



NATIONAL LOW INCOME  
HOUSING COALITION

# Ending Rental Arrears to Stop Evictions (ERASE)

July 26, 2022



# Emergency Rental Assistance

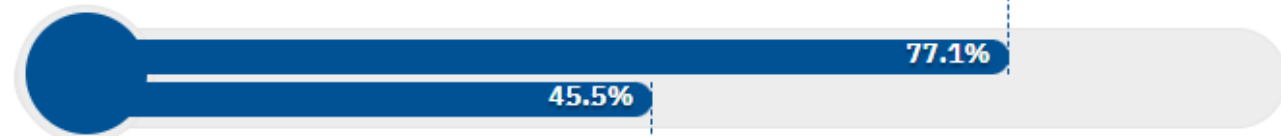


- In December 2020 and March 2021, Congress appropriated \$46.55 billion in emergency rental assistance (ERA1 and ERA2) to help struggling renters remain stably housed during the pandemic.
- The program is administered by the U.S. Department of Treasury with more than 500 state and local programs across the country.
- NLIHC has been tracking ERA spending for programs across 50 states, Puerto Rico, and Washington DC.
- To date, state and local ERA programs have obligated or paid **\$29.1 billion in rental assistance**, helping prevent evictions for millions of renter households.

## Spending Tracker

ERA FUNDS APPROVED OR PAID TO HOUSEHOLDS

**ERA1: \$19.28 billion of \$25.00 billion**



**ERA2: \$9.81 billion of \$21.55 billion**

# The ERASE Project



NLIHC launched the End Rental Arrears to Stop Evictions (ERASE) project to ensure that the historic emergency rental assistance appropriated by Congress reaches the lowest-income and most marginalized renters it is intended to help.

Our goal is to eliminate rental indebtedness caused by the pandemic and prevent evictions by:

1. Tracking and analyzing emergency rental assistance utilization
2. Documenting and sharing best practices and toolkits
3. Influencing and shaping program design at federal, state, and local levels
4. Developing key partnerships for outreach and education
5. Assessing the remaining needs to inform advocacy for long-term investments to end housing instability and homelessness in the United States

# ERASE Framework



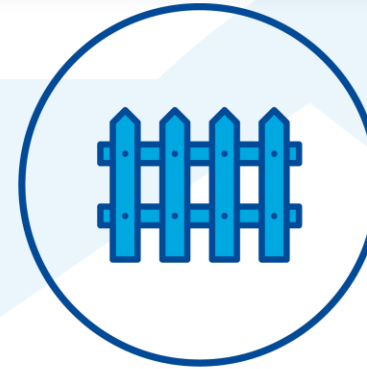
## Visible

Conduct equitable and robust marketing and outreach efforts to ensure that all landlords and low-income renters know about the Emergency Rental Arrears Program (ERAP) and how to access it in their community.



## Accessible

Support access to and disbursement of financial support to landlords and tenants by ensuring an accessible, streamlined, and low-barrier ERAP application process.



## Preventive

Prevent housing displacement by creating formal partnerships with your state and/or local court to support eviction prevention and eviction diversion in coordination with ERAP.

