



Perceptions of Eviction Likelihood among Renters of Color

Fear, Anxiety, and Housing Precarity

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Federal, state, and local eviction moratoriums can help mitigate racial disparities by supporting renters of color who, because of income loss from COVID-19 and other structural factors, are at a disproportionate risk for eviction. However, some research shows that landlords may not always comply with eviction moratoriums or may issue informal threats of eviction—and renters are often unaware of their legal protections. In this brief, we explore why perceptions of eviction threat are commonly held by Black renters and other renters of color in the District of Columbia (DC). To mitigate anxieties among these communities, we recommend DC policymakers implement new methods to reach communities with less access to the internet and digital technologies, extend financial and rental assistance, and expand mediation services. Additionally, all new policy should be developed through a trauma-informed lens.

To head off an eviction and homelessness crisis after the COVID-19-induced economic recession, states, localities, and the federal government enacted multiple eviction moratoriums, halting evictions for people who have been unable to make rental payments because of economic hardship. Data show that the COVID-19 pandemic continues to adversely affect the employment rates, wages, and health outcomes of Black people more than those of white people (Gould and Wilson 2020). Given that Black renters and other renters of color have lost wages because of the pandemic at a disproportionate rate, eviction moratoriums should especially confer benefits to renters of color. In DC, however, data show that despite the city's relatively strong eviction moratorium, renter households that are headed by a Black person and are not caught up on rent largely believe in the likelihood of an impending eviction.¹

In this brief, we draw on interviews with tenant service organizations in DC, as well as the broader literature on eviction, housing precarity, and mental health, to explore why Black renters who were not caught up on rent may feel a threat of eviction in DC despite the strength of the local moratorium—and why it matters. In interviews, we found the following:

- Tenants appear to be reaching out to tenant assistance organizations seeking legal aid for an impending eviction, emergency rental assistance, or information on their rights despite the existence of an eviction moratorium.
- Tenants may be aware that an eviction moratorium exists but either do not understand the full scope of the protections or do not trust that the moratorium would protect them.
- Tenants may not be able to access information on the eviction moratorium’s protections because of language and technological access barriers.

We conclude with a discussion of how housing precarity, even under the threat of eviction, affects mental health and connect our observations to a wider body of literature from behavioral economics and other fields that seek to understand how threats and other stimulus can affect people, their behaviors, and their well-being. We offer a series of recommendations for DC and other local housing policymakers to consider so they can bridge the gap between legal protections and the perception of eviction threat, including disseminating information about tenant protections more efficiently and effectively, extending and expanding services already in place, and incorporating a trauma-informed approach to eviction policies generally.

Research Design

This brief seeks to shed light on the perception of the eviction threat in DC during the COVID-19 pandemic among Black renters and other renters of color, especially considering the local eviction moratorium. We explore the question of whether renters of color feel a threat of eviction while ostensibly protected by a formal eviction moratorium. We grounded our research question in data from the US Census Bureau’s Household Pulse Survey, which shows that between May 2020 and July 2021, 46 percent of renter households that were headed by a Black person and were not caught up on rent in DC reported being “somewhat” or “very” likely to be evicted over the following two months, compared with 50 percent of Black renter households nationally.² This suggests that even though the DC moratorium is relatively strong, the average experience of Black renters in Washington has not differed much from the average experience of Black renters across the country.

To explore an unexpected gap between the protections ostensibly available to renters and the perceptions of eviction threat among Black renters in DC, we conducted interviews with housing and tenant advocates across four nonprofit organizations that have worked closely with renters during the pandemic and try to inform tenants of their rights:

- **Bread for the City** provides legal services through its Housing Right to Counsel and Landlord-Tenant Court-Based Legal Services projects, in collaboration with the Legal Aid Society of the

District of Columbia. The Housing Right to Counsel program gives tenants facing eviction in subsidized or low-rent units legal counsel, while Landlord-Tenant Court-Based Legal Services provides same-day advice and representation for tenants facing eviction.

- **Housing Counseling Services (HCS)** offers rental assistance through two funds: the Emergency Rental Assistance Program and the COVID-19 Housing Assistance Program. If a tenant receives assistance from HCS, they may also receive case management and follow-up counseling.
- **The Legal Aid Society of the District of Columbia** provides a continuum of free legal services in a range of areas, including housing, to people living in poverty. Attorneys may assist clients in cases related to eviction, public housing issues, Housing Choice Voucher termination, and poor housing conditions.
- **The Office of the Tenant Advocate** within DC’s municipal government connects all these organizations and their resources to tenants and serves as a source of information on tenants’ rights in DC.

We conducted four interviews of 30–45 minutes with seven different stakeholders from these organizations. Interviews with both Bread for the City and HCS included multiple stakeholders from each organization.

The findings that we report in this brief reflect an informal analysis and review of notes and recordings from the interviews with the housing advocates. Before, at the same time as, and after these interviews, we reviewed existing literature on the relationship between threats of eviction, perceptions of housing security, and mental health to better understand and contextualize what we learned from our interviewees and to pose additional explanations and connections to our existing evidence base on mental health, housing instability, and public policy that researchers and policymakers may consider in future work. We discuss these connections and detail these explorations in our discussion section at the end of this brief.

COVID-19 and Eviction Moratoriums

During the pandemic, the federal Centers for Disease Control and Prevention (CDC), states, cities, and towns implemented eviction moratoriums to preempt a potential homelessness epidemic.

