assistance. In response to current constraints – Catholic Charities can only connect tenants to limited Department of Social Services funding or funds from small charitable organizations – Syracuse has partnered with the technology company “Vite Labs” to encourage community giving. A to-be-launched application will allow Syracuse community members to donate money to tenants for expenses like rent or utilities in exchange for “Syracoins” that can be redeemed for deals at participating small businesses.

⁹¹ Interview with Arlington Thrive, June 2019.

⁹² Materials provided to authors by NeighborWorks; Interview with NeighborWorks, July 2019.

NEXT STEPS

- Secure financial and human resources for helpline.
Note: If resources are available, it may make sense to hire a permanent staff member to oversee the helpline. If resources are not available, it may make sense to link the helpline to the Tenant One-Stop Shop and/or rely on a network of volunteers.
- Develop basic protocols by calling together all current providers of emergency rental assistance (as well as other relevant stakeholders) and determine:
 - How each provider will refer callers to the helpline,
 - What information the helpline will collect on the initial intake call,
 - The full list of providers, with their eligibility criteria,
 - How the helpline will refer tenants to providers,
 - How the helpline will handle situations in which each provider can only provide a partial amount,
 - How the helpline will report back to each provider,
 - How the helpline will keep track and share data, insights, and evaluations with participating providers and other stakeholders.
- Contact Virginia 2-1-1 to ensure operators refer Richmond residents seeking rental assistance to the helpline.
- Update all tenant education materials to include the helpline.
- Launch basic operations.
- Launch efforts to secure more funding.
- Launch efforts to experiment, in collaboration with researchers.

5

SOCIAL WORKER AND CASE MANAGER SUPPORT

Increase tenant access to support from social workers and case managers through partnerships with landlords and property managers.

IDENTIFIED NEED

Many interventions related to eviction already integrate social workers and case managers in various forms, but they are clearly not reaching everyone. More specifically, the support provided in affordable housing developed by nonprofit developers is not matched elsewhere.

DETAILED DESCRIPTION

More tenants need to have access to social workers and case managers who provide crucial support and connections to social services.⁹³ Connection to social workers and case managers is particularly crucial the moment tenants know they may not be able to pay this month's rent, with one best practice – already employed in some affordable housing developments that have property managers and resident services – that property managers notify resident services when rent is late. Richmond can lead the way in recognizing how crucial this work is to reducing evictions and can help prove to a national audience the non-economic and economic benefits to all players of this type of holistic eviction prevention.

ANALOGUES

Both longstanding and newer interventions have demonstrated the power of dedicated case management and social worker support to those at high risk of eviction. For tenants, an early connection to social workers and/or case managers can lead to identifying the underlying issue causing the potential inability to pay rent and to addressing it through connecting tenants to the appropriate services and resources, whether those are mental health support, financial literacy training, or financial assistance. For landlords and property managers, integrating social workers and case managers can help them avoid the financial costs of eviction and help increase stability and community in their properties.

⁹³ It is important to note that for case managers to be effective in helping to reduce evictions, they need to be well-qualified. In Virginia, there is no certification process to become a case manager. While there are many experienced case managers with backgrounds in social work and related fields, there are others who lack necessary qualifications. To ensure qualified and experienced case managers, Virginia may need to adopt a certification process in the future.

Properties owned by nonprofit developers – Richmond, Virginia: Nonprofit affordable housing developer BHC has a full resident services division, which includes both on-site and off-site social workers. BHC property managers know to refer tenants to resident services as early as possible, while resident services provides support to tenants interacting with property managers. While social workers and/or case managers cannot prevent a tenant that is simply unable to pay their rent from being evicted, they can help tenants locate a wealth of resources and provide crucial support on problems that may impact their ability to pay rent, such as lack of financial literacy and lack of mental health support. Organizations such as Community Housing Partners (CHP) employ similar models.

RRHA properties – Richmond, Virginia: In RRHA properties, organizations like Richmond Opportunities, Inc. (ROI) provide a range of services, including coordinated case management and family transition coaches to promote self-sufficiency and housing choice.

AHC Inc. – Arlington, Virginia: AHC is a nonprofit affordable housing developer with properties in Virginia, Maryland, and Washington, D.C.. In Arlington, AHC owns 4,000 units which are managed by a separate property management company. AHC properties offer residents case management services which, working closely with property management, connect residents at risk of eviction to financial literacy training and financial coaching, and provide referrals to other social services. If a tenant is served with an unlawful detainer, resident services will reach out to tenants three times to see if they can help them avoid an eviction through connection to social services support. From January through August 2018, there were 22 evictions from the 4,000 units, and 51 families avoided evictions with help from resident services.⁹⁴

Housing Authority – Syracuse, New York: Syracuse piloted an eviction prevention program with both the Syracuse Housing Authority and a private housing complex. The pilot with the Syracuse Housing Authority funded two case managers to work with tenants who were late on their rent payments, connecting them with needed support services including potential sources of emergency financial assistance. Through this program, in 2018, the Housing Authority saved at least \$116,119 in eviction filings and lost rent and prevented at least thirty families from having to leave their homes.⁹⁵

Clinton Plaza – Syracuse, New York: Syracuse also helped support similar programming in a private housing complex, Clinton Plaza, with support from nonprofit Catholic Charities. When tenants fall behind in rent at Clinton Plaza, they are referred to a case manager from Catholic Charities to help connect them to relevant services. Over twelve months, the program prevented 69 evictions from occurring, saving the property manager approximately \$219,752 in legal fees, missed rent, and other costs associated with evictions. Clinton Plaza will continue to implement the program without city funding next

⁹⁴ Materials provided to authors by CARE.

