



# The Looming Eviction Cliff

## Findings from the Urban Institute Coronavirus Tracking Survey

*Mary K. Cunningham, Ananya Hariharan, and Olivia Fiol*

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**As the United States enters its tenth month struggling to contain the spread of the novel coronavirus, social distancing is critical. And though having a home is important for social distancing, millions of Americans are at risk of losing theirs. Eviction and subsequent homelessness or doubling up in and sharing overcrowded housing can accelerate virus spread, leaving people who lose their housing at higher risk of contracting COVID-19 and increasing community spread of the virus. After months of inaction, Congress recently passed a COVID-19 relief bill that extends the Centers for Disease Control and Prevention's (CDC's) federal eviction moratorium to January 31, 2021, and provides \$25 billion in rental assistance. The bill immediately protects millions of renters who faced eviction when the CDC moratorium was due to expire December 31, and rental assistance will provide much needed relief, but it is not enough to restore housing stability to the millions of renters facing significant back rent and uneven economic recovery. The eviction crisis still looms.**

In this brief, we examine the pandemic's effects on housing stability and renters' vulnerabilities to being evicted and losing their housing. To do so, we use new data from the second wave of the Urban Institute's Coronavirus Tracking Survey, a nationally representative survey of nonelderly adults fielded September 11 through 28, 2020. These data help depict both housing instability right before the CDC declared a national moratorium on evictions and the continuing challenges when the moratorium ends at the end of January. We find the following:

- Nearly 14 percent of renters, or 9.5 million renters, reported problems paying rent in the previous 30 days. People of color are disproportionately affected by COVID-19, unemployment, and housing instability, and these numbers mask significant differences by race and ethnicity.
- About 10 percent of adult renters were behind on rent. About 4 percent were behind one to two months and 3 percent were two or more months behind.
- More than one in four renters worried about being able to pay rent in the next month. Almost one in two Hispanic/Latinx renters and more than one in four Black renters were worried about paying next month's rent.<sup>i</sup>
- About 5 percent of renters, or 3.3 million renters, reported receiving an eviction notice or threat of eviction from their landlords since the beginning of March 2020. Black and Hispanic/Latinx renters were more likely than white renters to have received an eviction notice or been threatened with eviction since March.

These data can help policymakers, including the incoming administration, understand both the scope of housing instability and still looming eviction crisis, as well as the widening racial inequities in housing. Preventing this crisis should be a day-one priority for the new administration.

## Background

When expanded unemployment benefits and eviction protections in the Coronavirus Aid, Relief, and Economic Security, or CARES, Act ended July 31, 2020, millions faced eviction. On September 4, the CDC announced a federal moratorium on evictions.<sup>1</sup> It read, "In the context of a pandemic, eviction moratoria—like quarantine, isolation, and social distancing—can be an effective public health measure utilized to prevent the spread of communicable disease." The CDC moratorium was unprecedented and sweeping, but it only went so far in solving the looming eviction crisis advocates and researchers have warned is coming. The moratorium protects all 43 million renter households nationwide. However, it only applies to nonpayment of rent and does not forgive rent or prohibit landlords from charging late fees. In addition, the moratorium's protections are not automatic: tenants must fill out a declaration form certifying they earn less than \$99,000 (individuals) or \$198,000 (couples) in income per year. They must also show they have applied for rental assistance and tried to pay their rent. Tenants can still be evicted for other lease violations. In addition, rent owed is still accumulating during this temporary reprieve from eviction, and it will be due when the moratorium expires.

Census data show millions of renters were not caught up on rent in late August and were not confident they could pay rent in September but have not been evicted.<sup>2</sup> This suggests the CDC moratorium is working but could be strengthened. Though it now remains in effect nationwide until January 31, the moratorium's implementation has varied across states and many people fall through its

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<sup>i</sup> We use "Hispanic/Latinx" throughout this brief to reflect the different ways people self-identify. Also, we use the terms "white" and "Black" to refer to adults who do not identify as Hispanic/Latinx.

