

# **Connecticut Eviction Right to Counsel Annual Independent Evaluation January 31 to November 30, 2022**

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## Table of Contents

Section I-Introduction.....	4
Section II-Executive Summary .....	8
Key Findings.....	9
Section III-Year 1 Evaluation Findings.....	17
Important Context for Understanding Year 1 Evaluation Findings .....	18
Providers’ Investment in Data Collection .....	25
Analysis of Eviction Filing Data .....	25
Estimated CT-RTC Eligible Tenant Representation Rate and Assisted Rate .....	31
Preliminary Findings from CT-RTC Client Interviews.....	33
Selection Bias of CT-RTC Clients Having Household or Case Characteristics Making Their Cases Complex .....	42
CT-RTC Client Goals and Goals Achieved .....	46
Outcomes Achieved for Clients without Aligned Goal and Reasons Why Goals May Not Be Achieved .....	50
Intersection of Eviction with Race, Ethnicity, and Gender.....	51
Section IV-Qualitative Evaluation Findings .....	55
Preliminary Findings from Qualitative Research Completed by Yale.....	56
Connecticut Rental Property Owner Perspectives.....	57
Positive Client Stories and Systemic Impacts of CT-RTC.....	60
Tenant Engagement and Education .....	64
Section V-Preliminary Estimate of Fiscal Impacts.....	65
Estimated Total Preliminary Fiscal Impacts.....	67
Section VI-Recommendations for 2023 .....	74
Appendix A-Stout’s Profile and Qualifications.....	77
Appendix B-Evaluation Data Elements Collected by Providers .....	81
Appendix C-Notice Periods by State.....	92
Appendix D-Fiscal Impacts Research .....	95

# Section I-Introduction

Passed in May 2021 by the Connecticut General Assembly and signed by Governor Ned Lamont in June 2021, Public Act 21-34 created an eviction right to counsel program for eligible tenants in Connecticut (CT-RTC).<sup>1</sup> In September 2021, the Connecticut Bar Foundation (CBF) was selected by the Connecticut Judicial Branch through a competitive RFP process to administer the new program. By application, CBF engaged five legal services providers to begin providing services to tenants through the CT-RTC program on January 31, 2022. The legal services providers assisting and representing eligible tenants in Connecticut are: Connecticut Legal Services (CLS), Connecticut Veterans Legal Center (CVLC), Greater Hartford Legal Aid (GHLA), New Haven Legal Assistance Association, Inc. (NHLAA), and Statewide Legal Services (SLS) – collectively “the Providers.”<sup>2</sup>

In November 2021, Stout was engaged by the Connecticut Bar Foundation (CBF) as the 2-year independent evaluator of Connecticut’s Eviction Right to Counsel (CT-RTC). Stout has interacted with CBF and the Providers during the first year of the evaluation through weekly, bi-weekly, and periodic virtual meetings to develop data collection goals and methods, review data metrics and analysis, and discuss implementation planning and strategy. Stout has also held 2 in-person data reviews with the Providers, and an in-person convening of CT-RTC stakeholders was held in October 2022. Stout has also met with rental property owners, representatives from Connecticut’s Judicial Branch, the Coordinated Access Network, Connecticut Law Help, Connecticut Department of Housing, and United Way/2-1-1 of Connecticut. The information gathered from and shared during these meetings has informed Stout’s evaluation, the development of a library of analyses and dashboards, a methodology for preliminarily estimating the fiscal impacts of CT-RTC, and recommendations for continued refinement and enhancement of CT-RTC in 2023.

Over the past year, Stout has developed more than 100 analyses (with thousands of variations through filters and selections) in a data visualization platform used by CBF, the Providers, and Stout to monitor key performance metrics, identify opportunities for refinement and further research, and evaluate the impact of CT-RTC. The data visualization platform, in combination with qualitative feedback from rental property owners and Program attorneys, has enabled an iterative evaluation – one that is completed in parallel to implementation rather than after implementation. This process has resulted in new and unique insights including, but not limited to: circumstances renter households are experiencing leading up to eviction, the goals that clients have for their cases, the intersections of race and gender with eviction, sub-standard housing conditions (defective conditions) that CT-RTC clients experience, rental property owner experiences with CT-RTC, and how to communicate the availability of CT-RTC effectively to tenants. While this iterative evaluation technique has enabled significant progress

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<sup>1</sup> State of Connecticut Public Act No. 21-34.

<sup>2</sup> The University of Connecticut Law School Eviction Defense Clinic will be assisting with CT-RTC cases in the Spring, Summer, and Fall 2023 semesters.

over the past year, it has also identified opportunities for continued improvement (as discussed in Section VI).

Stout’s evaluation methodology uses robust analysis of available data and information, while also appreciating the limitations of such data, the opportunities for continued improvement and the challenges that can arise in the analysis of intricate, complicated, and intertwined micro- and macro-economic social and capitalist systems. The data collected by the courts and the Providers is inherently limited and imperfect. These limitations and imperfections arise from resource constraints at each organization to collect information, the systems used to collect data before CT-RTC launched, the nuanced and complex lived experiences of Connecticut renter households with low incomes, the experiences and practices of rental property owners of various sizes, and the adversarial nature of the United States civil legal system (which includes eviction cases).

Further, Stout’s methodology is not a randomized control trial and does not use a designed control group to draw comparisons. CT-RTC is designed to assist Connecticut renter households experiencing a high-stakes legal proceeding. It is essential that these services are provided through effective advocacy due to the circumstances faced by the parties, the complexity of the process, and potential consequences for the individuals involved and their communities. Thus, Stout uses the best available information and feedback from a wide range of stakeholders to provide analyses and assessments of CT-RTC. This evaluation technique creates an ongoing dialogue about the impact of CT-RTC and opportunities for continued refinement of the data collected, analyses completed, and insights developed.

Recognizing the limitations and challenges associated with the evaluation of CT-RTC (and any eviction right to counsel program), Stout’s evaluation methodology is built on three techniques of understanding:

- Critical Thinking – “[T]he intellectually disciplined process of actively and skillfully conceptualizing, applying, analyzing, synthesizing, and/or evaluating information gathered from, or generated by, observation, experience, reflection, reasoning, or communication, as a guide to belief and action. In its exemplary form, it is based on universal intellectual values that transcend subject matter divisions: clarity, accuracy, precision, consistency, relevance, sound evidence, good reasons, depth, breadth, and fairness.”<sup>3</sup>
- Critical Filtering – A technique involving the filtering of claims before they are evaluated. This technique involves three questions designed to filter claims and information – is the claim specific; is there a simpler explanation (the application of Occam’s razor that, in general, the simplest explanation is most reasonable – a

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<sup>3</sup> “Critical Thinking as Defined by the National Council for Excellence in Critical Thinking, 1987.” The Foundation for Critical Thinking. N.d.

technique of shaving the unprovable parts of claims in order to get closer to an explanation or evaluation); and can the claim be independently verified.<sup>4</sup>

- Discernment – “[T]he ability to recognize small details, accurately tell the difference between similar things, and make intelligent judgements by using such observations.”<sup>5</sup>

In combination, Stout believes that our focus on these three techniques of understanding provide a reasonable methodology for the analysis of imperfect information involving complex social systems resulting in meaningful findings designed to provide quantitative measurement and qualitative assessment for purposes of enabling dialogue regarding the impact and efficacy of CT-RTC.

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<sup>4</sup> Critical Filtering is a technique of understanding described by Bill Nye in the MasterClass presentation “Practice Critical Thinking and Critical Filtering.”

<sup>5</sup> Random Housing Unabridged Dictionary. Random House, Inc. 2022.

## Section II-Executive Summary



## Key Findings

The first year of CT-RTC implementation has occurred amidst a variety of economic and labor market challenges including significant inflation, a tight rental housing market, ongoing impact from the COVID pandemic, and increased demand for workers, including lawyers. These factors combined with certain features of Connecticut’s eviction ecosystem – the nature of summary proceedings, the short notice period, the inconsistent granting of continuances, the inability to raise defenses after receiving a notice, and lack of emergency rental assistance – has impacted the implementation of CT-RTC. Throughout 2022, the Providers and their staff, in the face of significant challenges (described below), have demonstrated notable commitment to implementing Connecticut’s historic eviction right to counsel, collecting data to enable a robust year 1 evaluation, and helping clients achieve their goals, and related housing stability, in an overwhelming majority of cases, nearly all of which involved significant complexities. It is also important to note that this report was prepared at this time to comply with the January 31, 2023 statutory reporting deadline but does not represent a full year of data. This evaluation covers the first 10 months of CT-RTC – from January 31, 2022, when services were launched through November 30, 2022, the most recent data reporting available from the Providers.

### ***CT-RTC Attorneys Were Overwhelmingly Successful in Achieving Clients’ Goals Toward Housing Stability***

For CT-RTC cases opened and closed between January 31 and November 30, 2022 where the client received extensive services, the Providers achieved approximately 73% of clients’ stated case goals.<sup>6</sup> The reasons for 27% of CT-RTC clients not having their goals achieved are often systemic or a result of local challenges such as the lack of emergency rental assistance, the significant procedural barriers necessary to raise conditions issues as a defense, the inability for the courts to compel repairs, and the nature of the current rental housing market. The 3 most common goals are listed below with the frequency of the goal being achieved, the number of clients with the goal, and the percent of clients with that goal.

Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>7</sup>	% of CT-RTC Clients with Goal <sup>8</sup>
Prevent involuntary move	71%	304	82%
Prevent eviction judgment	76%	295	80%
Secure 30 days or more to move	71%	188	51%

<sup>6</sup> Based on goals the 3 most frequently stated client goals.

<sup>7</sup> Clients can have more than 1 goal for their case.

<sup>8</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

CT-RTC clients are most likely to be female, non-White (mostly African American or Black or Hispanic), between 35 and 49 years old, and have multiple people in the households. Most CT-RTC clients were not working at the time of the eviction, were living in private housing, had been living in their homes for 1-5 years, and indicated their home had defective conditions (e.g., pest infestations, plumbing issues, water damage, and/or mold). If they were evicted, most CT-RTC clients indicated they would have nowhere to go.

### *CT-RTC Attorneys Significantly Increased Access to Legal Representation*

Despite significant challenges, the Providers and their staff assisted approximately 1 in 4 CT-RTC eligible tenants who had evictions filed against them in CT-RTC zip codes<sup>9</sup> between January 1, 2022 to November 30, 2022. From 2017-2019, before the pandemic, approximately 7% of eviction filings annually in Connecticut had at least 1 defendant/tenant represented. In 2022 (through November 30), with the launch of CT-RTC and despite an increase in eviction filings beyond pre-pandemic levels, the tenant representation rate statewide increased to 10%, with the most significant increases in CT-RTC zip codes. In CT-RTC zip codes, the tenant representation rate more than doubled from approximately 6% in 2017-2019 to approximately 14% in 2022 (through November 30). In 2022, the tenant representation rate in zip codes where CT-RTC is not yet available was comparable to pre-pandemic representation rates.

The increase in the number of eviction filings in 2022 beyond pre-pandemic levels means that the representation rate alone fails to adequately demonstrate the significant increase in the number of tenants receiving legal representation since the launch of CT-RTC. The number of tenants represented statewide increased more than 60%, from a pre-pandemic average of 1,322 tenants annually from 2017-2019 to 2,148 tenants represented by November 30, 2022. In CT-RTC zip codes, the number of tenants represented increased approximately 176% compared to the pre-pandemic average of 401 tenants represented annually from 2017-2019 to 1,109 tenants represented by November 30, 2022. With the increased demand and focus on eviction representation, even the number of tenants in zip codes not receiving CT-RTC services increased from an annual average of 921 between 2017-2019 to 1,041 tenants represented by November 30, 2022.

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<sup>9</sup> A CT-RTC zip code is a zip code that has CT-RTC services available in the first year of implementation. CT-RTC zip codes were selected based on high eviction filing rates and where attorneys are available to represent tenants. Additional zip codes are added as attorneys are hired and trained to represent tenants. The CT-RTC zip codes for year 1 of implementation are: 06105, 06511, 06051, 06513, 06320, 06516, 06605, 06902, 06710, 06120, 06519, 06226, 06239, 06702, and 06260. In total, approximately 29% of all eviction filings in 2022 were in these zip codes.

The increase in the overall number of eviction filings beyond pre-pandemic levels has also created challenges both in meeting the increased demand for services and when representing tenants. For example, in certain courts, more eviction cases are being scheduled on the docket of a given hearing date, and there has been an increased demand for mediation services. With more eviction filings scheduled at each hearing and more cases being scheduled for mediation, the ability for the Providers to respond and ensure tenants are able to access legal representation when they want it has been stressed.

### *Connecticut's Eviction Process is Fast*

Connecticut is 1 of 16 states Stout identified with a 3-day notice period before an eviction can be filed for the non-payment of rent. The 3-day notice, known as a Notice to Quit, indicates to the tenant that they have 3 days to move, or the rental property owner can proceed with filing an eviction. Stout learned that it is challenging for Connecticut tenants receiving a Notice to Quit to connect with CT-RTC before an eviction is filed (after 3 days), and even when tenants seek assistance from CT-RTC at the Notice to Quit stage, it is difficult for the Providers to conduct screening, intake, a review of the client's case, and attempt to resolve the issue with the rental property owner prior to them filing an eviction because of the short notice period. Therefore, it is very difficult to avoid an eviction filing after the notice has been provided. In addition to Connecticut's short notice period, the historical use of summary proceedings for evictions was focused solely on removing a tenant from the property and reverting possession back to the rental property owner. Summary eviction proceedings are a vestige of the 18<sup>th</sup> and 19<sup>th</sup> centuries when there were not housing codes, subsidies, rent regulations, or complex rental housing market dynamics (see page 19). The continued use of summary eviction proceedings and their expediency does not conform to the housing needs or housing circumstances of renters and rental property owners in 21<sup>st</sup> century United States.

### *CT-RTC Providers Made a Significant Commitment to Data Collection and Iterative Evaluation*

Beginning in April 2022, the Providers expanded their data collection, investing significantly in a comprehensive client interview process intended to understand better clients and their circumstances. The Providers' dedication to data collection has been critical for developing a data-oriented approach to the CT-RTC evaluation. Based on the data collected by the Providers, Stout evaluated the client goals achieved by the Providers, analyzed client household demographics and case characteristics (including case complexities), and estimated the preliminary fiscal impacts of CT-RTC. These quantitative analyses were combined with and informed by qualitative feedback from the Providers, rental property owners, tenants, and other Connecticut eviction ecosystem stakeholders.

### *CT-RTC Clients Are Experiencing Substantive Legal Issues Beyond Non-payment of Rent*

In jurisdictions where Stout has conducted evaluations of eviction right to counsel/eviction defense programs, attorneys representing tenants in eviction proceedings have communicated (and the data collected has shown) that tenants are often trying to navigate complex situations related to their eviction. Stout's evaluation found that while most eviction filings in Connecticut, (and throughout the country) are brought for non-payment of rent, there are often substantive legal issues or procedural deficiencies with how the case was brought. Tenants seeking representation through CT-RTC are often doing so because they want an attorney to assist them with substantive legal issues with their case, potential defenses, or they are experiencing challenges within the household exacerbating the trauma of the eviction process.

Stout analyzed data from the client intake interview to determine the frequency with which CT-RTC clients who received extensive services indicated they were experiencing at least 1 complex case criteria. In all 439 (100%) closed CT-RTC cases where the client received extensive service, clients were experiencing at least 1 complex case criteria, and in 83% of closed CT-RTC cases, clients were experiencing multiple complex case criteria. In Stout's evaluation of Cleveland and Milwaukee's eviction right to counsel program, it found approximately 86% of closed extensive service cases had at least 1 complex case criteria.

Of the approximately 76% of CT-RTC clients having non-payment as a reason stated in the Notice to Quit, approximately 50% indicated the reason for their non-payment of rent was job loss or reduced hours, approximately 11% indicated they withheld rent due to defective conditions, and approximately 8% indicated they had an unexpected expense

### *CT-RTC Creates Economic and Fiscal Benefits*

Stout estimates that Connecticut likely realized economic benefits of \$5.8 million and \$6.3 million between January 31, 2022 and November 30, 2022 as a result of CT-RTC. The estimated economic benefits were related to:

- Cost savings related to housing social safety net responses - \$1.1 million to \$1.2 million
- Cost savings related to Medicaid spending on health care - \$2.5 million to \$2.7 million
- Sustained education funding for children in Connecticut schools - \$60,000 to \$70,000
- Economic value preserved by retaining residency in Connecticut - \$800,000 to \$900,000
- Out-of-home foster care placements - \$1.3 million to \$1.4 million.

Stout’s preliminary estimate of fiscal impact is likely significantly understated. Included in the calculation are benefits of CT-RTC that can be quantified based on currently available data. However, Connecticut (as well as individual cities and counties within the state) would likely realize additional benefits that are not currently quantifiable based on available data. These benefits that are not currently quantifiable include but are not limited to:

- The education costs, juvenile justice costs, and child welfare costs associated with children experiencing homelessness
- The effects of stabilized employment and income and the economic and tax benefits to the state associated with consumer spending
- The negative impact of an eviction filing (regardless of the outcome) on a tenant’s ability to re-rent and/or retain a housing voucher or subsidized housing
- The cost of providing public benefits when jobs are lost due to eviction or the eviction process
- The cost of mental health care
- Certain additional costs associated with homelessness, such as additional law enforcement and incarceration costs
- The cost of family, community, and neighborhood instability
- Preservation of financial and personal assets
- A reduction, over time, of the number of eviction cases filed resulting in improved use of Connecticut Judicial Branch resources.

### *Qualitative Feedback from Tenants and Rental Property Owners Can Improve CT-RTC*

As a complement to Stout’s quantitative analyses, researchers from Yale School of Medicine and Yale School of Public Health are conducting qualitative research related to the lived experiences of tenants and other eviction ecosystem stakeholders in Connecticut. Four preliminary themes emerged from their focus groups and interviews:

- Few tenants know their rights and options when faced with eviction
- Having assistance through the eviction process can reduce the stress and trauma of eviction
- Lawyers can often connect tenants to other resources
- There are opportunities to increase awareness of CT-RTC and communicate about it more clearly.

The qualitative research by Yale will continue in 2023 with final findings to be included in Stout’s second annual independent evaluation.