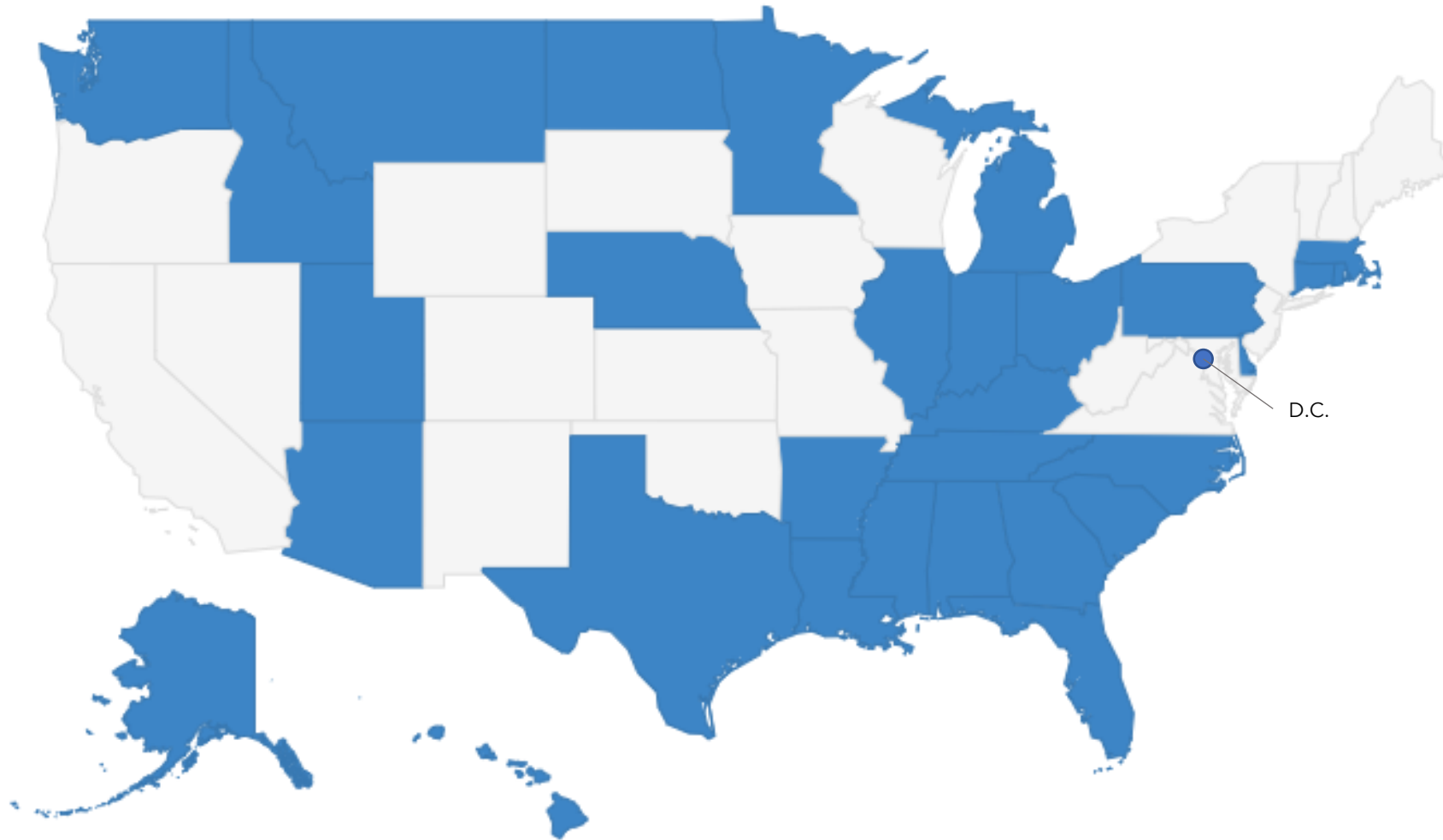
# The ERASE Cohort



- NLIHC is currently providing funding and technical assistance to **38 state and local nonprofit partners**.
- Cohort members meet biweekly to advance strategies, policies, and legislation that accelerate equitable distribution of emergency rental assistance funds, promote tenant protections, and prevent evictions.
- You can find resources on ERA by cohort members by visiting our website: <https://nlihc.org/erase-cohort>



ERASE Cohort Members are working in 30 States, the District of Columbia, and Puerto Rico.



# Preventing Homelessness through ERA



- According to an Eviction Lab [report](#), the federal government's eviction moratorium and emergency rental assistance program prevented at least **1.36 million evictions in 2021**.
- To date, Treasury's ERA program has sent **5.6 million payments** to struggling renters, preventing evictions and homelessness for millions of more low income and marginalized households during a global pandemic.
- Nearly [two-thirds of ERA recipients](#) were renters with **extremely low incomes**, assisting households who face the greatest risk of eviction and housing insecurity.

# Preventing Homelessness through ERA



- **Housing Stability Services:** ERA grantees can use up to **10% of program funds** for housing stability services, such as eviction prevention and diversion programs, case management, and rehousing efforts for people experiencing homelessness.
- **Rehousing & Relocation:** While ERA was created to *prevent evictions*, many renters still faced eviction, as a result of restrictive program requirements, landlord refusal to participate, and/or delayed distribution of funds.
  - 27% of ERA programs pay for renters' relocation expenses, helping households pay prospective rent, security deposits, and other rental fees.