⁹⁵ Interview with Syracuse ESG Program Administrator, June 2019.

year, itself financing the salaries of two case managers because it found the program to be so effective.⁹⁶

NEXT STEPS

- Identify key gaps in access to social workers and case managers among tenants at high risk of eviction, drawing on data from the RVA Eviction Lab and any other available mappings of eviction rates in Richmond.
- Determine the capacity of existing organizations to serve additional clients (if provided with additional resources).
- Work with the Virginia Apartment Management Association (VAMA) and other relevant entities to connect with property managers and landlords to discuss the possibility of integrating social workers and case managers into their properties.
- Secure additional funding/support for existing providers and/or locate new capacity elsewhere.
- Raise awareness among tenants on opportunities for access.
- Track and monitor early iterations and refine and expand programming over time.

⁹⁶ Interview with Syracuse ESG Program Administrator, June 2019.

6

EVICTION DIVERSION PROGRAM

Strategically implement the recently launched Eviction Diversion Program to maximize its impact and guide future program development.

IDENTIFIED NEED

Current plans for the Eviction Diversion Program are shaped by the new Virginia law establishing the statewide program (which prohibits programs not in compliance with its specifications), comparative research on eviction diversion programs elsewhere, and insights from the day-to-day work of those who have been developing the program. Within the constraints of this law, interviews have revealed several key considerations to keep in mind as the program is fully implemented and, hopefully, scaled.

DETAILED DESCRIPTION

Recognizing that many organizations – most notably, CVLAS and HOME – are already successfully leading this work, this section mainly affirms thinking and efforts that are likely already underway or planned.

The implementation of the program should include efforts to:

- **Raise awareness among tenants:** Current efforts to raise awareness among tenants include distributing leaflets to the range of stakeholders interacting with tenants potentially at risk of eviction. When the program starts in the fall of 2019, an information sheet will be attached to each unlawful detainer filed and handed back to the landlord, and to each unlawful detainer served to the tenant. Moving forward, CVLAS can pursue all possible avenues to raise awareness about the program, including reaching more and more providers of direct services, and also working with property managers and landlords who may be willing to raise awareness among their tenants.
- **Educate landlords:** Stakeholders involved in implementing the program should also work to educate landlords, emphasizing the advantages for landlords, including the economic argument of minimizing costs associated with evictions. Landlord buy-in is especially crucial since the program is voluntary. As part of increasing buy-in, those implementing the program should do everything possible to make participation as easy as possible for landlords, including minimizing the administrative burden of participating, and should consider other possible incentives, such as publicly recognizing landlords that have participated. The participation of landlords is so crucial that those implementing the program may want to consider setting up semi-regular conversations with landlords to solicit their

thoughts on how to increase buy-in and how to make the program work better from their perspective.

- **Educate judges:** Though tenants will soon receive information through a notification attached to the unlawful detainer, it is worth considering whether additional efforts should be made to involve judges in informing tenants and landlords of the program, for example at the start of the eviction hearing.
- **Track all data:** The extent to which the Eviction Diversion Program can be scaled and/or improved over time is dependent on data being carefully tracked and then evaluated. The Eviction Diversion Program’s performance metrics should be used to not only push for more funding for the program but also to help shape statewide diversion efforts.
- **Test and experiment:** At later stages, and only if in compliance with state law, those implementing the program should consider ways to test different arrangements, again establishing Richmond as leading a movement for evidence-based responses to eviction. Questions to test through a carefully designed study set-up could include:
 - What percentage of rent is it realistic to expect tenants to be able to pay without assistance in order to be eligible for the program?
 - What incentives increase landlord participation?
 - After the initial payment, what payment plan structure makes sense for both tenants and landlords?

ANALOGUES

Eviction Diversion Program – Kalamazoo, Michigan: In Kalamazoo, tenants who receive a summons from court, have some funds to contribute to the amount owed, and are able to pay the next month’s rent are instructed to call 2-1-1 within three days of receiving an eviction summons to set up an appointment with an eviction diversion specialist. If both the landlord and tenant agree to the amount of rent owed and other terms and are willing to meet with the eviction diversion specialist, they can resolve the eviction before the court date. The Department of Human Services (DHS) pays for two full-time caseworkers at the courthouse and uses state emergency relief funds (SER) and additional funds from the nonprofit Housing Resources Inc. to pay for emergency assistance.⁹⁷

Eviction Diversion Program – Durham, North Carolina: Durham launched an eviction diversion program in 2017 as a partnership between Legal Aid of North Carolina’s Durham office, Duke Law’s Civil Justice Clinic, the Durham County Department of Social Services (DSS), and the courts, with funding from the City of Durham, James Scott Farrin Law Offices, and the North Carolina Bar Foundation. Along with their eviction summons, tenants receive a flier informing them of the program and telling them to call DSS to schedule an appointment. At DSS, a caseworker determines the tenant’s eligibility for

⁹⁷ Housing Resources Inc., “Eviction Prevention Assistance,” https://www.housingresourcesinc.org/wp-content/uploads/2018/10/ed_brochure_4.2018_2.pdf.

