



Eviction Prevention and Diversion Programs

Early Lessons from the Pandemic

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April 2021 (updated May 2021)

The health and economic effects of the COVID-19 pandemic have highlighted the precarious housing status of renters with low or moderate incomes across the United States. In response, advocates and policymakers at the federal, state, and local levels have developed and expanded a wide range of policies and programs to help keep renters in their homes. Many of these focus on one aspect of renters' financial hardship and eviction risk. However, the number of programs combining interventions to prevent and divert evictions is increasing.

This brief describes the diversity of court-based and court-adjacent eviction prevention and diversion programs that have been created or adapted to prevent evictions during the COVID-19 pandemic. We define eviction prevention and diversion programs as ones that aim to prevent evictions from reaching the courts or divert existing cases away from formal legal proceedings by using some combination of legal assistance, housing counseling, rental assistance, negotiated settlements, and other alternatives to formal eviction hearings. Of the eviction diversion programs we found, we included all court-based programs that either started or were substantially modified in response to the pandemic. In addition, we looked for programs outside the courts that provide multifaceted supports to renters facing imminent eviction and are run by state or local governments or nonprofit organizations.

In our scan, we collected data on 47 state and local programs across the country that fit our definition of eviction prevention and diversion programs. We coded each program based on the features we could identify from desk research and analyzed these data for broad trends. We also interviewed program administrators and partners involved in four state and local programs, selected based on their diverse features, to understand how these programs are designed, how they work and how their features have changed over time, whom they serve and how they reach clients, and how they measure outcomes. Based on both our national scan and our case studies, we identify lessons for policymakers, administrators, and advocates to help design and support effective and equitable eviction diversion programs during the COVID-19 pandemic and beyond.

About the Housing Crisis Research Collaborative

The Housing Crisis Research Collaborative aims to address the long-standing inequities in access to safe, stable, and affordable rental housing that have been laid bare by the COVID-19 pandemic. We provide policymakers at all levels of government with the data and analysis they need to design, implement, and evaluate more equitable and effective rental housing and community development responses to the pandemic and the ongoing rental housing affordability crisis. More information is available at <https://housingcrisisresearch.org/>.

Background on Eviction Prevention and Diversion Programs before and during the COVID-19 Pandemic

Before the COVID-19 pandemic, the nation faced a shortage of affordable housing, which was even more pronounced for renters with low incomes. As of 2018, nearly half (47.4 percent) of US renters were cost-burdened (paying 30 percent or more of their incomes on rent), approximately 21 million experienced rent hardship,¹ and nearly one in four spent more than 70 percent of their income on housing.² Renters with low incomes are more severely cost-burdened and thus are at greater risk of eviction than other renters (Desmond 2015). Many renters with low incomes were already precariously housed, and the loss of a job, a reduction in hours, or a health crisis could jeopardize their ability to pay rent and place them at risk of eviction.³

In recent years, there has been a growing recognition of the nation's long-standing eviction crisis for renters with low incomes and how evictions perpetuate poverty. This understanding has resulted from growing activism in low-income communities facing high levels of eviction and housing instability, as well as mounting evidence about the harms of eviction (Desmond 2015). Eviction is associated with poorer health outcomes, increased risk of depression, suicide, job loss, negative credit impacts, and material hardship (Gromis 2019). It also disproportionately affects women of color, with landlords filing for eviction against Black and Latinx women at higher rates than against white people and men (Hepburn, Louis, and Desmond 2020). These effects are compounded for children in low-income households, who can experience worse outcomes in education, health, and future earnings resulting from eviction.⁴

Before the pandemic, the recognition of eviction as a critical social problem contributed to a range of policy and programmatic responses aimed at lowering housing costs or promoting housing stability, such as funding for affordable housing; increased rental regulations, such as rent control and stabilization; and strengthened legal protections for tenants, including just cause eviction statutes, right to counsel policies and programs, pre-eviction notes to identify at-risk renters, increased court filing fees, specialized housing courts, judicial education, evidentiary standards, navigator programs, and sealing of records (Benfer, Greene, and Hagan 2020). However, states and municipalities continue to have wide variation in tenant protections, and in many places, renters can face speedy evictions with little protection or support if they fall behind on rent.

In recent years, some local governments, courts, and nonprofit service providers began collaborating to connect renters at risk of eviction to legal and other support services. Three broad, nonexclusive categories of intervention programs have emerged in cities and counties across the country to resolve tenant and landlord disputes and keep people in their homes: eviction prevention programs, eviction diversion programs, and programs and interventions to support tenants already in legal eviction proceedings.

Eviction prevention programs are designed to intercede before an eviction filing and often include some combination of housing counseling, legal assistance, emergency rental assistance, and other supportive services. Eviction diversion programs are designed to divert cases from formal legal proceedings via negotiation, mediation, or arbitration, often in combination with legal assistance or other supports. In practice, the definitions and terms practitioners use to describe these programs vary, and boundaries are fuzzy. Support programs for tenants already involved in eviction proceedings typically include low- or no-cost legal representation, court navigation and paperwork support, and sealing of court records. In response to pandemic-related economic pressures, these elements are being combined in new ways as courts, state and local governments, and advocates attempt to prevent widespread displacement and stem a surge in evictions after pandemic eviction moratoriums are lifted.

Although relatively recent, some eviction prevention programs have shown evidence of efficacy. For example, in Minnesota, the Ramsey County Housing Court Clinic was launched in 2017 by housing, legal, financial, and social service groups to improve housing court processes and help keep renters in their homes by offering a suite of services at no cost.⁵ In Ramsey County, access to a combination of legal assistance, financial assistance, and court-based mediators has helped resolve many cases quickly. Coordinated, streamlined service provision in the county has increased expungements 25 percent and lowered eviction judgments 18 percent.⁶

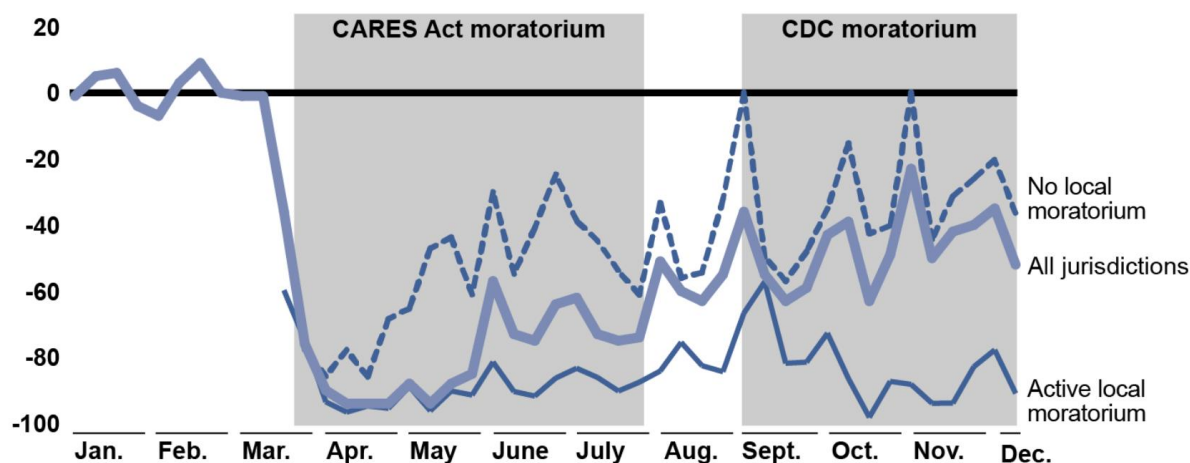
New York City's Universal Access to Counsel program provides legal representation to income-eligible renters facing eviction. The program began with 20 zip codes in 2017, and the city plans to expand the program to all zip codes by 2022. In the program's first year, evictions declined more than five times faster in zip codes with the program in place than in zip codes without it.⁷ In 2018, San Francisco and Los Angeles adopted policies to provide counsel to all tenants facing eviction that were based on the New York City Universal Access to Counsel program model (Been et al. 2018).

In Michigan, the Kalamazoo County Eviction Diversion Program began in 2010 as a partnership between social service organizations, legal aid groups, the area district court, and the county human services agency to provide rental assistance, landlord negotiation and mediation services, case management, and referral services. The Kalamazoo model was subsequently adopted by other Michigan counties, and with recent funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act, it has expanded to the entire state (Daley 2020).

Although evaluations of these and similar programs' effectiveness are limited, the nascent scholarship shows that partnerships between legal and social services that provide comprehensive programming have higher success than single intervention-focused programs.

