

# Recommendations for a **Permanent Eviction Prevention Infrastructure**

*Developed by the Dallas-Area Eviction  
Prevention Task Force*

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*Eviction Prevention Task Force Members are not signatories to the report and may not endorse all recommendations within.*

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## Context

Affordable, stable, and accessible housing and a continuum of housing options are the foundation upon which equitable communities are built. COVID-19 gravely impacted the financial and housing stability of thousands of families in and around Dallas. From March 2020 through December 2022, there were 79,732 evictions filed in Dallas County, for a total filing amount of \$191M.<sup>1</sup>

In response to local housing instability and the millions of dollars released by the federal government to address the crisis, the City of Dallas, Dallas County, United Way of Metropolitan Dallas, the Child Poverty Action Lab and many other partners quickly built an eviction prevention infrastructure – consisting of rental assistance, legal assistance, case management and more – to efficiently and effectively provide resources that allowed tenants to stay in their homes.

Now that federal funding for emergency rental assistance is winding down and COVID renter protections have expired, it is time to consider what should come next. How might we sustain a local eviction prevention infrastructure to minimize housing instability among Dallas residents? What lessons learned during COVID should shape a permanent infrastructure? Action is needed to preserve the gains made in creating an infrastructure to provide emergency assistance and prevent evictions. The recommendations in this report are meant to ensure that this infrastructure becomes a permanent part of our community’s support for low-income renters facing sudden financial crises. The recommendations that follow do not include a designated owner or cost. Next steps include the launch of small working groups to design a plan for implementation.

“I was just turning 70 at the time that I applied for rental assistance. I was very sick, and my apartment complex wasn’t willing to work with me. The apartment was trying to evict me. My rent went up. It was so high that it was hard to try to get back on track. During COVID, I had a big reduction in my income. Plus, I was hospitalized 3 or 4 times. I had a stroke and congestive heart failure. Being that sick made it very hard to focus on making sure my rent was paid. I felt desperate. My apartment was coming after me. It’s a feeling that is very hard to describe. I applied for funding in December 2021 and I was approved for funding in February of 2022 from Sharing Life. I felt so wonderful. It was a little over \$6,000. I didn’t believe this would happen. I don’t trust people and I had never really needed to ask for help before. I had always worked hard and paid my own bills. When I finally let go and started to trust people more, that was when the help came.”

– Ivy Watts

## Eviction Prevention is Good for the Economy

Evictions are costly for tenants, landlords, and the broader economy. In 2021, the Urban Institute estimated that if the 4.2 million adults nationwide who report being at risk of eviction are actually evicted, then those tenants would face a total of \$6.6 billion in lost earnings and \$5 billion in increased debt. Furthermore, it would cost landlords anywhere between \$2.6 billion and \$4.6 billion to serve and process evictions, in addition to billions of dollars in lost rent and unit repairs.<sup>6</sup>

Evictions cause psychological stress, disruption to children's education, and job loss - all of which impact productivity and economic output. Further, the lack of affordable housing in our communities restricts families from opportunities to increase their earnings and results in slower GDP growth. According to a research study conducted by the University of Notre Dame on the effects of evictions on low income households, eviction is associated with an approximate \$3,000 reduction in total earnings in the 1-2 year period after filing. For context, this accounts for about 13% of the mean earnings of a non-evicted household.<sup>8</sup> Researchers estimate that the growth in GDP between 1964 and 2009 would have been 13.5% higher if families had improved access to affordable housing.<sup>7</sup>

Evictions also increase residential mobility and homelessness, which is associated with higher crime rates. According to a study conducted in Philadelphia, a single standard deviation increase in the eviction rate is associated with a 2% higher incidence of robbery and a 2% increase in burglary incidences. Evictions often force families to become hypermobile and disrupt the critical development of stable communities that help prevent neighborhood crime. Evictions are as much a cause of poverty as a result of it, and poverty is never good for the economy.<sup>9</sup>