Stout also sought feedback from Connecticut rental property owners regarding their experiences and interactions with CT-RTC. Their feedback included: (1) an appreciation for certain circumstances where a tenant could benefit from representation; (2) a belief that pre-filing eviction diversion, mediation, and sustained emergency rental assistance are essential complements to CT-RTC and the ability to promptly resolve cases; and (3) an acknowledgement that rental property owners are likely to adopt more stringent and robust tenant screening requirements when the eviction process is expected to take more than 60 days. With regard to more robust tenant screening, this could include requiring proof of employment history and verifying current employment, increasing income requirements, conducting more thorough background and reference checks, increasing amounts of security deposits, and possibly refusing to rent to tenants with eviction records regardless of the type of eviction case or the outcome of the case. These rental property owner responses are not necessarily a direct result of CT-RTC. Rather, they are based on rental property owners' experiences during the pandemic with eviction moratoria, delays in receiving emergency rental assistance, and significant periods where tenants were not paying rent, as well as indicators of a tightening rental housing market with low vacancy rates. These factors may cause them to reconsider the level of financial risk and exposure they are willing to accept with a new or existing tenant.

### *Opportunities for Iterative Improvement of CT-RTC*

Based on the progress made toward implementing CT-RTC in Year 1 and the independent quantitative and qualitative analyses throughout the evaluation report, Stout recommends the following for 2023:

1. Continue to effectuate incremental progress toward full implementation of CT-RTC. Each Program should invest in additional capacity annually as they work toward fully implementation while appreciating there is much to learn and adapt to throughout implementation. Through this process, each Program should assess its personnel needs and ability to expand. There may be opportunities to build or further develop relationships with pipeline institutions or organizations, such as law schools, paralegal programs, and social worker associations. Providers should also evaluate their salaries and benefits relative to the competitive market to determine if adjustments need to be made to attract qualified talent to serve CT-RTC clients given current labor market conditions.
2. Develop a deeper understanding of circumstances where CT-RTC is most impactful. Stout learned from the Providers that there are situations where effective assistance for clients may be a service level other than extensive service. Segmenting clients and cases

by certain characteristics can assist with triaging and resource planning, particularly when capacity is limited.

3. Support the development of a CT-RTC Tenant Advisory Council to continue to gather feedback about CT-RTC and Connecticut’s rental housing ecosystem after the conclusion of the qualitative research conducted by the Yale researchers. The Tenant Advisory Council’s membership could include tenants from across Connecticut with lived experiences related to eviction and housing instability. Connecticut tenants with lived experience will have a unique perspective regarding the eviction process and ecosystem in Connecticut. CBF and the Providers should consider collaborating with tenant groups already established through other organizing activities in Connecticut. Stout understands there is a legislatively required working group and the Connecticut Advisory Council on Housing Matters, however, it may also be helpful to create an informal advisory council with membership from a broad range of stakeholder groups who interact with Connecticut’s eviction ecosystem, such as rental property owners (and their attorneys), the courts, public libraries, the education and health care systems, community-based organizations, and representatives from social safety net programs who frequently interact with people experiencing eviction and/or housing instability.
4. Maintain a commitment to timely, accurate data collection throughout the duration of a case. Use available tools and dashboards to monitor data collection and ensure client interview information is complete whenever possible, and cases are promptly closed. Capturing as much data as possible during the interview, and recording that information promptly, can create a comprehensive view of what clients are experiencing and how the Providers are responding to those circumstances. Prompt case closure will be important to having current, reasonably accurate data throughout the year to inform Provider operations and activities.
5. Consider mechanisms for collecting client feedback at different intervals post-representation. Client feedback post-representation may provide insights into external challenges clients are experiencing that contribute to ongoing housing insecurity for CT-RTC clients.
6. Engage with the Connecticut Judicial Branch (Judicial) to assess additional opportunities for collaboration. There may be opportunities for CBF and the Providers to work with Judicial to develop best practices for improving messaging to people facing eviction, including when tenants are appearing pro se and may be eligible for CT-RTC services. Additional collaboration between Judicial, CBF, and the Providers could lead to greater consistency across state courts when interacting with potential CT-RTC clients.

7. Identify and review the services and educational resources currently available for tenants and rental property owners to educate them about the eviction process, how it can be avoided, and how to navigate it. Based on these resources and qualitative feedback from rental property owners and tenants, develop comprehensive plans for effective outreach and education for rental property owners and tenants.



## Section III-Year 1 Evaluation Findings

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## *Important Context for Understanding Year 1 Evaluation Findings*

Throughout 2022 there were a variety of factors – both nationwide and specific to Connecticut – impacting the implementation and evaluation of CT-RTC. External factors related to the COVID-19 pandemic, the overall economy and labor market combined with the unique features of the Connecticut eviction ecosystem are important context for understanding Stout’s evaluation findings and the system in which CT-RTC is operating.

### *Economic and Labor Market Factors*

The first year of CT-RTC implementation occurred in a unique and challenging economic environment. From September 2021 to September 2022, the Consumer Price Index (CPI) increased approximately 8%.<sup>10</sup> The CPI measures changes in prices paid by consumers in the United States for goods and services.<sup>11</sup> Shelter, which includes rent, is the largest component of the CPI accounting for approximately 30% of the overall measure of inflation.<sup>12</sup> Throughout the country, tens of millions of renters have experienced significant increases in rent as demand for rental housing increases and vacancy rates decrease post-pandemic. However, renters with low incomes are disproportionately impacted by inflation, increased rent, and decreased rental availability. As pandemic aid ended and inflation began increasing in June 2021, eviction filings have returned to pre-pandemic levels partly because of the significant increases in rent.<sup>13</sup> From 2017-2019, approximately 19,000-20,000 evictions were filed in Connecticut annually. From January 1, 2022 through November 30, 2022, approximately 21,000 evictions have been filed in Connecticut, and if the currently monthly trend of eviction filings continues through December 31, an estimated 23,000 eviction filings are likely to have been filed in 2022 – an increase of approximately 15%-21% compared to pre-pandemic annual eviction filings.

Pandemic-era tenant protections, including eviction moratoria and the availability of emergency rental assistance, have also impacted rental property owners. Stout has learned through its eviction right to counsel work throughout the country that rental property owners are frustrated by the emergency rental assistance process and are unwilling to accept emergency rental assistance in jurisdictions where it is still available. Rental property owners are conducting additional tenant screening, increasing the amount of security deposits and application fees, are less willing to enter repayment agreements and instead are focusing on eviction.

The pandemic has also impacted the labor market significantly over the past 2 years. In 2021, more than 47 million people quit their jobs in what came to be known as “The Great

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<sup>10</sup> “Consumer Price Index – September 2022.” Bureau of Labor Statistics, U.S. Department of Labor. October 2022.

<sup>11</sup> Ibid.

<sup>12</sup> “Measuring Price Change in the CPI: Rent and Rental Equivalence.” Bureau of Labor Statistics, U.S. Department of Labor. March 2022.

<sup>13</sup> Fulford, Scott. “Office of Research blog: Housing inflation is hitting low-income renters.” Consumer Financial Protection Bureau. July 2022.

Resignation.”<sup>14</sup> However, “The Great Resignation” became “The Great Reshuffle” as more than half of people who quit their jobs were switching occupations rather than leaving the workforce.<sup>15</sup> This labor market disruption has presented hiring challenges across industries. A 2022 survey by Robert Half, a global human resources consulting firm, found that 88% of law firm survey respondents in the United States said it is challenging to find skilled professionals.<sup>16</sup> Through its work evaluating eviction right to counsel and eviction defense programs in jurisdictions across the country, including Connecticut, Stout has learned from legal services providers that the dynamics of the current labor market are impacting capacity and their ability to hire and retain staff to meet the demand for their services.

### *Features of the Connecticut Eviction Ecosystem Impacting CT-RTC*

Over the past year, Stout has developed an understanding of the eviction ecosystem in Connecticut based on the experiences and expertise of local stakeholders and through the analysis of court docket data. As one would expect, the ecosystem in which CT-RTC – and other eviction diversion, prevention, and right to counsel programs throughout the country – operates impacts the effectiveness of CT-RTC. The nature of eviction summary proceedings, the eviction timeline and court processes, and the lack of sustainable emergency rental assistance in Connecticut has and will continue to impact the effectiveness of CT-RTC.

#### *Summary Proceedings and Court Processes*

The grounds for eviction in Connecticut are: (1) expiration of the lease; (2) non-payment of rent; (3) breach of tenant’s statutory duties; (4) breach of lease terms; and (5) illegal conduct or serious nuisance.<sup>17</sup> Eviction proceedings in every state, including Connecticut, are summary proceedings. Summary proceedings are proceedings that are “conducted without formalities... for the speedy disposition of a matter.”<sup>18</sup> The expedited nature of summary eviction proceedings has been built on the belief that the legal issues in evictions are not complicated because there were not housing codes, subsidies, or rent regulations in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries when summary eviction proceedings began in the United States.<sup>19</sup> The summary nature of these proceedings has remained as legal rights and protections for tenants have developed, making it difficult for tenants to exercise those rights. The summary process for eviction proceedings for non-payment in Connecticut is detailed in the following paragraphs. While there are several steps to the eviction process in Connecticut or conditions that must be met, they happen in very

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<sup>14</sup> “Understanding American’s Labor Shortage: The Most Impacted Industries.” U.S. Chamber of Commerce. October 2022.

<sup>15</sup> Meister, Jeanne. “The Great Resignation Becomes The Great Reshuffle: What Employers Can Do To Retain Workers.” Forbes. April 2022.

<sup>16</sup> “The Demand for Skilled Talent – 2022 Hiring and Employment Trends.” Robert Half. 2022.

<sup>17</sup> Orlando, James. “Eviction Process and Time Frame.” OLR Research Report. October 2011.

<sup>18</sup> “Summary proceeding.” Merriam-Webster.com. 2022.

<sup>19</sup> Scherer, Andrew. “The Case Against Summary Eviction Proceedings: Process as Racism and Oppression.” Seton Hall Law Review, Vol. 53:1. November 2022.

short time periods resulting in an expedited yet complex process. From 2017-2019, eviction filings against unrepresented tenants were disposed of in an average of 54 days (i.e., number of days between the eviction filing date and the case disposition date). It is important to appreciate that the eviction process moves particularly fast for unrepresented tenants who do not file an appearance and answer with the court. These tenants lose their cases by default and are removed from their homes in an expedited manner. Based on Stout’s analyses of Connecticut eviction filings, cases where tenants do not appear and lose their case by default are disposed of in as quickly as 7 days.

1. Notice to Quit – the rental property owner must serve the tenant a Notice to Quit which gives the tenant 3 days to move.<sup>20</sup> If the tenant does not move after the last day stated in the Notice to Quit, the rental property owner can proceed with filing the eviction in court.
2. Summons and Complaint – the rental property owner must complete a Summons and Complaint and file it with the court. The court clerk will indicate a return date on the Summons, which is the data from which certain time periods are measure (e.g., when the tenant must respond).<sup>21</sup> The rental property owner must then provide the court papers to a state marshal to serve on the tenant(s) at least 6 days before the return date set by the court clerk.
3. Appearance and Answer – the tenant has 2 days from the return date to file an Appearance and Answer with the court.<sup>22</sup> These are separate filings, and if the tenant does not file an Appearance within 2 days of the return date, or if the tenant files an Appearance but does not file an Answer, the rental property owner can seek a Default Judgment.<sup>23</sup>
4. Mediation and/or Trial – if the tenant files an Appearance and Answer, a mediation and trial are scheduled generally 7-10 days after all pleadings have been filed.<sup>24</sup> If the tenant fails to appear in court, the rental property owner can seek a Default Judgment. If the tenant appears, the parties will meet with a Housing Mediator to attempt to settle the case before appearing in front of a judge.<sup>25</sup> If a settlement is reached, the agreement will be reviewed by the judge. If a settlement is not reached, the case will proceed to a trial, and a judge will make a decision based on the arguments and evidence presented.<sup>26</sup>

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<sup>20</sup> “A Landlord’s Guide to Summary Process (Eviction).” State of Connecticut Judicial Branch Superior Court. 2020.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

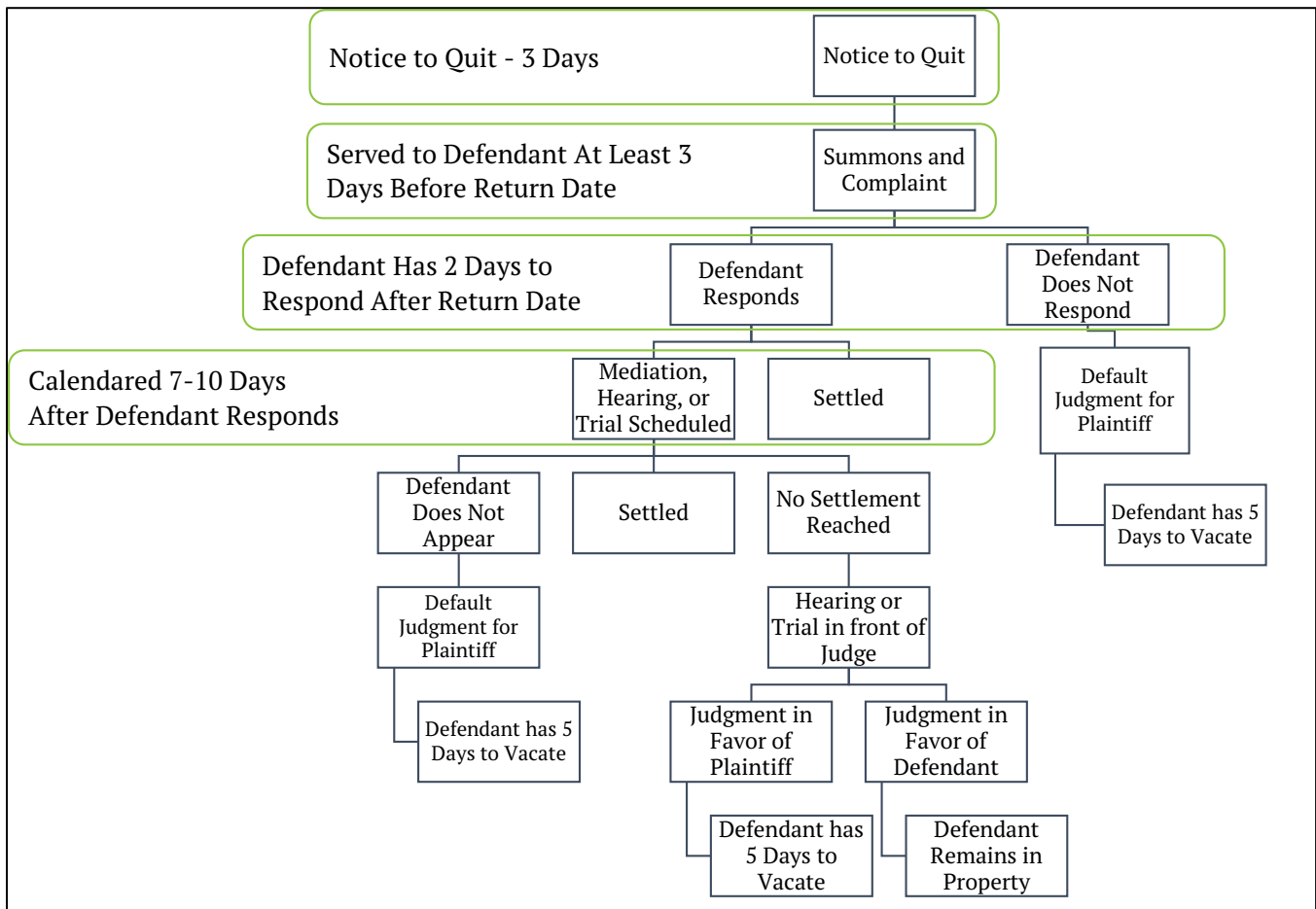
<sup>24</sup> Stout understands that in certain parts of the state the courts may schedule mediations an/or trials beyond 7-10 days.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

- Nearly all tenants are offered mediation when they appear at court, and most voluntarily accept that offer. However, because of the number of parties who appear for their cases, tenants can often wait extended periods before they meet with a mediator. Stout learned that while they are waiting to meet with a mediator, rental property owners or their counsel may use the opportunity to negotiate with the tenant. Even if tenants can access mediation, it can still be important for them to be represented, especially when there are substantive legal issues, complications, or significant consequences should they be evicted or enter a settlement agreement they may have challenges fulfilling. Furthermore, the power imbalance between unrepresented tenants and represented rental property owners exists in mediation as it does throughout the eviction process. In certain instances, it can be helpful for the tenant to be referred to a legal services organization by the mediator when possible and appropriate.
5. Judgment and Execution – after the trial (or if either party defaults), a judgment is entered. If a judgment in favor of the tenant is entered, they may remain in the property. If a judgment is entered in favor of the rental property owner, the tenant has 5 days to vacate. If the tenant has not vacated after 5 days, the rental property owner can request a Summary Process Execution from the court and have the tenant physically removed from the property if they do not vacate within 24 hours after being served the Summary Process Execution by a state marshal.

This process is illustrated in Figure 1.



**Figure 1**

The steps detailed in the previous paragraphs demonstrate a complicated eviction process that requires not only an understanding of Connecticut’s landlord-tenant law but also swift action by tenants. When tenants fail to execute steps in the process, the eviction process becomes even faster as they lose by default and can be removed from their homes quickly. These cases can be disposed of in as few as 7 days after the filing date.

In summary eviction proceedings, tenants can raise defective conditions/lack of habitability because no rent is due if the unit is uninhabitable. However, the court cannot order repairs to the tenant’s home. If a tenant is seeking to compel the rental property owner to repair defective conditions, a tenant must bring an affirmative case against the rental property owner called “payment of rent into court.” The affirmative case filed by the tenant with the court must include a statement that the tenant made a complaint to the appropriate municipal agency regarding the issue they are raising as a defense at least 21 days prior to filing the affirmative case.<sup>27</sup> In an affirmative case, the court can order repairs to the tenant’s home. A tenant cannot

<sup>27</sup> 2011 Connecticut Code, Title 471 Landlord and Tenant, Chapter 830 Rights and Responsibilities of Landlord and Tenant, Sec. 47a-14h. Action by individual tenant to enforce landlord’s responsibilities. Payment of rent into court.

file an affirmative case against a rental property owner if the tenant has received a valid Notice to Quit for the non-payment of rent.<sup>28</sup>

It is important to note that an understanding of Connecticut landlord-tenant law and court processes is necessary for a tenant to be able to participate in the eviction process and assert their rights. CT-RTC seeks to rectify the power imbalance between rental property owners and tenants in eviction proceedings by providing tenants with an attorney to assist with understanding the law and legal process. However, CT-RTC is operating within a system designed to process and dispose of cases quickly. Additionally, Connecticut's eviction process does not enable tenants to file an affirmative case once they receive a Notice to Quit, and a tenant is not eligible for CT-RTC until they receive a Notice to Quit.