Early in the COVID-19 pandemic, many state and local governments realized that massive job losses could lead to unprecedented increases in evictions, especially among renters who were already cost-burdened or did not have savings to offset lost income. They also recognized that surging evictions would exacerbate the public health crisis and prolong a recession. In response, most states and hundreds of localities adopted temporary moratoriums on evictions to help keep people in their homes through the pandemic. Similarly, the March 2020 federal CARES Act prohibited evictions in most federally assisted or financed housing through July 2020. In September 2020, the Centers for Disease Control and Prevention (CDC) adopted a broader eviction moratorium that covered tenants in the private market as well; it was eventually extended, first through March and then through June 2021. These efforts have had some success, although racial and gender disparities in eviction rates have continued. The CDC order is also subject to multiple legal challenges, and it is no longer being enforced in some states.⁸ In many places where moratoriums have expired or other bans were never enacted, eviction filings have returned to pre-pandemic levels (figure 1) (Cowin, Martin, and Stevens 2020).

FIGURE 1
Median Percentage Change in Eviction Filings in 63 Jurisdictions
 2019–20



Source: US Government Accountability Office, *COVID-19 Housing Protections: Moratoriums Have Helped Limit Evictions, but Further Outreach Is Needed* (Washington, DC: US Government Accountability Office, 2021).

Notes: CARES Act = Coronavirus Aid, Relief, and Economic Security Act. CDC = Centers for Disease Control and Prevention.

The CARES Act and subsequent COVID-19 relief bills also provided funds for limited emergency rental assistance to renters and landlords via the Community Development Block Grant program, the Coronavirus Relief Fund, and other sources. In response to increased need resulting from COVID-19, many housing and rental assistance programs across the country have rapidly expanded, or new programs have started up. These programs have leveraged CARES Act and other public and private funding sources to increase organizational capacity and provide a wider variety of prevention- and diversion-related support services. However, even with these supports, many programs are overwhelmed, resources remain inconsistently accessible,⁹ and vouchers and other federal rental

assistance only reach a small share of eligible families because of inadequate funding.¹⁰ Indeed, by summer 2020, nearly half (45.4 percent) of renters who were behind on their payments were at risk of eviction.¹¹ By September 2020, nearly 5 percent of renters, or 3.3 million people, reported receiving an eviction notice or threat of eviction since the beginning of the pandemic, with Black and Latinx renters more likely than white renters to have received a notice (Cunningham, Hariharan, and Fiol 2021).

As of the publication of this brief, many state and local eviction moratoriums had expired, and the federal eviction moratorium is now set to expire at the end of June 2021.¹² Although the recent American Rescue Plan allocates more than \$27 billion in rental housing assistance, states and localities are still working to ensure those resources reach the renters who need them the most. Research suggests that even this unprecedented rental relief may not be enough to cover the rent arrears accumulated during the pandemic (Parrott and Zandi 2021). As a result, significant uncertainty remains about how to avoid widespread evictions when the federal moratorium is lifted and to protect those renters at risk even while that moratorium is in place. This uncertainty makes it important to assess the breadth and effectiveness of eviction prevention and diversion programs that have been created or modified during the pandemic and identify what resources and supports they need to meet growing demand in the months and years ahead.

Methods

For this research, we define eviction prevention and diversion programs as ones that aim to prevent evictions through some combination of legal assistance, housing counseling, rental assistance, negotiated settlements, and other alternatives to formal eviction hearings. Because we are interested in programs that respond to renters' financial hardship associated with the COVID-19 pandemic, we limited our analysis to programs that are focused on preventing evictions for renters who are at risk of eviction because of nonpayment of rent and that were either created or modified to respond to COVID-19–related financial hardship.

Of the eviction diversion programs we found, we included all court-based programs that either started or were substantially modified in response to the pandemic. We also looked for programs outside the courts that provide multifaceted supports to renters facing the threat of eviction and are run by state or local governments or nonprofit organizations. To identify multifaceted programs, our scan included only programs run by state and local governments or nonprofit organizations that included two or more of the following services or features:

- alternative dispute resolution (including negotiation, mediation, and arbitration between tenant and landlord)
- legal assistance
- housing counseling and nonlegal housing advocacy
- financial counseling
- rental or other forms of financial assistance

We excluded programs that solely provided legal assistance to renters in eviction proceedings, as well as programs aimed primarily at preventing nonpayment of rent (e.g., rental assistance or income supports). Our scan did not select for organizations focused on community organizing, although some of the programs in our scan included community organizing as a part of their work.

To identify programs, we conducted online research using search terms and phrases,¹³ consulted with members of the Eviction Committee of the American Bar Association COVID-19 Task Force and members of the Harvard Negotiation and Mediation Clinical Program, and sourced suggestions on social media. Based on desk research, we collected and coded information, when available, on the following key features of each program:

- geography (state, locality)
- lead entity (court, government, nonprofit)
- COVID-19 response (new, modified)
- funding (private, public [local, state, federal], unknown)
- eligibility (COVID-19 related, income, residency, target population [landlord, tenant])
- referral methods (e.g., community outreach, voluntary, mandated court referral)
- eviction stage (pre-filing, post-filing, both)
- legal assistance (pro bono, legal aid, clinic, limited scope, right to counsel, hotline)
- nonlegal services (advocacy, housing counseling, financial counseling, social services)
- alternative dispute resolution (negotiation, mediation, arbitration)
- other court-based interventions (specialized housing courts, on-site legal clinic, court navigation, increased filing fees, simplified paperwork, informational materials)
- rental or other financial assistance (landlord, tenant)

When we could not find clear information for a given program feature, we left the relevant field blank. This means that even though we examined 47 programs, the counts of features discussed below do not always add up to 47.

Because the online sources we used to identify and code the key features of programs did not fully capture program details, we also conducted interviews with stakeholders in four programs selected on the basis of various factors, including geographic diversity; whether participation was mandatory or voluntary; whether the programs were court-led or court-adjacent; their key features (whether focused on legal assistance, rental assistance, or nonlegal counseling or advocacy); and whether they were new or modified because of the pandemic. The four programs were the COVID-19 Eviction Defense Project in Colorado, the Texas Eviction Diversion Program, the Pinellas Eviction Diversion Program in Florida, and the Philadelphia Eviction Prevention Project. For each program, we interviewed at least two stakeholders using a standardized interview protocol.

Key Features of Eviction Prevention and Diversion Programs

We identified 47 programs in our national scan (see the appendix for a list of programs): 29 programs were created in response to the COVID-19 pandemic, and 18 existed before the pandemic but had been adapted or modified to respond to new needs (table 1). Programs operated at state, county, and municipal levels and existed across the United States (figure 2).

Of the 47 programs in our scan, 19 were based in the courts, and the others had a mix of program components. The most common program elements were alternative dispute resolution (including mediation) and rental or financial assistance, followed by legal assistance. Nonlegal assistance and counseling were less common. In general, programs offering rental assistance or alternative dispute resolution were more likely to be new, and those focused on legal assistance were more likely to have existed before the pandemic.

TABLE 1
Eviction Diversion and Prevention Programs by Number of Components

Program type	Court-based	Alternative dispute resolution	Legal assistance	Housing counseling/ nonlegal advocacy	Financial counseling	Rental/ financial assistance
New (29)	12	23	13	7	4	21
Existing (18)	7	15	15	4	4	13
Total (47)	19	38	28	11	8	34

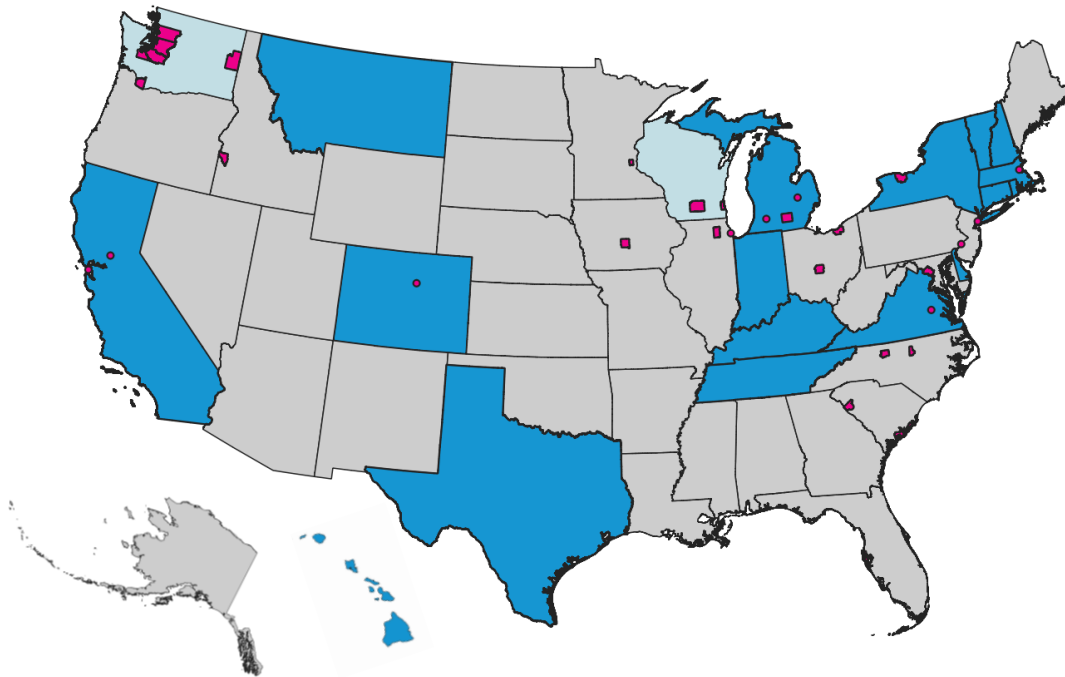
Source: Urban Institute analysis of examined eviction diversion and prevention programs.