Federal Eviction Protections

The federal government adopted its first eviction moratorium through the CARES (Coronavirus Aid, Relief, and Economic Security) Act in July 2020. Before this initial moratorium expired in July 2020, estimates suggested that 30 to 40 million people might face eviction if the moratorium were lifted, highlighting the urgent need for additional federal—as well as state and local—intervention (Benfer et al. 2020; Cunningham, Hariharan, and Fiol 2021). In September 2020, the CDC instituted a national eviction moratorium, which expired on July 31, 2021. On August 3, 2021, the CDC issued an eviction

moratorium through October 3, 2021, for areas with high and substantial transmission of COVID-19, covering 80 percent of US counties.³ On August 26, 2021, the US Supreme Court announced a decision that the CDC does not have the power to enforce the eviction moratorium, ending the federal moratorium.⁴

Even *with* the federal CDC moratorium in place, however, evictions continued. Many evictions occurred illegally, and some local courts invalidated the federal CDC moratorium altogether.⁵ For example, the Texas Supreme Court issued an order in early April 2021 that forbade the state's courts from putting eviction cases on hold because of the CDC moratorium.⁶ Around the same time, in Ohio, a judge ruled that Congress had not authorized the CDC to enact the moratorium and, consequently, refused to recognize its validity.⁷ Some judges refused to enforce the federal moratorium, while landlords continued to demand rent and tenants remained unaware of their legal rights and protections. A US Government Accountability Office report (2021) found that the rate of evictions was *higher* under the CDC moratorium than the federal CARES Act moratorium that preceded it.

Eviction Protections in the District of Columbia

Some states adopted their own moratoriums—in many cases stricter than the federal government's. By May 2020, 43 states and DC had enacted moratoriums that ranged in expansiveness and length. Some lasted only 10 weeks, while others extended beyond the length of the federal moratorium.⁸ The CDC moratorium stipulated that any state or local moratorium with more restrictive requirements would supersede the national policy.

The Eviction Lab, a research organization that studies eviction and published the first publicly available dataset of evictions in the US, characterizes DC's eviction moratorium as one of the strongest in the country⁹—it proscribes evictions that stem from tenants' loss of wages because of pandemic-driven unemployment. The moratorium, which Mayor Muriel Bowser proposed in March 2020, is stronger than the federal moratorium was in that, among other protections, it bans late fees and utility shut-offs. Until 15 days after the public health emergency ends, no utility company can cease service because a unit is in arrears. In May 2020, DC followed up by banning all eviction filings until 60 days after the DC Council approves lifting the public health emergency order. Lastly, in November 2020, DC made it illegal for landlords to serve their tenants an eviction notice.¹⁰ Originally in place until December 2020, the COVID-19 state of emergency was extended by the council until May 20, 2021, which consequently extended the eviction moratorium to July 20, 2021. Although a DC judge ruled on December 16, 2020, that the city's ban on all eviction filings was unconstitutional, landlords were still prohibited from serving tenants with eviction notices.¹¹

In principle, because DC has prohibited landlords from serving eviction notices to tenants, the court's decision on filings should not have significantly affected the number of legal evictions in DC.¹² However, in line with the national phenomenon, some DC landlords have attempted to evict their tenants via harassment or by raising the threat of eviction.¹³ Despite the relative strength of DC's moratorium, and its potential benefit to Black renters who have disproportionately lost wages as a result of COVID-19, the average experience of Black DC renters has not differed much from the

average experience of Black renters nationwide. According to our tabulation of Household Pulse Survey data between May 2020 and July 2021,¹⁴ 46 percent of renter households that were headed by a Black person and were not caught up on rent payments in DC reported being “somewhat” or “very” likely to be evicted over the following two months, compared with 50 percent of Black renters nationally. In part, gaps in the local law leave renters vulnerable (see box 1 for details on DC’s eviction process). For example, a notice to vacate is not required in nonpayment of rent circumstances if the tenant waived the right to receive such a notice in their lease.¹⁵ Therefore, even though the letter of the law may appear to protect tenants, tenants may be willing to waive their right to a notice to vacate to access secure housing.

BOX 1

The District of Columbia’s Eviction Process

Normally, when an eviction moratorium is not in place, a landlord in Washington, DC, may legally move to evict their tenant if any of the following conditions are met:

- The tenant violates a rule that they are obliged to follow (like paying rent or not having pets living in the unit).
- The tenant violates the law within their rented unit.
- The landlord wants to reside in or otherwise use a rental unit that they own for personal reasons or if the landlord sells the rental unit to someone who wants to reside within or use it for personal reasons.
- The landlord wants to renovate or rehabilitate the rental unit in such a way that would render the unit unfit to house tenants during renovations.
- The landlord wants to demolish the rental unit.
- The landlord wants to stop using the rental unit as housing and instead use it for some other purpose.
- The landlord gets the city’s approval to convert the rental unit into a condominium or housing cooperative.

The most common reason for an eviction filing to occur is nonpayment of rent.

Additionally, DC requires judicial process in all eviction cases, which includes the provision of a written notice to vacate, giving the tenant the opportunity to cure the lease violation (if applicable) and to challenge the landlord’s claims in court.

Source: “Guide to Eviction,” District of Columbia, accessed May 14, 2021, <https://ota.dc.gov/page/guide-eviction>.

COVID-19 and Racial Disparities

In Washington, DC, the pandemic hit Black and Latino* residents hardest. As of May 2021, 76 percent of the more than 1,000 people who had died from COVID-19 were Black. In contrast, 11 percent of the people who had died were Latino, 10 percent were white, and 1 percent were Asian.¹⁶ These figures mirror national trends. Overall, the highest rates of death from COVID-19 were among Black, Pacific Islander, and Indigenous people.¹⁷ Additionally, the death rates of Pacific Islander, Black, Latino, and Indigenous people have been at least twice those of white and Asian American adults.