The courts play a critical role in how CT-RTC is implemented and can impact its effectiveness. Stout learned there are circumstances where continuances may not be granted for unrepresented tenants to provide them time to secure representation and mediators are often unlikely to refer unrepresented tenants to CT-RTC. Although there is no requirement that unrepresented tenants appearing in court be asked if they understand they may be eligible for representation through CT-RTC, it could be helpful in circumstances where an unrepresented tenant has complex a complex case and is experiencing substantive legal issues. Furthermore, while mediation can be beneficial, the nature of summary proceedings – focusing on possession and disposing of cases quickly – can mute its effectiveness for tenants, especially when tenants are unrepresented in mediation. These factors and their effect on the potential impact of tenant legal representation will be discussed in further detail below.

#### *Lack of Emergency Rental Assistance*

Connecticut received more than \$400 million in Emergency Rental Assistance 1 and 2 funding from the United States Department of the Treasury in 2021. The Connecticut State Department of Housing administered the funding through the UniteCT program. Eligible tenant households could receive up to 12 months and/or \$15,000 in emergency rental assistance.<sup>29</sup> On March 31, 2022, UniteCT stopped taking new applications for emergency rental assistance and continued processing existing applications until all funding was disbursed.<sup>30</sup> For 8 months of the first CT-RTC annual evaluation period, emergency rental assistance was not available.

Stout learned from the Providers that the lack of any rental assistance can impede their ability to achieve certain client goals. For example, if a client wants to stay in their home and owes back rent, it is often challenging to achieve that goal without emergency rental assistance even if the Providers are able to resolve the non-rental arrears issues.

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<sup>28</sup> Ibid.

<sup>29</sup> Connecticut State Department of Housing, UniteCT Portal.

<sup>30</sup> Ibid.

When UniteCT closed the application process in early 2022, the Connecticut legislature allocated \$5 million to the Department of Housing for eviction prevention programs, of which \$1.5 million will fund a “rent bank” aimed at assisting tenants and rental property owners with back rent owed and avoiding eviction.<sup>51</sup> In September 2022, Connecticut received an additional \$11.2 million from the United States Department of the Treasury through the Emergency Rental Assistance 1 reallocation process, which will be used to fund an Eviction Prevention Fund.<sup>52</sup> Applications for the Eviction Prevention Fund are scheduled to open in early January 2023. In addition, tenants who previously applied to UniteCT but had their applications closed because they were not fully submitted by March 31, 2022 may be able to access additional assistance, and will be contacted by the program if they are eligible for assistance.

### *The Confluence of Eviction Ecosystem-wide Challenges in Connecticut*

Connecticut is 1 of 16 states Stout is aware of with a 3-day notice period for non-payment of rent.<sup>53</sup> Twenty-nine states and the District of Columbia have notice periods of at least 5 days and up to 30 days for the non-payment of rent, and 5 states do not have a minimum notice period or require the rental property owner to give notice if evicting for the non-payment of rent.<sup>54</sup> Details of each state’s notice periods can be found in Appendix C.

Stout learned from the Providers that the short notice period can impact their ability to achieve certain client goals, particularly preventing an eviction filing. Even when tenants seek assistance from CT-RTC at the Notice to Quit stage, it is difficult for the Providers to conduct screening, intake, a review of the client’s case, and attempt to resolve the issue with the rental property owner prior to them filing an eviction because of the short notice period. For tenants who are not connecting with CT-RTC until they have received a Summons and Complaint, the eviction process moves quicker, and the Providers have less time to prepare their case before mediation and/or trial. Combined with the inconsistent granting of continuances across the state, these process barriers may be mitigating the potential impact of CT-RTC. The lack of sustainable emergency rental assistance funding, the high-cost low-availability rental housing market, and the labor market challenges experienced by the Providers to hire qualified staff have also affected the implementation and impact of CT-RTC.

Despite the eviction ecosystem, rental housing, and labor market challenges in Connecticut, the Providers have been very successful in achieving CT-RTC clients’ goals. The Providers made substantial progress implementing CT-RTC in 2022, while helping clients achieve their goals,

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<sup>51</sup> Monk, Ginny. “CT state budget designates \$5 million for eviction prevention programs.” The CT Mirror. May 2022.

<sup>52</sup> “ERA1 Reallocation Pool Round 3-General Pool.” United States Department of the Treasury

<sup>53</sup> Stout is aware that states with shorter notice period requirements may have city, county, or other local laws requiring longer notice periods.

<sup>54</sup> Stout’s analysis of LSC Eviction Laws Database available at <https://www.lsc.gov/initiatives/effect-state-local-laws-evictions/lsc-eviction-laws-database>



and demonstrated great commitment to data collection and evaluation while facing unprecedented challenges.

### *Providers' Investment in Data Collection*

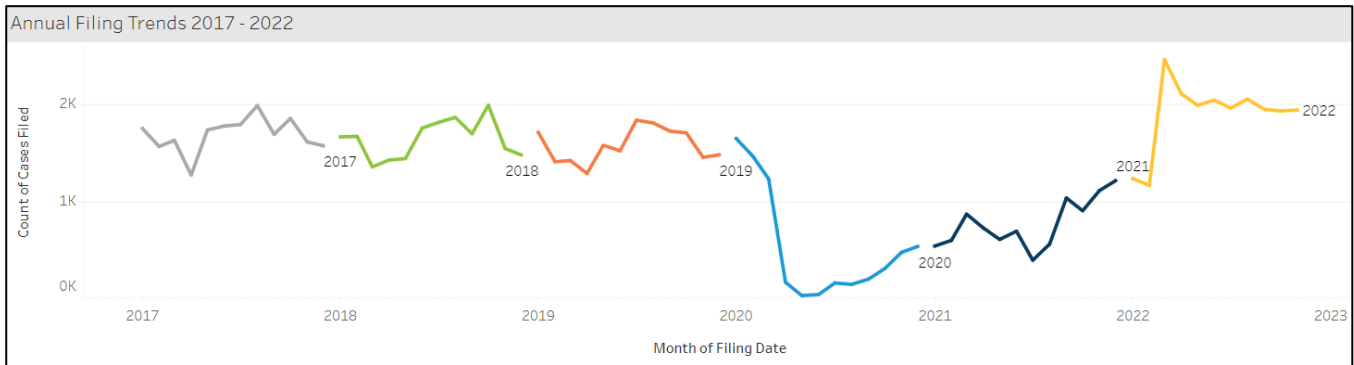
During the fourth quarter of 2021, Stout provided CBF and the Providers with an extensive list of potential data elements to collect that would enable a robust evaluation. Stout, CBF, and the Providers met weekly during the fourth quarter of 2021 and the first quarter of 2022 to refine the list of data elements and discuss which were already being collected, could be collected easily, and would be challenging to collect. The initial set of data elements was finalized in April 2022, and Stout received the first data export from the Providers in May 2022. Throughout the process of implementing the new data elements, the Providers were highly engaged and participatory. The monthly data submissions Stout receives from the Providers are high-quality, substantially complete, and have minimal errors. The Providers' dedication to data collection has been critical for developing a data-oriented approach to the CT-RTC evaluation. Using the data collected by the Providers, Stout built a dynamic data visualization platform for use by Stout, the Providers, and CBF that presents the Providers data and publicly available data in a user-friendly format. The data visualization platform will continue to be refined over the next year.

### *Analysis of Eviction Filing Data*

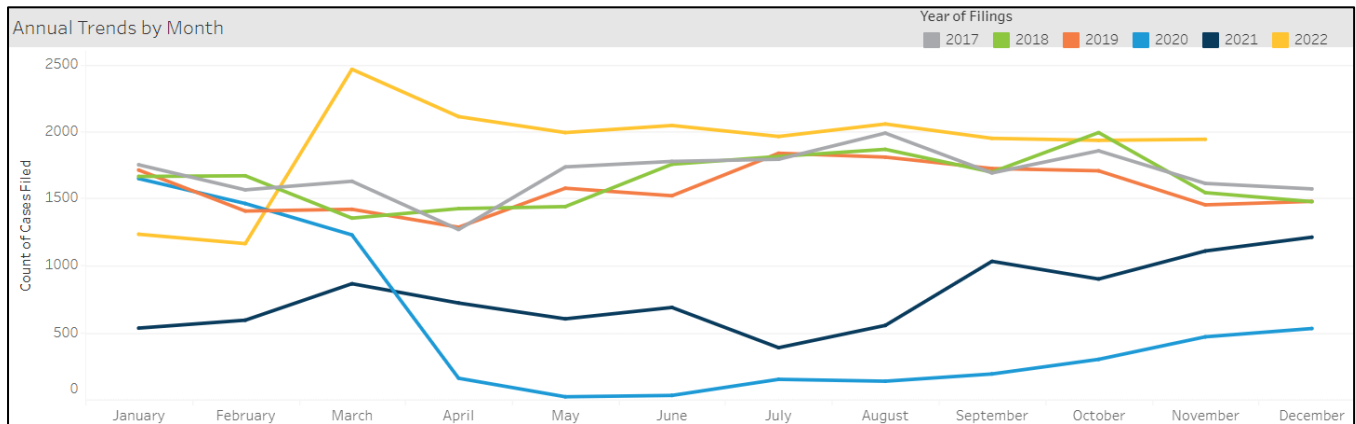
Stout analyzed detailed docket information to develop a deeper understanding of eviction filings in Connecticut. The analyses included, but were not limited to, annual filing trends, geographic concentrations of filings, plaintiff and defendant representation, court-entered dispositions, filings by housing type (private v. housing authorities), and case durations. Stout and CBF had several meetings with Judicial to ensure the docket data was being interpreted correctly and the methodologies to calculate metrics were accurate.

### *Number of Eviction Filings in Connecticut*

Between 2017 and 2019, there was an average of approximately 19,600 eviction filings annually in Connecticut. In 2020 and 2021, there was a significant decrease in the number of eviction filings in Connecticut as a result of pandemic-related eviction moratoria and tenant protections. The number of eviction filings in 2022 through November 30 has already reached annual pre-pandemic levels and by the end of the year will likely exceed the number of annual eviction filings in 2019 by an estimated 20%. Figure 2 shows the annual eviction filing trend in Connecticut from January 1, 2017 through November 30, 2022, and Figure 3 shows the monthly eviction filing trend for the same period.

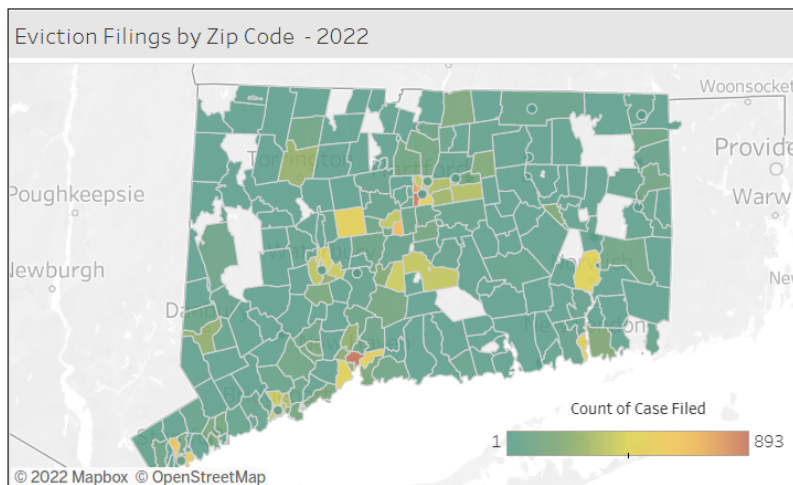


**Figure 2**



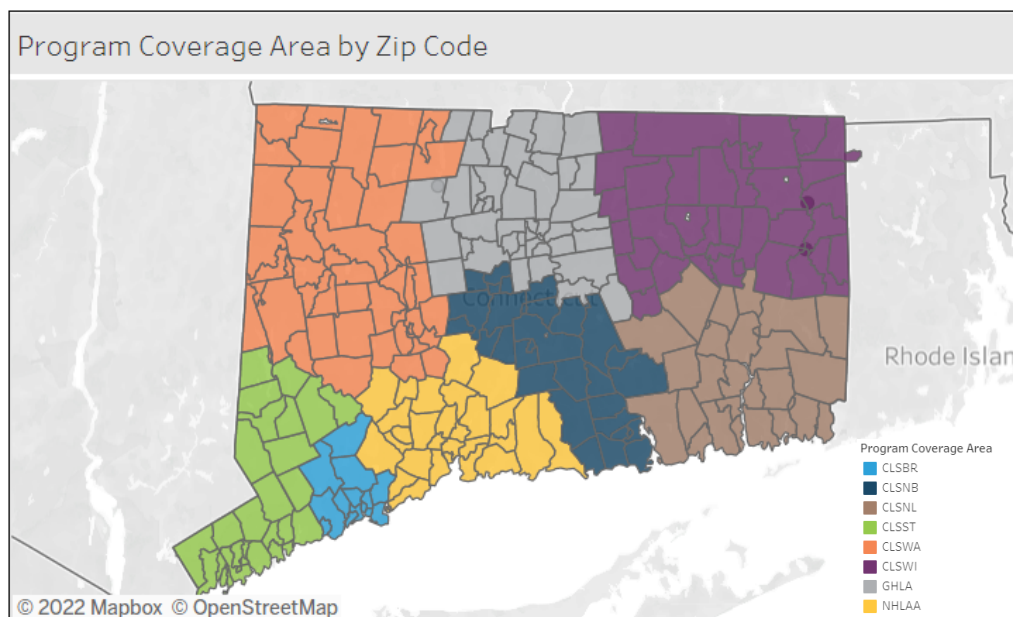
**Figure 3**

Eviction filings in Connecticut from January 1, 2022 through November 30, 2022 were primarily concentrated in zip codes New Haven (06511, 06513, 06516), Hartford (06105, 06106, 06114) Bristol (06010), Meriden (06450), Norwich (06360), and Stamford (06902). Figure 4 shows eviction filings by zip from January 1, 2022 through November 30, 2022.



**Figure 4**

In Connecticut, every zip code is assigned a legal services provider (Program). As previously discussed, these Providers are CLS, GHLA, and NHLAA. SLS and CVLC operate statewide and therefore are not assigned to specific zip codes. Figure 5 is a map showing which zip codes are served by which Providers.



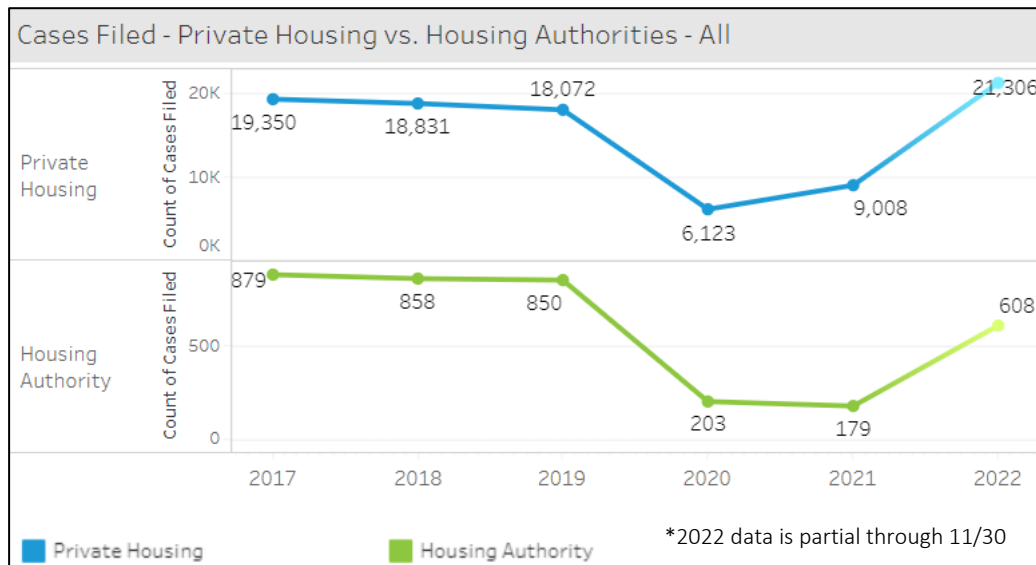
**Figure 5**

Approximately 57% of evictions filed from January 1, 2022 through November 30, 2022 were filed in zip codes in CLS’s coverage area, approximately 25% were filed in GHLA’s coverage area, and approximately 18% were filed in NHLAA’s coverage area.

Stout also analyzed trends of eviction filings by Connecticut housing authorities. In 2022 (through November 30), housing authorities filed 608 evictions compared to approximately 860 annual eviction filings from 2017-2019 – a decrease of approximately 29%. However, in 2022, eviction filings by Connecticut housing authorities have increased since 2020 and 2021, when they were filing an average of 190 evictions annually during the pandemic. Since 2021, eviction filings by Connecticut housing authorities have increased approximately 240% (179 filings to 608 filings). The Housing Authority of New Haven, for example, did not file evictions for the non-payment of rent during the pandemic but resumed this practice in September 2022.

Eviction filings by private market rental property owners in Connecticut followed a similar trend to those filed by housing authorities until 2020 when filings by housing authorities continued to decrease while filings by private market rental property owners began to increase, eventually surpassing pre-pandemic filings in 2022. Figure 6 shows these trends.<sup>35</sup>

<sup>35</sup> The lighter shaded data point for 2022 indicate a partial year of data. Data for 2022 is through November 30.



**Figure 6**

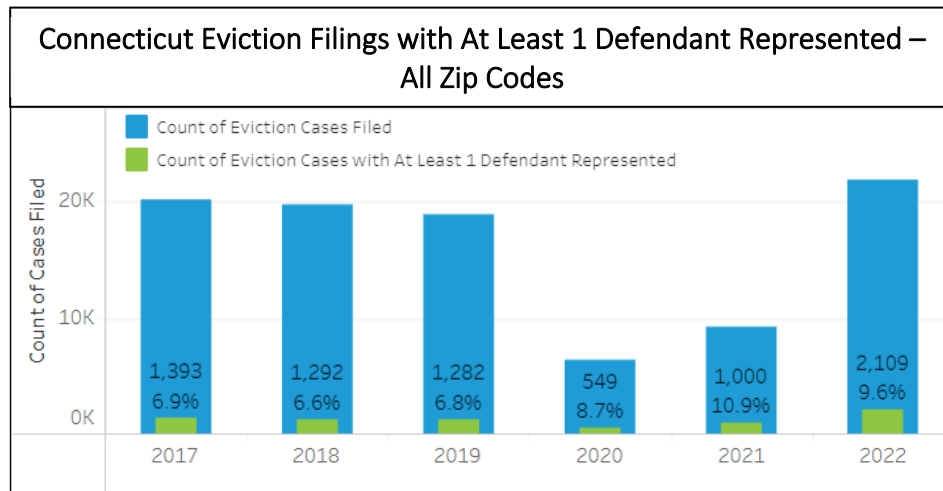
Stout has learned during its work in other jurisdictions that many housing authorities across the country developed new programs and policies to prevent the filing of evictions for the non-payment of rent – a practice that began at the height of the pandemic and has remained. For example, housing authorities in New York City, Cleveland, South Carolina, and Milwaukee have created programs and adopted policies aimed at keeping residents in their homes by connecting them to services and working with them to develop plans for the prompt payment of rent. Recognizing that their residents are often experiencing a variety of challenging circumstances (e.g., mental/physical health issues within their household, unstable employment, children with special needs, issues with receiving public benefits), many housing authorities have social workers or navigators on staff to assist residents and ensure they stay housed, when possible. The U.S. Department of Housing and Urban Development (HUD) has been supportive of housing authorities’ strategies to avoid eviction filings for the non-payment of rent. HUD developed a variety of best practices documents and toolkits for housing authorities to use when seeking to prevent evictions and increase stability among their residents.<sup>36</sup> Additionally, HUD announced in May 2022 the availability of \$20 million in grants for its Eviction Protection Grant Program which doubled the amount initially allocated in November 2021.<sup>37</sup>

### ***Party Representation Rates in Connecticut Eviction Filings***

From 2017-2019, approximately 7% of eviction filings annually in Connecticut had at least 1 defendant represented. In 2022 (through November 30), approximately 10% of all eviction filings in Connecticut had at least 1 defendant/tenant represented (Figure 7).