cracks. Lacking specifics, state court officials have had to interpret the moratorium themselves: The Texas Supreme Court issued guidance requiring renters to get information about their rights and where to get legal assistance and a copy of the declaration they must fill out to stop eviction.<sup>3</sup> The Michigan Supreme Court issued an administrative order that landlords must file a form verifying whether a tenant has submitted the declaration required by the CDC moratorium. The order also allows nonpayment- and judgment-related eviction cases to be processed while prohibiting actual orders of eviction.<sup>4</sup> The New Hampshire Circuit Court has required landlords to sign an affidavit stating they are complying with the CDC order and their tenants have not signed the declaration.<sup>5</sup> In Maryland, eviction filings and hearings can proceed, but the very last step in the process has been halted: eviction judgments, which could lead to tenants having to vacate their units.<sup>6</sup>

In addition to varying at the state court level, the CDC moratorium does not supersede state-level moratoria. The District of Columbia's eviction moratorium, for example, halts evictions for all reasons, not just nonpayment of rent.<sup>7</sup> California passed eviction protections at nearly the same time the CDC announced the national declaration. Unlike the CDC's eviction moratorium, however, California's does not allow landlords to charge late fees and penalties.<sup>8</sup> Another critical difference in California's eviction protections is that back rent accumulated between March and the moratorium's expiration on January 31, 2021, will be treated as consumer debt and cannot be grounds for eviction when the state moratorium ends.

In fewer than 30 days, the CDC moratorium will expire and many renters will once again face the threat of eviction. The new administration can extend the CDC moratorium further, but this will only bide more time while states and localities distribute the \$25 billion in rental assistance. Unfortunately, \$25 billion will not be enough to restore housing stability for all renters behind on their rent and facing potential eviction. The Urban Institute estimates between \$11.8 and \$13.0 billion in *monthly assistance* is needed to provide enough rental support to relieve the rent burden for all households needing it.<sup>9</sup> Many households will need ongoing monthly assistance while the economy recovers. Further, renters owe landlords billions in back rent.

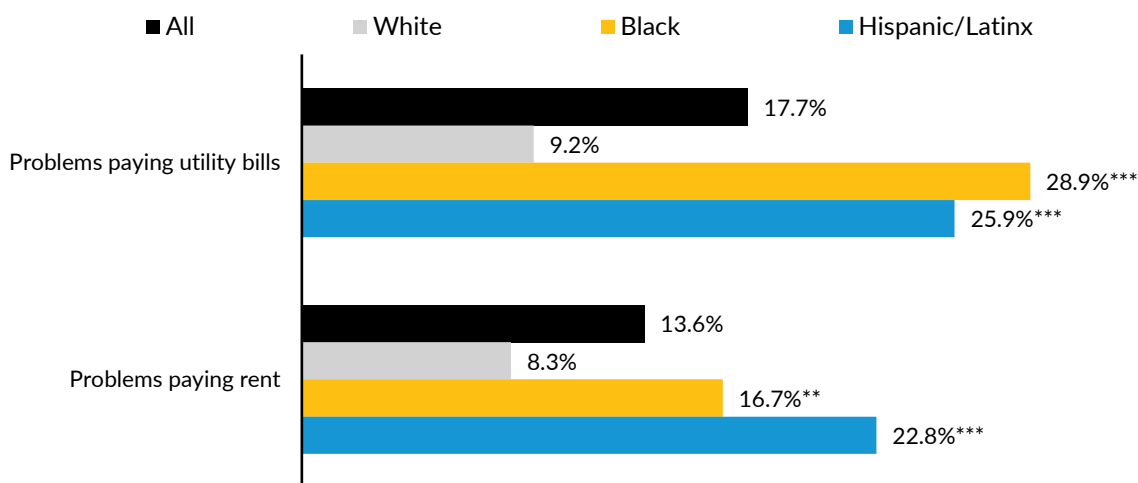
## Results

*Millions of people are behind on rent.*

In September 2020, 9.5 million renters, or 13.6 percent of adults in renter households, reported having problems paying rent in the last 30 days (figure 1).<sup>10</sup> Broken down by race and ethnicity, 16.7 percent of Black and 22.8 percent of Hispanic/Latinx renters reported trouble paying rent, compared with 8.3 percent of white renters. In addition to falling behind on rent, adults in renter households reported trouble paying utility bills. Almost one in three Black renters (28.9 percent) reported problems paying their utility bills in the last 30 days, and 25.9 percent of Hispanic/Latinx renters reported the same issue. In contrast, 9.2 percent of white renters experienced problems paying their utility bills in the last 30 days.