emergency rental assistance: whether the tenant can cover 20% of what is owed, has lived in Durham for at least 90 days, has a sustainable living situation (determined by DSS through examining the tenant's expenses and income), and has not yet received assistance that year. The caseworker also provides financial counseling. While there is no official cap on the amount of funding that DSS can provide, it has not (as of June 2019) given more than \$3,000 to a tenant. The Diversion program has stopped 181 evictions thus far.⁹⁸

Eviction Diversion Program – Ingham County, Michigan: Ingham County has been operating an eviction diversion program since 2013 in its 55th District Court, a collaboration between the court, social service organizations, and students from Michigan State University (MSU) Law Clinic. Each Thursday afternoon, when landlord-tenant cases are heard, program coordinators, including MSU law students, lawyers from the Legal Services of South Central Michigan, and eviction diversion specialists meet with tenants prior to their hearings to give advice and to help tenants try to reach agreements with their landlords so they can avoid appearing in court. Program coordinators also work with tenants to see if emergency financial assistance might be available from the Department of Human Services (DHS) or community groups like Volunteers of America or Capital Area Community Services. The diversion program has not required any additional funding, since it has instead simply reallocated existing resources.⁹⁹ More recently, a similar eviction diversion program was piloted from September through December of 2017 in District Court 54-A in Lansing, Michigan. Tenants received a flier with their eviction summons, informing them of potential free legal assistance in court from the Legal Services of South Central Michigan and MSU Law Clinic. DHS also sent staff members to court on the day of housing cases to help connect tenants with financial assistance.¹⁰⁰

NEXT STEPS

- Expand efforts to raise awareness of the program among tenants.
- Expand efforts to educate landlords.
- Ensure sufficient systems are in place for tracking data and set up partnerships for regular evaluation.

⁹⁸ Legal Aid of North Carolina, 2017 Annual Report, "Spotlight: Durham's Eviction Diversion Program," <http://www.legalaidnc.org/Documents/durham-eviction-diversion-program.pdf>; Interview with Durham DSS, June 2019.

⁹⁹ 55th District Court Annual Report 2018, <http://dc.ingham.org/Portals/DC/Reports/Annual/2018AnnualReport.pdf>.

¹⁰⁰ Nick Gamber, Jordan Galvin, and Andrew Sanders, "An Analysis of the Eviction Diversion Program at the 54-A District Court," <https://lansingsave.info/DocumentCenter/View/5528/2017-Eviction-Diversion-Pilot-Program-Final-Report>.

7 IN COURT SUPPORT

Expand in court support to tenants through increasing access to counsel and working with courthouses.

IDENTIFIED NEED

Tenants in general district court are rarely, if ever, represented (see “The Process”). The lack of representation leaves those tenants who show up at all significantly disadvantaged vis à vis landlords and landlord attorneys, who are often repeat players. Without representation, tenants often do not know what they should say during the hearing or if they have a legitimate defense and are thus unable to make their case. After the hearing, tenants often do not know what happened and what comes next, including whether there are remaining options to avoid being evicted.

DETAILED DESCRIPTION

All efforts to increase access to counsel should be supported and expanded. This includes adequately publicizing to tenants that there is now an attorney stationed in the courthouse and ensuring that this attorney is adequately resourced. It also includes successfully recruiting pro bono attorneys for the Eviction Diversion Program. It could also include expanding the role of UR Law students to equip them to sit in on proceedings to help tenants understand what has occurred, as well as to provide representation, though this would likely be difficult to do.¹⁰¹

Alongside attempts to increase access to counsel – and in large part because these efforts may be difficult – relevant stakeholders should also increase efforts to work with courthouses and judges on reforms that would promote transparency and due process. Possible reforms to the court process include lobbying the courthouse to instruct tenants

¹⁰¹ UR Law already has a partnership with legal aid in which students who enroll in a particular course are required to attend client intakes at the Legal Aid Justice Center (LAJC) and complete relevant follow-up work, though this is typically non-existent or minimal. Based on UR Law’s structure, expanding UR Law’s work would likely require the establishment of a full housing law clinic. Increasing the involvement of law school students is also limited by Virginia’s third year practice rule, which requires that students obtain the written consent and approval of the client, request the court’s approval prior to their appearance, and are supervised by a licensed attorney. Students must also have completed four semesters of law school, including certain courses (criminal law, a procedure course, evidence, and professional responsibility). Virginia State Bar, Professional Guidelines, “Third Year Student Practice Rule.” Changing the third year practice rule – for example, to allow the participation of second year law school students and to not require a supervising attorney to be in court – is one among the many additional reforms that would increase access to justice. Interviews with legal aid attorneys and UR Law faculty, June-July 2019. For other ways UR Law students could be involved, see “Tenant Education.”

to arrive to hearings early so that they can avail themselves of legal support, or arranging the docket to facilitate the involvement of pro bono attorneys, for example, by scheduling the cases in which they are involved for the first set of slots.

Judges also play a crucial role in providing information and asking questions that, if clear, can greatly increase tenants' understanding of the court process and ensure that they are provided a real opportunity to make their case. Alongside general efforts to support judges – such as the annual judicial conference and the updating of the District Court Judges' Benchbook – more consideration should be given to developing additional materials or holding additional workshops focused on eviction.