Economically, the pandemic and resulting economic downturn led to the highest nationwide unemployment rate since the Great Depression, but financial shocks have affected Latino and Black Americans the most.¹⁸ As of September 2020, 72 percent of Latino households and 60 percent of Black households reported serious COVID-19-related financial hardships.¹⁹ Historically, Americans of color are also likely to have fewer savings than white Americans.²⁰ This means that Americans of color often have few funds to pull from in an emergency, which further exacerbates their financial hardship.²¹

During the pandemic, many households' financial hardship has hampered their ability to make rent payments. Nationally, data suggest that Black and Latino renters have been most at risk for falling behind on rent. According to the Pulse survey, from June 23 to July 5, 2021, 16 percent of renters nationally said they were not caught up on rent during the pandemic. That includes 24 percent of Black renters, 18 percent of Latino renters, and 18 percent of Asian renters, compared with 11 percent of white renters.²² In DC, 15 percent of renters said they were not caught up on rent. That includes 30 percent of Black renters and 25 percent of Latino renters, compared with just 1 percent of white renters.

DC neighborhoods east of the Anacostia River are home to a relatively high share of low-income Black households and experience higher rates of eviction compared with the city overall. Between 2014 and 2018, on average, residents in 25 percent of Ward 8's rental housing units were evicted annually, compared with just 1 percent of units citywide (McCabe and Rosen 2020).²³ During the pandemic, Ward 8 households have been the most vulnerable to additional levels of housing precarity (see box 2 for more information on housing precarity).

Nationally, households that are headed by women and include children are the most likely to be evicted (Desmond and Gershenson 2017), with potentially serious consequences. In US households that include children and are behind on rent (21 percent of households as of December 2020), housing precarity can include the loss of internet access, food insecurity, and other harmful outcomes.²⁴

* This brief uses the term "Latino" to describe people who trace their heritage to Latin America, because the practitioners we interviewed used that term. We recognize the complications of this term, including that "Latino" is not commonly used in Latin America as an identity and that some consider it offensive and as reinforcing a gender binary. We remain committed to using respectful, inclusive language.

BOX 2

Housing Precarity and Housing Instability

Housing precarity is a catch-all term for types of housing insecurity, including housing instability, overcrowding, code and structural issues within a housing unit, and eviction (Pendall, Theodos, and Franks 2012). Housing instability specifically refers to homelessness, frequent moves, or being priced out of the local housing market (Clair et al. 2019).

Key Findings

This section describes findings from our interviews with tenant advocates and service organizations in Washington, DC, about why renters may experience a threat of eviction despite formal protections. Most interviewees reported that the majority of their clients are Black tenants and other tenants of color. We supplement and contextualize our interviews with sources from the literature.

Informal Eviction Threats Allow Landlords to Circumvent Formal Protections

The literature and our interviews suggested that landlords, both nationally and in DC, may respond to renter nonpayment by threatening, but not following through with, eviction proceedings. To stem financial losses, some landlords circumvent the formal eviction process and rely on the informal *threat* of eviction to exert power over tenants (Garboden and Rosen 2019; Leung, Hepburn, and Desmond 2020). Rent generally constitutes the bulk of landlords' incomes. Consequently, some landlords take extreme steps to extract as much income from their tenants as possible and avoid vacancies, which result in a total loss of income from a unit (Garboden and Rosen 2019; Leung, Hepburn, and Desmond 2020).

Even absent an eviction moratorium, landlords describe the evictions process as onerous (Garboden and Rosen 2019). Eviction regulations—and the degree to which they protect either tenants or landlords—vary by city and state. Garboden and Rosen (2019) describe how a landlord might decide to threaten a tenant with eviction. Eviction proceedings can take anywhere from several weeks to months. During the eviction process, landlords must attend court hearings and pay filing fees, both of which reduce the money and time they can put toward managing their property and other tenants. If an eviction is the court's decision, landlords must quickly fill the newly vacant unit or otherwise take a loss on the income associated with it for however long it remains vacant. Threatening but not following through with eviction allows landlords to skip the onerous evictions process and either procure rent from the existing tenant or force that tenant from the unit so income can be collected from a replacement tenant.

Our interviews with DC-based tenant advocates suggest these dynamics are at play locally. One interviewee explained that some landlords use illegal methods of eviction, including harassing people or locking them out, to force renters out of their units despite the eviction moratorium and other tenants' rights laws that prohibit such behavior.²⁵ Interviewees also shared stories of landlords who showed

tenants' homes to potential new renters unprompted. Interviewees said that by doing this, landlords may create fear and confusion and contribute to tenants' disbelief or distrust in their renter protections under the moratoriums. When facing the threat of an eviction, even an illegal one, some tenants may feel that escaping the situation is less stressful than asserting their rights. Interviewees explained that as a result of such landlord behavior, program staff and lawyers at their organizations must reassure tenants repeatedly that the law will protect them from eviction.

Tenants Do Not Trust Legal Protections or the Litigation Process

Many tenants who engage with our interviewees' organizations are anxious about the possibility of becoming embroiled in the eviction process. Those tenants often do not trust the moratoriums to protect them from eviction, nor do they trust the courts to uphold their rights. This undercurrent of distrust may be partially related to difficulties accessing clear information about the protections in place, but other factors may be influential as well. To take their tenants to court in DC, landlords need only pay a \$15 filing fee—the lowest of any major city in the US (McCabe and Rosen 2020). And some landlords in DC have moved to evict tenants for failing to pay the full amount of a single month's rent (McCabe and Rosen 2020). These practices demonstrate how easily the cycle of housing insecurity may begin—eviction filings go on a tenant's record and can make finding high-quality housing in the future a challenge. Additionally, the relative ease at which landlords can initiate eviction proceedings may stoke tenants' anxiety about the possibility that they will be evicted.