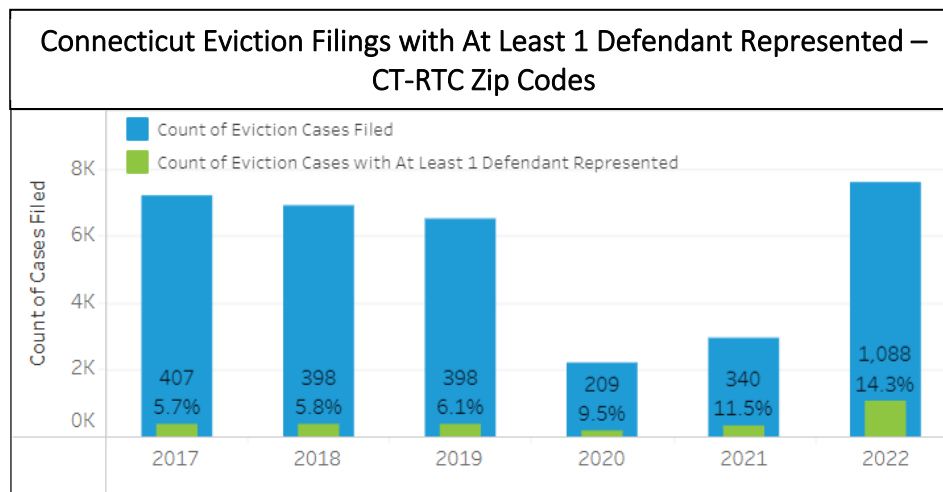
<sup>36</sup> See [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/covid\\_19\\_resources#2](https://www.hud.gov/program_offices/public_indian_housing/covid_19_resources#2).

<sup>37</sup> “HUD Expands Eviction Protection and Diversion Program with Additional \$20 Million.” HUD No. 22-091 Press Release. May 9, 2022.



**Figure 7**

From 2017-2019, approximately 6% of eviction filings annually in what are now CT-RTC zip codes had at least 1 defendant/tenant represented. In 2022 (through November 30), approximately 14% of cases in CT-RTC zip codes had at least 1 defendant/tenant represented (Figure 8).



**Figure 8**

The blue bars in Figures 7 and 8 show the number of eviction cases filed, and the green bars show the number and percent of eviction cases filed where at least 1 defendant/tenant was represented. Figure 7 shows these metrics for all eviction filings in Connecticut, and Figure 8 shows them for eviction filings in CT-RTC zip codes.

Figure 9 shows the number of monthly eviction filings with at least 1 defendant/tenant represented (green bars) and the percentage of monthly eviction filings with at least 1 defendant/tenant represented (orange line) from January 1, 2021 through October 31, 2022. The number and percent of cases where at least 1 defendant/tenant is represented for October is

understated, and complete data for November is not yet available. The docket data does not always reflect representation by legal counsel in the same month that the eviction is filed. Figure 9 shows these metrics for Connecticut, and Figure 10 shows them for CT-RTC zip codes.

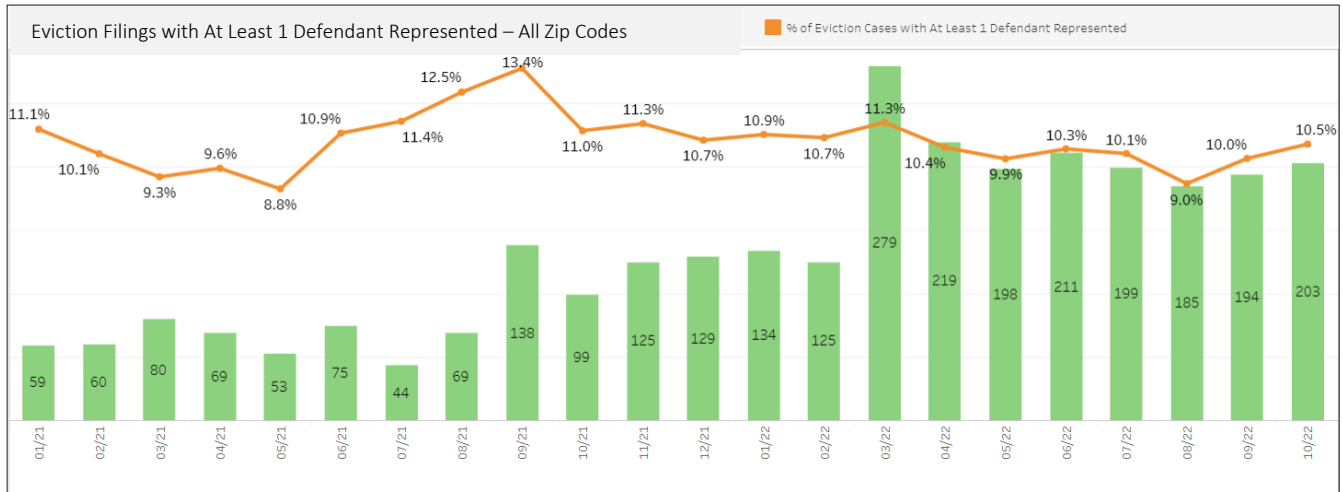


Figure 9

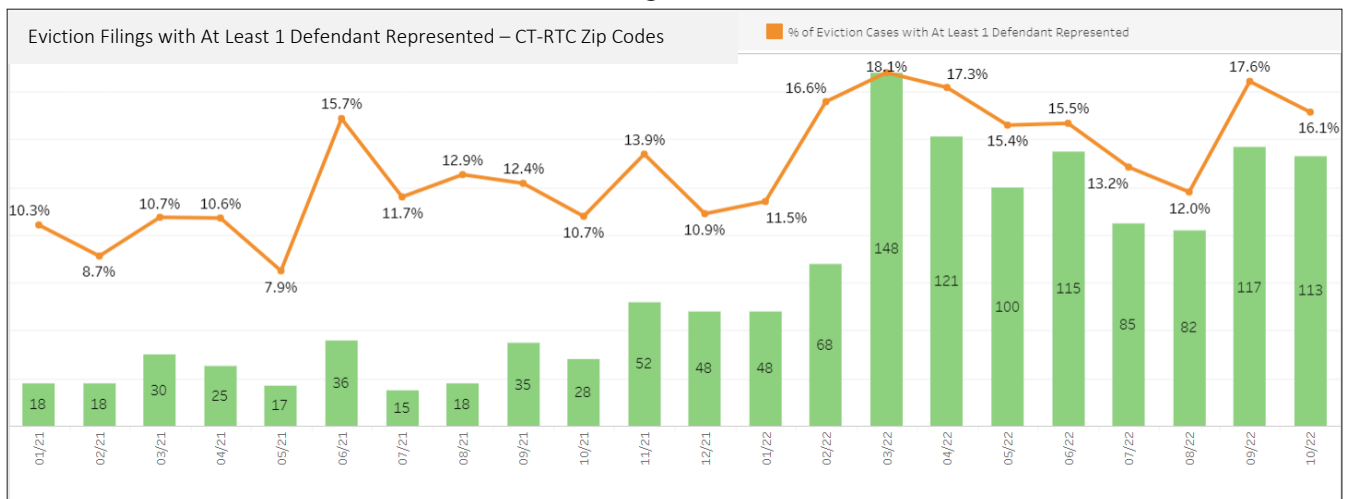


Figure 10

From 2017-2019, approximately 80% of annual eviction filings in Connecticut had plaintiff representation (74% where only the plaintiff was represented and 6% where both parties were represented). In 2022 (through November 30), approximately 87% of eviction filings in Connecticut had plaintiff representation (78% where only the plaintiff was represented and 9% where both parties were represented). From 2017 -2022 (through November 30), the percentage of eviction filings where only the plaintiff was represented increased 5 percentage points (73% to 78%), the percentage of eviction filings where both parties were unrepresented decreased 7 percentage points (20% to 13%), the percentage of eviction filings where both parties were represented increased 3 percentage points (6% to 9%), and the percentage of eviction filings

where only the defendant was represented remained the same (1%). These trends are shown in Figure 11.

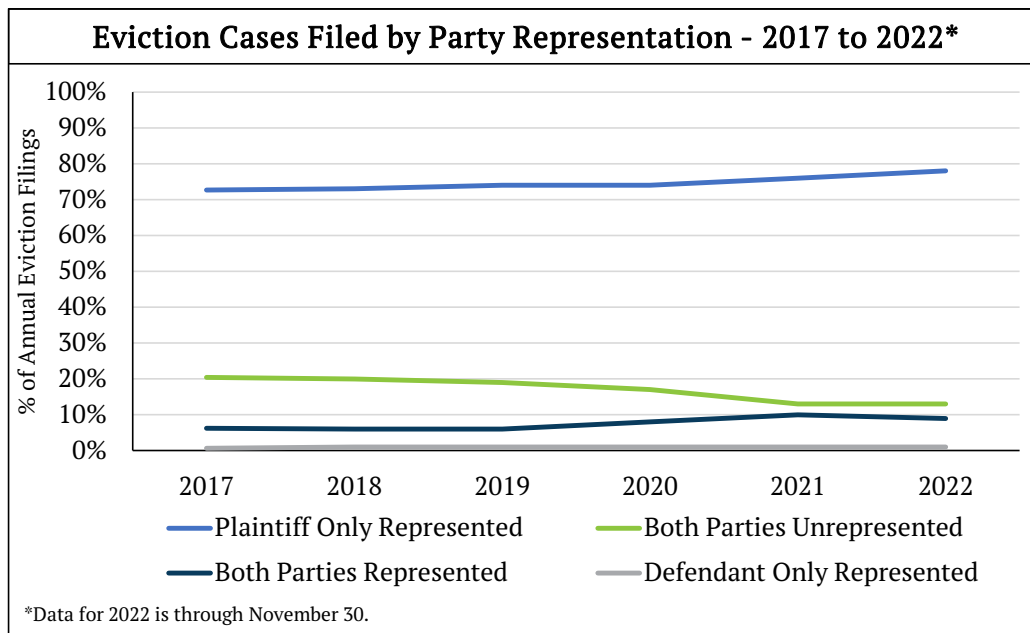


Figure 11

### Estimated CT-RTC Eligible Tenant Representation Rate and Assisted Rate

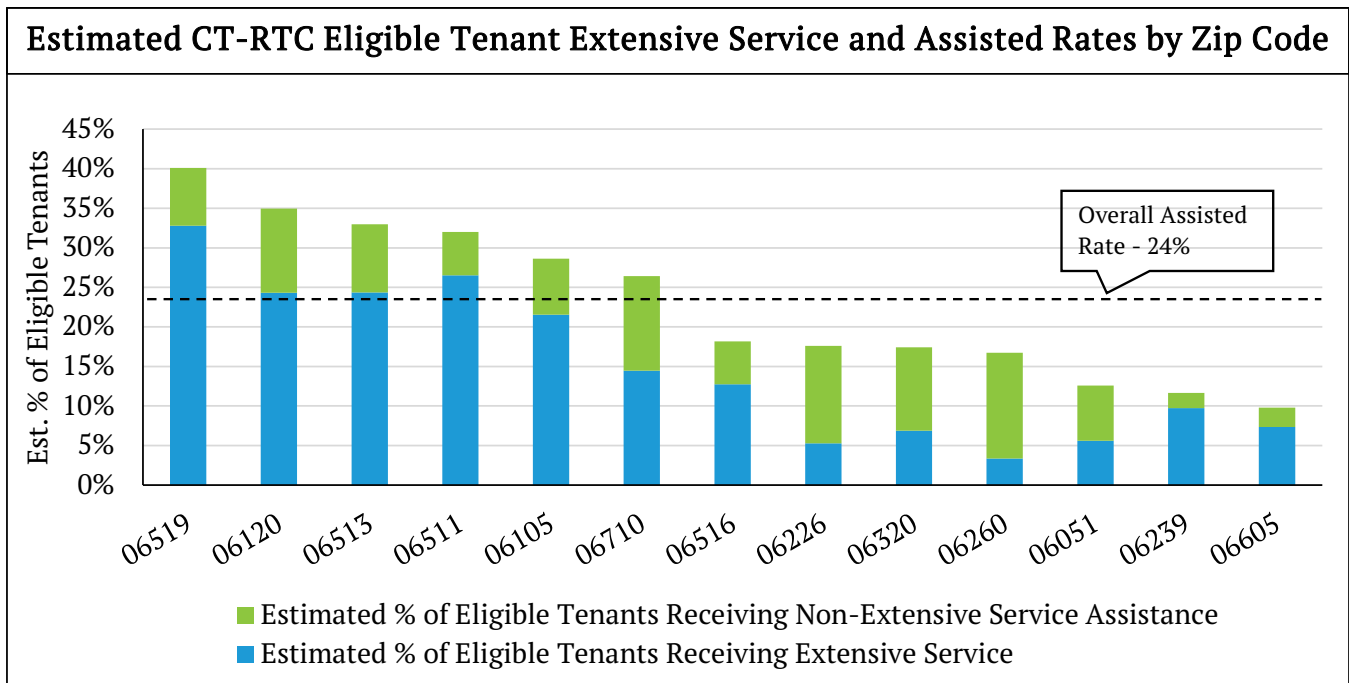
Stout used data provided by the Providers, the number of eviction filings in each CT-RTC zip code (January 1, 2022 through November 30, 2022), and publicly available research/data to develop an estimate of: (1) the extensive service rate for CT-RTC eligible residents and (2) the assisted rate<sup>38</sup> for CT-RTC eligible residents. These estimates provide insights as to the percentage of all CT-RTC eligible residents represented and assisted from January 31, 2022 through November 30, 2022 in each CT-RTC zip code.<sup>39</sup> Data from the Connecticut Judicial Branch for eviction filings does not include information regarding household income. Therefore, the number and percentage of households that may be eligible for representation or assistance through CT-RTC must be estimated.

Figure 12 shows the estimated extensive service rate of likely CT-RTC eligible households in each CT-RTC zip code (blue bars) and the estimated assisted rate (green bars). In total, the single bar (blue bar plus green bar) shows the estimated percentage of likely CT-RTC eligible households in each CT-RTC zip code that have received some form of assistance. In zip code 06519, an estimated 33% of likely CT-RTC eligible households received extensive service and

<sup>38</sup> The estimated assisted rate is the percentage of CT-RTC eligible households receiving extensive service, limited representation, and brief advice and counsel.

<sup>39</sup> The estimated extensive service and assisted rates are understated. The estimates do not include the number of tenants who are eligible for CT-RTC but opt for private representation/assistance.

an estimated 7% received assistance for a total estimated assisted rate of 40%. The overall estimated assisted rate of likely CT-RTC eligible households across all CT-RTC zip codes was 24% from January 31, 2022 through November 30, 2022. That is, an estimated 24% of all households in CT-RTC zip codes that were likely eligible for CT-RTC received some form of assistance.



**Figure 12**

It is important to note that CT-RTC service levels other than extensive service are not a reflection of capacity constraints but rather based on the attorney’s assessment of client needs. When clients receive brief services, advice and counsel, or limited representation it is because it is the level of assistance that the client needs, as determined by the CT-RTC attorney through discussion with the CT-RTC client. In no circumstance should brief services, advice and counsel, or limited representation be perceived as being less than adequate or a client not receiving the level of service they need. The spectrum of services a client may receive from CT-RTC includes extensive service (the most intense level of service) to brief services/advice and counsel (the least intense level of service). Clients requiring extensive service often are experiencing significant substantive legal issues, complex fact patterns, disputes of fact, and/or challenges navigating the eviction process alone. There are also clients who simply need brief services/advice and counsel about what to do next in their case. This could include assistance from an attorney completing and filing an answer or counsel from an attorney about how to negotiate with the rental property owner. Regardless of service level, the Providers are providing clients the services they need depending on the circumstances of the case and the professional opinion of the attorney.



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### *Preliminary Findings from CT-RTC Client Interviews*

Connecticut residents facing eviction can apply for legal representation by calling Statewide Legal Services (SLS) or the Providers' intake line. Residents who are eligible for CT-RTC are interviewed by Provider staff to collect more information about them, their household, and the circumstances surrounding their eviction. The intake interview has provided the opportunity to understand clients' experiences more deeply and develop strategies to inform refinements to CT-RTC.<sup>40</sup>

Stout analyzed the results of key interview questions and organized them below by category: (1) household demographics and characteristics; (2) employment; (3) housing type, tenure, lease term, and desire to stay in home; (4) presence of defective conditions; (5) alternative living arrangements; and (6) case phase and reasons stated in the Notice to Quit.

#### *Household Demographics and Characteristics*

Approximately 69% of clients identified as female, approximately 31% as male, and less than 1% as transgender (Figure 13). More than 75% of CT-RTC clients identified as non-White (i.e., African American or Black, Hispanic, Native American or Alaskan Native, or Asian or Pacific Islander), and approximately 32% of CT-RTC clients identified as Hispanic (Figures 14 and 15). Approximately 12% of CT-RTC clients indicated they had limited English proficiency (Figure 16). Approximately 80% of CT-RTC clients indicated English was their primary language, approximately 11% indicated Spanish was their primary language, approximately 9% indicated they were bilingual (Spanish and English), and approximately 1% indicated other languages were their primary language, or they communicated via sign language (Figure 17).

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<sup>40</sup> Client circumstances and case characteristics often vary. Because of this variation, not all interview questions are applicable to all CT-RTC clients and therefore are not asked to all clients. While the goal is to ask all CT-RTC clients all questions applicable to their circumstance and case, Program attorneys exercise discretion during the interview process. There may be interview questions not asked based on a client's lived experiences, comfort level with certain topics, and having to recount traumatic experiences.