Note: Information for a given program component was not always available, so tallies may undercount programs with these components.

Program leadership came from multiple sectors. We identified whether there was a clear lead entity and whether it was a court, other government entity, or nonprofit organization. Twenty-six of the 47 programs were clearly housed in a single organization fitting within one of these categories, and 21 involved multiple organizations and organization types without a clearly identified lead group. For example, in South Carolina, three Charleston County magistrates were appointed in 2019 to serve as the judges of a housing court pilot project in collaboration with multiple local legal services organizations.¹⁴ Nonprofit lead organizations also varied: legal aid societies were common program leads, but mediation-focused organizations also led multiple initiatives.

FIGURE 2

Eviction Diversion and Prevention Programs in the United States



Source: Urban Institute analysis of examined eviction diversion and prevention programs.

Notes: Cities and counties with eviction diversion and prevention programs are shown in magenta. States with statewide programs are blue. Washington and Wisconsin are light blue to indicate that their state-level programs are active in a limited number of counties (highlighted in magenta).

Programs with a rental assistance component tended to be supported at least in part by CARES Act funding, although some programs also made use of local or private sources. For several programs, this CARES Act–supported rental assistance was a core organizing feature. For instance, Michigan’s statewide Eviction Diversion Program, which operates at the local level through a network of service providers, set aside \$50 million for rental assistance and \$10 million for case management and legal and administrative costs.¹⁵ For other programs, such as those focused on counseling, mediation, or legal assistance, funding sources were more difficult to ascertain based on desk research. Programs with a legal assistance focus tended to rely on existing funding streams and private funds.

Eligibility requirements varied by program type and features. Programs offering rental assistance generally had the most stringent eligibility requirements, usually requiring COVID-19-related hardship, creating maximum thresholds and requiring proof of residency. Eligibility requirements were generally less stringent for other program components. Legal service eligibility was often linked to income and residency but not COVID-19-related hardship. Programs focused on mediation tended to not have income- or hardship-related requirements but often had residency requirements. For example, the state of Michigan’s housing fund can only be used to cover housing costs and debt related to the COVID-19 pandemic, and to qualify, households must have incomes below 100 percent of the area median income

(with the state targeting half of funds to households earning less than 50 percent of the area median income).¹⁶ Montana’s Eviction Intervention Project—which offers legal representation, assistance with tenant and landlord negotiations, and connection to social services—is open to all residents,¹⁷ although access to rental assistance still requires the tenant to meet income and hardship eligibility requirements.

Most programs in our scan said they used some form of community outreach to connect renters to the program; court referrals were the second-most-common referral method. Among the 41 programs for which we could identify the stage of the eviction process when they make their initial efforts, we found that 14 programs do so at the pre-filing stage, 11 at the post-filing stage, and 16 across both stages.

Programs offered a range of legal and nonlegal services. Overall, more than half (28 of 47) of the programs offered some form of legal assistance, with the most common being access to pro bono attorneys or legal aid. Clinics, hotlines, and limited scope representation were less common. Only five of the programs included a right to counsel in eviction proceedings. In alternative dispute resolution, mediation was by far the most common approach: 29 programs in our scan offered mediation, and 13 offered some other sort of negotiation (we did not find any programs using arbitration). Programs offering rental and financial assistance generally provided funds to tenants (25 programs). However, 8 programs, such as New Hampshire’s Landlord and Tenant Mediation Pilot Project, offered payments directly to landlords and utility companies.¹⁸

About half (26 of 47) of the programs engaged in at least three of the five distinct program elements (alternative dispute resolution, legal assistance, nonlegal housing counseling and advocacy, financial counseling, and rental assistance) we reviewed. For instance, the Red Hook Community Justice Center in Brooklyn, New York, stated that its Housing Resource Center’s services include “counseling, case management, mediation, employment, victim services, and legal and financial assistance” to “help [tenants] remain in their homes and prevent future eviction proceedings.”¹⁹ In Richmond, Virginia, the Housing Justice Program, a unique collaboration of legal fellows and community organizers, provides legal services, mobilizes tenants to advocacy, and advocates for policies and practices of systemic change to tenant rights.

Overall, our program scan identified a wide range of new and existing eviction prevention and diversion models. Although the COVID-19 pandemic motivated the launch of many of these initiatives, many programs—especially those focused on legal assistance, mediation, and advocacy—already existed and were part of a broader movement to respond to the ongoing eviction crisis. Others, particularly those with rental assistance as a key component, tended to be new and largely supported by CARES Act funding, which means they may serve as models to help connect renters to emergency rental assistance as it becomes available from the American Rescue Plan and future relief efforts.

Programs in Action

In addition to our research scan, we conducted interviews with leadership and stakeholder representatives from four state and local programs to better understand their design, implementation, and progress to date and to elevate lessons and insights for both practice and policy. The discussion

below is based on these interviews and desk research and is not an exhaustive overview of these programs or an assessment of their implementation or effectiveness. Our aim is to show how differently designed programs in this space work. As noted above, we selected programs based on key elements and features (table 2). These programs are as follows:

- The **COVID-19 Eviction Defense Project (CEDP)**, formed in March 2020, was designed to integrate previous mainstream eviction and homelessness prevention services in Colorado. CEDP connects renters who are facing financial hardship and are at risk of eviction to legal representation and other services, as well as a rental assistance innovation fund. CEDP also collects data, conducts and publishes research, and engages in policy advocacy. CEDP collaborates with community organizations and, in some counties, the local courts. To understand how this operates at the local level, we also interviewed representatives from two organizations involved in an eviction prevention effort in Lake County, Colorado.
- The **Texas Eviction Diversion Program (TEDP)** is a statewide, interagency rental assistance program implemented by the state Supreme Court and the Office of Court Administration, with administrative, communications, and outreach components led by the Texas Department of Housing and Community Affairs' Texas Rent Relief Program. Under the program, when renters in the state are served with an eviction citation, they also receive information about the program and rental assistance that is available to them if they meet eligibility criteria. At eviction hearings, the presiding judge discusses the program with the landlords and tenants. For a case to be diverted from a trial, both parties must agree to participate in the program, and the tenant must meet program requirements. Diverted cases are dismissed and made confidential from public disclosure, and lump sum payments are made to landlords in exchange for allowing tenants to remain in their homes. After completion of a pilot that ran from October 2020 through February 2021 in 19 counties, the statewide TEDP launched February 15, 2021, and will operate until Treasury funds for the program run out.
- The **Pinellas Eviction Diversion Program (PEDP)** was launched in Pinellas County, Florida, in October 2020 as a homelessness prevention project of the Community Law Program. The Community Law Program collaborates with several legal aid organizations, court personnel, private attorneys, and firms that are members of the St. Petersburg Bar Association and other voluntary bars that provide free legal services to Pinellas County's residents with low incomes. PEDP's vision is to build a community where "unplanned, unforeseen financial hardship causes the least disruption to housing stability."²⁰ With CARES funding, the program can provide virtual mediation (regular mediation has been halted as a result of the pandemic) and rental assistance funding. The Community Law Program formed partnerships with other local nonprofits to facilitate rental assistance payments, provide housing navigators, and meet other needs (such as transportation services and clothing and necessities for children whose families have been affected by eviction). PEDP was modeled in part on the Orlando, Florida, eviction diversion program, which provides expedited rental assistance to renters in need, but PEDP further provides tenant advocacy and legal services as part of a larger continuum of eviction prevention and diversion services.