For people experiencing housing precarity, previous experiences trying and sometimes failing to fund housing may lead to deep-seated anxiety. Advocates sometimes receive calls from tenants who do not believe the moratoriums will protect them. This belief exists because, as one advocate put it, “[the pandemic] has gone on for much longer than anyone thought it would.” This advocate also mentioned that “reassurances need to happen constantly.” Several advocates described how nervous renters seem from their first points of contact despite knowing about a moratorium, reinforcing the idea that tenants do not trust the resources available to them because of challenging past experiences. Additionally, distrust among renters of color could be heightened because of the disproportionate impact that eviction has on people of color. One interviewee said: “Just seeing it in court, when I'm there, the majority of people there are Black people or people of color. It's an anomaly to see a white person.”

The advocates with whom we spoke are also concerned about the lasting impact of DC's court practices in eviction cases. Annually, the courts process about 32,000 cases. Courts schedule hundreds of eviction hearings a day, meaning that tenants may wait hours or days in a courtroom for a judge to hear their case. The evictions process subverts tenants' confidence in their ability to access due process. As one interviewee described, when a courthouse summons 150 tenants facing an impending eviction at 9:00 a.m. and tells each person to wait to plead their case—frequently without counsel—the court system signals disregard for tenants' well-being. The tenants who do wait have to miss work and other personal commitments, organize child care, and contend with the stress of their own housing precarity as they watch other eviction cases play out. In addition, because evictions are so easy for landlords to file, many people have experienced anxiety-inducing court proceedings within the context of a threat to

their housing stability. This, in turn, may increase tenants' anxiety when encountering a threat of eviction. According to our interviewees, some tenants feel that the law protects landlords at the cost of tenants' well-being or that the law is meant to protect tenants but the people executing the law are against them. One advocate went so far as to say that it was "brave" to show faith in the court system.

Tenants' lack of trust in the systems and resources in place, in combination with their fears and anxiety around eviction, makes for challenging circumstances in which to provide support. If tenants do not access resources through the local government and court system because they do not trust those resources, then the operationalization of those resources might need to be reconsidered so they can be used as intended.

One of the bravest moments I would see is when a tenant, on the day of their eviction, would come to court and ask for a stay because it showed faith in the court system...It's almost unfounded faith.

—Interviewee

Tenants Face Impediments to Accessing Information and Assistance

Some interviewees surmised that some tenants' inability to access information about eviction protections through rental and legal services has resulted in less knowledge about and trust in eviction protection laws. According to several of our interviewees, many tenants *are* aware of the eviction moratorium, broadly speaking, when they reach out to local rental and legal assistance organizations. However, they do not always know about the specific protections the moratorium offers. According to one interviewee familiar with a local eviction hotline, "Typically, we are not the first person our clients talk to...In talking to the clients at the point in time I talk to them, most of them know that there's a moratorium, they know there are no evictions happening. However, they may not know the extent of it, how long the moratorium is...They don't know the restrictions and protections that they have."

Interviewees repeatedly noted that a lack of internet access likely drives many tenants' unfamiliarity with the specifics of the eviction moratorium. One of DC's primary ways of spreading the word about the eviction moratorium is through digital media (websites, social media, news outlets), so people who do not have smartphones, computers, or access to Wi-Fi may miss these messages. The nonprofits whose representatives we interviewed amplified DC's messaging on the moratorium, but they, too, mostly used internet-based messaging and community networks they were already plugged into to spread the word. One advocate said: "With regards to putting information on electronic spaces, a lot of our clients don't have a way to access online information. That's why we get a lot of calls, and if they don't have a computer, they at least have a telephone sometimes." Because of these

communication challenges, large swaths of DC’s renters may have missed important opportunities for connecting to resources. Only 45 percent of Ward 7 households and 48 percent of Ward 8 households have broadband subscriptions, compared with 70 percent of households overall in DC.²⁶ Wards 7 and 8 are predominantly made up of Black and other communities of color.²⁷ Therefore, communicating about protections via the internet likely reaches a smaller proportion of Ward 7 and 8 residents than residents of other wards in the city. In short, the spatial geography of disparities in internet access reinforces the racialization of the digital divide and creates yet another barrier for households of color in DC to accessing eviction protections and information on DC’s moratorium.

According to our interviews, language barriers may also have been an issue. An advocate from HCS said: “There’s also a language access issue as well, when we speak to certain tenants, perhaps more among the immigrant population, this information hasn’t been disseminated as deeply.” Challenges in understanding changes to the moratoriums are especially a concern for immigrant communities, many of which may primarily speak a language other than English and are largely communities of color. Indeed, one advocate mentioned that during the pandemic, calls to their organization to understand the changes to the moratoriums had increased.

Not only are there impediments to accessing information via traditional public outreach channels, but renters in DC face several impediments to accessing the local services designed to help tenants understand and access their legal protections. Although multiple supports exist outside of DC’s official legal system for tenants facing the threat of eviction, those supports are not always easy to access or equipped to respond to the high volume of demand during the pandemic. For example, several local organizations offer low-income tenants facing eviction legal and financial assistance at no cost. Bread for the City and HCS, among other organizations, run a single hotline that tenants facing eviction can call; it redirects callers to the organization that can best offer support for the tenant’s issue. However, despite the organizations’ best efforts and according to interviewees at HCS, tenants facing eviction may not connect with aid quickly because of the amount of coordination that operating the hotline requires, leading to extended wait times. Tenants may also have to engage with multiple organizations to be appropriately matched with a program or group that offers as much support as possible for people in their circumstances, which can prolong the search for assistance.

Furthermore, while all the organizations we spoke with typically require their clients to meet income requirements, the pandemic and subsequent economic downturn have increased the number of people eligible for their services. As a result, nonprofits are facing a much larger potential client base than they are accustomed to. According to our interviewees, most tenants who reach out are from Wards 7 and 8. However, as one interviewee reported, because of pandemic-induced job losses, more tenants living in Wards 1, 2, 3, and 4 are reaching out for rental and legal assistance. This means that eviction prevention professionals’ potential client bases have expanded without necessarily a commensurate increase in the volume of resources available.