## Rent Relief

The most important aspect of an eviction prevention infrastructure is the ability to access rent relief. In the City of Dallas, approximately 65% of eviction filings are due to nonpayment of rent.<sup>2</sup> Preventing evictions and housing loss requires providing emergency assistance in time to prevent an eviction, ensuring evictions do not take place once assistance is received, and having access to flexible funds to rehouse those tenants who were evicted. Due to historic structural inequality, people of color bear the brunt of the affordable housing crisis and are more likely to be housing cost-burdened or to experience homelessness; having children increases that risk.<sup>3</sup> As less funding becomes available, it is critical for programs to embed equitable processes that ensure households most in need of assistance receive assistance to maintain housing stability.

- **Establish a permanent rent relief fund.** A permanent rent relief fund will require a significant, ongoing investment from local government.
  - Rent relief should be used for short-term needs (up to three months) to stabilize households and prevent eviction. Further analysis on the impact of prior rent relief funding is needed to determine how to best leverage limited rent relief resources.
  - Longer-term rent relief needs should include programmatic referrals and/or case management.
  - Rent relief should be pooled together in one fund to avoid confusion to renters and landlords as well as duplicative rent relief payments.
  - Multiple organizations should be able to access the rent relief pool to help administer rent relief funds.
- **Partner with community-based nonprofits to reach target populations.** Administration of the rent relief should happen through partnerships with local nonprofit organizations and in tandem with other programmatic supports.
- **Create and maintain a centralized, permanent rent relief portal** – i.e., a one-stop-shop for renters to apply for and access rent relief. The City of Dallas/ Dallas County microsite that was built during the pandemic could continue to serve as the single point of entry for applicants.
  - Applications for rent relief should follow a simple, standardized process that minimizes the administrative burden on the renter.
  - Eligibility criteria should be clear to the renter before applying.

- A rent relief application portal should include other financial assistance programs for renters, e.g., utility assistance programs.
- Renters and landlords should be able to easily determine where they are in the rent relief application process, including an estimated time for a decision to be made on assistance.
- The application system should automatically generate a letter confirming the renter’s application status and expected timeline for a decision so that tenants can present such evidence in eviction hearings.
- **Apply an equitable selection process to get assistance to those who need it most.** Place a higher priority on serving persons of color, tenants with a history of homelessness, single mothers, and communities with high rates of eviction filings.

*Recommended collaborators: City of Dallas, Dallas County, United Way’s Dallas Rental Assistance Collaborative (DRAC), Housing Forward and other nonprofit organizations.*

“I unexpectedly went on maternity leave and was hospitalized. I was only 32 weeks along and my son came early. It was a traumatic birth. My baby and I ended up catching COVID. I was only supposed to be out of work for 12 weeks, but I had to get more time off. Catching COVID caused us both to have more complications we had to stay in the hospital. Since I was not working, I was without a paycheck for three weeks. I was getting notices to vacate at my door, but I wasn’t seeing them because I was at the hospital. I was worried about my baby because he was in the NICU. I was also worried about my oldest child because she had to be taken care of by family. There was just a lot on my mind, and I couldn’t imagine getting evicted while I was at the hospital. When I finally was released from the hospital, I applied for rental assistance. I received over \$3,000 in rental assistance from Family Gateway in June 2021. Receiving assistance was a huge weight that was lifted off my shoulders. I was incredibly happy. If I had not received rental assistance, I would have been homeless with a newborn baby.”