- The **Philadelphia Eviction Prevention Project (PEPP)** is a collaboration between several area nonprofits to provide comprehensive legal supports to tenants facing eviction. It is managed by Community Legal Services, in collaboration with Clarifi, the Legal Clinic for the Disabled, the SeniorLAW Center, the Tenant Union Representative Network, and the Philadelphia VIP. PEPP, first implemented in 2018, assists tenants facing eviction with legal representation, financial counseling, a hotline, a court help center, community trainings, and education materials. In 2020, the city of Philadelphia launched a new Eviction Diversion Program, partnering with nonprofit organizations to offer housing counseling and mediation to tenants and landlords to try to avoid formal eviction proceedings. The Eviction Diversion Program drew upon the previously successful Philadelphia Residential Mortgage Foreclosure Diversion Program, which was developed in response to the previous recession and housing crisis. On March 31, 2021, the Municipal Court entered an order requiring landlords to participate in the Eviction Diversion Program before filing eviction cases for nonpayment of rent between April 1 and May 16, 2021, a move intended to strengthen the existing program.²¹

TABLE 2
Program Characteristics of Four Selected Eviction Prevention Programs

Program	State	Geographic scope	Mandatory/voluntary	Court-led/court-adjacent	Core components	New or modified because of COVID-19
COVID-19 Eviction Defense Project	Colorado	Statewide	Voluntary	Court-adjacent (court participation varies)	Legal assistance, research and advocacy, rental assistance, outreach	New
Texas Eviction Diversion Program	Texas	Statewide	Voluntary	Court-led	Rental assistance, outreach	New
Pinellas Eviction Diversion Program	Florida	Countywide	Voluntary	Court-adjacent (with court participation)	Legal assistance, rental assistance, mediation, outreach	Modified
Philadelphia Eviction Prevention Project/ Eviction Diversion Program	Pennsylvania	Citywide	Mandatory	Court-adjacent (with court participation)	Legal assistance, nonlegal counseling, mediation, outreach	Modified

Sources: Urban Institute analysis of examined eviction diversion and prevention programs and interviews with key program stakeholders.

Program Launch and Design

Before COVID-19, many stakeholders we interviewed had already been involved in developing eviction prevention and diversion programs in their communities, with the pandemic leading to significant program expansion. In Philadelphia and Pinellas County, legal aid organizations and service providers were collaborating before the pandemic, and mediation pilots had already been launched to prevent evictions. Philadelphia issued a request for proposals in 2017, leading to the initial formation of PEPP, which started as a pilot in 2018.²² In summer 2020, through its Emergency Housing Protections Act, Philadelphia created the Eviction Diversion Program, in addition to other tenant protections.²³

In Pinellas County in 2018, the Community Law Program partnered with two other legal aid organizations (Bay Area Legal Services and Gulfcoast Legal Services), a local judge, and area bar association members to advocate for a local mediation program. That pilot was started in early 2020, before the pandemic. The Community Law Program applied for federal CARES Act funding to coordinate the mediation pilot and a continuum of eviction and diversion services with a rental assistance program modeled on the rental assistance program in Orange County, Florida.

In Colorado, the nonprofit CEDP was formed in March 2020 as the pandemic was just beginning. Although its core staff had already been practicing pro bono eviction defense law, several early signs—including messages on social media and results from early eviction risk models—convinced its founders to form a formal organization dedicated to eviction prevention. CEDP initially focused on providing legal services, publishing data and research, and advocating for policy change. CEDP later piloted a rental assistance fund.

In Texas, the State Supreme Court created the diversion program in September 2020 through an emergency COVID-19 order that outlined program basics and instructed court administrators and the State Bar of Texas to work together to determine eligibility, conduct outreach, and determine other program details. TEDP was designed to help stabilize housing for renters and support landlords during the pandemic while lessening the backlog of cases in the eviction pipeline and reducing strain on the courts.

Principal Program Components

In Colorado, CEDP coordinates with courts, local governments, and other nonprofits throughout the state. CEDP provides legal guidance to local nonprofit partners and direct legal assistance to tenants when cases cannot be resolved at the local level. It has also implemented a rental assistance pilot that consolidates past and future rent into a single check at reduced rates, streamlining the process and helping funding go further (Neumann, Gilman, and McKay 2020). It collects and analyzes eviction data and advocates for policy change across the state. This division of labor lets local partners focus on maintaining productive day-to-day relationships and move more complicated and potentially fraught negotiations to CEDP. As one local stakeholder put it, CEDP's involvement provides the local effort some "legitimacy" in the eyes of the landlords.

In Texas, the justice courts are a formal part of TEDP, and the state's Office of Court Administration provides trainings for justices of the peace (justice court judges) on program implementation. Although program participation is not mandatory for tenants or landlords, judges are expected to discuss the program with tenants and landlords during the eviction hearing. TEDP (through the Texas Rent Relief Program) conducts outreach and stakeholder education (for courts and lawyers), receives and reviews applications for eligibility, and processes payments to participating landlords. Funds are provided by the Texas Rent Relief Program and can be used to cover rent owed, utilities, and late fees. Landlords and tenants receive a TEDP brochure in every citation for eviction case filed. Participation is voluntary, and both the landlord and tenant must agree to divert during their court hearing. TEDP staff also lead outreach and education events targeted at renters, landlords, legal aid staff, and community stakeholders.

In Pinellas County, PEDP is coordinated by the Community Law Program in collaboration with two legal aid associations, the local homeless Continuum of Care lead agency, the Juvenile Welfare Board, and grassroots community organizations. The program provides a continuum of support to tenants. The Community Law Program facilitates distribution of rental assistance, and other groups provide outreach, housing navigators, help with housing navigation transportation and transportation to court, and other household needs. There is no formally mandated court involvement in PEDP, although staff have developed relationships with several judges who preside over eviction cases, and these judges refer renters and landlords to the program.

In Philadelphia, Community Legal Services provides legal assistance and coordinates other partners in both PEPP and the Eviction Diversion Program, and Good Shepherd Mediation Program coordinates the mediation component of the Eviction Diversion Program. Community Legal Services coordinates regular, formal check-ins across all organizations to discuss cases and program status. Under the Eviction Diversion Program, landlords are required to notify tenants of their rights and to request a mediation conference before filing an eviction. Landlords submit the mediation request through the program's portal and are scheduled for a mediation conference within 30 days. All participants are offered mediation and a housing counselor; legal assistance is provided on a case-by-case basis. The new Municipal Court order automatically enrolls landlords and tenants in PEPP and requires landlords to apply for rental assistance funds.²⁴ As with PEDP and CEDP, justices may participate in and support PEPP, but they are not required to do so.

All four programs primarily serve tenants with low incomes, although rental assistance components have additional eligibility requirements. As presently operating, the programs in Pinellas County, Philadelphia, Colorado's Lake County, and Texas also require the demonstration of COVID-19-related financial hardship to receive assistance. In Texas, tenants must also show that they are at risk of experiencing homelessness or housing instability or that a household would need to move into an unsafe or unhealthy living environment (such as a shared living situation or emergency shelter) if it did not receive rental assistance. TEDP also requires participating landlords to waive any fees or penalties not covered by the program, not pass court costs on to the tenant, waive all claims raised in the eviction case, and not evict tenants during the period they receive rental assistance from the program.

Racial and Economic Equity

In our interviews, racial equity considerations in program design came out most clearly when discussing outreach to tenants and landlords. Interviewees were familiar with racial disparities in housing instability and evictions and developed outreach strategies focused on reaching at-risk residents in communities of color. In Pinellas County, targeted outreach is particularly important. Even though Black people account for only 12 percent of the county's population, PEDP leaders reported that even before the pandemic, 35 percent of their clients were Black. During the pandemic, approximately 55 to 60 percent of their clientele have been Black or other people of color.

Pinellas County has incorporated equity through strong partnerships with local community development and nonprofit organizations that are led by and trusted by people of color. In partnership with these organizations, PEDP deploys a suite of tailored outreach activities, including canvassing door to door and providing information at social and cultural establishments like barber shops.

In Texas, TEDP has held webinar trainings for legal aid staff so they can be more prepared to support renters involved in eviction proceedings. Staff describe these and related provision and outreach considerations as vital to meeting the needs of varied applicants where they are and to ensure that renters who face the greatest barriers accessing services are prioritized.

Although outreach is important, making that outreach accessible to all who need it is vital. TEDP focuses on language inclusivity and building knowledge of and support for the program among multiple stakeholder groups. Its website is available in five languages (English, Spanish, Korean, Mandarin, and Vietnamese), and a language line is available in more than 200 languages from Monday through Saturday from 8 a.m. to 6 p.m. A recent statewide mailer printed in both English and Spanish was sent to 228,000 renters whose annual incomes are less than \$30,000. TEDP also has a staff member dedicated to Spanish-language media coverage.