Many avenues of support are simply not easily accessible, leaving tenants in the dark about the details of their legal protections under existing law. Anxiety and confusion related to the details of

eviction protection are not uncommon and are, at a minimum, exacerbated by the barriers that tenants experience when trying to access information and legal supports.

Discussion

In this section, we describe research that could have implications for tenants facing eviction. Ideas we present are not conclusions but prompts for future inquiry.

Perceptions of Housing Stability and Mental Health

Most research on eviction protections, both before and during the pandemic, has focused on the fiscal and legal challenges governments face when designing effective tenant protections. For example, recent analyses have profiled the total cost of rental assistance that the government would incur to support renters through the pandemic-related downturn (Strochak et al. 2020), projected how stimulus funds may reduce eviction and homelessness rates (Rice and Oliva 2021), and called for alternative dispute resolution programs (Treskon et al. 2021).

However, fewer analyses have examined avenues for averting the lasting and well-documented mental health effects that arise from housing instability. Renters experiencing housing instability are more likely to report a recent anxiety attack, and tenants behind on their rent are more likely to meet criteria for depression (Burgard, Seefeldt, and Zelner 2012). The pandemic has also caused or exacerbated many mental health challenges. During previous economic recessions, job losses were associated with increases in depression and anxiety, and today, many more tenants are behind on their rent because of COVID-19-induced job losses than in nonrecession years.²⁸ Before the pandemic, approximately 1 in 10 adults in the US reported symptoms of anxiety (Daly and Robinson 2021). However, as of February 2021, 4 in 10 adults reported anxiety symptoms (Panchal et al. 2021). Tenants experiencing housing instability may have more exposure to triggers for anxiety, depression, and other mental health challenges than people who have not faced housing insecurity during the pandemic. Given that job losses related to the pandemic have been concentrated in Black and other communities of color and that these communities are more likely to be behind on rent, they may be more likely to experience the anxiety triggers described.

Mental and Emotional Responses to Eviction Threat

For tenants, receiving an eviction threat may be enough to render anxiety about their housing precarity salient.²⁹ For people who have previously experienced evictions, the threat of another eviction may induce feelings of stress or sadness. The threat of eviction may also bring up memories of previous evictions, exacerbating feelings that eviction in the abstract might not elicit. The emotional well-being of tenants experiencing eviction necessitates more research to explore possible connections.

A stimulus that renders particular memories, thoughts, associations, or emotions salient is called a prime. Within this context, a landlord's eviction threat can evoke feelings of anxiety in a tenant and

make the tenant erroneously believe eviction is imminent. Primes can also change people's behavior (Dijksterhuis, Chartrand, and Aarts 2007; Gollwitzer et al. 2011; Herr 1986). Therefore, receiving a threat of eviction could drive a tenant who has been evicted before to take steps toward avoiding the risk of going through the evictions process again. An eviction threat may act as a priming mechanism for many tenants—primarily renters of color, as they are more likely to experience eviction—and may force them to choose between vacating their housing or facing the evictions process and court system. Our interviews support this hypothesis. Interviewees mentioned that in the face of their landlord's threat of eviction, tenants may circumvent the eviction process by “voluntarily” searching for new housing, rather than trying to catch up on rent.

Just seeing it in court, when I'm there, the majority of people there are Black people or people of color. It's an anomaly to see a white person.

—Interviewee

In addition, eviction filings are often the cause of housing precarity for renter households in the future; many landlords refuse to rent to a tenant with an eviction filing on record, even if the case was dismissed (Housing Action Illinois and Lawyers' Committee for Better Housing 2018). Furthermore, an average of about 18,000 unique households, or about 11 percent of DC's renter households, were affected by residential eviction filings annually from 2014 to 2018 (McCabe and Rosen 2020). A sizable portion of those households go through the evictions process multiple times in a single year. Therefore, many tenants who have experienced the evictions process may face new and long-standing anxieties about housing insecurity. Combined, previous experiences with housing insecurity and anxiety about future housing insecurity may lead renters' belief that eviction is imminent to become more salient. In particular, DC's Black residents may be more susceptible to primes that stoke anxiety about an impending eviction than their white counterparts because evictions are more likely to be part of their lived experience.

Additional research is needed to draw conclusions about the connections between evictions or eviction threats and tenants' mental health responses, especially among Black renters and other renters of color.

Recommendations

Despite federal and local eviction moratoriums and additional local renter protections, Black tenants in DC who are behind on their rent have felt as though they are at risk of eviction. Renters who receive an eviction threat may experience mental and emotional distress and often face barriers to accessing information about tenant protections and rights. Local leaders must consider these factors when

designing future protections to prevent tenants from falling through policy cracks and to avoid an eviction crisis.

One way the DC government and local nonprofits can help tenants feel more secure in their housing is to field campaigns that encourage people to devise plans to catch up on rent if they fall behind and that offer resources to help tenants rebound if they owe back rent. Gollwitzer and colleagues (2011) find that in the presence of a priming mechanism that drives people to make bad choices, like driving over the speed limit or getting distracted from a task, specific plans to execute a goal that the priming mechanism discourages, like driving the speed limit or finishing a task, can protect against the stimulus's priming effects. Although no close analog study exists for renters facing the threat of eviction, Gollwitzer and colleagues' work suggests that the combination of a rental payment plan developed preemptively and rental assistance may mitigate the priming effects of an eviction threat.

In addition, longer-term continuation of financial and rental assistance programs will be essential in helping renter households get back on their feet. At HCS, calls about the Emergency Rental Assistance Program constitute about 75 percent of the total call volume, according to the intake director. As one HCS advocate put it, "it is probably the number one reason why people call us." Even before the pandemic, the demand for funds in DC exceeded what was available. Funds like the Emergency Rental Assistance Program are vital for households facing eviction threats and eviction and will be especially so after all the moratoriums are lifted.