FIGURE 1

Shares of Renters Ages 18 to 64 with Problems Paying Utility Bills and Rent in the Last 30 Days, September 2020



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Source: Urban Institute Coronavirus Tracking Survey, wave 2.

Notes: Estimates are not shown for adults who are not Black, white, or Hispanic/Latinx and adults identifying as more than one race. The survey was fielded September 11 through 28, 2020, and 91 percent of respondents completed the survey by September 17.

\*/\*\*/\*\* Estimate differs significantly from that for white adults at the 0.10/0.05/0.01 level, using two-tailed tests.

Back rent is accumulating; about 1 in 10 renters who pay rent (10.2 percent) reported being one or more months behind on rent in September 2020 (table 1), and about 4 percent owed between one and two months' back rent. About 3 percent reported owing between two and three months' back rent. These data are similar to another finding that about 11 percent of renters were behind on rent by one month in September (Engelhardt and Eriksen 2020).

Without the necessary data, understanding exactly how much rent is owed is difficult. The National Council of State Housing Agencies published a report estimating renters will owe \$25 to \$34 billion by January 2021 (STOUT 2020), when the CDC moratorium expires. This estimate is based on the approximately 8.4 million renter households that will be behind on rent by January 2021 and excludes any interest or fees landlords may charge, as allowed by the moratorium.

TABLE 1

Percentage of Renters Ages 18 to 64 Who Pay Rent and Have Fallen Behind on Rent Payment, by Months of Rent Owed and Race and Ethnicity, September 2020

	All renters	White	Black	Hispanic/Latinx
Behind on rent	10.2	4.3	13.8***	16.8***
Behind on one or more months' rent but did not report amount	0.5	0.4	0.8	0.5
<b>By months of back rent owed</b>				
< 1	2.2	1.6	1.8	3.6
1 to < 2	4.2	1.5	5.7***	6.3**
2 to < 3	2.5	0.7	2.7*	5.1**
≥ 3	0.8	0.1	2.7**	1.3*

Source: Urban Institute Coronavirus Tracking Survey, wave 2.

Notes: Estimates are not shown for adults who are not Black, white, or Hispanic/Latinx and adults identifying as more than one race. The authors calculated months of back rent owed by dividing the amount of back rent by the amount of monthly rent. The survey was fielded September 11 through 28, 2020, and 91 percent of respondents completed the survey by September 17.

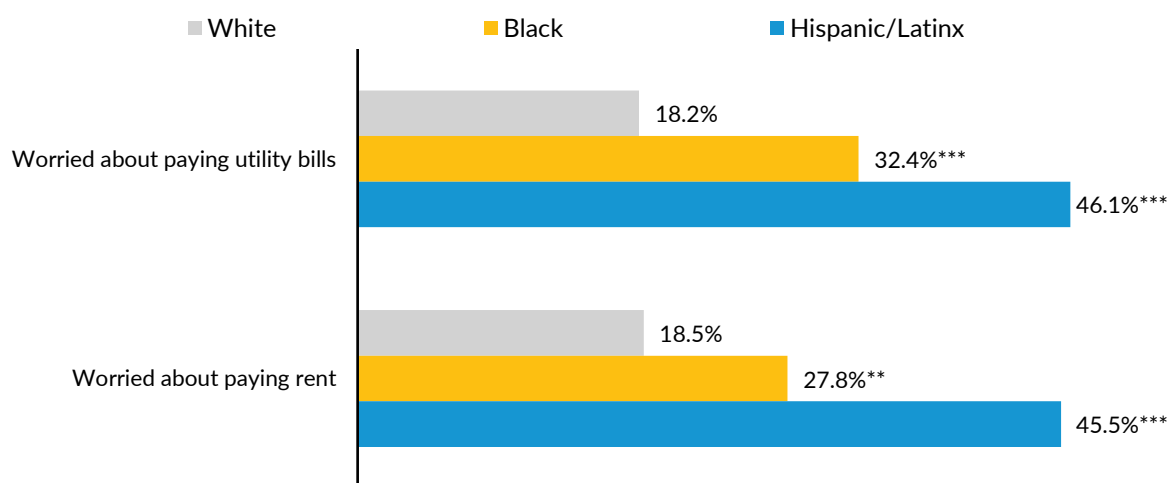
\*/\*\*/\*\* Estimate differs significantly from that for white adults at the 0.10/0.05/0.01 level, using two-tailed tests.