In Colorado, CEDP, and specifically the Lake County Unmet Needs Committee program, serves a large population of immigrants for whom English is their second language. Lake County conducts outreach in both Spanish and English and partners with organizations that have built deep trust with immigrant communities. For many tenants hesitant to access federal and state resources because of their immigration status, Lake County's program provides the necessary bridge to their access.

In practice, equity requires dedicating advocacy and resources to those most in need. TEDP prioritizes populations that are often left out of or are ineligible for housing support or assistance services in its program design and outreach. For example, TEDP removed common barriers to rental and housing support—such as requiring a written lease to qualify—and instead allows other forms of proof to establish a landlord-renter relationship. To prioritize applicants with the lowest incomes, it held the first few weeks of the program's operation as a priority period to process applicants with incomes less than 50 percent of the area median income and those who were unemployed.

Changes over Time

At all four programs, the stakeholders we interviewed commented that their organizations have needed to grapple with rapidly changing legal, economic, and funding environments. The nature and applicability of local, state, and federal moratoriums have changed over time, and federal assistance, especially for rental assistance but also for other programs, has become available. In Texas, for example, TEDP was piloted under Community Services Block Grant funds but grew statewide as a result of an influx of US Treasury Department Emergency Rental Assistance Program funds. These funds also allowed TEDP to expand a training program so all justices of the peace would have access to and resources on the program for implementation.

Even in programs like PEDP and PEPP, where local partners were already working together on eviction prevention and diversion before the pandemic, programming needed to change to reflect the challenges presented by COVID-19. As Sue Wasserkrug, program administrator of Philadelphia's Good Shepherd Mediation Program, put it, "We're flying the plane while we're building it. I think what I would've done differently is build the plane first." In Philadelphia, responding to remote proceedings and other public health mandates of the pandemic required careful planning. Rachel Garland, managing attorney of the housing unit at Community Legal Services, noted that navigating virtual intake of tenants takes three to four times as long as it would in person and that maintaining client confidentiality is difficult. Even with some courts returning to in-person proceedings, program staff and tenants have needed to preserve social distancing and navigate shifting requirements.

Role of Landlords

Across our interviewees, a common theme was that before the pandemic, landlords had less incentive to negotiate with a tenant: eviction courts were fast, cheap, and effective. However, as Wasserkrug described, "Every cloud has its silver lining. COVID is about the worst cloud we've ever been under, [but] I've been amazed...by all of the creativity that has come out of, all of...the doors that have been opened, and I think this [program] is one of them." COVID-19's economic disruptions, coupled with eviction moratoriums and increased sources of rental assistance, made mediation and settlements more attractive to landlords. In Philadelphia, interviewees noted that the pandemic, both through moratoriums and because court processes have been paused or simply take longer remotely, has slowed the eviction process to such an extent that mediation has become significantly more attractive to landlords. Additionally, the local landlord association has been incorporated into the process and has been helpful in raising the Eviction Diversion Program's visibility among landlords in a period when in-person outreach has been less viable.

In Pinellas County, PEDP staff stressed their ability to move funds quickly into the hands of landlords, shortening a process that previously could take many months to about two weeks. This efficiency has helped drive landlord buy-in and participation. Even so, leadership stressed that broken relationships between landlords and tenants can be more of a barrier to landlord take-up than lost income, and despite PEDP's ability to quickly disburse funds, landlords may still choose not to participate. In these instances, PEDP liaises between parties to help rebuild rapport, but staff noted that

rapprochement is not always possible. Elsewhere, the speed with which funds from different sources can be distributed has influenced take-up. In Lake County, Colorado, for instance, locally raised funds do not cover 100 percent of rent, but they are distributed more quickly than state funds, which are more generous but take longer. This state-level delay has meant that smaller landlords have tended to be more open to the continued use of local funds, while larger landlords, with other sources of regular cash flow, have tended to move to the state-funded program.

In Texas, TEDP leadership said that even though referral is provided through the courts, some landlords still choose not to participate. In most cases, however, once landlords learn of the typically faster and greater financial benefits to participating, they opt in. TEDP also has held statewide webinars to share program information with and answer questions from landlords. Each webinar has had close to 1,000 participants.

Challenges and Unmet Needs

Program staff and partners staff identified a range of challenges, including tenants' lack of knowledge about how the legal eviction process works, challenging policy environments, and a lack of resources and staff capacity.

In Texas, TEDP leadership identified ongoing challenges around limited or inaccurate tenant understanding of eviction processes, court navigation, and their respective rights. Consequently, they focus on outreach and information provision on tenant rights and related expectations as tenants navigate rental payment and court processes. Leadership also described challenges, particularly those relating to technology and program data management, in launching a statewide program quickly during the pandemic and bringing it to scale. Media reports confirm that the rollout has been slow.²⁵

In Pinellas County, PEDP leadership discussed concerns about funding and service provision sustainability, including limited staff capacity as a relatively small nonprofit to apply for continuing funding. From a policy standpoint, they also described the voluntary nature of court participation as a barrier to take-up. Multiple judges provide referrals but do so at their discretion, and other judges provide no referrals.

PEDP leadership also discussed challenges for their clients resulting from eviction cases being part of public record in Florida, even if the cases end up being dropped. This can affect tenants' ability to secure housing for many years. To address these challenges, PEDP advocates for policy for court-mandated participation in eviction mediation cases as well as to permit tenants affected by COVID-19 to have their eviction cases expunged or sealed from public view.

Outcome Tracking

The four programs all track outcomes, although some systems are more robust than others. Success in Pinellas County is measured by the number of tenants who remain housed or the number of tenants who do not experience homelessness if they have been displaced. In Pinellas, PEDP uses a case

management system for inputting and tracking data on whether applicants are able to remain housed, the results of mediation and eviction filings, cases dismissed, tenants' success in finding new housing if they needed to move, and the number of months tenants have been able to remain in their unit at the conclusion of mediation, with at least two months considered a success. In Philadelphia, the Eviction Diversion Program uses a city-created and supported portal with outcome codes for all cases. The portal is not public facing, but all organizations in the program have access. As of January 2021, about 70 percent of parties who participated in mediation reached an agreement for the tenant to stay in the unit, and an additional 22 percent agreed on a different outcome, such as the tenant's moving out.²⁶

In Colorado, CEDP tracks case intake and outcomes, and it plans to invest in a more comprehensive program evaluation in 2021. In Texas, TEDP primarily evaluates success by collecting data on the number of applicants who were supported and the amount of funding provided to help applicants reach housing stability.

Lessons for Policy and Programs

Since the beginning of the COVID-19 pandemic, researchers, advocates, and practitioners have warned that without policy changes and programmatic interventions, the US will see a surge in evictions among renters as a result of job and income losses. In response, policymakers at all levels of government have adopted a range of policies aimed at preventing that surge, from cash and rental assistance to eviction moratoriums. At the same time, judges and court administrators, state and local officials, advocates, and service providers have designed a range of programmatic interventions, often diverting impending evictions from formal eviction proceedings and connecting renters or their landlords in financial distress to funds and resources to cover missed rent. Combined, these policy and program interventions have largely worked—at least temporarily. Eviction rates since the onset of the pandemic remain well below their historical averages; however, as noted above, where moratoriums have been lifted, are expired, or have been overturned by courts, evictions are spiking again (CFPB 2021).

However, few of these interventions address the financial insecurity that has been a fundamental driver of eviction risk for renters with low incomes, both before and during the pandemic. As the national economy remains mired in recession and many jobs lost to COVID-19 have not been replaced, rental debt continues to accumulate, especially for renters who were financially vulnerable going into the pandemic. Federal eviction moratoriums are set to expire in the coming months, and rental assistance in the most recent round of federal stimulus funds has yet to be distributed. Even when rental assistance hits the ground, it will likely be insufficient to cover rent arrears from the pandemic or the narrow rental affordability gaps that predated the pandemic (Strochak et al. 2020). Simply put, the eviction cliff still looms large.

Our scan of national eviction prevention and diversion programs and interviews with program administrators and partners involved in four state and local programs revealed several lessons that can help inform policymaking and program design in the crucial months ahead, as existing eviction

prevention and diversion programs ramp up and new programs are created to respond to growing needs.