ANALOGUES

There is currently a national movement for right to counsel, with already launched programs showing huge early successes. In New York City, advocates won a huge victory with the adoption in August 2017 of a right to counsel law for housing court that guaranteed access to attorneys for eligible tenants, becoming the first city to do so. Representation has increased drastically: from 1% of tenants in housing court in FY 2013 to 30% in FY 2018.¹⁰² The impact of right to counsel is undeniable, with eviction filings, eviction warrants, and executed evictions all decreasing since 2013.¹⁰³

In terms of relying on law school students specifically to increase representation, a large number of law schools nationally have clinics that regularly send students, under a supervising attorney, to housing court. Close to Richmond, third-year law school students in University of Virginia's Housing Clinic appear in court, while second-year law school students (who are not eligible to do so) provide a range of additional supports.¹⁰⁴ Other cities and counties, including Fairfax County, have far more developed systems for involving pro bono lawyers.¹⁰⁵

NEXT STEPS

- Continue support to and expansion of initiatives to increase access to counsel.
- Continue work to build partnerships with the courthouse.

¹⁰² Community Service Society, "NYC Right to Counsel: First Year Results and Potential for Expansion," https://www.cssny.org/news/entry/nyc-right-to-counsel#_edn1.

¹⁰³ Community Service Society, "NYC Right to Counsel: First Year Results and Potential for Expansion," https://www.cssny.org/news/entry/nyc-right-to-counsel#_edn1.

¹⁰⁴ "Litigation and Housing Law," University of Virginia, School of Law, <https://www.law.virginia.edu/academics/clinic/litigation-and-housing-law>.

¹⁰⁵ See the Northern Virginia Pro Bono Law Center, which uses pro bono attorneys to provide a wide range of legal support, including guidance on eviction matters and representation in housing cases. Fairfax Law Foundation, "Northern Virginia Pro Bono Law Center: For the Lawyers and Paralegals," <https://www.fairfaxlawfoundation.org/page/41>.

8

POST EVICTION SUPPORT

Expand support for tenants around the time of eviction, including creating a checklist of key action steps.

IDENTIFIED NEED

Around the moment of eviction – e.g., when a tenant receives notice a sheriff is coming and just after a tenant has been evicted – is an especially overwhelming time for tenants, with both tenants and those working on evictions identifying the need for more support at this time to help tenants determine what to do and to connect them to crucial services.

The question of what tenants can do with their larger belongings seems particularly unaddressed. When a tenant is evicted, they may not have already identified a new housing situation and may spend weeks or months staying with friends, relatives, or in shelters before moving into a new unit. Tenants' limited options for how to move their belongings, and where they can move them to, means tenants frequently lose them, only to have to repurchase them if they move into more permanent housing later on.

Identifying suitable new housing also poses a particular challenge. With limited affordable housing to begin with, and most landlords especially wary of tenants with evictions on their records, the search for housing can be long and difficult, with those tenants who do successfully find housing post eviction often ending up with landlords who disregard their legal obligations (i.e. those with more code violations or other issues). Tenants evicted from public housing face a starker reality, with even fewer options post eviction.

DETAILED DESCRIPTION

CHECKLIST

At a minimum, those working on evictions should develop a checklist of key issues and resources for tenants to consider at the moment of eviction, with potential information including:

- Effectively communicating with the landlord on issues such as one's security deposit,
- Ending utility, internet, and cable services,
- Change of address requirements for certain benefits and services,
- Managing the impact on children's education (if an eviction forces time away from school or a change of school), and
- Resources to help find new housing (e.g., HOME, VirginiaHousingSearch.com – which is part of the Virginia Housing Development Authority's website, etc.).

The checklist should be informed by conversations with tenants who have been evicted on what information would have been most useful to them and with service providers operating around the moment of eviction, such as the Homeless Crisis Line, on commonly fielded requests.

SERVICES

Alongside developing a checklist, new services aimed at tenants in this moment should be developed.

For the storage issue, it may be worth considering whether:

- Private moving companies or individual community members with time and vehicles could be incentivized to donate their services to help move tenants' belongings into a storage space (for community members, perhaps through a tech-based solution, such as an app, where they could easily sign up to support a particular move),
- Storage companies would be willing to donate unused storage space to tenants in need (perhaps as part of a charitable donation), and
- If there is no vacant space in storage facilities, there are other unused spaces that might be used for this purpose.

For finding new housing, it may be worth considering whether those working in the evictions space should centralize knowledge on where tenants can move post eviction, including by beginning to more systematically track the movement of tenants who have been evicted over time.

ANALOGUES

The Homeless Crisis Line currently works to provide support to individuals within three days of becoming homeless and provides some guidance similar to what would be on a checklist.

For storage, there do not seem to be any current programs meeting this exact need. There are other services related to furniture, such as CARITAS' Furniture Bank, which provides tenants with affordable furniture,¹⁰⁶ as well as a range of storage options mainly serving homeless individuals.¹⁰⁷

For housing needs, the already existing VirginiaHousingSearch.com is a searchable database of rental properties, with prospective tenants able to filter results by whether the

¹⁰⁶ CARITAS, "Furniture Bank," <https://www.caritasva.org/programs/furniture-bank/>.

¹⁰⁷ For example, see San Diego's efforts to expand storage facilities, covered in a recent news article. Priya Sridhar, "San Diego Exploring New Storage Facility for Homeless in City Heights," KPBS (May 10, 2019), <https://www.kpbs.org/news/2019/may/10/city-storage-facility-homeless-city-heights/>.

landlord accepts Section 8 vouchers and the accessibility of public transport.¹⁰⁸ Similar databases (or simpler lists), if kept up-to-date and accurate, could help identify suitable options for tenants who have been evicted. Tenants may also ultimately be able to use a rental registry (see “Rental Registry and Landlord Repair Fund”) for this purpose.