– *Jasmine Clewis,*  
Dallas ISD substitute teacher with three children

## Legal Aid/Courts

Partnerships between courts, attorneys, housing advocates and rental assistance programs are crucial to eviction diversion and prevention efforts. Partnerships need judicial buy-in and education, legal aid at eviction courts, and accessibility to rental assistance through the courts. In 2021-2022, Dallas County Justice of the Peace Courts issued eviction orders in favor of landlords – in error – 85% of the time.<sup>4</sup> Nationwide, approximately 90% of landlords have representation in eviction lawsuits, while only 10% of tenants do. Evidence shows that access to legal representation for renters increases the likelihood of eviction cases being withdrawn or reaching settlement outside of eviction courts. Preventing evictions requires a strong network of legal aid or pro-bono lawyers familiar with the eviction process and available support services in their community, as well as a framework for those lawyers to intervene and prevent evictions.<sup>5</sup>

- **Place attorneys in every Justice of the Peace court to represent renters during their hearing.**
  - Funding should not be tied to income or immigration status (in court, there is no time for any kind of intake process to determine eligibility, and legal aid organizations must be free to assist all tenants on-the-spot).
- **Educate judges and clerks about eviction law**, tenant rights, and the availability and benefits of rental assistance.
- **Attorneys should be in close communication and work alongside partners** with case managers and navigators.
- **Justices of the Peace should plainly explain case outcomes to renters** at the end of each hearing so there is no confusion about what just happened.
- **Establish a legal aid hotline** that is staffed 24 hours a day / 7 days a week to take calls from renters in need of legal counsel.
- **Provide language translation services** (including ASL) for anyone in Justice of the Peace courtrooms.

*Recommended collaborators: Dallas Eviction Advocacy Center, Legal Aid of Northwest Texas, Justices of the Peace and their clerks.*

The Dallas Eviction Advocacy Center (DEAC) has had positive outcomes in approximately 94% of its more than 2,000 cases in 2022. DEAC has assisted more than 10,000 households facing eviction since the COVID-19 pandemic began in March 2020. DEAC provides all services free of charge and, since the organization does not take government funding, they have zero eligibility criteria and will serve all tenants.

## Navigation and Other Resources

Housing navigators proved to be a crucial tool in mitigating the difficulties renters faced when filling out a rental assistance application. Applicants experienced difficulties filling out applications completely and correctly, compiling all the required documentation, communicating and negotiating with their landlord, and accessing and using online applications. Additionally, once a renter applied, it was often difficult for the renter or landlord to get timely updates about the status of the application. The lack of a reliable feedback loop left renters and landlords frustrated, and some landlords moved forward with the eviction process in the absence of clear and up-to-date information about a rent relief application. Housing navigators, however, were able to check the status of an application behind-the-scenes and provide regular updates to renters and landlords. In sum, programs that staff navigators in key locations should help households apply for assistance, conduct outreach to tenants when their eviction is filed, and provide in-person guidance throughout the eviction process.

- **Create a public-facing website that shares real-time information on resources that can assist renters in need, including rent relief and legal aid information.** For renters who have been evicted, the website should also feature a dashboard showing real-time availability of shelter beds, second-chance housing vacancies, and nonprofits with available hotel vouchers. These resources should be regularly maintained so that Justices of the Peace, navigators, and renters know what is currently available to help.
  - This could be built on top of the microsite that the City and County built for rent relief applications.
- **Establish a centralized team for renter contact and case management.** The centralized team should make direct contact with every tenant via call, text, mailer, or in-person visit as soon as possible following an eviction filing to assess renter needs and share resources. The team should again make direct contact with every renter as soon as possible following their scheduled eviction hearing. For renters who have lost their case, the team should provide information on how to appeal, assess relocation needs, and make referrals as needed, including to homelessness providers. This team should be as easily accessible as 211.
- **Place a navigator in every Justice of the Peace court to assist renters onsite before and after their hearing.** Navigators should explain the process and next steps in plain terms and help renters create an action plan if they are at risk of losing their home.
- **Host regular office hours for renters in high eviction filing neighborhoods** so they can discuss tenant/landlord issues with legal counsel and/or housing staff/advocates who can advise.