First, promising eviction prevention and diversion program models **address renters' needs holistically**. Job or income losses often motivate renters to participate in these programs, but counselors and advocates working with them quickly learn about adjacent issues that also threaten housing stability, such as depleted savings, unpaid utility bills, high-cost debt, and health challenges. To prevent evictions and stabilize housing, programs need to be prepared to address these issues, often through referrals to financial counselors or social service providers. In some cases, the adjacent issues are in the landlord's control, such as deferred maintenance, unhealthy living conditions, and excessive fines and fees. In these instances, strong and informed advocacy can help persuade landlords to address outstanding issues and comply with existing laws.

Judge Annette Rizzo, who developed and led the Philadelphia court's successful Residential Mortgage Foreclosure Diversion Program, said: "Job losses and missed rent gets them in the door, but that is just the start of the conversation. Often, we learn about other barriers to keeping their homes—a disability, dispute with the landlord, or language barrier. That's why it is so important to activate our counselor networks." In Pinellas County, housing specialist Alex Strieder also emphasized the important role that housing counselors play in assessing tenants' barriers to housing, which might include criminal records, inadequate income, not being able to pay move-in fees, or having gaps in knowledge about their rights and responsibilities as renters. Strieder also emphasized the need for a holistic approach and suggested that in future programming, PEDP hopes to address broader renter challenges, including incorporating case management services to assist clients after they have been placed to support long-term housing stability. "Things like child care, education, and job training to get better jobs—these are missing from the picture—but they would all better serve our clients in securing or staying in their homes," Strieder said. "We're good at getting them into housing, but keeping them in is the real key."

Evidence from eviction prevention programs before COVID-19 (Daley 2020), as well as our interviews, shows the importance of coordinating within and across organizations and having open and timely chains of communication. But the capacity to run a multifaceted intervention also takes resources: everything from recruitment, outreach, and marketing to actual service delivery can be labor-intensive, and organizations doing this work need support to do it effectively. In some cases, volunteer-driven efforts, such as the volunteer-driven mediation at Good Shepherd, can play a role, but even here, managing and training volunteers take capacity and the ability to scale up quickly as needs arise.

Second, program administrators and partners emphasized the **need to recruit and collaborate with landlords** to participate in the program. Several interviewees emphasized how these programs helped shift an oppositional landlord-tenant relationship toward a less adversarial, more mutually beneficial relationship. Across programs, we heard that even though landlords have historically tended to avoid mediation, they have in the current moment recognized the benefits of participation, including, according to Judge Rizzo, "having someone to talk to when there is a nonresponsive tenant." Many landlords have come to understand that it often makes more economic sense to work with a tenant to procure funding rather to secure an eviction that would lead to no tenant (or rent) at all. The mix of

economic uncertainty and health concerns caused by the pandemic has made everything from finding a replacement tenant to showing a vacant unit more difficult. In Philadelphia, a city with a large stock of small rental properties, the focus of outreach is on small landlords, who appear to be receptive to participation in PEPP. In Texas, TEDP targets outreach and program information sharing to landlords statewide. Kimberly Rodgers, PEDP executive director, cited her organization’s ability to expedite rental assistance as a key factor in bringing landlords to the table: “We’re finding that most landlords, once they understand what our program provides and come to see it as an expedited way to get paid—because they want to get paid and need to get paid—they tend to participate. We probably wouldn’t have the level of participation we have if we didn’t have the expedited rental assistance available, but right now the participation is fairly high.”

Still, some program administrators report difficulties initially recruiting landlords to participate, especially if they believe the program would delay their ability to collect owed rent or evict a nonpaying tenant. However, most landlords eventually come to see the eviction prevention programs as a “win-win” for all parties to the dispute. In fact, interviewees in Philadelphia and Texas described multiple winners, because not only did the tenants, their communities, and landlords benefit, so too did the courts by saving money when avoiding costly eviction proceedings. As one TEDP leader said, “Due to the pandemic, we have an incredible number of evictions in the pipeline, and many courts in the state, due to challenges in going digital or due to many cases becoming abated through the [CDC’s] eviction moratorium, have a backlog. There are thousands of eviction cases coming through the pipeline, so our program is meant to provide relief to those tenants, also to support landlords, and to provide relief to the courts as well with that backlog.” In Philadelphia, Wasserkrug commented, “As mediators, we always say that in contrast to litigation, where someone wins and someone loses, mediation is always win-win. In landlord-tenant context, it’s win-win-win: landlord, tenant, and community as a whole.”

Third, everyone we spoke to who was involved in administering these programs agreed that **rental and other forms of financial assistance are essential** to making all other program elements work. If renters are behind on rent, they risk eviction regardless of how strong their legal representation is and even if a temporary moratorium is airtight. Moratoriums simply postpone the consequences of missed rent and do not relieve renters from their payment obligations (in many cases, landlords continue to pile on late fees or move forward with evictions in violation of moratoriums). In other words, the existing moratoriums are not designed to resolve underlying and long-standing drivers of the eviction crisis that will still exist in the years ahead. Legal representation can strengthen a tenant’s hand and help pinpoint and address any legal violations by the landlord, but one or more months of missed rent is almost always a lease violation and grounds for eviction. According to Judge Rizzo in Philadelphia, “Rental assistance is the anchor to preventing evictions. There may be legal issues that we uncover as well. But it all comes back to finding resources to pay the rent.”

At the same time, short-term rental assistance may not resolve all the challenges that tenants (or their landlords) face in sustaining housing. To address these ongoing challenges, many programs, including PEPP in Philadelphia and PEDP in Pinellas County, use housing counselors to assess the prospects for long-term tenancy after rental assistance expires, look for ways to connect tenants to

needed services, and, when necessary, help repair broken relationships between the landlord and tenant. In Pinellas County, Alex Strieder noted that these relationship and communication challenges can persist even after tenants have attempted to improve strain, which is why the navigation and counseling support PEDP provides is often vital: “Almost all the tenants have already tried, so that [navigation and counseling] piece is imperative. We hold your hand and help with applications and contact landlords...Having an advocate in your corner to support you is really beneficial. That’s why we’ve been successful; we’ve had those relationships with landlords.”

Fourth, all parties involved in creating, managing, and supporting eviction prevention and diversion programs need to **center equity in program design and outreach**. Many eviction prevention and diversion programs in place before the pandemic were motivated by research and experience that exposed glaring and persistent racial disparities in eviction filings. For example, the PEPP pilot was inspired in part by research showing the extreme concentration of eviction filings in South Philadelphia and other lower-income neighborhoods with a majority of Black and Latinx residents. Because the COVID-19 pandemic has dramatically increased housing instability and eviction risk in communities of color,²⁷ new programs must be intentional and take affirmative steps to improve housing stability in those communities. Some interviewees noted that traditional outreach strategies that proved effective during the foreclosure crisis, such as door-knocking, have not been possible during the pandemic, so program administrators needed to get creative.

Some specific outreach strategies shared by eviction prevention program leaders are

- conducting outreach via radio public service announcements, utility notices, and even at vaccination sites;
- working with community-based organizations and other trusted intermediaries for referrals;
- conducting outreach at socially and culturally relevant businesses or institutions;
- deploying multilanguage earned and paid media strategies and campaigns;
- employing bi- or multilingual staff fluent in the languages of clients served; and
- preparing all outreach materials in multiple languages.

Racial equity can also be improved by understanding needs and tracking outcomes, whether by conducting a needs assessment before implementing programs to better understand the communities they serve or by reviewing disaggregated program data on clients served and tracking outcomes by race. In Lake County, it was vital that the Unmet Needs Committee conducted a needs assessment of the community before formally setting up its eviction diversion program. As Stephanie Cole, executive director of Full Circle of Lake County and member of the Lake County Unmet Needs Committee, explained, “Folks that had lost their job and didn’t have any access to unemployment, they were working under the table, they had major barriers or fears to accessing any government assistance. Very quickly, we realized that [our] focus needed to be on those left behind from our safety net...There’s still a large portion that’s totally left behind, so that was a driver of the design, was to bring a balance to the relief efforts.”

Fifth, we consistently heard about the need to **design programs flexibly and to continuously adapt to rapidly changing circumstances**. As Judge Rizzo put it, “Responding to this eviction crisis is different than the foreclosure crisis because the landscape keeps changing every couple hours, not every few months or years.” This volatility makes it difficult to agree on a standard or constant with which to measure success. At the outset, many of these programs were designed or modified to address public health concerns and the need to keep renters sheltering in place. But over time, programs have expanded (by necessity) to look at broader economic circumstances and need to address the fundamental fragility of the relationships between tenants and landlords. Most recently, some programs are retooling to focus on eviction mitigation strategies. Recognizing that not all back rent will be paid or other disputes resolved when moratoriums are lifted, program administrators and partners are considering how to help renters with soft landings and graceful exits, such as connecting them to alternative and more affordable housing options and helping them avoid bad marks on their credit, which could prolong their financial and housing instability for years.