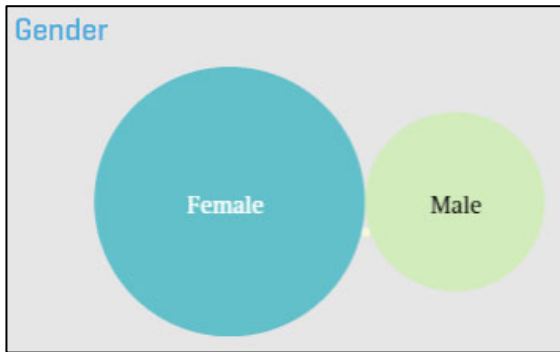


Figure 13

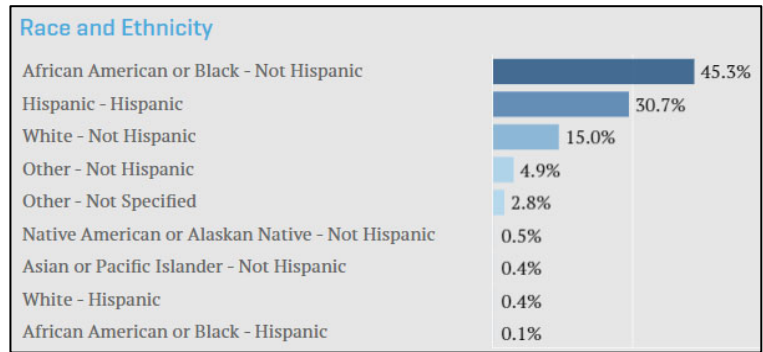


Figure 14

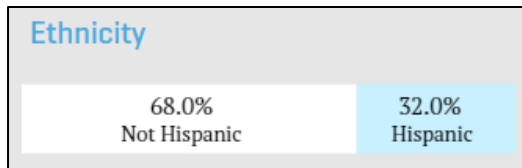


Figure 15

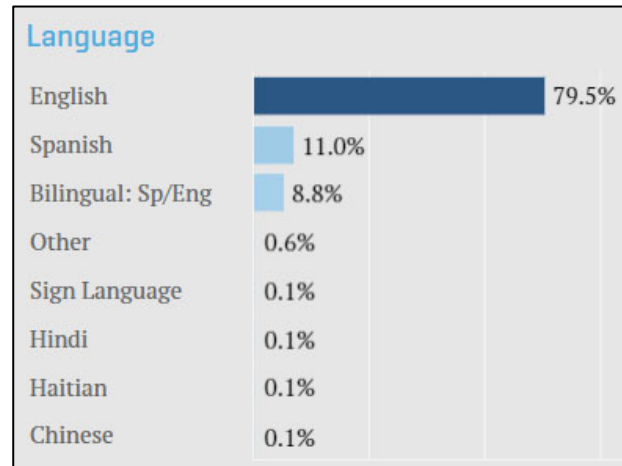


Figure 17

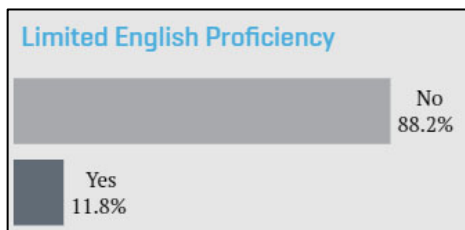


Figure 16

CT-RTC clients ranged in age from 18 to 100 years old. Approximately 35% of CT-RTC clients were between 35 and 49 years old, approximately 25% were 50-64 years old, approximately 25% were 25-34 years old, and approximately 8% and 6% were 65 years old or older and 18-24 years old, respectively. Female CT-RTC clients are generally younger than male CT-RTC clients. Approximately 38% of male CT-RTC clients are 50-64 years old compared to 20% of female CT-RTC clients, and approximately 39% of female CT-RTC are 35-49 years old compared to approximately 28% of male CT-RTC clients. Figure 18 shows the age distribution of all CT-RTC clients.

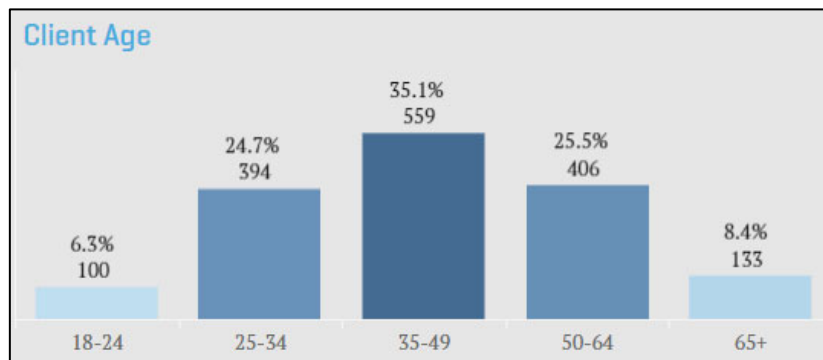
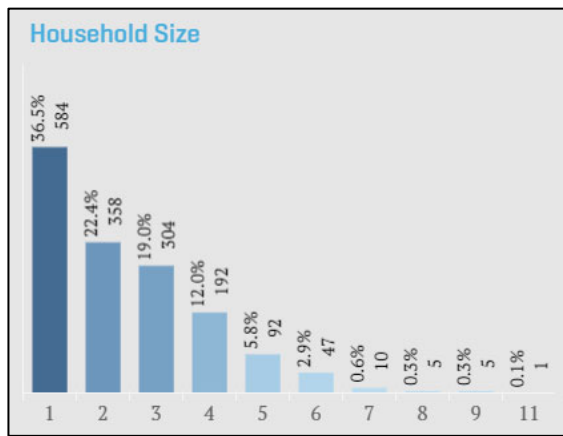
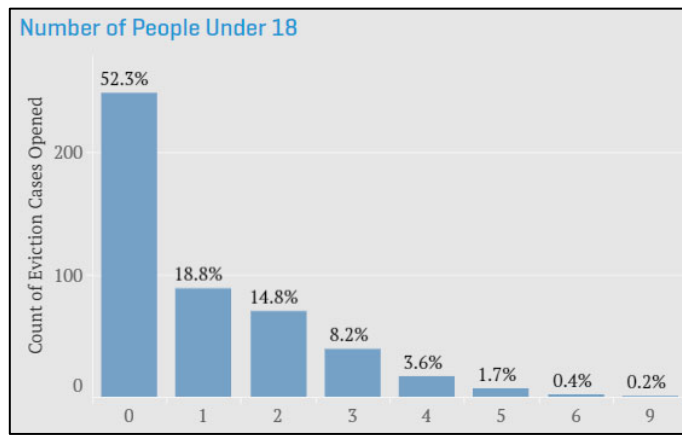


Figure 18

Figure 19 shows the distribution of CT-RTC clients by the number of people in their household. Approximately 37% of CT-RTC households had 1 person, and approximately 63% had more than 1 person. Male CT-RTC clients were more likely to be the only person in their household compared to female CT-RTC clients. Approximately 59% of male CT-RTC clients were the only person in their household compared to approximately 27% of female CT-RTC clients. The number of children per CT-RTC client household ranged from 0 to 9, and the average number of children per CT-RTC client household was 2. Approximately 52% of CT-RTC client households did not have any children, and of the 48% that had at least 1 child, approximately 91% had 1-3 children. Figure 20 shows the number of children per CT-RTC client household.

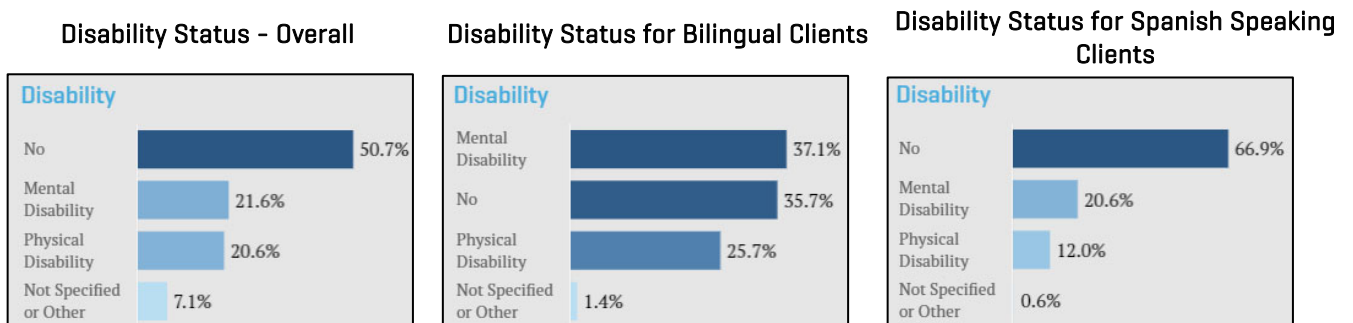


**Figure 19**



**Figure 20**

Approximately 49% of CT-RTC clients who answered questions related to disabilities indicated that they or someone else in their household had a physical or mental disability or other health condition (Figure 21). CT-RTC clients who were bilingual (speaking Spanish and English) more frequently indicated they or someone in their household had a disability (64%) compared to CT-RTC clients who indicated Spanish was their primary language (33%). Figure 22 shows the presence of disabilities in bilingual CT-RTC client households, and Figure 23 shows the presence of disabilities in Spanish-speaking CT-RTC client households.



**Figure 21**

**Figure 22**

**Figure 23**

An estimated 11% of adults in Connecticut have a disability, but approximately 49% of CT-RTC clients or someone in their household had a disability.<sup>41</sup> Stout’s independent evaluation of Milwaukee’s Eviction Right to Counsel found that approximately 16% of client households had at least 1 person with a disability while approximately 13% of Milwaukee County residents had a disability. Figures 24-27 show the number of adults and children in the household with physical disabilities or health conditions and mental disabilities or health conditions.

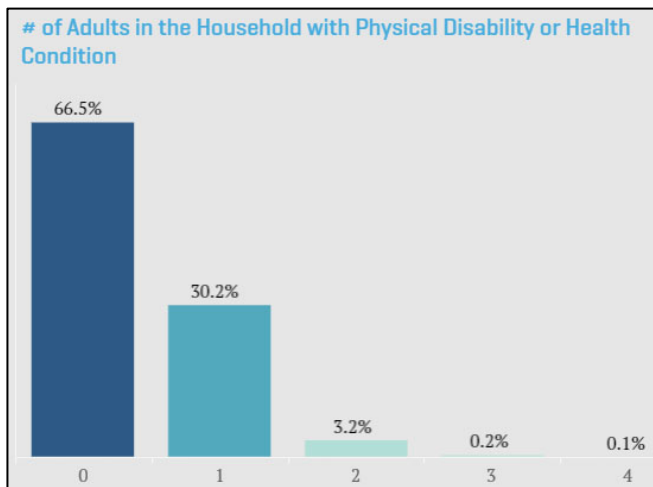


Figure 24

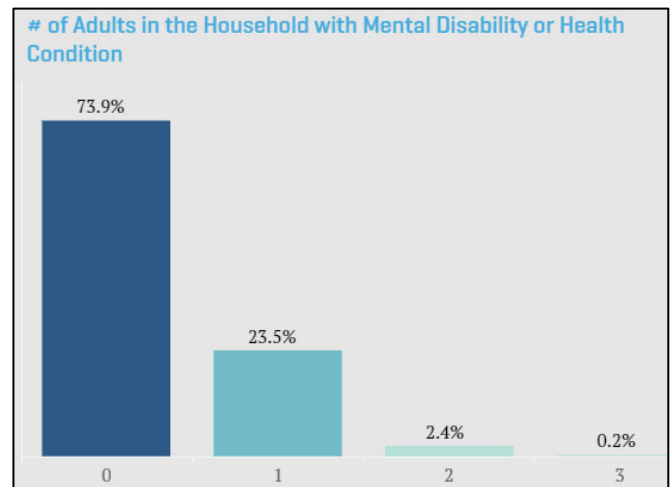


Figure 25

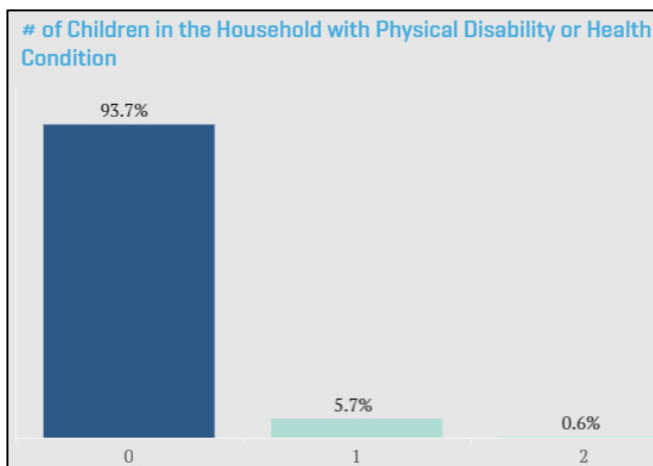


Figure 26

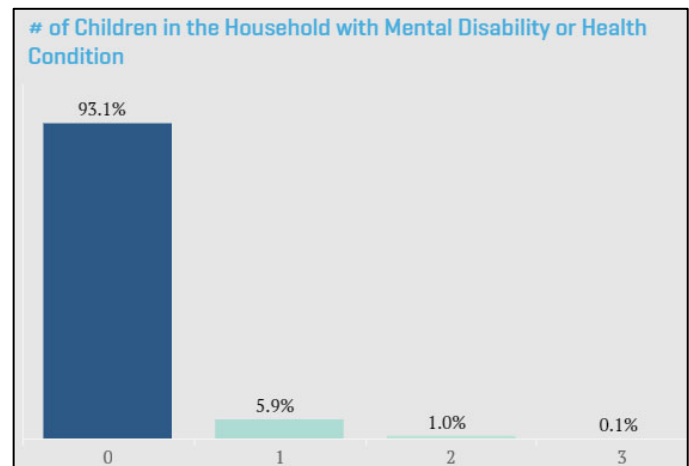
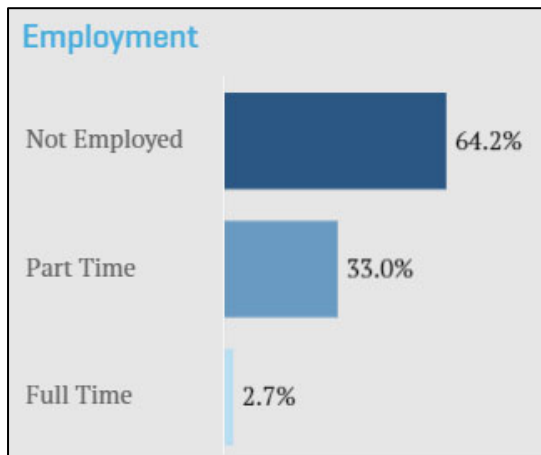


Figure 27

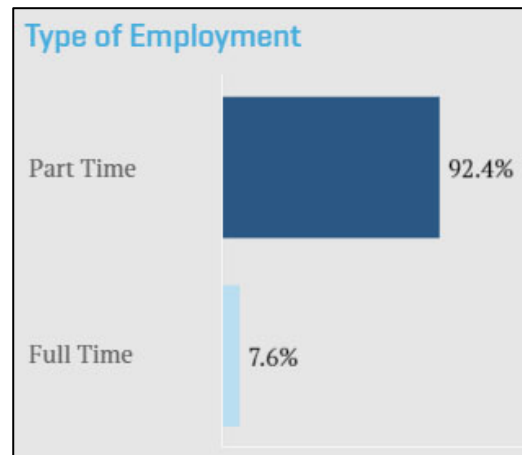
### Employment

Approximately 64% of CT-RTC client interview respondents indicated they were not employed, and approximately 36% indicated they were employed (Figure 28). Of those who indicated they were employed, approximately 92% indicated they had part-time employment, and approximately 8% indicated that they had full-time employment (Figure 29).

<sup>41</sup> American Community Survey 5-Year Estimates. Table DP02. United States Census Bureau. 2020.



**Figure 28**



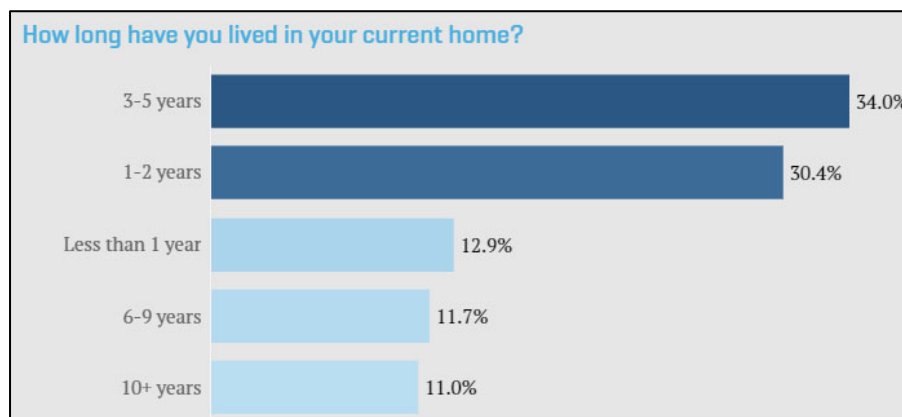
**Figure 29**

CT-RTC clients who were employed were more likely to have children in the household than CT-RTC clients who were not employed. Approximately 48% of CT-RTC clients who were employed had at least 1 child in their household compared to approximately 43% of clients who were not employed. More than twice as many CT-RTC clients who were not employed indicated they had a disability (58%) than CT-RTC clients who were employed (26%).

Approximately 75% of CT-RTC clients with household incomes of 0%-30% of the state median income (SMI) were not employed compared to 25% of CT-RTC clients with household incomes of 30.1%-50% of SMI and 13% of CT-RTC client households with incomes greater than 50% of SMI.

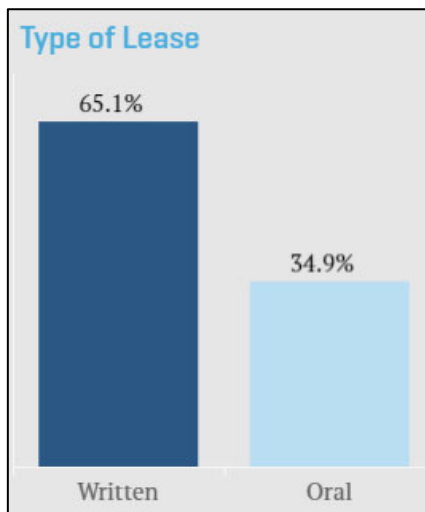
### *Housing Type, Tenure, Lease Terms, and Desire to Stay in Home*

Approximately 74% of CT-RTC clients were living in private housing and 26% were living in public housing or received a housing voucher or subsidy. Approximately 87% of CT-RTC clients had been living in their home for at least 1 year with nearly two-thirds of CT-RTC clients living in their home for 1-5 years. Figure 30 shows the distribution of CT-RTC clients by how long they had been living in their home.