DC could also expand its Same-Day Mediation program to require landlords and tenants to meet with a mediator and try to resolve their disputes in a lower-stakes environment (in the status quo, the court offers landlords and tenants the option of meeting with a mediator but does not require a mediation session before hearing an eviction case). If the court system were to require a mediation session before letting an eviction filing for nonpayment of rent proceed to a court hearing, DC's evictions court system might have shorter dockets, fewer renters might face eviction as they come to creative solutions for paying back rent with their landlords, and eviction threats might stoke less anxiety for tenants.

Philadelphia's Eviction Diversion Program offers promising evidence that this kind of intervention prevents eviction filings from occurring (Treskon et al. 2021). The Eviction Diversion Program requires that landlords notify tenants of their rights and request a mediation conference before filing an eviction. In addition to the mediation program, the newly court-ordered program automatically enrolls tenants and landlords in the Philadelphia Eviction Prevention Project and requires that landlords apply for rental assistance funds. As of January 2021, 70 percent of the program's cases resulted in tenants staying in the unit, while in another 22 percent, the parties agreed on an outcome other than eviction, such as the tenant moving out. Pillars of support for tenants and landlords are strong in this program and resolve much of the burden typically placed on the tenant. This support could help institutionalize the notion that people who experience eviction are worthy of receiving housing and that an eviction is not an indictment of a person's character but a result of structural barriers to income and opportunity. In promoting a person-first, housing-affirming model for handling evictions, DC could assuage renters' concerns about an impending eviction, with or without an eviction moratorium in place.

Our interviewees noted that many tenants have missed information on the eviction moratorium because of a lack of reliable internet access. In response, DC should consider instituting at least one feedback mechanism that is not technology-based, by working closely with local, community-run organizations. DC could remove another communication impediment that our interviewees identified, language barriers, by offering the feedback mechanism through local cultural centers. (These institutions likely employ people who speak their clients' language.) DC should continue to distribute information about future tenant protections and policies, like rental assistance or free counsel, in multiple languages across all mediums. Additionally, the city could advertise about future tenant protections and policies in public spaces, such as on the sides of buses.

The nonprofits we spoke with use various communication methods, including collaboration with other community organizations, social media, email blasts, mailings, infographics, trainings and community events, webinars, and hotlines. However, interviewees indicated that the most effective means of communicating through the pandemic has been via their hotlines, in collaboration with local community organizations, and through interviewee organizations' social media accounts. DC could follow suit and engage tenants through similar mechanisms. Additionally, tenants are still organizing within their housing developments despite the moratorium; this helps them retain power and agency in imbalanced relationships with some landlords. These relationships may also help with the dissemination of important information about tenants' rights and protections, especially those created in response to the pandemic. DC could present at tenants' association meetings to educate tenants about their rights and introduce tenants to people in government whom they could contact if they face eviction or other forms of housing precarity.

Finally, experiencing (or almost experiencing) an eviction is traumatic and can affect a renter's perception of their housing stability for years afterward. Eviction and eviction diversion policies should center renters' welfare by incorporating trauma-informed practices and procedures. Trauma-informed care places greater value on renters' well-being as they move through emotionally challenging processes. Examples of such policies include hiring case managers to guide renters facing eviction through the legal process, building steps into the eviction process that connect renters with social supports like emergency rental assistance or food assistance, and instituting regulations that give renters who ultimately face eviction enough time to find new housing and move before needing to vacate their home.

Notes

- ¹ "Census Pulse Public Use Files: Questionnaire Two," Urban Institute Data Catalog, <https://datacatalog.urban.org/dataset/census-pulse-public-use-files-questionnaire-two>. Data originally sourced from the US Census Bureau, developed at the Urban Institute, and made available under the ODC-BY 1.0 Attribution License.
- ² Because of the small sample size of the Pulse survey and the sequencing of survey questions, to make statistically significant inferences, we pooled survey data from May 2020 to July 2021.