- **Staff schools located in high eviction filing neighborhoods with a dedicated housing specialist** who can work directly with families to address various housing issues.
- **Scale diversion, rehousing and relocation funding and eligibility to serve persons who are at-risk of being evicted or have been evicted or displaced but have not entered the homeless system yet.**
  - Funding should pay for short-term hotel stays when shelter is not available, relocation assistance, security deposits and application fees.
- **Assign a social worker to join the constable in executing writs of possession** to help families decide on their next steps and connect to resources that may help.

*Recommended collaborators: Justice of the Peace courts, Dallas County, City of Dallas, local nonprofit organizations with navigators and housing resources, Dallas Eviction Advocacy Center, Legal Aid of Northwest Texas, Dallas ISD, and Texas Tenants Union.*

In 2022, United Way of Metropolitan Dallas (UWMD) placed housing navigators in Justice of Peace courtrooms across Dallas County to support tenants with rental assistance and other resources. Each navigator was equipped with a laptop to assist tenants facing eviction. United Way navigators assisted over 7,700 tenants via courtrooms, email, phone calls and other interactions. 271 tenants received direct rental assistance money from UWMD, and 795 tenants of those connected through Justice of the Peace were referred to one of 15 other partner organizations with rental assistance available. The remaining 6,634 tenants were connected through UWMD's Rental Assistance Helpline and were referred to either partners with rental assistance or other resources in the community. Not all of those assisted by a navigator received rental assistance money, but that number includes many who understood their options more fully afterwards. One hurdle for renters was simply knowing where to apply for assistance, but other barriers such as language, technology and age proved to be major challenges as well.

In many instances the navigator was able to delay the eviction by helping the tenant to start a process to address the issues. If the tenant can show the judge that they have started the process, the judge will likely delay the eviction proceeding. There is not a one size fits all solution to housing instability – it really depends on the situation of the tenant, the willingness of the landlord to help, and the resources that the navigator can bring to bear in the situation.

## Data

Program effectiveness is increased by the ability to access eviction filing data to target outreach to households most at risk of eviction and to enforce tenant protections for households. Using court data allows housing stability partners to identify and connect with landlords and census tracts with significant numbers of eviction filings. Court data also allows housing stability partners to identify tenants who have active eviction cases. Coordinating rental assistance, legal assistance, and outreach to tenants and landlords enables programs to effectively meet the needs of tenants. Court data also allows for programmatic evaluation and continuous improvement over time.

- **Publish, and make public, data on the full lifecycle of eviction cases,** including case outcomes, appeals, writs of possession issued, and writs of possession executed.
- **Require a renter phone number and information on whether there are children under age 18 in the home in the eviction filing paperwork** across all 10 Justice of the Peace courts.
- **Establish a shared case management system across all rent relief, legal aid, and other organizations offering housing interventions.** A case management system could feature newly filed evictions and allow for proactive outreach to renters and landlords before an eviction hearing, follow-up after a hearing, and ongoing check-ins with renters that have experienced housing instability.
  - The system could also include data on the full lifecycle of eviction cases (including outcomes, appeals, and writs of possession) to analyze and understand how various interventions impact renters over time.
  - Such a system could potentially exist through HMIS.
- **Conduct a research study on the impact of legal aid and rent relief on eviction and renter outcomes** during COVID-19 using City of Dallas and Dallas County data. Potential research questions include:
  - Did rent relief and/or legal aid prevent eviction?
  - What levels of rent relief created stability for renters – i.e., prevented eviction, kept renters from needing to reapply for additional funds, etc.?

*Recommended collaborators: Dallas County, City of Dallas, Child Poverty Action Lab, SMU, Federal Reserve Bank of Dallas, Housing Forward and potential academic partners for research support.*

The Labor Market Intelligence Center at Dallas College and Child Poverty Action Lab released a study on the impact of evictions on student outcomes at Dallas College. Among students with an eviction filing while enrolled at Dallas College, just 4% went on to complete a credential, compared to 30% of the peer First Time in College cohort. Future lost earnings for Dallas College students with an eviction is estimated at over \$63M.