NEXT STEPS

- Develop and disseminate a post eviction checklist.
- Over time, expand services tailored to tenants at this stage of the eviction process, including looking into options for storage and for connecting tenants with new housing.

¹⁰⁸ However, interviewed tenants and tenant advocates have expressed that some of the properties listed on VirginiaHousingSearch.com as accepting Section 8 vouchers in reality do not. Other tenants have relied on Gosection8.com for finding housing but have expressed that there are very few properties listed.

9

RENTAL REGISTRY AND LANDLORD REPAIR FUND

Create a rental registry and repair fund to address code violations and to aid tenants in identifying suitable housing.

IDENTIFIED NEED

Richmond currently has no requirement that landlords register properties. This limits the City's knowledge of and ability to track and monitor code violations and tenants' ability to find suitable housing. Many studies¹⁰⁹ have established that, without registries, violations are underreported, including because tenants may have difficulty identifying structural issues that lead to code violations and/or may fear retaliation from landlords.¹¹⁰ Without early identification, code violations go unfound, causing properties to become more and more dangerous for tenants and more and more expensive to ultimately fix. Rental registries also protect tenants' privacy (since they provide rules governing inspections, including advance notice requirements). As a separate but related challenge, at least some landlords in Richmond seem to lack the funds to make necessary repairs to their properties.

These challenges are closely related to combating evictions, since tenants frequently misunderstand what to do in cases of code violations, may stop paying rent, and therefore face eviction. Code violations also cause friction between tenants and landlords more generally, and, if unaddressed, may undermine possibilities for collaboration.

DETAILED DESCRIPTION

Rental registries typically include two key components. First, they require that landlords (or landlords of particular property types, e.g., multifamily rental properties) register with the city, usually through completing a form with basic property information – including, importantly, a point of contact¹¹¹ – and paying an annual fee. Second, the city then inspects each registered property once per a set time period (e.g., every three years), possibly revoking the registration if code violations are found. One potential problem raised by interviewees is that Richmond has such a shortage of affordable housing that even substandard housing is more desirable than no housing. While this is a valid argument, the

¹⁰⁹ For summaries of several of these studies, see Entrepreneurship and Development Clinic, University of Texas School of Law (July 2013), <https://law.utexas.edu/wp-content/uploads/sites/11/2015/07/2013-07-ECDC-THE-FACTS-ABOUT-RENTAL-PROPERTY-REGISTRATION.pdf>.

¹¹⁰ In the absence of a rental registry, the RVA Eviction Lab has cleverly identified other sources of data to map evictions and code violations.

¹¹¹ Without rental registration, obtaining this information can be difficult, especially given the prominence of out-of-state investors and owners.

hope is that a registry would be implemented in conjunction with some sort of a repair fund, and alongside many other desperately needed efforts to increase and improve the stock of affordable housing.

Additionally, either as part of the registry (i.e., to incentivize registration) or as a related initiative, Richmond should consider establishing a repair fund allowing landlords with limited funding to access grants or low-interest loans for necessary repairs to their properties. The repair fund could also incentivize landlords and property owners to offer more affordable units.

ANALOGUES

Across the country, a large number of cities of varying sizes have adopted ordinances requiring rental registration.

Rental Registry – Nashville, Tennessee: Nashville has had a landlord registration program since 2007.¹¹² Under the program, landlords need to provide the city with contact information and information about their properties. The information is kept in a database and the city relies on it in the event of code violations. There is a mandated annual registration fee of \$10 for each landlord/property owner, regardless of how many properties they own.¹¹³

NEXT STEPS

- Establish a rental registry.
- Establish a repair fund for landlords.

¹¹² City of Nashville, “Landlord Registration Program,” <https://www.nashville.gov/Codes-Administration/Property-Standards/Landlord-Registration-Program.aspx>.

¹¹³ See Pittsburgh for an additional example. City of Pittsburgh, Department of Permits, Licenses and Inspections, “Rules and Regulations pursuant to the Pittsburgh City Code, Title VII Business Licensing, Article X Rental of Residential Housing, Chapter 781, Residential Housing Rental Permit Program,” https://apps.pittsburghpa.gov/redtail/images/2113_PLI_Rental_Registration_Rules__Regulations.pdf.

10 CENTRALIZED RESOURCES DATABASE AND REFERRAL SYSTEM

Create an online “wiki” through which practitioners can get information on relevant resources and track an individual’s progress accessing particular services.

IDENTIFIED NEED

In conversation after conversation, interviewees emphasized that populations at high risk of eviction are also likely in need of other services – such as support finding stable employment and accessing mental health services – and are often therefore interacting not only with organizations focused on evictions and housing but also with multiple government agencies and with a range of direct service nonprofits. Currently, however, these services are siloed: individuals often have to reach out to many different providers to get the support they need and these providers are often equipped only to respond to specific needs. Ultimately, this means valuable individual and organizational time and scarce resources are wasted and individuals are not connected with the services they most need.

This need calls for a solution that is not specific to evictions: while this program proposal may seem slightly out of place in this report, it is precisely because evictions are tied to so many other issues that a more holistic solution should be seen as among the set of crucial eviction responses.