- 3 See Centers for Disease Control and Prevention, “CDC Issues Eviction Moratorium Order in Areas of Substantial and High Transmission,” news release, August 3, 2021, <https://www.cdc.gov/media/releases/2021/s0803-cdc-eviction-order.html>. See also Hamza Shaban, Abha Bhattarai, and Marissa J. Lang, “Last-Minute Eviction Ban Extension Fuels Confusion and Is Too Late for Some,” August 4, 2021, <https://www.washingtonpost.com/business/2021/08/04/evictions-moratorium-extended/>.
- 4 Joe Walsh, “Supreme Court Ends CDC Eviction Moratorium,” *Forbes*, August 26, 2021, <https://www.forbes.com/sites/joewalsh/2021/08/26/supreme-court-ends-cdc-eviction-moratorium/?sh=4177c65e23b2>.
- 5 See Ally Schweitzer, “Legal Evictions Are Banned in DC amid Pandemic, but ‘Invisible’ Ones Are on the Rise,” *WAMU*, October 16, 2020, <https://www.npr.org/local/305/2020/10/16/924483969/legal-evictions-are-banned-in-d-c-amid-pandemic-but-invisible-ones-are-on-the-rise>. See also “Renters Are Still Being Evicted, Despite Federal Ban,” *CBS News*, November 30, 2020, <https://www.cbsnews.com/news/renters-still-being-evicted-despite-federal-moratorium/>.
- 6 Chris Arnold, “Texas Courts Open Eviction Floodgates: ‘We Just Stepped Off A Cliff,’” *NPR*, April 7, 2021, <https://www.npr.org/2021/04/07/984837886/texas-courts-open-eviction-floodgates-we-just-stepped-off-a-cliff>.
- 7 Justin Ristau, “Ohio Federal Judge Rules against CDC’s Eviction Moratorium,” *Bricker & Eckler*, March 25, 2021, <https://www.bricker.com/industries-practices/litigation/insights-resources/publications/ohio-federal-judge-rules-against-cdcs-eviction-moratorium>.
- 8 “Q&A: Eviction Moratoriums for Tenants in the United States,” *Human Rights Watch*, January 26, 2021, <https://www.hrw.org/news/2021/01/26/qa-eviction-moratoriums-tenants-united-states>.
- 9 See “Washington, DC” on “COVID-19 Housing Policy Scorecard,” *Eviction Lab*, accessed July 21, 2021, <https://evictionlab.org/covid-policy-scorecard/>.
- 10 District of Columbia, *Eviction Notice Moratorium Temporary Amendment Act of 2020*, Law 23-172 (Dec. 23, 2020).
- 11 Arent Fox, Thomas Castiello, Karoline Nunez, and Jennifer Stecco, “DC Superior Court Rules Eviction Filing Moratorium Unconstitutional,” *JD Supra*, January 28, 2021, <https://www.jdsupra.com/legalnews/dc-superior-court-rules-eviction-filing-6931124/>.
- 12 Ally Schweitzer, “DC Council Passes More Protections for Renters during Pandemic,” *DCist*, September 22, 2020, <https://dcist.com/story/20/09/22/dc-council-covid-eviction-ban-renter-protections/>.
- 13 Schweitzer, “Legal Evictions Are Banned in DC amid Pandemic, but ‘Invisible’ Ones Are on the Rise.”
- 14 In the Household Pulse Survey, only respondents who are renters and indicated they were not caught up on rent were asked the perception of eviction question. Because of the relatively small sample size of the survey, we pooled data from May 2020 to July 2021.
- 15 “Guide to Eviction,” *District of Columbia*, accessed May 14, 2021, <https://ota.dc.gov/page/guide-eviction>.
- 16 Nicholas Bogel-Burroughs and Campbell Robertson, “DC’s Mayor Mourned Covid’s Unequal Toll. Her Sister Is the Latest Victim,” *New York Times*, March 3, 2021, <https://www.nytimes.com/2021/02/25/us/muriel-bowser-mercia-covid-washington.html>.
- 17 APM Research Lab Staff, “The Color of the Coronavirus: COVID-19 Deaths by Race and Ethnicity in the U.S.,” *APM Research Lab*, March 5, 2021, <https://www.apmresearchlab.org/covid/deaths-by-race>.
- 18 Lucy Dadayan, Donnie Charleston, Aravind Boddupalli, and Kim Rueben, “Monitoring State Unemployment Insurance Claims during the COVID-19 Pandemic,” *Urban Institute*, last updated January 8, 2021, <https://www.urban.org/features/monitoring-state-unemployment-insurance-claims-during-covid-19-pandemic>.
- 19 Kelly Anne Smith, “Covid and Race: Households of Color Suffer Most from Pandemic’s Financial Consequences Despite Trillions in Aid,” *Forbes Advisor*, September 17, 2020, <https://www.forbes.com/advisor/personal-finance/covid-and-race-households-of-color-suffer-biggest-pandemic-consequences/>.

- ²⁰ Emily Moss, Kriston McIntosh, Wendy Edelberg, and Kristen Broady, “The Black-White Wealth Gap Left Black Households More Vulnerable,” *Up Front* (blog), Brookings Institution, December 8, 2020, <https://www.brookings.edu/blog/up-front/2020/12/08/the-black-white-wealth-gap-left-black-households-more-vulnerable/>.
- ²¹ Gillian B. White, “Not All Money Troubles Are Created Equal,” *The Atlantic*, April 21, 2016, <https://www.theatlantic.com/business/archive/2016/04/racial-inequality-money-problems/479349/>.
- ²² “Census Pulse Public Use Files: Questionnaire Two,” Urban Institute Data Catalog, <https://datacatalog.urban.org/dataset/census-pulse-public-use-files-questionnaire-two>. Data originally sourced from the US Census Bureau, developed at the Urban Institute, and made available under the ODC-BY 1.0 Attribution License.
- ²³ The District of Columbia is divided into eight wards. Wards 7 and 8 have the highest shares of Black residents in the city.
- ²⁴ Heather Long, “Millions of Americans Are Heading into the Holidays Unemployed and over \$5,000 behind on Rent,” *Washington Post*, December 7, 2020, <https://www.washingtonpost.com/business/2020/12/07/unemployed-debt-rent-utilities/>.
- ²⁵ See “District of Columbia Tenant Bill of Rights,” District of Columbia Office of the Tenant Advocate, July 3, 2015, <https://ota.dc.gov/sites/default/files/dc/sites/ota/publication/attachments/2015%2007%2003%20OTA%20DC%20Tenant%20Bill%20of%20Rights%20ODAI-OTA%20FINAL.pdf>.
- ²⁶ Leah Hendeey, Peter Tatian, and Yipeng Su, “Closing Equity Gaps in DC’s Wards and Neighborhoods,” Urban Institute, updated July 25, 2019, <https://apps.urban.org/features/dc-equity-indicators/>.
- ²⁷ “Ward Demographic Indicators,” DC State Data Center Visualization Portal, accessed July 28, 2021, <https://dcdataviz.dc.gov/node/1371176>.
- ²⁸ Diana Olick, “Nearly 20% of Renters in America Are behind on Their Payments,” CNBC, January 25, 2021, <https://www.cnbc.com/2021/01/25/nearly-20percent-of-renters-in-america-are-behind-on-their-payments.html>.
- ²⁹ Ample research in social psychology, political science, and economics demonstrates that external stimuli can be effective in evoking a particular thought or emotion (Cohn and Maréchal 2016; Drouvelis, Metcalfe, and Powdthavee 2010; Gilad and Kliger 2008; Hetherington and Rudolph 2008; Hutchings and Jardina 2009; Krosnick and Kinder 1990; Molden 2014; Posten, Ockenfels, and Mussweiler 2014).