## Policies

The COVID-19 pandemic and the economic crisis it created have only served to exacerbate an eviction and housing crisis that existed long before 2020. Across the country, lawmakers began to see the crucial role tenant protections play in preventing evictions and ensuring housing stability.

- **Provide renters with an “opportunity to cure” period** (i.e., a chance to correct the lease violation, such as paying back-rent) before an eviction filing.
- **Seal eviction records if a case is dismissed, ruled in favor of the renter, and/or paid** (if due to nonpayment of rent).
- **Eviction records should only appear on a renter’s consumer report after a judgment has been rendered** (not when the case is in process).
- **Prevent source-of-income discrimination** that allows landlords to refuse renters based on vouchers or subsidies.

*Recommended collaborators: City of Dallas, Dallas County, and State of Texas Legislature.*

“I got a divorce in 2020 and it was hard. When I applied for rental assistance, I had been unemployed for a while. I received a notice to vacate and went to court, but the case was dismissed, and I was given more time to pay the rent. Shortly after, I received rental assistance. It was a tough time for the family, and I cried a lot. Everything at the time seemed complicated, and I couldn’t escape my sad mentality. I went from having everything paid for by my ex-husband to having to fend for my family. I didn’t think we would be able to make it. I applied in February, and within a month, I was approved. The Salvation Army helped pay for a few months, which included future rent payments. When I found out I was approved, I couldn’t stop crying. It felt like God had answered my prayers, and I could finally stand up from that dark place I was in. I could tell that the Salvation Army was doing God’s work. I am from Honduras and still struggle to learn the language. The Salvation Army was welcoming and honestly care about people who were in need.”

– *Anonymous*

# Tenant Education

Tenant education on their rights is needed to ensure that all renters share a basic level of protection and understand their rights.

- **Clearly explain rights, responsibilities, and grounds for eviction.** When a renter signs a new lease agreement, they should receive a document written in plain language (and translated into the tenant’s native language) that describes their rights and responsibilities as renters and that outlines what might be grounds for eviction and how to avoid eviction.
- **Clearly explain tenant rights and the eviction process.** When a notice of proposed eviction and/or notice to vacate is issued to a renter, the notice should be accompanied by a document written in plain language (and translated into the tenant’s native language) that describes their rights, the process that will ensue/what they should expect next, and where and how to access resources that can help (e.g., legal aid, rent relief, etc.).
- **Conduct proactive tenant education sessions** in neighborhoods with historically high eviction filing rates.

*Recommended collaborators: Apartment Association of Greater Dallas, Texas Tenants Union, Dallas Eviction Advocacy Center, Legal Aid of Northwest Texas, Dallas Housing Authority, City of Dallas, Dallas County, and local renters.*

“I was unemployed and having trouble finding a job. It seemed like businesses were only hiring young people. I fell behind on rent and depended on my adult children to help me with utilities and with my phone bill. While on a low budget, I deprived myself of necessities like food and warmth. I would use the stove twice a week, have one light on in the apartment, and have my heater off even when the weather was cold. During this challenging time, I couldn’t sleep most nights from the stress I had in my life. I didn’t even have enough money to afford my medications for my high blood pressure. My children helped as much as they could, but it still resulted in me falling behind on rent and going to court for an eviction. I applied for rental assistance in November 2021 and did not believe I would be approved. Four months after applying for assistance, my application was approved by the MINT Foundation for seven months of rent. The MINT Foundation helped me to get my rent and utilities paid and see a doctor to get the medications I needed. I found a job as an attendance clerk at a high school and it is going very well. I plan on moving to a better apartment once the time is right. My advice to others who may be in the same situation is to follow up on people who are trying to help you. That is a crucial step in checking your emails and responding. I’m grateful to the MINT Foundation for helping me.”

– *Anonymous*

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