DETAILED DESCRIPTION

Richmond should develop an online “wiki” that contains information on all stakeholders – including both government agencies and nonprofits – providing services to populations at high risk of being evicted. Entries should contain as much information as possible on what services are provided, eligibility requirements, and next steps (e.g., how individuals can access the service), and should be searchable by “theme” (e.g., health, housing, etc.), as well as possibly by other filters.

The wiki should be developed through crowdsourcing, with all government agencies and nonprofits entering information on the services they provide. Depending on capacity, it likely also makes sense for select individuals to be tasked with looking for additional resources and ensuring already listed resources are up-to-date. For example, a “housing point person” could ensure the wiki lists as many housing-related resources as possible, and could check regularly or semi-regularly to see if new resources should be listed or

listed resources should be updated. The wiki should be accessible to all relevant stakeholders, including all those who provide services to populations at high risk of eviction.

In a typical use case, an employee of a particular organization who is working with an individual whose need their organization itself cannot meet – or cannot meet fully – would use the wiki to search for other available resources and relay that information to the individual. The wiki could also furnish the information required for other program proposals – for example, equipping staff at the Tenant One-Stop Shop with ready-made lists of resources.

Over time, the wiki could be expanded into a more extensive system for making, tracking, and following up on referrals. In this second phase, providers using the system would not only give the individual information about existing resources, they would also use the system to directly refer the individual to these resources, for example, sending a request to a provider of mental health services. In a sophisticated system, they could then track the status of the request to see if the individual met with the provider and follow up on it if not.

All components of the wiki should be designed (i) to be user-friendly, with ways to easily upload and access relevant information, and (ii) to adequately take into account security and privacy concerns (in terms of what data it includes and how it is built).¹¹⁴ Its launch, both for the initial version and the expanded version, would need to be accompanied by extensive use protocols and training for users, and it should be iterated on over time to best serve users' needs.

Over time, analysis of wiki usage – either for the initial resource database or for the expanded version with a referral system – could allow Richmond to drive improvements in services: for example, identifying gaps that need to be filled or highlighting ways to strategically reallocate resources, roles, and responsibilities among providers, with the ultimate goal of ensuring each individual's needs are met as effectively, holistically, and efficiently as possible.

Note: To the extent that there are already efforts in Richmond to build this type of platform, this program proposal intends mainly to reinforce those efforts and suggest a direction in which they could develop, not to replace or duplicate them.

ANALOGUES

Wiki Platform – Arlington, Virginia: This program proposal is based on the system currently in use by Arlington County. Arlington has an integrated Department of Human Services (DHS), which recognized the importance of thinking holistically about an individual's or

¹¹⁴ The Centralized Resources Database includes no individual-level data, so only the more extensive referral system would have potential privacy concerns. These concerns should therefore only affect the development of the referral system and should be weighed against the potential utility of such a system.

family's needs, and developed the Arlington wiki in response. The wiki has grown over time, such that it is currently used by both government agencies and approximately 180 nonprofit staff members, and includes information on resources for a vast array of needs, including: behavioral health, budgeting, clothing, education, employment, food, health, and housing. Information is crowdsourced from providers, and a point person for each page is tasked with ensuring the listed resources remain up-to-date. Arlington now also makes the program directory publicly available, with options to filter by need or search by keyword.¹¹⁵ Those interviewed emphasized how crucial the system has been to enabling the delivery of coordinated services to those who most need them.

Referral System – Arlington, Virginia: As a separate but related component of the wiki, Arlington is also currently piloting an online referral system through which providers refer clients to other providers, who can then accept the referral, or make a suggestion for where else a client can find support. The system includes ways for the initial referrer to set a date by which the referral should be answered, with automated follow-up if it is not.

Statewide resources – Virginia: Other examples of similar databases include 2-1-1 Virginia, No Wrong Door Virginia,¹¹⁶ and VirginiaNavigator.¹¹⁷

NEXT STEPS

- Secure dedicated funding and tech support for the development of the wiki.
- Through a human centered design approach (that includes conversations with potential users of the wiki and comparative research on similar wikis), design an initial version of the wiki.
- Identify and invite all potential users to the wiki.
- Populate the wiki through crowdsourcing and possibly dedicated human resources.
- Provide users with developed protocols and training sessions.
- As a second stage, move forward with building a referral system as an additional component of the wiki.
- Over time, use data and analysis to drive improvements in services.

¹¹⁵ See DHS Program Directory, arlingtonva.us, <https://departments.arlingtonva.us/dhs-program-directory/>.

¹¹⁶ No Wrong Door Virginia, <https://www.nowrongdoorvirginia.org/>.

¹¹⁷ VirginiaNavigator, <https://virgininavigator.org/>.

IMPLEMENTATION PLAN

Implementing a comprehensive and coordinated response to evictions – including these program proposals and others – requires that all relevant stakeholders have a full view into each other’s current and planned efforts and come together at regular intervals to move the strategy forward.

WORKING GROUP

A community-led working group made up of representatives from all relevant organizations (including those mentioned in “Current Responses”) should meet regularly to discuss what they are each working on, what their needs are, and how they can best support each other; to determine how to best move forward new program proposals, including how to allocate roles and responsibilities; and to track the progress of various responses as they roll out, including through using the dashboard described below.