*Despite the CDC eviction moratorium, millions worry about paying rent.*

The CDC eviction moratorium did not alleviate renters' concerns about their abilities to pay rent (figure 2). In September 2020, more than one in four (27.7 percent) renters were worried about being able to pay next month's rent (data not shown). Nearly half (45.5 percent) of Hispanic/Latinx renters and 27.8 percent of Black renters were worried, compared with 18.5 percent of white renters.

FIGURE 2

Shares of Renters Ages 18 to 64 Worried about Paying Next Month's Utility Bills and Rent, September 2020



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Source: Urban Institute Coronavirus Tracking Survey, wave 2.

Notes: Estimates are not shown for adults who are not Black, white, or Hispanic/Latinx and adults identifying as more than one race. The survey was fielded September 11 through 28, 2020, and 91 percent of respondents completed the survey by September 17.

\*/\*\*/\*\* Estimate differs significantly from that for white adults at the 0.10/0.05/0.01 level, using two-tailed tests.

Since the pandemic started, eviction has threatened millions.

Despite enactment of the CDC moratorium and individual state moratoria, eviction still looms large for many households. Among renters, 4.7 percent, or an estimated 3.3 million, reported receiving an eviction notice or being threatened with eviction since the beginning of March 2020 (figure 3).<sup>11</sup> Both Black and Hispanic/Latinx renters face rates of potential eviction nearly four times higher than that facing white renters (7.8 percent and 7.7 percent versus 2.1 percent). This adds to the burdens of higher rates of severe COVID-19 cases and job losses affecting Black and Hispanic/Latinx renters.

**FIGURE 3**  
**Shares of Renters Who Have Received an Eviction Notice or Been Threatened with Eviction since the Beginning of March 2020, September 2020**



URBAN INSTITUTE

Source: Urban Institute Coronavirus Tracking Survey, wave 2.

Notes: Estimates are not shown for adults who are not Black, white, or Hispanic/Latinx and adults identifying as more than one race. The survey was fielded September 11 through 28, 2020, and 91 percent of respondents completed the survey by September 17.

\*/\*\*/\*\* Estimate differs significantly from that for white adults at the 0.10/0.05/0.01 level, using two-tailed tests.

## Solutions

Housing is more important than ever during the pandemic. Access to stable housing drives many positive social, economic, psychological, and health outcomes (Taylor 2018). Thus, eviction undermines peoples' efforts to achieve them. Eviction disrupts households; forced to move, many end up doubling up with friends or family, living in overcrowded housing situations. Some end up homeless, seeking emergency shelter or sleeping on the street, in cars, and other places not intended for habitation. This disruption has major public health implications, and preliminary evidence from the University of Pennsylvania suggests eviction may increase the spread of the coronavirus (Sheen et al. 2020). A recent study also found lifting state eviction moratoria increased COVID-19 cases by an estimated 433,700 and COVID-19 deaths by 10,700 from March to September (Leifheit et al. 2020).

When the CDC eviction moratorium expires, millions of people will face eviction once again. As noted, this will not only disrupt housing stability for families but increase virus transmission. However, the eviction crisis can be prevented with adequately funded and targeted rental assistance. Absent adequate resources to provide rent relief, eviction diversion programs, right to counsel, and legal assistance could help stem evictions.