Lastly, program administrators and their partners are increasingly looking for ways to **leverage the pandemic response to create enduring solutions to the ongoing eviction crisis**. Moratoriums and federal rental assistance support will end in the months ahead, but identifying how to sustain and scale up some of the innovations from these programs can limit the destabilizing impacts of evictions on renter households and their communities. As one interviewee told us, “Now is the time to think long and go big.” There is widespread recognition among all the state and local leaders we talked to that the eviction crisis predated the pandemic, driven by long-standing shortcomings in our housing delivery and access to justice systems, as well as by structural racism.

Of course, state policies vary widely. What may be already enacted in one state may be considered unrealistic in another, so efforts need to be tailored to the needs and realities of specific localities. Our interviewees in Florida and Colorado stressed how state laws make it relatively easy to evict tenants: in both states, tenants are given short periods of time—only three days in Florida—between receiving an eviction notice for nonpayment of rent and needing to either pay the missed rent or vacate the property. In these states, advocates and policymakers are at a different starting point than they are in a state like Massachusetts, which one interviewee noted was a national model. Changing policy in a given state requires proposing policies that are both realistic and impactful.

State and local programmatic responses are beginning to point to systemic changes that can eventually pull the nation out of its persistent eviction crisis and make us more resilient to future economic shocks and public health emergencies. As the economy and housing market get back to some semblance of normalcy, programs and advocates are trying to lock in elements that encourage participation from all parties. Making alternative dispute resolution mandatory, providing a means for tenants to expunge eviction actions against them, increasing eviction filing fees, and ensuring right to counsel could all have some effect. Among the program staff we spoke with, there is some hope that the successes of these programs over the past year may have improved their visibility and attraction for potential participants, particularly landlords.

Through these eviction prevention and diversion programs, we are learning that when landlords and tenants are provided a neutral forum for negotiation, they can reach mutually beneficial agreements. We are learning that when they are supported by advocates, tenants can avoid eviction. We are learning that flexible and targeted rental assistance is key to the success of these programs and that programs that provide complementary services can tailor what they offer to most effectively meet the needs of people facing eviction. We are learning that the programs that are most successful at closing equity gaps incorporate equity principles from program design through implementation and outreach. But to build an eviction prevention system that lasts, these lessons need to be incorporated into bolder policies, new partnerships, and expanded resources.

Appendix. Scanned Eviction Prevention and Diversion Programs

CALIFORNIA

- Eviction Defense Collaborative (San Francisco)
- Sacramento CARES Mediation Program (Sacramento)
- Sargent Shriver Civil Counsel Act (multiple cities)

COLORADO

- Eviction Legal Defense Pilot (Denver)
- COVID-19 Eviction Defense Project (statewide)

CONNECTICUT

- Eviction and Foreclosure Prevention Program (statewide)

DELAWARE

- Joint Effort on Foreclosure and Eviction Prevention (statewide)

DISTRICT OF COLUMBIA

- Legal Aid Society of the District of Columbia (District-wide)

FLORIDA

- Pinellas Eviction Diversion Program (Pinellas County)
- COVID-19 Eviction Diversion Program (Orange County)

HAWAII

- STAE (Steps to Avoid Eviction) (Statewide)

IDAHO

- Pilot Eviction Mediation Program (Canyon County)

ILLINOIS

- Chicago Eviction Diversion Program/Court-based Emergency Rental Assistance (CERA) (Chicago)
- COVID-19 Eviction Prevention Project (Cook County)
- Eviction Mediation Program (Kane County)

INDIANA

- Landlord and Tenant Settlement Conference Program (statewide)

IOWA

- Polk County eviction program (Polk County)

KENTUCKY

- Healthy at Home Eviction Relief Fund (statewide)

MASSACHUSETTS

- Eviction Diversion Initiative (statewide)
- HomeStart (Boston)

MICHIGAN

- 67th District Court Eviction Diversion Program (Flint)
- Eviction Diversion Program (statewide)
- Kalamazoo County Eviction Diversion Program (Kalamazoo County)
- Jackson County Eviction Diversion Program (Jackson County)

MINNESOTA

- Ramsey County Housing Court Clinic (Ramsey County)

MONTANA

- Montana Eviction Intervention Project (statewide)

NEVADA

- Eviction Mediation Program (statewide)

NEW HAMPSHIRE

- Landlord and Tenant Mediation Pilot Project (statewide, with mediation piloted in two courts)

NEW YORK

- Universal Access to Counsel (New York City)
- Red Hook Community Justice Center (Red Hook, Brooklyn, New York City)
- Eviction Prevention Pilot Initiative (Monroe County)

NORTH CAROLINA

- Durham Eviction Diversion Program (Durham)
- Human Relations Eviction Diversion Mediation (Forsyth County)

OHIO

- Community Mediation Services of Central Ohio (Columbus/Franklin County)
- Restart CLE and Cuyahoga County (Cleveland/Cuyahoga County)

PENNSYLVANIA

- Eviction Prevention and Intervention Coalition (Montgomery County)
- Philadelphia Eviction Prevention Project/Eviction Diversion Program (Philadelphia)

RHODE ISLAND

- Safe Harbor Housing Program (statewide)

SOUTH CAROLINA

- Charleston County Housing Court (Charleston County)

TENNESSEE

- Alternative Dispute Resolution Plan (statewide)

TEXAS

- Texas Eviction Diversion Program (statewide)

VERMONT

- Rental Housing Stabilization Program/Landlord-Tenant Mediation Program (statewide)

VIRGINIA

- Housing Justice Program (Richmond)
- City of Richmond Eviction Diversion Program (Richmond)
- Virginia Eviction Reduction Pilot (statewide)

WASHINGTON

- Eviction Resolution Pilot Program (Clark, King, Pierce, Snohomish, Spokane, and Thurston Counties)

WISCONSIN

- Eviction Defense Project (Dane and Milwaukee Counties)

Notes

- ¹ Sean Veal and Jonathan Spader, “Nearly a Third of American Households Were Cost-Burdened Last Year,” Joint Center for Housing Studies of Harvard University, December 7, 2018, <https://www.jchs.harvard.edu/blog/more-than-a-third-of-american-households-were-cost-burdened-last-year>.
- ² Data from the US Census Bureau’s American Housing Survey.
- ³ Nicole DuBois, Corianne Scally, Kathryn Reynolds, Maya Brennan, and Martha Fedorowicz, “The Future Is Shared’: Why Supporting Renters during COVID-19 Is Critical for Housing Market Stability,” Urban Institute, April 14, 2020, <https://housingmatters.urban.org/feature/future-shared-why-supporting-renters-during-covid-19-critical-housing-market-stability>.
- ⁴ “A Glimpse into the Eviction Crisis: Why Housing Stability Deserves Greater Attention,” Expanding Prosperity Impact Collaborative, July 22, 2019, <http://www.aspenepic.org/a-glimpse-into-the-eviction-crisis-why-housing-stability-deserves-greater-attention/>.
- ⁵ Maya Brennan, Kimberly Burrowes, Mychal Cohen, and Ellen Sahli, “A Head Start for Eviction Prevention: Reaching Families Before They’re in a Housing Crisis,” Urban Institute, February 5, 2020, <https://www.urban.org/features/head-start-eviction-prevention>.
- ⁶ Ellen Sahli and Maya Brennan, “Four Lessons from Minnesota Can Inform the Eviction Crisis Debate,” *Urban Wire* (blog), Urban Institute, December 16, 2019, <https://www.urban.org/urban-wire/four-lessons-minnesota-can-inform-eviction-crisis-debate>.
- ⁷ Oksana Mironova, “NYC Right to Counsel: First Year Results and Potential for Expansion,” Community Service Society, March 25, 2019, <https://www.cssny.org/news/entry/nyc-right-to-counsel>.
- ⁸ David Bizar and J. Patrick Kennedy, “Is the CDC’s Nationwide COVID-19 Eviction Moratorium Down for the Count?” *JD Supra*, March 19, 2021, <https://www.jdsupra.com/legalnews/is-the-cdc-s-nationwide-covid-19-7768527/>.
- ⁹ “Responding to Coronavirus: Ensuring Housing Stability during a Crisis,” National Low Income Housing Coalition, last updated January 15, 2021, <https://nlihc.org/coronavirus-and-housing-homelessness/responding-coronavirus>.
- ¹⁰ Will Fischer, “For Struggling Renters: Housing Vouchers for All Who Need Them,” *Off the Charts* (blog), Center on Budget and Policy Priorities, February 1, 2021, <https://www.cbpp.org/blog/for-struggling-renters-housing-vouchers-for-all-who-need-them>.
- ¹¹ “Census Household Pulse Survey: Key Phase 2 Findings,” HUD User, accessed April 2, 2021, <https://www.huduser.gov/portal/pdredge/pdr-edge-spotlight-article-092820.html>.
- ¹² Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19, 86 Fed. Reg. 8020 (Feb. 3, 2021).
- ¹³ We searched by geographic areas across all 50 states and the District of Columbia for “eviction,” “mediation,” “ADR,” “eviction,” “eviction diversion,” “eviction prevention,” “eviction prevention program,” “eviction mediation program,” and “rent assistance.”
- ¹⁴ “Charleston Housing Court Pilot Project in South Carolina,” Eviction Innovations, April 20, 2020, <https://evictioninnovation.org/2020/04/20/court-pilot-charleston/>.
- ¹⁵ Michigan State Housing Development Authority, “New Eviction Diversion Program Offers \$50 Million in Relief for Renters, Landlords,” news release, accessed April 3, 2021, https://www.michigan.gov/mshda/0,4641,7-141-7559_9637-534249--,00.html.
- ¹⁶ Office of the Governor, State of Michigan, “Executive Order No. 2020-134: Eviction Diversion Program for COVID-19-Related Debtors,” June 26, 2020, <https://www.67thdc.com/wp-content/uploads/2020/07/EO-2020-134-Emerg-order-eviction-diversion-final-signed.pdf>.