This working group should take inspiration from the Philadelphia Mayor’s Task Force on Eviction Prevention and Response, which was formed in 2017 and is comprised of twenty-two members, including tenants, landlords and property managers, researchers, and members of city government.¹¹⁸

DASHBOARD

Interviewees consistently emphasized the need for better systems to share information among those working on responses to eviction and related issues. The current lack of systems for sharing what each organization is working on prevents them from building off of each other’s work and from capitalizing on their own comparative advantage.

To support the working group, Richmond should develop a database or dashboard to track ongoing work related to evictions: a more comprehensive, dynamic version of the “Current Responses” section of this report. The platform could include, among other categories of information, a research “wish list” outlining and tracking progress on key research needs.¹¹⁹

¹¹⁸ Mayor’s Task Force on Eviction Prevention and Response (June 2018), <https://www.phila.gov/hhs/PDF/Mayors%20Task%20Force%20on%20Eviction%20Prevention%20and%20Response-Report.pdf>.

¹¹⁹ Interviewees identified the following areas as key research priorities for understanding evictions in Richmond:

- Informal evictions, including information on the rates at which they are occurring and other characteristics,
- Variation in eviction rates and characteristics by housing type (private, public, project-based vouchers),
- Variation in the disposition of cases by judge,
- Longitudinal data/studies on what happens after an eviction, i.e. tracking individuals and individual families over time, and

This platform should be accessible to all those working on evictions and should in turn require that all involved commit to regularly submitting information to ensure it is kept up-to-date. Depending on available resources, a point-person from the working group could be responsible for overseeing submissions and ensuring they are up to date, identifying and notifying people of potential opportunities for collaboration, and identifying opportunities for monitoring and evaluation of longer-running programs.

The hope is that this report underscores the urgency of action and gives a to-be-created working group a place to start in pushing for a coordinated approach.

Capitalizing on political will, philanthropic and business resources, and the many organizations and individuals deeply committed to this issue, Richmond stakeholders can develop a set of responses to eviction that changes the lives of the City's residents, defies its long history of inequality, and sets a model for cities across the country.

-
- Variation in eviction rates and characteristics by landlords, including efforts to identify the individuals behind Limited Liability Companies (LLCs).

All efforts to identify and centrally track research needs should build on, complement, and/or be led by the RVA Eviction Lab (to ensure collaboration and avoid duplication), which is currently working on building out an infrastructure for data sharing, and already asks for and responds to requests for data from a range of community organizations.

ANNEXES

METHODOLOGY

Authors began focusing on evictions in Richmond in November 2018. From November 2018 to May 2019, authors conducted research and phone interviews remotely. From June to August 2019, authors were based in Richmond. During this time period, authors spoke with over 80 people, meeting in-person when possible and speaking by phone when more convenient. Authors identified interviewees through online research and by asking each interviewee for additional recommendations. Interviews ranged from fifteen minutes to two hours, with an average length of approximately forty-five minutes.

In each interview, authors explained their personal backgrounds and reason for coming to Richmond and then asked a series of questions on interviewee's eviction-related work and thoughts on various eviction-related interventions. During interviews conducted later in the summer, authors asked more targeted questions on details of specific interventions and developed program proposals.

Toward the end of June, authors began compiling insights into this report. Throughout the process of report writing, authors conducted follow-up conversations to fill in additional details and get feedback on program proposals. In August, authors completed the report, sent it to all those interviewed, and made it publicly available.

AUTHOR INFORMATION

Talya Lockman-Fine is a rising third-year student at Yale Law School. Olivia Rosenthal is a rising second-year student at Stanford Law School. Please email us at Richmondevictionreport@gmail.com if you have any questions, comments, or concerns.

ACKNOWLEDGMENTS

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inspiration. A final thanks to Tess McCann, for her immediate yes to our out-of-the blue request and the resulting beautiful report design.

LIST OF INTERVIEWEES

Interviewees are listed in alphabetical order and only once, though authors had multiple conversations with many of those listed.

Name	Position	Organization
Omari Al-Qadaffi	Housing Organizer	Legal Aid Justice Center
Sid Alvarado	Director, Income & Asset Building Services	Commonwealth Catholic Charities
Scott Andrews-Weckerly	Senior Family Transition Coach	Richmond Opportunities Inc.
Alexandria Ashe	Clinical Research Coordinator	VCU Division of Hematology, Oncology & Palliative Care at Massey Cancer Center
Nannette Bailey	Community Partnerships Coordinator, ASPIRE	Virginia Commonwealth University
Joy Bolling	Senior Program Compliance Officer	Virginia Housing Development Authority
Carol Brown	Professor of Law	University of Richmond
Jay Brown	Chief Executive Officer	Commonwealth Catholic Charities
Monica Brown	Economic Security Division	Syracuse Department of Social Services
La-Tea Butler	Assistant Property Manager	Morningside Apartments
Tara Casey	Director of Carrico Center for Pro Bono Services	University of Richmond School of Law
Janae Craddock	Outreach Housing Authority	Central Virginia Legal Aid Society
Sally Curran	Executive Director	Volunteer Lawyers Project of Onondaga County
Anna Danese	Director of Workforce Partnerships	United Way of Greater Richmond & Petersburg
James Davis	Human Services Assistant; Coordinator for the Ambassador Program	Richmond Office of Community Wealth Building
-	Representative	Durham Department of Social Services
Torey Edmonds	Community Outreach Coordinator, Clark-Hill Institute for Positive Youth Development	Virginia Commonwealth University
Erica Etterling	Compliance Support Manager	Virginia Housing Development Authority
Adria Finch	Director of Innovation	City of Syracuse
Beth Godwin	Partner	Godwin-Jones & Price
Reggie Gordon	Deputy Chief Administrative Officer for Human Services	City of Richmond