***Extending and strengthening the CDC eviction moratorium.*** Extending the eviction moratorium will ensure there are no gaps in the moratorium protections during the transition, but the incoming administration will need to extend the moratorium at least until June 2021 to allow enough time for the \$25 billion in rental assistance to reach those who need it most. The incoming administration can also strengthen the moratorium by expanding it to all evictions (not just those for nonpayment of rent); prohibiting the eviction process from starting; putting the onus on landlords or the courts to protect tenants, instead of asking tenants to declare a hardship; and enforcing landlords' compliance. Further, states and localities should adopt their own eviction moratoria to avoid a gap in protections between when the CDC protection ends and when it resumes.

***Target and expand rental assistance.*** Once eviction moratoria are lifted, accumulated rent will be due. But, households cannot pay the rent because of high unemployment rates and overwhelming bills. Black and Hispanic/Latinx households, in particular, are experiencing the compounding effects of higher rates of job loss, being more likely to be essential workers, and being more likely to face potential eviction. The \$25 billion Congress recently allocated toward rental assistance will help prevent a wave of evictions, but it is not enough to achieve housing stability for all renters. This assistance must be targeted to those who need it most, prioritizing the households with the lowest incomes and undocumented immigrants. As noted above, back rent is estimated at \$25 to \$34 billion, so \$25 billion is not nearly enough to cover all renters' needs and keep them protected from housing instability and eviction. And many households will need ongoing monthly assistance until the economy recovers. As noted, the Urban Institute estimates between \$11.8 and \$13.0 billion in *monthly assistance* is needed to provide enough rental support to all households needing it.<sup>12</sup> Absent a universal housing voucher program scaled to meet the needs of both households rent burdened before the pandemic and those recently suffering from job loss, evictions and homelessness will continue. Funding well-tested housing assistance programs readily at our disposal can prevent this (Galvez et al. 2020).

***Eviction diversion programs.*** Some eviction-prevention programs operate by intervening "upstream," diverting evictions before the filing process begins. In one study (Cohen and Noble 2020), an eviction-diversion program in Ramsey County, Minnesota, found that more than 75 percent of program participants facing eviction before the pandemic cited nonpayment as the primary reason for filing. Frequently, diversion programs focus on financial assistance. However, in portions of the county, eviction filing has owed to multiple compounding reasons, such as "job loss and decreased income, disputes over landlord mismanagement, and domestic violence or health crises" (Cohen and Noble 2020). To combat these compounding issues, the study piloted a pre-filing eviction clinic that provided multiple interventions at one location, which reduced the length and costs of housing instability. Though the pilot results are not firm as of this writing, the study demonstrated the need to understand compounding issues and the time constraints associated with housing instability, which is vital to our

approach to eviction prevention during the pandemic. Going forward, support for households facing eviction would best be provided in one location, especially because many households are juggling multiple crises.

***Right to counsel and legal assistance.*** Efforts such as right-to-counsel programs and local housing court clinics to advocate for tenants' rights to counsel can intervene to improve housing outcomes, but evidence is still emerging on these approaches. Schultheis and Rooney (2019) demonstrates how the right to counsel curbed eviction in multiple case studies: In New York, the number of cases resulting in a warrant for eviction decreased by 77 percent when tenants received legal counsel. The study also found different levels of legal representation had different outcomes in Hennepin County, Minnesota; tenants with access to representation were four times less likely than those without representation to enter homelessness shelters. During the pandemic, right to counsel should be used in tandem with other policy protections, rather than being the entire solution.

The CDC paused evictions in September, giving Congress months to act before the moratorium was originally set to expire on December 31. Just days before the moratorium's expiration date, Congress extended the moratorium through January 2021. This provides immediate protections but is another stop gap, and it does not provide enough time for rental assistance to reach those who need it most. It takes time for money to flow from the federal government to states and localities, and millions will be left vulnerable to eviction again in February. The incoming administration should make preventing the crisis a day-one priority by further extending and strengthening the eviction moratorium, ensuring the \$25 billion in rental assistance is targeted to those who need it most, and expanding housing assistance to restore housing stability to the millions of renters who face continued unemployment and uneven economic recovery. These households will need ongoing housing assistance.