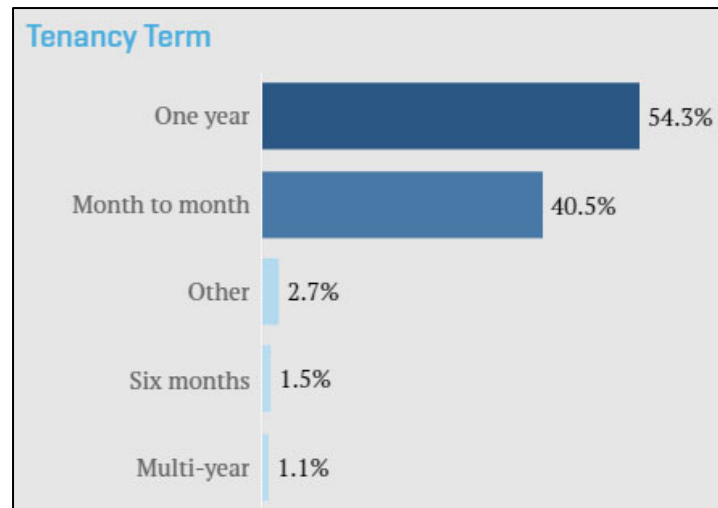


**Figure 30**

Approximately 65% of CT-RTC clients indicated that they understood they had a written lease and approximately 35% indicating that they believed they had an oral lease with their rental property owner (Figure 31). Approximately 54% of CT-RTC clients had a 1-year lease, approximately 41% had a month-to-month lease, and approximately 5% had 6-month, multi-year, or other lease durations (Figure 32).



**Figure 31**



**Figure 32**

Understanding what CT-RTC clients are seeking to achieve in their case is critically important to the Providers and evaluating the impact of CT-RTC. When asked if they wanted to stay in their home, approximately 68% of CT-RTC clients indicated that they did, and 32% indicated that they did not. When CT-RTC clients want to stay in their home, CT-RTC attorneys can help clients achieve this goal by negotiating with rental property owners or their counsel about terms for paying back rent owed. When CT-RTC clients do not want to stay in their home, CT-RTC attorneys can assist clients in their negotiation with rental property owners or their counsel to resolve cases efficiently and effectively, help clients understand their rights and the legal process, and secure time for clients to move enabling them to find alternative housing and minimizing disruption to their lives effectively and efficiently. CT-RTC attorneys can also serve as an important connector to other housing services (e.g., relocation services, moving assistance).

### *Presence of Defective Conditions*

Stout learned from the Providers that Connecticut’s rental housing stock for renters with low incomes has significant defective housing conditions. These issues included but were not limited to: inadequate or inoperable plumbing; inadequate or inoperable heat during winter months; mold; damage to walls, ceilings, roofs, and floors; pest infestations; leaks and flooding; electrical issues; and lead. The prevalence of these defective housing issues may be an influencing factor for the 32% of CT-RTC clients who indicated they did not want to stay in their

home. That is, CT-RTC clients experiencing defective housing conditions may not want to continue living in their homes.

Approximately 59% of CT-RTC clients indicated that there were defective conditions issues in their home (Figure 33), and of these clients, approximately 96% indicated that they made the rental property owner aware of the defective conditions issues. Approximately 70% of CT-RTC clients with defective conditions in their homes indicated that there were multiple defective conditions (Figure 34). The 3 most frequently cited defective conditions were pest infestation (50%), wall, ceiling, or floor damage (41%), and mold (30%). Approximately 56% of clients who notified the rental property owner of the defective conditions indicated the rental property owner did not fix the defective conditions (Figure 35). Figure 36 shows the frequency of defective conditions by type.

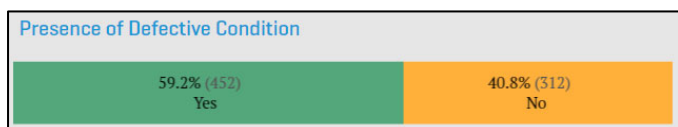


Figure 33

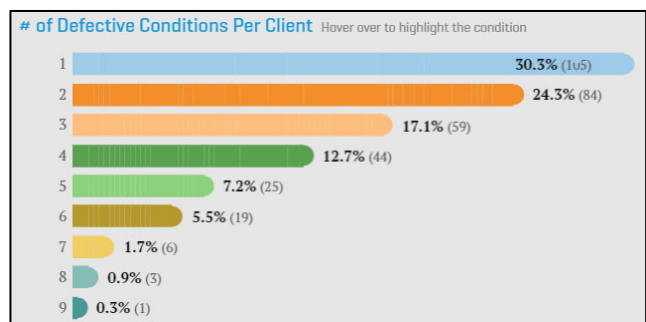


Figure 34

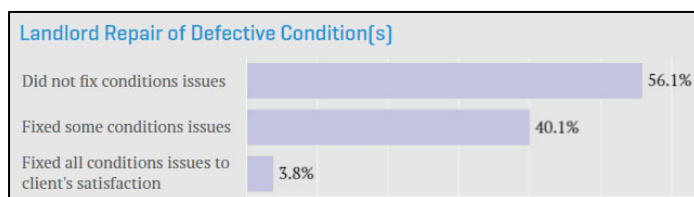


Figure 35

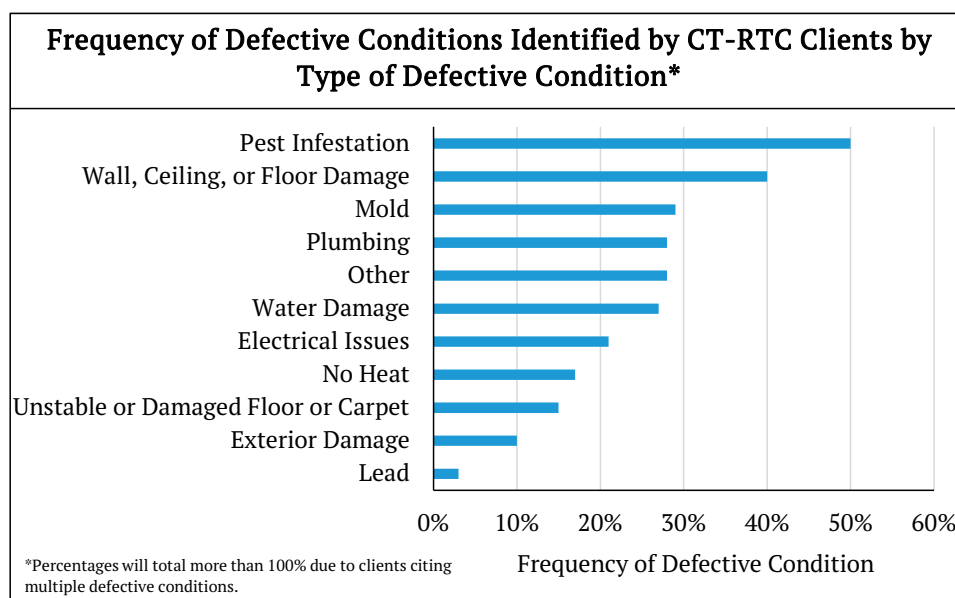


Figure 36

The prevalence of conditions issues identified by CT-RTC clients does not appear to differ materially by state median income level or whether the client was living in private market housing or subsidized housing. Given that approximately 59% of CT-RTC clients indicated their home had defective conditions, and approximately 70% of homes with defective conditions had multiple defective conditions, it is clear that most CT-RTC cases have substantive issues, complications, or disputes of fact beyond the non-payment of rent. It is important to reiterate that these metrics relate specifically to CT-RTC clients (instances where individuals have sought legal assistance with their eviction case) and may not be applicable to all eviction filings.

In response to attention brought to the prevalence of defective conditions by tenant advocates in the City of Hartford, the City recently allocated \$1.95 million to increase the number of housing inspectors, repair defective housing conditions, and assist tenants with legal issues.<sup>42</sup> One million dollars will be allocated for a fund to repair urgent defective conditions needed to protect the health and safety of tenants, approximately \$200,000 will be used to hire 2 housing inspectors and 2 housing code enforcement administrative assistants, and approximately \$750,000 will be allocated to Greater Hartford Legal Aid to assist residents pursuing legal action against rental property owners for housing code violations.<sup>43</sup>

### *Alternative Living Arrangements if Evicted or Forced to Move*

Research from around the country has demonstrated that when people experience eviction particularly when they have to navigate the eviction process unassisted, they often subsequently experience homelessness.<sup>44</sup> Entering emergency shelter or living unsheltered is generally not immediate, however. People are more likely to stay with family and friends while

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<sup>42</sup> Montague, Deidre. "Hartford launches \$1.95M effort to help tenants in the city. Repair money 'will be for the worst situations.'" Hartford Courant. December 2022.

<sup>43</sup> Ibid.

<sup>44</sup> See: "Capacity and Gaps in the Homeless Residential and Service System, Harris and Fort Bend Counties." Coalition for the Homeless Houston/Harris County. 2011. "Regional Networks to End Homelessness Pilot Final Evaluation Report." Massachusetts Interagency Council on Housing and Homelessness. February 15, 2011. "Homeless Service Utilization Report." Center on Family at the University of Hawaii and the Homeless Programs Office of the Hawaii State Department of Human Services. 2010. "Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018. Metraux, Stephen PhD et al. "Prior Evictions Among People Experiencing Homelessness in Delaware." Delaware Academy of Medicine/Delaware Public Health Association. August 2022. Flaming, Daniel et al. "Escape Routes: Meta-Analysis of Homelessness in L.A." Economic Roundtable. April 2018. San Francisco Right to Civil Counsel Pilot Program Documentation Report. John and Terry Levin Center for Public Service and Public Interest, Stanford Law School. May 2014. Collinson, Robert and Reed, Davin. "The Effects of Evictions on Low-Income Households." New York University Law. December 2018. "The Rising Number of Homeless Families in NYC, 2002-2012: A Look at Why Families Were Granted Shelter, the Housing They Had Lived in and Where They Came From." New York City Independent Budget Office. 2014. Rolston, Howard et al. "Evaluation of the Homebase Community Prevention Program." Abt Associates. June 2013. Culhane, Dennis et al. "Testing a Typology of Family Homelessness Based on Patterns of Public Shelter Utilization in Four U.S. Jurisdictions: Implications for Policy and Program Planning." Housing Policy Debate. May 2007.



seeking alternative housing, but if alternative housing is unavailable, people experiencing eviction may need to access the shelter system. An estimated 15% to 25% of people who experience eviction will also experience homelessness/enter the emergency shelter system.<sup>45</sup>

Understanding where people would go if they were evicted, or otherwise disruptively displaced, provides insights as to what the social safety net responses to eviction might be. During the intake interview, CT-RTC clients were asked where their household would stay if they had to move. Approximately 44% indicated that they did not know where they could stay. Program attorneys indicated that clients who answered with this response likely do not have anywhere to go or have not yet considered where they could go if they had to move. Approximately 20% indicated they would be living on the street or unsheltered, 14% indicated that they would stay with family or friends locally, 10% indicated that they would need to enter emergency shelter, 4% indicated that they had other plans, and 4% indicated they would stay with family or friends outside of Connecticut, 2% indicated they would move to a new rental, and 2% indicated they would live in a hotel/motel (Figure 37).

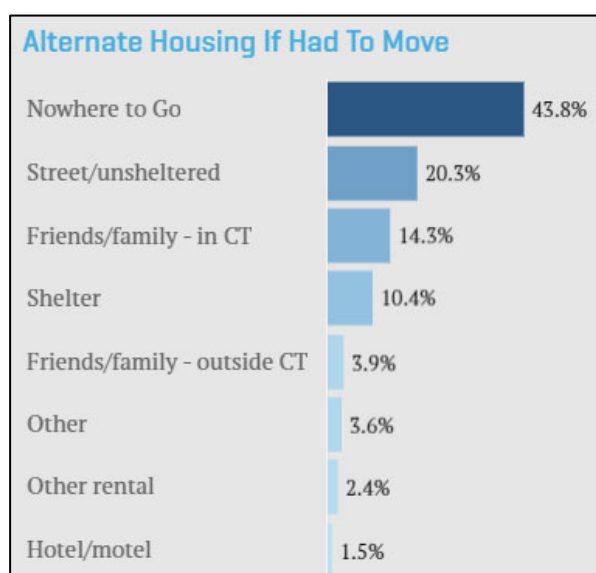


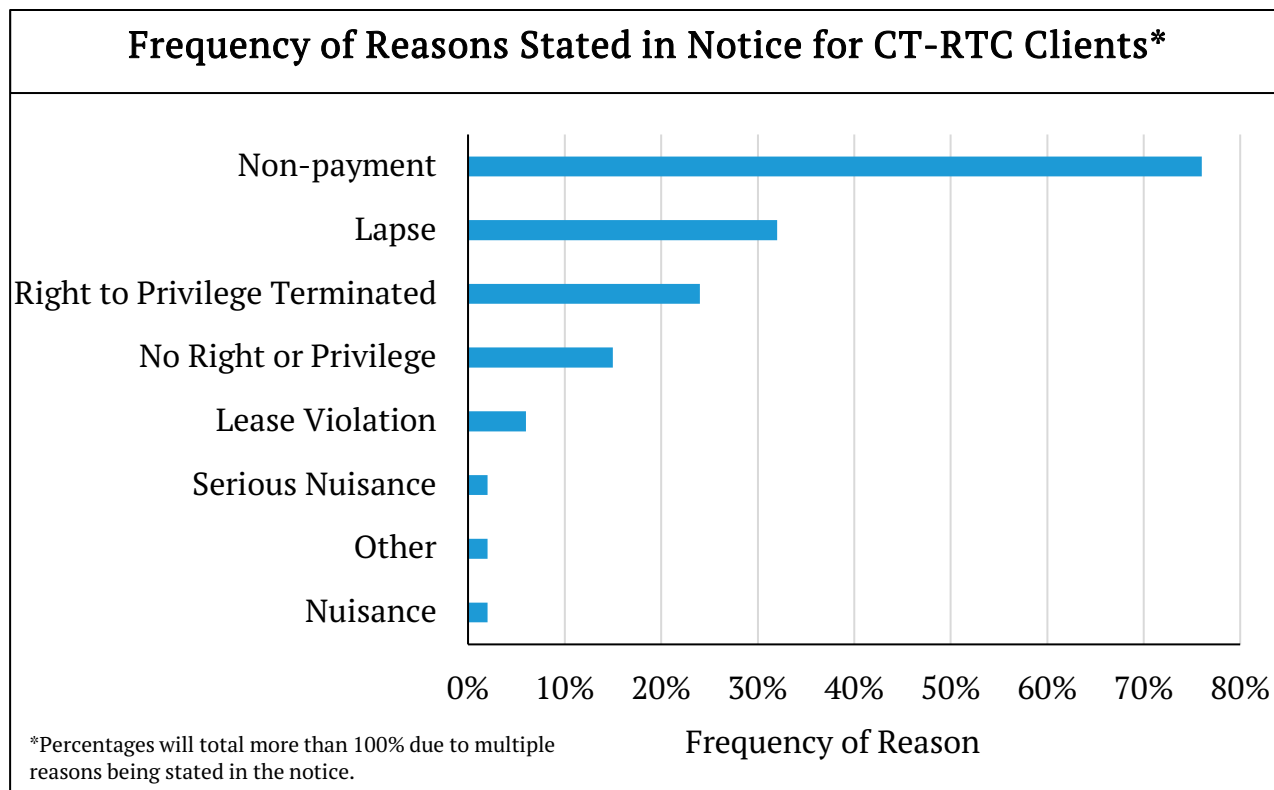
Figure 37

### *Case Stage and Reasons Stated in the Notice*

When a case stage (e.g., Notice to Quit, Complaint) was recorded during the client interview process, an average of 68% of CT-RTC clients per month were connecting with the Providers when they received a Notice to Quit, an average of 28% were connecting with the Providers when they received a Complaint, and an average of 4% were connecting with the Providers after receiving a Subsidy Termination Notice, no notice, or another type of notice.

<sup>45</sup> Ibid.

Figure 38 shows the frequency of different reasons stated in the Notices to Quit of CT-RTC clients. There may be multiple reasons stated in the Notice to Quit, and the 3 most frequent reasons were non-payment (76%), lapse (32%), and right to privilege termination (24%).



**Figure 38**

Of the approximately 76% of CT-RTC clients having non-payment as a reason stated in the Notice to Quit, approximately 50% indicated the reason for their non-payment of rent was job loss or reduced hours, approximately 11% indicated they withheld rent due to defective conditions, and approximately 8% indicated they had an unexpected expense. Approximately 31% of CT-RTC clients indicated “Other” as the reason for their non-payment of rent. Stout will be working with the Providers to understand better the types of circumstances frequently recorded as “Other” and refine data collection to report reasons for non-payment more precisely.

***Selection Bias of CT-RTC Clients Having Household or Case Characteristics Making Their Cases Complex***

CT-RTC cases are not representative of all eviction filings in Connecticut, and while most eviction filings in Connecticut, (and throughout the country) are brought for non-payment of rent, there are often substantive legal issues or procedural deficiencies with how the case was brought. Tenants seeking representation are doing so because they need assistance with the

substantive legal issues with their case, potential defenses, or they are experiencing challenges within the household exacerbating the trauma of the eviction process. When cases do not have complex factors, the Providers work promptly to resolve the case as effectively as possible. Stout analyzed court docket data and the data received from the Providers to create a segmentation tree of eviction filings in Connecticut from January 1, 2022 through November 30.

Figure 39 starts with the estimated number of renter occupied units in Connecticut (515,686) and the number of eviction filings in Connecticut from January 1, 2022 through November 30, 2022 (21,549). Dividing the number of eviction filings by the estimated number of renter occupied units results in an estimated eviction filing rate of 4% in Connecticut. Of the 21,549 eviction filings in Connecticut from January 1, 2022 through November 30, 2022, approximately 34% (7,291) were filed in RTC zip codes. Stout estimates 91% (6,635) of the evictions filed in RTC zip codes are eligible for CT-RTC.<sup>46</sup> Of the estimated 6,635 eviction filings in Connecticut where the tenant is eligible for CT-RTC, approximately 1,567 (approximately 24% of estimated eligible tenants and approximately 7% of total tenants with an eviction filing) have been assisted by CT-RTC. Of the 1,567 CT-RTC cases, the Providers have closed 860. As previously discussed, attorneys at the Providers exercise professional judgment in determining what level of service is most appropriate for a client depending on the phase and facts of the case, as well as the presence of substantive legal issues. Of the 860 closed CT-RTC cases, the Providers provided extensive service in 439 (approximately 51%) cases. The CT-RTC clients who did not receive extensive service received a different service level that matched their legal needs – not because capacity was constrained. While capacity does limit the number of clients CT-RTC can serve, the Provider attorneys assess and provide the appropriate level of service for each CT-RTC client. Trained, experienced CT-RTC attorneys exercise professional judgment in determining the level of service each client requires.