Name	Position	Organization
Pamela Griffin	Vice President, Property Management	Dragas Management Corp.
Alex Guzman	Director of Fair Housing	Housing Opportunities Made Equal
Sheena Hamilton	Case Manager	Richmond Department of Social Services
Helen Hardiman	Principal	Hardiman Law PLLC
Gail Harris	Office on Volunteerism and Community Service	Virginia Department of Social Services
Greta Harris	President; Chief Executive Officer	Better Housing Coalition
James Hendrickson	Senior Research Specialist	Eviction Lab at Princeton University
Kathryn Howell	Co-founder; Co-director	RVA Eviction Lab
Osita Iroegbu	Senior Policy Advisor to Mayor Stoney	Richmond Mayor's Office
Michael-Dharma Irwin	Quality Assurance Manager	Arlington Department of Human Services
Joyce Jackson	Vice President, Community Social Work	Better Housing Coalition
Monica Jefferson	Vice President; Chief Operating Officer	Housing Opportunities Made Equal
Martin Johnson	SVP of Government Relations	Virginia Realtors
Richard Jones	Vice-Chairman	Management Services Corporation
Dean Karlan	Professor of Economics and Finance	Northwestern University
Mary Kenion	Services Coordinator	Arlington Continuum of Care
Tonya Kernoodle	Tenant advocate	-
Pamela Kestner	Deputy Director of Housing	Virginia Department of Housing and Community Development
Kelly King Horne	Executive Director	Homeward
Brian Kozial	Director of Research	Housing Opportunities Made Equal
Laura Lafayette	Chief Executive Officer	Richmond Association of Realtors
Abbie Larink	Lead Organizer	Richmonders Involved to Strengthen our Communities
Terri Lawson	Homeless Crisis Line Coordinator	Homeward
Debbie Loope-Potter	Associate Vice President, Property Management	Better Housing Coalition
Christie Marra	Director, ACES (Advocates for Credit, Employment and Shelter, a Program of the Virginia Legal Aid Community)	Virginia Poverty Law Center
Patrick McCloud	Chief Executive Officer	Virginia Apartment Management Association

Name	Position	Organization
Adele McClure	Special Projects Manager	Virginia Department of Housing and Community Development
Andrew McCoy	Professor; Head of the Department of Building Construction, Director of the Virginia Center for Housing Research at Virginia Tech	Virginia Tech
Rich McGimsey	Vice-President Owner	RGM Properties
Libba McKinsey	Community Investment Analyst	Virginia Community Capital
Susan McMahon	ESG Program Administrator	Syracuse Department of Neighborhood and Business Development
Haley Mixson	Assistant Director, Resident Services	AHC INC.
John Moeser	Senior Fellow	University of Richmond
Randy Moore	Director of Policy and Advocacy	Virginia Housing Alliance
Robert Morrow	Statewide Director	2-1-1 Virginia
Velva Moses-Lee	Resident Services Coordinator, Mosby Court	Richmond Redevelopment and Housing Authority
Harold Nassau	Director	NeighborWorks America
LaFonda Page	Organizer	Legal Aid Justice Center
Maritza Pechin	Project Manager	Richmond 300
Claire Pettingell	CSP Specialist II	Fairfax County Department of Neighborhood and Community Services
Billy Poarch	Chief Executive Officer	ACTS
Amy Popovich	Resource Center Program Manager, Richmond City Health District	Virginia Department of Health
Janet Raffel	Senior Manager, Financial Capability	NeighborWorks America
Mary Reid	Social Services Director	St. Vincent de Paul (Cincinnati)
Michael Rogers	Director of Mission Advancement	Homeward
Neal Rogers	Director of Compliance and Asset Management	Virginia Housing Development Authority
Carol Schaffer	Emergency Services Program Officer	Catholic Charities (Syracuse)
Andrew Schneider	Executive Director	Arlington Thrive
Beth Shinn	Professor, Department of Human and Organizational Development	Vanderbilt University
Marcel Slag	Senior Attorney, Economic Justice Program	Legal Aid Justice Center
Tiffany Slusher	Resident Services Director of Programs	Community Housing Partners
Michael Smith	Managing Director for Community Investments and the Built Environment	Richmond Memorial Health Foundation
Phil Storey	Attorney	Virginia Poverty Law Center
Elaine Summerfield	Executive Director; Chief Executive Officer	Richmond Opportunities Inc.

Name	Position	Organization
Ben Theresa	Co-founder; Co-director	RVA Eviction Lab
Alice Tousignant	Consultant	HDAdvisors
Lark Washington	Master of Urban and Regional Planning Candidate	Virginia Commonwealth University
Martin Wegbreit	Director of Litigation	Central Virginia Legal Aid Society
Cheryl Williams	Program Manager, Family Preservation	Richmond Department of Social Services
Martin Williams	Principal Attorney	Offit Kurman
Thad Williamson	Professor of Leadership Studies and Philosophy, Politics, Economics, and Law	University of Richmond
Cory Wolfe	General Counsel	Richmond Redevelopment & Housing Authority
Hana Yun	Program Manager	ACTS