# Effective Strategies for Efficient and Equitable Distribution of ERA Funds



1. Engaging trusted community-based organizations for outreach and marketing
2. Reducing burdensome documentation requirements and implementing program flexibilities, like self attestation for income/COVID hardship, categorical eligibility, and fact-based proxies
3. Accessing ERA program data to support equitable distribution of funds
4. Ensuring landlords adhere to tenant protections related to ERA
5. ERA programs working with the courts to facilitate access to ERA and prevent evictions
6. Accessing eviction data to support tenant protections, eviction prevention, and diversion

# Eviction Crisis Act: A Permanent ERA Program

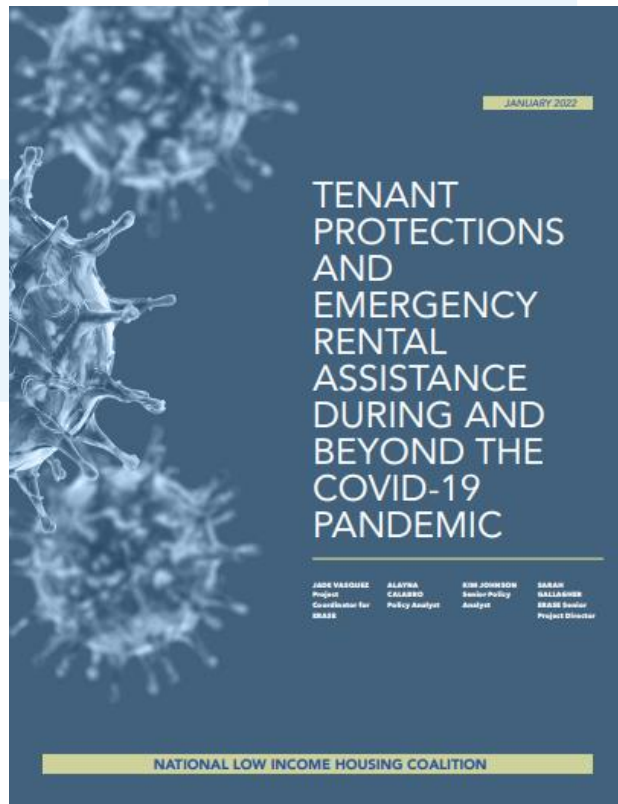


- The [Eviction Crisis Act](#) is a bipartisan bill introduced by Senators Michael Bennet (D-CO) and Rob Portman (R-OH) that would create an **Emergency Assistance Fund**.
- The EAF is a permanent program – funded at **\$3 billion annually** – to help stabilize households experiencing an economic shock before it causes instability and homelessness, which often require more prolonged, extensive, and expensive housing assistance.
- The bill would improve data and analysis on evictions by creating a national database to standardize data and track evictions.
- It would also establish a Federal Advisory Committee on Eviction Research to make recommendations on policies and practices that can prevent evictions and mitigate their consequences.

# Promoting Long-Term Housing Stability Through State and Local Tenant Protections



<https://nlihc.org/tenant-protections>



31

States have passed tenant protections (including Washington DC and Puerto Rico)

66

Localities have passed tenant protections

## Implementing Authority

|                    |    |
|--------------------|----|
| Executive Orders   | 7  |
| Court Order        | 17 |
| ERA Program Policy | 33 |
| Local Ordinance    | 49 |
| State Legislation  | 45 |

151

Total # of Protections Passed or Implemented

|  |    |
|--|----|
| ERA-related protections                            | 70 |
| Eviction Moratorium                                | 11 |
| Eviction Stay                                      | 16 |
| Allows Payment to Stop Eviction                    | 6  |
| Requires Landlord to Apply for ERA Prior to Filing | 7  |
| Establishes Wait or Safe Harbor Period             | 12 |
| Right to Counsel                                   | 13 |
| Eviction Legal Defense Fund                        | 4  |
| Landlord and Tenant Mediation                      | 12 |
| Source of Income Discrimination                    | 17 |
| Just Cause Standards                               | 7  |
| Participating Landlords Cannot Evict               | 30 |
| Expunge/Seal Eviction Records                      | 9  |
| Limits Late Fees                                   | 10 |
| Strengthens Written Notice or Summons Process      | 15 |
| Other  | 31 |

# Expanding Federal Tenant Protections



## ***Congress should enact legislation to establish vital renter protections to:***

- Prohibit source of income discrimination to help ensure that landlords do not discriminate against renters with rental assistance or other sources of income.
- Establish and fund a national right to counsel to help more renters stay in their homes and mitigate harm when eviction is unavoidable.
- Create “just cause” eviction protections to ensure greater housing stability and prevent arbitrary and harmful actions by landlords.
- Establish anti-rent gouging protections for renters and require landlords to disclose any and all fees in advance of lease signing.
- Regulate tenant and credit reporting agencies and expunge eviction records by banning them from including eviction-related information that did not result in a judgement against the renter, or that occurred during the pandemic, and all other eviction-related information after 3 years.

# Questions?



**For questions on the ERASE project, please email me at [jvasquez@nlihc.org](mailto:jvasquez@nlihc.org).**