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<sup>46</sup> Stout developed this independent estimate using publicly available research and reports relating to the incomes of tenants experiencing eviction and tenants appearing in housing courts across the country. See: “Housing Court, Evictions and Homelessness: The Costs and Benefits of Establishing a Right to Counsel.” Community Training and Resource Center and City-wide Task Force on Housing Court, Inc. 1993. Krenichyn, Kira and Shaefer-McDaniel, Nicole. “Results From Three Surveys in New York City Housing Courts.” Center for Human Environments, Graduate Center of the City University of New York. 2007. Desmond, Matthew. “Who gets evicted? Assessing individual, neighborhood, and network factors.” Social Science Research. 2016. “ALICE Research Methodology.” United for ALICE. 2020.

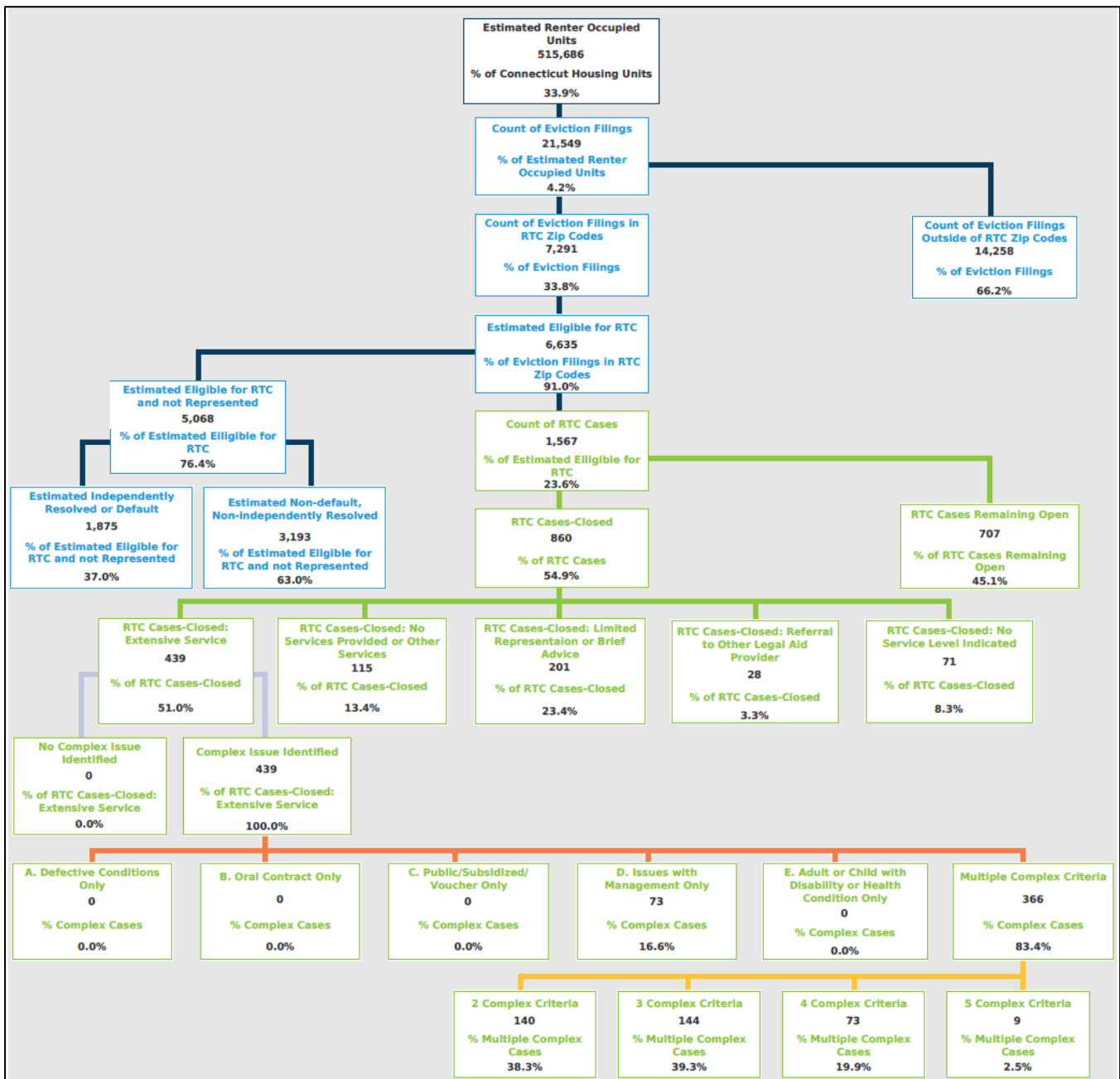


Figure 39

In jurisdictions where Stout has conducted evaluations of eviction right to counsel/eviction defense programs, attorneys representing tenants in eviction proceedings have communicated (and the data collected has shown) that tenants are often trying to navigate complex situations related to their eviction. Stout has considered feedback from attorneys representing tenants throughout the country in the development of 5 issues increasing the complexity of eviction cases for tenants seeking representation.

The 5 issues are:

- The presence of defective conditions
- Having an oral lease
- Living in public housing or having a voucher/subsidy
- Having previous issues with management
- Having a household member (adult or child) with a disability or health condition.

Stout analyzed data from the client intake interview to determine the frequency with which CT-RTC clients who received extensive service indicated they were experiencing at least 1 of these issues in all 439 (100%) closed CT-RTC cases. In Stout's evaluation of Cleveland and Milwaukee's eviction right to counsel program, it found approximately 86% of closed extensive service cases had at least 1 complex case criteria.

The orange case segmentation tree branch shows the frequency of the 5 complex issues individually (boxes A-E) and the percentage of cases where there are multiple complex issues. Approximately 366 (83%) of closed CT-RTC cases where the Providers provided extensive service had a client experiencing multiple complex issues. The yellow case segmentation tree branch shows, of the closed CT-RTC cases where the Providers provided extensive service and the client was experiencing multiple complex issues, how many complex issues they were experiencing. The number and frequency of multiple complex issues was:

- 2 complex issues – 140 clients (38% of the 366 cases with multiple complex issues)
- 3 complex issues – 144 clients (39% of the 366 cases with multiple complex issues)
- 4 complex issues – 73 clients (20% of the 366 cases with multiple complex issues)
- 5 complex issues – 9 clients (3% of the 366 cases with multiple complex issues).

This analysis demonstrates that when tenants seek CT-RTC assistance, they are doing so because there are substantive legal issues and/or challenges they are experiences beyond the non-payment of rent. It is important to reiterate this does not apply to all eviction filings in Connecticut. There are undoubtedly eviction filings in Connecticut where the only issue is the non-payment of rent. Based on the data collected by the Providers, however, it appears that tenants in Connecticut facing eviction who are represented are experiencing substantive legal issues, case complexities, and complicated personal circumstances.

### CT-RTC Client Goals and Goals Achieved

During the intake/interview process, the Providers ask clients what their goals are for the case. Generally, only clients who receive extensive service complete the full intake/interview process and have stated goals recorded. Stout’s evaluation is centered on client goals that were achieved or not achieved for clients receiving extensive service. For CT-RTC cases opened and closed between January 31 and November 30, 2022 where the client received extensive service, the Providers achieved approximately 73% of all clients’ case goals.<sup>47</sup> The reasons for 27% of CT-RTC clients not having their goals achieved are often systemic or a result of local challenges such as the lack of emergency rental assistance, the significant procedural barriers necessary to raise conditions issues as a defense, the inability for the courts to compel repairs, and the nature of the current rental housing market. The 3 most common goals are listed below with the frequency of the goal being achieved, the number of clients with the goal, and the percent of clients with that goal.

Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>48</sup>	% of CT-RTC Clients with Goal <sup>49</sup>
Prevent involuntary move	71%	304	82%
Prevent eviction judgment	76%	295	80%
Secure 30 days or more to move	71%	188	51%

Most CT-RTC clients may have/state multiple goals for their case. For example, they may want to prevent an eviction judgment and secure 30 days or more to move. Between January 31 and November 30, 2022, the proportion of closed cases by the number of goals was:

Number of Goals	Percentage of Cases
1	5%
2	11%
3	16%
4	20%
5	13%
6	13%
7	11%
8	4%
9	4%
10+	3%

<sup>47</sup> Based on goals the 3 most frequently stated client goals.

<sup>48</sup> Clients can have more than 1 goal for their case.

<sup>49</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

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Of CT-RTC cases closed between January 31 and November 30, 2022, approximately 95% of clients had multiple goals for their case. The 5 most common combination of client goals were:

- Prevent eviction judgment and prevent involuntary move
- Prevent eviction judgment, prevent involuntary move, and secure 30 days or more to move
- Prevent eviction judgment and secure 30 days or more to move
- Prevent eviction judgment, prevent involuntary move, and avoid subsidy termination
- Prevent involuntary move and secure 30 days or more to move

### *Goals and Goals Achieved by Case Phase*

Stout learned from the Providers that the earlier in the eviction process a client seeks representation, the greater the potential impact of the representation and the higher the likelihood that the client's goal can be achieved. For example, if a client seeks representation when they receive a Notice to Quit instead of a complaint, the Providers may be able to prevent the eviction filing. However, given Connecticut's short notice period of 3 days, it is challenging for an attorney to assess adequately the case and negotiate with the rental property owner (or their attorney) to avoid an eviction filing, even if the tenant secures representation before the eviction is filed. As a result, the short notice period may result in evictions being filed when they could be avoided, if the tenant were connected to CT-RTC. The 3 most common CT-RTC client goals are listed below with the frequency of the goal being achieved, the number of clients with the goal, and the percent of clients with that goal by whether the client connected with CT-RTC after receiving a Notice to Quit or a Complaint and the CT-RTC attorney had adequate time to assess the case and negotiate with the rental property owner or their counsel.

<b>Clients Connecting with CT-RTC at the Notice to Quit Phase</b>			
Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>50</sup>	% of CT-RTC Clients with Goal <sup>51</sup>
Prevent involuntary move	69%	209	83%
Prevent eviction judgment	76%	202	80%
Secure 30 days or more to move	67%	132	52%
<b>Clients Connecting with CT-RTC at the Complaint Phase</b>			
Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>52</sup>	% of CT-RTC Clients with Goal <sup>53</sup>
Prevent involuntary move	78%	86	80%
Prevent eviction judgment	76%	83	78%
Secure 30 days or more to move	79%	52	49%

The differences in goals achieved based on case phase are:

- The Providers achieve the client goal of Prevent involuntary move 9 percentage points more frequently at the Complaint case phase than the Notice to Quit case phase.
- The Providers achieve the client goal of Secure 30 days or more to move 12 percentage points more frequently at the Complaint case phase than the Notice to Quit case phase.

Although the Providers have indicated that having clients connect with CT-RTC at the Notice to Quit phase is advantageous, it appears the short notice period (3 days) may limit an attorney’s ability to achieve client goals more frequently than for those who connect with CT-RTC after receiving a complaint, even for clients connecting with CT-RTC as early as possible.

### ***Goals and Goals Achieved by State Median Income***

Analyzing CT-RTC client outcomes by their household incomes relative to the state median income (SMI) can provide insights about how outcomes and clients’ goals and whether they are achieved may differ based on SMI. Households with incomes at or below 80% of the SMI (or \$79,900 for a household of 4) are eligible for CT-RTC. Approximately 76% of CT-RTC clients with cases closed between January 31, 2022 and November 30, 2022 had household incomes of

<sup>50</sup> Clients can have more than 1 goal for their case.

<sup>51</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

<sup>52</sup> Clients can have more than 1 goal for their case.

<sup>53</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.



0%-30% of SMI, approximately 19% had household incomes of 30.1%-50% of SMI, and approximately 5% had household incomes of 50.1%-80% of SMI.

The table below shows client goals, the frequency of the goal being achieved, the number of clients with the goal, and the percent of clients with that goal by SMI for CT-RTC cases closed between January 31, 2022 and November 30, 2022.

<b>Clients with Household Incomes of 0%-30% of SMI</b>			
Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>54</sup>	% of CT-RTC Clients with Goal <sup>55</sup>
Prevent involuntary move	71%	238	82%
Prevent eviction judgment	74%	228	79%
Secure 30 days or more to move	74%	150	52%
<b>Clients with Household Incomes of 30.1%-80% of SMI</b>			
Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>56</sup>	% of CT-RTC Clients with Goal <sup>57</sup>
Prevent involuntary move	73%	66	82%
Prevent eviction judgment	81%	67	83%
Secure 30 days or more to move	61%	38	47%

### *Goals and Goals Achieved by Presence of Children in Household*

Approximately 48% of CT-RTC client households had at least 1 child in the home. Of CT-RTC client households with at least 1 child in the home, the average number of children in the household was 2. The impact of housing instability on children’s physical and mental health, education, and social well-being has been thoroughly researched and documented. Understanding how CT-RTC is assisting households with children can be helpful in evaluating impact.

The Providers were able to prevent an involuntary move, prevent an eviction judgment, and secure 30 days or more to move more frequently for CT-RTC households with children compared to those without children. The table below shows client goals, the frequency of the goal being achieved, the number of clients with the goal, and the percent of clients with that goal by the presence of children in the household for CT-RTC cases closed between January 31, 2022 and November 30, 2022.

<sup>54</sup> Clients can have more than 1 goal for their case.

<sup>55</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

<sup>56</sup> Clients can have more than 1 goal for their case.

<sup>57</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

<b>Clients without Children in the Household</b>			
Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>58</sup>	% of CT-RTC Clients with Goal <sup>59</sup>
Prevent involuntary move	71%	160	83%
Prevent eviction judgment	73%	149	77%
Secure 30 days or more to move	69%	102	53%
<b>Clients with At Least 1 Child in the Household</b>			
Client Goal	Frequency Goal Was Achieved	# of CT-RTC Clients with Goal <sup>60</sup>	% of CT-RTC Clients with Goal <sup>61</sup>
Prevent involuntary move	71%	304	82%
Prevent eviction judgment	76%	295	80%
Secure 30 days or more to move	71%	188	51%

Stout will continue working with the Providers during 2023 to refine data collection on client goals, goals achieved, and other resolutions, such as if a client who wanted to stay in their home was able to do so.

### *Outcomes Achieved for Clients without Aligned Goal and Reasons Why Goals May Not Be Achieved*

In addition to achieving CT-RTC client goals, the Providers often achieve other positive outcomes for clients that are not necessarily a client’s stated goal. For example, a client may not have goals of negotiating a settlement agreement or obtaining a fee waiver, but during the Providers’ representation, an attorney achieved these outcomes for the client.

Stout learned from the Providers there are certain circumstances where they are unable to achieve a client’s goals. These circumstances are:

- Connecticut’s eviction ecosystem in which CT-RTC operates does not enable a client’s goals to be achieved.
  - If a client wants to stay in their home but is experiencing defective conditions (i.e., substandard housing conditions) and wants the rental property owner to remediate the conditions, having a goal of remediating defective conditions is irrelevant and will not be achieved because the court cannot compel a rental property owner to make repairs in Connecticut. The

<sup>58</sup> Clients can have more than 1 goal for their case.

<sup>59</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

<sup>60</sup> Clients can have more than 1 goal for their case.

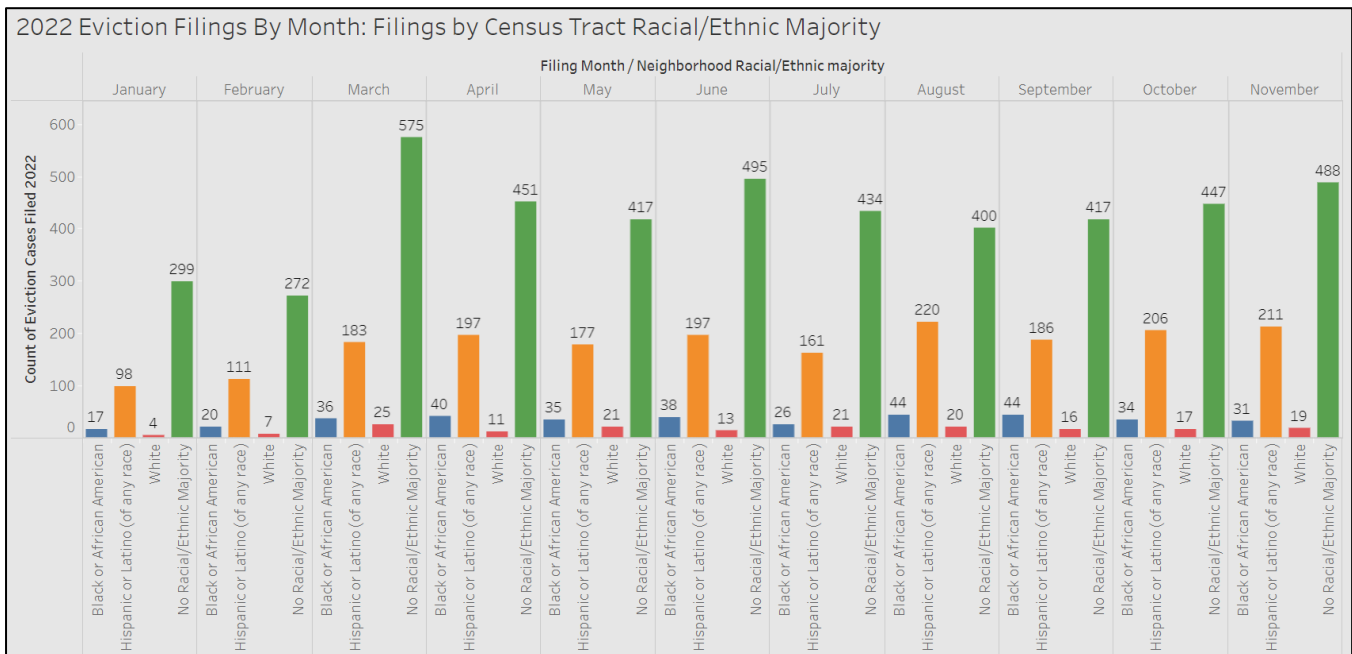
<sup>61</sup> Total will be greater than 100% because clients can have more than 1 goal for their case.

Providers may be able to include language in a stipulated agreement that the rental property owner will remediate the defective conditions, but the court cannot order the remediation.