## Data and Methods

This brief uses data from the second wave of the Urban Institute's Coronavirus Tracking Survey, a nationally representative internet-based survey of nonelderly adults designed to assess how the COVID-19 pandemic is affecting adults and their families and how those effects change over time. A total of 4,007 adults ages 18 to 64 participated in the second wave, fielded September 11 through 28, 2020; 91 percent of respondents completed the survey by September 17. The first wave of the tracking survey was fielded May 14 through 27. Respondents for both waves were sampled from the 9,032 adults who participated in the most recent round of the Health Reform Monitoring Survey (HRMS), which was fielded March 25 through April 10, 2020. The HRMS sample is drawn from Ipsos's KnowledgePanel, the nation's largest probability-based online panel. The panel is recruited from an address-based sampling frame covering 97 percent of US households and includes households with and without internet access. Participants can take the survey in English or Spanish.



The Coronavirus Tracking Survey includes an oversample of Black and Hispanic/Latinx HRMS participants. Survey weights adjust for unequal selection probabilities and are poststratified to the characteristics of the national nonelderly adult population based on benchmarks from the Current Population Survey and American Community Survey. We also adjust the September tracking survey weights to address differential nonresponse among participants in the March/April HRMS. Because nonresponse in the September survey is greater among HRMS participants experiencing negative employment effects and material hardship during the pandemic and these effects differ based on demographic characteristics, we adjust weights so work status and employment and hardship outcomes reported in March/April among the September sample align with the outcomes reported among the full March/April HRMS sample both overall and within key demographic subgroups. These adjustments make the September tracking survey sample better represent the sample initially drawn in March/April and mitigate nonresponse bias in estimated changes in the pandemic's effects over time.

The margin of sampling error, including the design effect, for the full sample of adults in the second wave of the tracking survey is plus or minus 2.0 percentage points for a 50 percent statistic at the 95 percent confidence level. Additional information about the March/April 2020 HRMS and the questionnaires for the HRMS and first and second waves of the Coronavirus Tracking Survey can be found at [hrms.urban.org](https://hrms.urban.org).

## Notes

- <sup>1</sup> Notice No. 2020-19654, 85 Fed. Reg. 55292 (Sept. 4, 2020).
- <sup>2</sup> Mary K. Cunningham and Solomon Greene, "The CDC Took an Important Step to Halt Evictions Because of COVID-19. But That's Only Half the Battle," *Urban Wire* (blog), Urban Institute, September 2, 2020, <https://www.urban.org/urban-wire/cdc-took-important-step-halt-evictions-because-covid-19-thats-only-half-battle>.
- <sup>3</sup> COVID-19 Emergency Order No. 27, Misc. Docket No. 20-9113, Tex. Sup. Ct. (Sept. 25, 2020).
- <sup>4</sup> Amendment of Administrative Order No. 2020-17, ADM File No. 2020-08, Mich. Sup. Ct. (Oct. 22, 2020).
- <sup>5</sup> Tenth Renewed and Amended Order Suspending In-Person Circuit Court Proceedings and Courthouse Access, N.H. Sup. Ct. (Oct. 16, 2020).
- <sup>6</sup> Second Amended Administrative Order on Resumption of Judiciary Operations Previously Restricted Due to the COVID-19 Emergency, Md. App. (Oct. 5, 2020).
- <sup>7</sup> D.C. Act 23-415 (2020).
- <sup>8</sup> California A.B. 3088 (2020).
- <sup>9</sup> "Sizing Federal Rental Assistance," Urban Institute, accessed December 15, 2020, <https://www.urban.org/policy-centers/research-action-lab/projects/sizing-federal-rental-assistance>.
- <sup>10</sup> The 95 percent confidence interval for this estimate is 11.5 to 15.8 percent.
- <sup>11</sup> The 95 percent confidence interval for this estimate is 2.5 to 6.8 percent.
- <sup>12</sup> "Sizing Rental Assistance," Urban Institute.

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## About the Authors

**Mary K. Cunningham** is vice president and directs the Metropolitan Housing and Communities Policy Center at the Urban Institute. Her research focuses on ending homelessness and increasing affordable housing.

**Ananya Hariharan** is a research assistant in the Metropolitan Housing and Communities Policy Center.

**Olivia Fiol** is a research assistant in the Metropolitan Housing and Communities Policy Center.

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500 L’Enfant Plaza SW  
Washington, DC 20024

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