- ¹⁷ Phoebe Tollefson, “Program Partners Want to Extend Legal Aid for Tenants into 2021: ‘It Feels Pretty Dire,’” *Billings Gazette*, December 28, 2020, https://billingsgazette.com/news/state-and-regional/program-partners-want-to-extend-legal-aid-for-tenants-into-2021-it-feels-pretty-dire/article_592fc592-075e-5b3e-96c3-abaaf5d51c6a.html.
- ¹⁸ “Circuit Court District Division-Landlord and Tenant Procedure,” New Hampshire Judicial Branch, accessed March 28, 2021, <https://www.courts.state.nh.us/district/landlord.htm>.
- ¹⁹ “Housing Resource Centers,” Center for Court Innovation, accessed March 28, 2021, <https://www.courtinnovation.org/programs/housing-resource-centers/more-info>.
- ²⁰ “COVID-19 Eviction Diversion Program,” Pinellas Eviction Diversion Program, accessed March 28, 2021, <https://pinellasevictiondiversion.org/>.
- ²¹ President Judge Administrative Order 15, amended, “Residential Eviction Moratorium and Exceptions. Service of Writs and Alias Writs of Possession,” First Judicial District of Pennsylvania, Philadelphia Municipal Court, 2021, <https://www.courts.phila.gov/pdf/regs/2021/15-of-2021-PJ-ORDER.pdf>.
- ²² City of Philadelphia, “Mayor Kenney Announces Philadelphia Eviction Prevention Project,” news release, January 30, 2018, <https://www.phila.gov/2018-01-30-mayor-kenney-announces-philadelphia-eviction-prevention-project/>.
- ²³ “COVID-19 Emergency Tenant Protections,” City of Philadelphia Fair Housing Commission, accessed April 2, 2021, <https://www.phila.gov/FairHousingCommission/Pages/COVID-19EmergencyTenantProtections.aspx>.
- ²⁴ As the court order was only recently passed, the ramifications of this for program capacity and staffing are unknown.
- ²⁵ Dom DiFurio, “Bumpy State Rollout Means Federal COVID Relief May Not Reach Texas Renters before Evictions Do,” *Dallas Morning News*, April 6, 2021, <https://www.dallasnews.com/business/economy/2021/04/06/bumpy-state-rollout-means-federal-covid-relief-may-not-reach-texas-renters-before-evictions-do/>.
- ²⁶ Emily Nonko, “Philadelphia Tries Mediation to Prevent Evictions,” *Yes! Solutions Journalism*, March 31, 2021, <https://www.yesmagazine.org/economy/2021/03/31/covid-eviction-program-helps-landlords-tenants>.
- ²⁷ Solomon Greene and Alanna McCargo, “New Data Suggest COVID-19 Is Widening Housing Disparities by Race and Income,” *Urban Wire* (blog), Urban Institute, May 29, 2020, <https://www.urban.org/urban-wire/new-data-suggest-covid-19-widening-housing-disparities-race-and-income>.

References

- Been, Vicki, Deborah Rand, Nicole Summers, and Jessica Yager. 2018. “Implementing New York City’s Universal Access to Counsel Program: Lessons for Other Jurisdictions.” New York: NYU Furman Center.
- Benfer, Emily A., Solomon J. Greene, and Margaret Hagan. 2020. “Approaches to Eviction Prevention.” New York: Social Science Research Network. <http://dx.doi.org/10.2139/ssrn.3662736>.
- CFPB (Consumer Financial Protection Bureau). 2021. *Housing Insecurity and the COVID-19 Pandemic*. Washington, DC: CFPB.
- Cowin, Rebecca, Hal Martin, and Clare Stevens. 2020. *Measuring Evictions during the COVID-19 Crisis*. Cleveland: Federal Reserve Bank of Cleveland.
- Cunningham, Mary K., Ananya Hariharan, and Olivia Fiol. 2021. “The Looming Eviction Cliff.” Washington, DC: Urban Institute.
- Daley, Cynthia Witman. 2020. “Achieving Housing Stability with Eviction Diversion Programs: A Guide to Best Practices during COVID and Beyond.” Glenside, PA: Regional Housing Legal Services.
- Desmond, Matthew. 2015. “Unaffordable America: Poverty, Housing, and Eviction.” *Fast Focus 22*. Madison, WI: University of Wisconsin, Madison, Institute for Research on Poverty.

- Gromis, Ashley. 2019. "Eviction: Intersection of Poverty, Inequality, and Housing." Princeton, NJ: Princeton University, Eviction Lab.
- Hepburn, Peter, Renee Louis, and Matthew Desmond. 2020. "Racial and Gender Disparities among Evicted Americans." *Sociological Science* 7:649–62.
- Neumann, Zach, Sam Gilman, and Katherine Lucas McKay. 2020. "Emerging Best Practices for COVID-19 Emergency Rental Assistance Programs." Washington, DC: Aspen Institute.
- Parrott, Jim, and Mark M. Zandi. 2021. "Averting an Eviction Crisis." Washington, DC: Urban Institute.
- Strochak, Sarah, Aaron Shroyer, Jung Hyun Choi, Kathryn Reynolds, and Laurie Goodman. 2020. "How Much Assistance Is Needed to Support Renters through the COVID-19 Crisis?" Washington, DC: Urban Institute.

Errata

This brief was corrected May 6, 2021. A sentence on page 14 was revised to say that the language line used by the Texas Eviction Diversion Program offers assistance in more than 200 languages. A previous version said more than 300 languages.

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Acknowledgments

The Housing Crisis Research Collaborative is supported by JPMorgan Chase & Co. and the Wells Fargo Foundation and managed by the Urban Institute. We are grateful to them for allowing the collaborative to advance its goals.

The views expressed are those of the authors and should not be attributed to the Urban Institute, its trustees, or its funders. Funders do not determine research findings or the insights and recommendations of Urban experts. Further information on the Urban Institute’s funding principles is available at urban.org/fundingprinciples.

Special thanks to Sam Gilman and Zach Neumann at the Colorado COVID-19 Eviction Defense Project; Stephanie Cole at Full Circle of Lake County Inc.; Noah Sosin at Lake County Build a Generation; Kimberly Rodgers at Community Law Program; Alex Strieder at Homeless Leadership Alliance of Pinellas; Sue Wasserkrug at Good Shepherd Mediation Program; Rachel Garland at Community Legal Services; Judge Annette Rizzo at JAMS; and Monica McCarthy and Mariana Salazar at the Texas Department of Housing and Community Affairs for sharing their insights and for their work in communities to prevent evictions. We are also grateful to our reviewers who provided thoughtful feedback on drafts of the brief: Emily Benfer at Wake Forest School of Law, Sophie House at NYU Furman Center for Real Estate and Urban Policy, Madeline Youngren at Legal Services Corporation, Reed Jordan at Wells Fargo, and Teryn Zmuda at the National Association of Counties. Thank you to Deanna Parrish, Julian Huertas, and Daniel Nissimyan of the Harvard Negotiation and Mediation Clinical Program for their insights on this work. Thank you to Meghan Ashford-Grooms and Elaine Eldridge for providing excellent editorial support and smart edits.



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