References

- Benfer, Emily, David Bloom Robinson, Stacy Butler, Lavar Edmonds, Sam Gilman, Katherine Lucas McKay, Zach Neumann, et al. 2020. “The COVID-19 Eviction Crisis: An Estimated 30–40 Million People in America Are at Risk.” Washington, DC: Aspen Institute.
- Burgard, Sarah A., Kristin S. Seefeldt, and Sarah Zelner. 2012. “Housing Instability and Health: Findings from the Michigan Recession and Recovery.” *Social Science & Medicine* 75 (12): 2215–24.
- Clair, Amy, Aaron Reeves, Martin McKee, and David Stuckler. 2019. “Constructing a Housing Precariousness Measure for Europe.” *Journal of European Social Policy* 29 (1): 13–28.
- Cohn, Alain, and Michel A. Maréchal. 2016. “Priming in Economics.” *Current Opinion in Psychology* 12:17–21.
- Cunningham, Mary K., Ananya Hariharan, and Olivia Fiol. 2021. “[The Looming Eviction Cliff](#).” Washington, DC: Urban Institute.
- Daly, Michael, and Eric Robinson. 2021. “Anxiety Reported by US Adults in 2019 and during the 2020 COVID-19 Pandemic: Population-Based Evidence from Two Nationally Representative Samples.” *Journal of Affective Disorders* 286:296–300.
- Desmond, Matthew, and Carl Gershenson. 2017. “Who Gets Evicted? Assessing Individual, Neighborhood, and Network Factors.” *Social Science Research* 62:362–77.

- Dijksterhuis, Ap, Tanya L. Chartrand, and Henk Aarts. 2007. "Effects of Priming and Perception on Social Behavior and Goal Pursuit." In *Frontiers of Social Psychology. Social Psychology and the Unconscious: The Automaticity of Higher Mental Processes*, edited by John A. Bargh, 51–131. London: Psychology Press.
- Drouvelis, Michalis, Robert Metcalfe, and Nattavudh Powdthavee. 2010. "Priming Cooperation in Social Dilemma Games." IZA Discussion Paper 4963. Bonn, DEU: IZA Institute of Labor Economics.
- Garboden, Philip M. E., and Eva Rosen. 2019. "Serial Filing: How Landlords Use the Threat of Eviction." *City & Community* 18 (2): 638–61.
- Gilad, Dalia, and Doron Kliger. 2008. "Priming the Risk Attitudes of Professionals in Financial Decision Making." *Review of Finance* 12 (3): 567–86.
- Gollwitzer, Peter M., Paschal Sheeran, Roman Tröschel, and Thomas L. Webb. 2011. "Self-Regulation of Priming Effects on Behavior." *Psychological Science* 22 (7): 901–7.
- Gould, Elise, and Valerie Wilson. 2020. *Black Workers Face Two of the Most Lethal Preexisting Conditions for Coronavirus—Racism and Economic Inequality*. Washington, DC: Economic Policy Institute.
- Herr, Paul M. 1986. "Consequences of Priming: Judgment and Behavior." *Journal of Personality and Social Psychology* 51 (6): 1106–15.
- Hetherington, Marc J., and Thomas J. Rudolph. 2008. "Priming, Performance, and the Dynamics of Political Trust." *Journal of Politics* 70 (2): 498–512.
- Housing Action Illinois and Lawyers' Committee for Better Housing. 2018. *Prejudiced: The Stigma of Eviction Records*. Chicago: Lawyers' Committee for Better Housing.
- Hutchings, Vincent L., and Ashley E. Jardina. 2009. "Experiments on Racial Priming in Political Campaigns." *Annual Review of Political Science* 12 (1): 397–402.
- Krosnick, Jon A., and Donald R. Kinder. 1990. "Altering the Foundations of Support for the President through Priming." *American Political Science Review* 84 (2): 497–512.
- Leung, Lillian, Peter Hepburn, and Matthew Desmond. 2020. "Serial Eviction Filing: Civil Courts, Property Management, and the Threat of Displacement." *Social Forces* 100 (1): 316–44.
- McCabe, Brian J., and Eva Rosen. 2020. *Eviction in Washington, DC: Racial and Geographic Disparities in Housing Instability*. Washington, DC: Georgetown University.
- Molden, Daniel C. 2014. "Understanding Priming Effects in Social Psychology: What Is 'Social Priming' and How Does It Occur?" *Social Cognition* 32:1–11.
- Panchal, Nirmita, Rabah Kamal, Cynthia Cox, and Rachel Garfield. 2021. "The Implications of COVID-19 for Mental Health and Substance Use." San Francisco: Kaiser Family Foundation.
- Pendall, Rolf, Brett Theodos, and Kaitlin Franks. 2012. "[The Built Environment and Household Vulnerability in a Regional Context](#)." Washington, DC: Urban Institute.
- Posten, Anna-Christin, Axel Ockenfels, and Thomas Mussweiler. 2014. "How Activating Cognitive Content Shapes Trust: A Subliminal Priming Study." *Journal of Economic Psychology* 41:12–19.
- Rice, Douglas, and Ann Oliva. 2021. "Housing Assistance in American Rescue Plan Act Will Prevent Millions of Evictions, Help People Experiencing Homelessness." Washington, DC: Center on Budget and Policy Priorities.
- 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.
- Treskon, Mark, Solomon Greene, Olivia Fiol, and Anne Junod. 2021. "[Eviction Prevention and Diversion Programs: Early Lessons from the Pandemic](#)." Washington, DC: Urban Institute.
- US Government Accountability Office. 2021. *COVID-19 Housing Protections: Moratoriums Have Helped Limit Evictions, but Further Outreach Is Needed*. Washington, DC: US Government Accountability Office.

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