



Human Services Chamber
of Hamilton County

Eviction Prevention and Assistance Policy Recommendations

Overview:

Families across the nation have experienced stagnant wages while the cost of housing has soared. A recent study from the National Low Income Housing Coalition found that a full-time worker in Hamilton County must earn at least \$14.04 per hour to afford a modest two-bedroom apartment without spending more than 30% of income on rent.¹ Meanwhile, seven of the ten most common occupations in the Cincinnati metropolitan area, representing almost 136,000 workers, pay median wages between \$9.16 and \$13.59 per hour.² This disparity between wages and housing costs has created a situation where many families are evicted from their homes due to a lack of affordable housing options and inability to pay the rent. Many households are one misfortune or emergency away from eviction.

Eviction is often a pivotal event that marks the beginning of a downward cycle into poverty. Evicted persons are between 11 and 22 percent more likely to lose their jobs.³ With an eviction on their record, finding alternate quality housing can be difficult. Many lose their household possessions, become ineligible for public housing benefits, lose their community ties, and some even become homeless. The impact on children can be particularly acute. Children from evicted families are often uprooted from their schools, which can have a negative effect on their mental health and education. Students with high rates of residential instability perform worse on standardized tests, have lower school achievement, and delayed literacy skills. Increased residential mobility also has been linked to higher rates of adolescent violence and children's health risks.⁴

In Hamilton County, over 6,000 evictions were ordered through the courts in 2017 (over 16 per day).⁵ More than 4,000 of those were in the City of Cincinnati, where the poverty rate is 25%. A study by the Community Building Institute at Xavier University found that there was a 40,000-unit shortage of affordable housing units in Hamilton County for households with annual incomes of less than \$25,000.⁶

Eviction is a cause, not just a condition, of poverty. The good news is that local governments can enact policies to prevent families from being evicted and falling into poverty. We believe the eviction prevention policies recommended here, along with significant investment in affordable housing, are essential to curbing poverty in our community.

¹ <http://www.nlihc.org/oor>

² Policy Matters Ohio, "Working for Less: Most Common Cincinnati Jobs Pay Too Little," <https://www.policymattersohio.org/files/assets/oesfactsheetscincinnati2018.pdf>.

³ "Housing and Employment Insecurity among the Working Poor," *Social Problems*, Volume 63, Issue 1, 1 February 2016, pages 46-67, <https://academic.oup.com/socpro/article/63/1/46/1844105>. Matthew Desmond, Carl Gershenson.

⁴ "Evicting Children," Matthew Desmond, Weihua An, Richelle Winkler, Thomas Ferris. 2013. https://scholar.harvard.edu/files/mdesmond/files/social_forces-2013-desmond-303-27.pdf.

⁵ www.evictionlab.org

⁶ https://www.xavier.edu/communitybuilding/documents/Housing_Affordability_Hamilton_Co_rev03.02.2017.pdf

Recommendations:

1. Emergency Rental and Utility Assistance Funding and Eviction Hotline:

Rationale: Households with limited budgets may be evicted when they cannot pay their rent or utility bill due to an unexpected misfortune or emergency. Landlords will often evict tenants who cannot pay for utilities. Many tenants are one medical bill or car repair away from an eviction.

Recommendation: We recommend establishing a two-year pilot program to help tenants throughout Hamilton County pay their rent and/or utility bill when they face eviction due to an emergency or unexpected misfortune. We recommend funding in the amount of \$750K per year from a combination of government (City, County) and philanthropic sources, which would help a minimum of 375 Hamilton County families per year avoid eviction.

Eligible low-income tenants (households who are at or below 200% of the federal poverty line) would receive one-time assistance of up to \$2,000 when they demonstrate that they are unable to pay their rent and/or utility bill due to an emergency or unexpected misfortune. The maximum allowable subsidy of \$2,000 represents slightly more than two months' rent for the average cost of a 2-bedroom apartment in Hamilton County based on the HUD 2018 Fair Market Rent (\$845). Agencies selected to administer the program would make the payments directly to the landlord or utility company.

We also recommend establishing an eviction assistance hotline that tenants facing eviction can call to seek help. The funding for the program would need to include minimal operating costs to operate a hotline. Depending on the volume of calls, \$40,000 per year could cover the salary and benefits for one staff person to answer calls. The program could track whether tenants have been able to maintain stable, affordable housing for a specified period after emergency assistance is provided. A two-year pilot would allow the City and County to study outcomes to determine the extent to which the program prevents families from being evicted.

2. Legal Counsel for Evicted Tenants:

Rationale: Tenants who are subject to an eviction filing in court do not have a right to legal counsel. A recent study by the University of Cincinnati found that only 2.5% of tenants in Hamilton County have legal counsel when they face an eviction in court, while 88% of the landlords have legal representation. With little or no access to counsel, many tenants simply do not show up to their eviction hearings because they know they will face opposing counsel. Tenants are unlikely to prevail in court when they do not have legal counsel. A tenant who loses an eviction case will have a record of eviction that will make it difficult to secure quality housing in the future.

Recommendation: We recommend funding in the amount of \$500K per year from City, County and philanthropic sources to provide legal counsel to assist eligible Hamilton County tenants with their eviction proceedings in court. This amount would fund 5 lawyers who would be solely dedicated to representing eligible tenants (residents at or below 200% of FPL). Based on statistics provided by the Legal Aid Society, whose attorneys prevail in 80% of eviction cases, \$500K would prevent an additional 400 evictions. This funding would more than double the 350 evictions currently being prevented by Legal Aid. These lawyers would also direct tenants they represent to available support services related to the eviction, i.e. emergency rental and utility assistance funding, domestic violence support, employment support services, etc.

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