- For clients who have the goal of preventing an involuntary move when there are not substantive legal issues or disputes of fact between the parties, the Providers communicated that it has been challenging to achieve this goal without emergency rental assistance.
- The current rental housing market has limited availability for clients who want or need to move.
  - The Providers have described situations where a client wants to move or needs to move because of the eviction proceeding but cannot secure alternative housing. Even when the Providers achieve a client's goal of securing 30 days or more to move, it is challenging for the client to identify, secure, and move into a new rental unit. This challenge is often more significant for clients who have vouchers. While it is illegal for rental property owners to refuse to accept a housing voucher in Connecticut, tenants with housing vouchers are at risk of losing them if they do not move by a certain date and often do not have the time or ability to challenge illegalities related to refusal of their housing voucher.

### *Intersection of Eviction with Race, Ethnicity, and Gender*

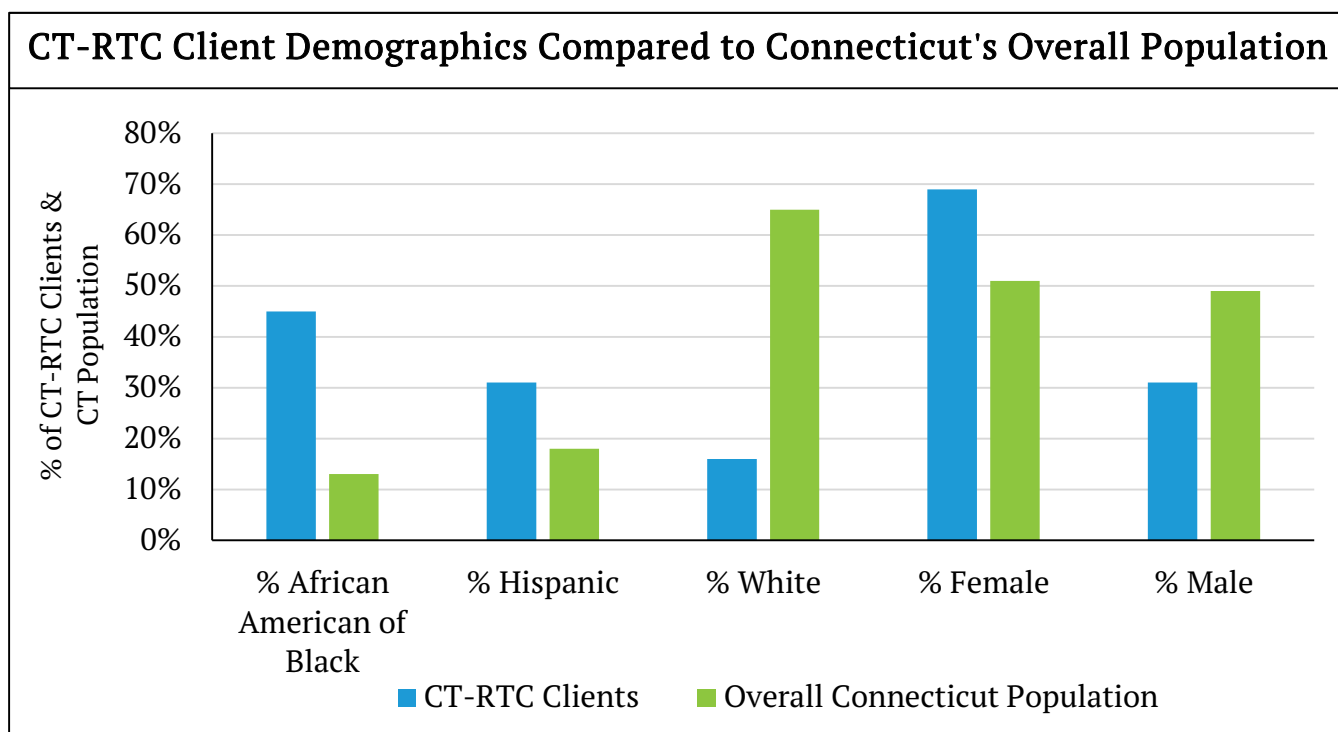
In 2022 (through November 30), eviction filings throughout Connecticut were concentrated in census tracts where there was not a racial/ethnic majority. In 2022 (through November 30), approximately 65% of all eviction filing in CT-RTC zip codes were filed in census tracts without a racial/ethnic majority, approximately 27% were filed in majority Hispanic or Latino census tracts, approximately 5% were filed in African American or Black majority census tracts, and approximately 2% were filed in majority White census tracts. It is important to note that this analysis aggregates eviction filings based on racial/ethnicity majority census tracts and not the demographics of the households experiencing the eviction filings. That is, for example, eviction filings in majority White census tracts does not imply evictions were filed exclusively against White households. Additionally, for census tracts that do not have a racial/ethnic majority, it is possible that racial/ethnic minorities are disproportionately living in these census tracts given Connecticut's overall population is approximately 65% White. More than 75% of CT-RTC clients identified as non-White suggesting that, when analyzed in combination with eviction filing data and census tract data, evictions may be filed against racial/ethnic minorities living in census tracts with concentrations (although not majorities) of White residents.



**Figure 40**

Figure 40 shows the number of monthly eviction filings for each census tract by racial/ethnic majority for *only* census tracts *within* CT-RTC zip codes. The blue bars show the number of eviction filings in census tracts where the population was majority Black or African American, the orange bars show the number of eviction filings in census tracts where the population was majority Hispanic or Latino, the green bars show the number of eviction filings in census tracts where there was not a racial/ethnic majority, and the red bars show the number of eviction filings in census tracts where the population was majority White.

Figure 41 shows race, ethnicity, and gender statistics for CT-RTC clients compared to Connecticut’s overall population. CT-RTC clients are disproportionately African American or Black, Hispanic, and female compared to Connecticut’s overall population.

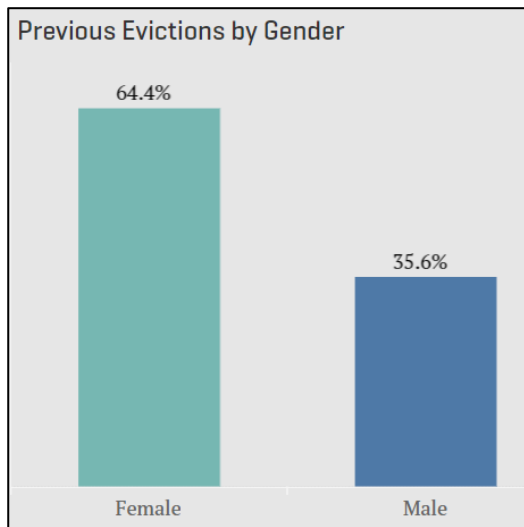


**Figure 41**

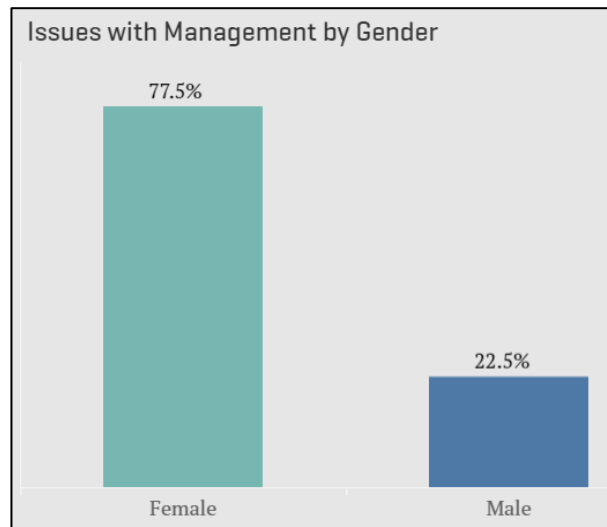
Stout analyzed combinations of interview questions to develop a deeper understanding of how CT-RTC client experiences and circumstances may differ based on race, ethnicity, and gender. These analyses focused on the presence of defective conditions, previous evictions, and previous issues with management (i.e., rental property owner or property manager).

Stout analyzed the intersection of race, ethnicity, and gender with the presence of defective conditions at CT-RTC clients' homes. Approximately 62% of female CT-RTC clients indicated there were defective conditions in their homes compared to 53% of male CT-RTC clients. There was not a material difference in this experience when adding race and ethnicity as factors.

Significantly more female CT-RTC clients (64%) indicated they had a previous eviction filed against them compared to male CT-RTC clients (36%), and more than 3 times as many female CT-RTC clients indicated that they had previous issues with management (78%) than male CT-RTC clients (23%). See Figures 42 and 43.

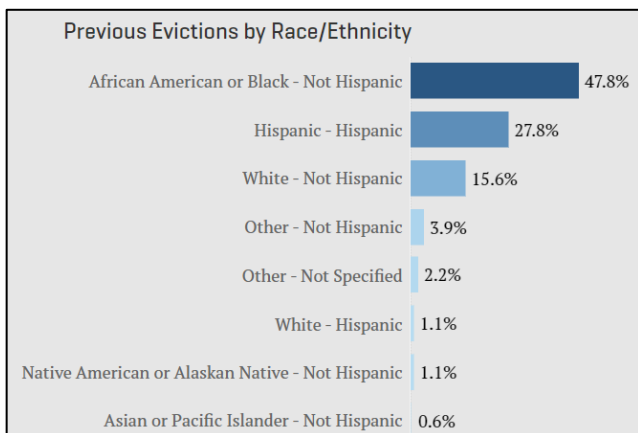


**Figure 42**

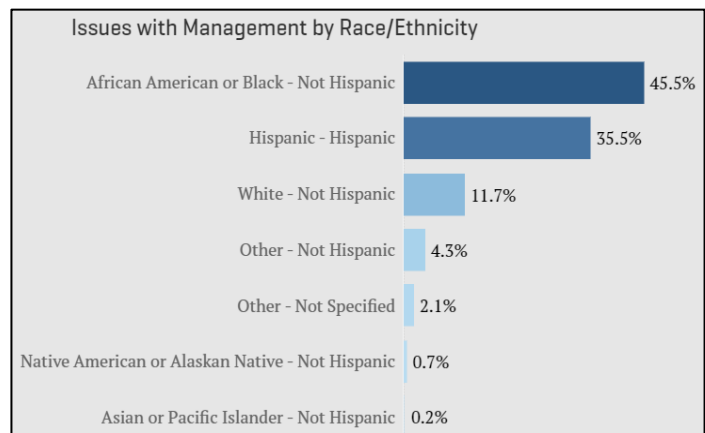


**Figure 43**

Approximately 48% of CT-RTC clients who identified as African American or Black and approximately 28% of CT-RTC clients who identified as Hispanic indicated they experienced previous eviction filings compared to approximately 16% of CT-RTC clients who identified as White. Approximately 46% of CT-RTC clients who identified as African American or Black and approximately 36% of CT-RTC clients who identified as Hispanic indicated they had previous issues with management compared to approximately 12% of CT-RTC clients who identified as White. See Figures 44 and 45.



**Figure 44**



**Figure 45**

While CT-RTC clients identified as disproportionately female, African American or Black, or Hispanic compared to Connecticut’s overall population, the goals achieved by the Providers for CT-RTC clients did not differ materially based on gender, race, or ethnicity.

# Section IV-Qualitative Evaluation Findings

### *Preliminary Findings from Qualitative Research Completed by Yale*

In June 2021, Stout contracted with Dr. Annie Harper and Dr. Danya Keene of Yale School of Medicine and Yale School of Public Health, respectively, to conduct qualitative research related to the lived experiences of tenants and other eviction ecosystem stakeholders in Connecticut. The objectives of the qualitative research were to document the impacts of CT-RTC beyond analysis of quantitative data and inform the further implementation of CT-RTC. The qualitative research is ongoing and will be completed in Spring 2023 with final findings to be included in Stout's second annual independent evaluation.

Through November 30, 2022, Dr. Harper and Dr. Keene conducted 3 focus groups with a total of 31 participants. These focus groups were convened in New Haven, Windham, and Hartford. They also completed 20 stakeholder interviews of community organizers, service providers, lawyers, and rental property owners and 40 one-on-one interviews with tenants. Their qualitative research has been informed by a 16-member advisory board of CT-RTC stakeholders. Based on the focus groups and stakeholder interviews, they developed the preliminary themes below, which are complemented by quotes from focus groups and stakeholder interviews.

- Few tenants know their rights and options when faced with eviction
  - *"I don't even know my rights, to be honest with you. So I don't know if legally they could have done that to me or my child...I don't really know why he wanted me to leave. I don't know if it's because I couldn't pay the rent [or] because I ended up getting back on the methadone clinic..., I've never been evicted. So I don't know. And I left the same day. I didn't even like didn't even bother. I was like I'm out."* (Silvia, Windham)
  - *"[Lawyers] know what to do and who to talk to and put you in the best position to get you out of that situation or at least ease your mind."* (Tony, New Haven)
  - *"Is there some sort of booklet with tenant laws etc. Because in my opinion anytime you rent an apartment, I feel like that the landlord should give you a booklet with the laws, your rights, etc."* (FG Participant, New Haven)
- Having assistance through the eviction process can reduce the stress and trauma of eviction
  - *"I mean right away you have somebody, you know, that's your lawyer. That's a big help. It's just comforting 'cause it's very stressful. It's stressful for me. So, you know – so I forget the legal terms"* (Alena, New Haven)



- *“It’s good to have somebody in your corner, someone that believes what you’re saying...I don’t think I could fight—could’ve fought-fought this on my own.”* (Christine, Hartford)
- Lawyers can often connect tenants to other resources
  - *They’ve called people – put people in our lives as far as... helping us find apartments and as far as security deposit and the rent.”* (Tony, New Haven)
- There are opportunities to increase awareness of CT-RTC and communicate about it more clearly
  - *“Honestly, I did not know that there was this, what you’re talking about... I really didn’t have much of a fight [in] me...I didn’t want to deal with that on top of everything else... I don’t want to argue.”* (Jeremy, Windham)
  - *“It was stapled to my eviction notice and it was like copied 30,000 times, like barely visible...all crooked and like the person who copied it didn’t care. Like it needs to actually be like a part of and written in maybe of the eviction notice rather like your first name here, saying on the eviction notice, “You have a right to a lawyer.”* (Tamika, Hartford)

### *Connecticut Rental Property Owner Perspectives*

Stout also sought feedback about CT-RTC from the Connecticut rental property owner community and their counsel. Throughout the fourth quarter of 2022, Stout talked to and received feedback from 8 rental property owners. Several themes emerged from the conversations: (1) rental property owners appreciate that there are certain circumstances where a tenant could benefit from representation; (2) rental property owners believe pre-filing eviction diversion, mediation, and sustained emergency rental assistance are essential complements to CT-RTC and the ability to promptly resolve cases, although there were frustrations with the emergency rental assistance process; and (3) rental property owners are likely to adopt more stringent and robust tenant screening requirements when the eviction process is expected to take more than 60 days.

Rental property owners communicated that legal representation is important when tenants are experiencing substantive issues, when there are language and/or cultural barriers in the tenant’s communication with the rental property owner, and when the tenant needs assistance accessing rental assistance or social programs. It was important to rental property owners that legal representation be assistive in achieving an effective resolution of the case and not unnecessarily extend the duration of the case.

In Stout’s discussions with rental property owners, there was consistent feedback regarding how their perceptions and expectations of the eviction process changed during and as a result of the pandemic. For example, the eviction moratorium caused them to reconsider their risk and financial exposure as they experienced significant periods without rent being paid, large amounts of arrears accumulating, and a perception that they did not have recourse (due to the moratorium).

Several rental property owners discussed the need for ongoing, sustained emergency rental assistance funds and the necessity of these funds for resolving cases where the only issue is the non-payment of rent. However, the rental property owners were frustrated with how long it took to receive emergency rental assistance funds and communicated that for them to accept emergency rental assistance from a sustainable source going forward, they would need to receive the emergency rental assistance within 2-3 weeks of an application being submitted. The rental property owners appreciated and emphasized the importance of mechanisms for assistance as early in the eviction process as possible, such as pre-filing eviction diversion and mediation.

All rental property owners Stout engaged with discussed how the expected or perceived length of the eviction process impacts their business and personal decisions. Rental property owners described that when they perceive that the eviction process could take longer than the financial security they have (typically in the form of a security deposit) they would adapt their business process to minimize the rental property owner’s potential risk of loss. This could include requiring proof of employment history and verifying current employment, increasing income requirements to be 3 times rent, reviewing credit and criminal records, conducting background checks and reference checks, and increasing amounts of security deposits. One rental property owner communicated that if they knew the eviction process was 60 days or less, they would be more likely to accept tenants who may have marginal rental histories and/or income that is not necessarily 3 times the rent. This feedback is consistent with feedback from rental property owners Stout has engaged with in Cleveland and Milwaukee, particularly small rental property owners who may only have 1-3 units.

Through Stout’s engagement of rental property owners in Connecticut and across the country, it learned the importance of appreciating that in response to counsel representing more tenants in eviction proceedings and the time that may be required to resolve them, certain rental property owners may respond by amending their business practices. It is possible that some rental property owners may request higher security deposit amounts, increase rents, or require additional compensation or tenancy terms to achieve their business objectives. There are also many other internal and external factors that impact why rents may increase or why other changes may be implemented in the rental property owner community. This is particularly true as the COVID-19 pandemic recedes, inflation increases, court processes change, rental assistance programs change or dissolve and other macro- and micro-economic factors occur

that can impact rental rates and tenancy terms for households with lower incomes. For example, rents are increasing significantly across the country, in jurisdictions with and without an eviction right to counsel and a wide variety of other tenant protections.<sup>62</sup> Disaggregating all those effects to determine the specific responses that may be related to an individual policy, particularly one that overwhelmingly provides legal representation in eviction cases where there are substantive contested issues in addition to the non-payment of rent, is exceedingly difficult.

In several jurisdictions with eviction right to counsel or eviction prevention/diversion programs, Stout has engaged with rental property owners, their counsel, and rental property managers who have indicated support for programs that ensure tenants have access to legal representation. Several attorneys representing rental property owners indicated their preference for working with a legal aid attorney rather than an unrepresented tenant and described the efficiencies in doing so. One rental property owner attorney in Cleveland communicated that Cleveland Legal Aid minimizes disruption to the lives of tenants who are experiencing an eviction filing, which is helpful in the short-term, but longer-term supports (such as rental assistance and social work) may be necessary. Rental property owners, their counsel, and rental property managers in Milwaukee and Cleveland described mediation and eviction diversion as essential components of eviction right to counsel ecosystems in that they are mechanisms for reserving the adversarial litigation process for the cases that most need it, which is beneficial for both rental property owners and tenants. There have also been discussions throughout the rental property owner and legal aid communities regarding the need for education and training programs for both rental property owners and tenants. The education and training programs could be designed to ensure both parties know their rights, obligations, and responsibilities as well as raise awareness about available community resources when issues arise. Education and training programs for rental property owners, particularly ones related to managing a rental business, can enable owners to earn more profit and minimize a sense of financial precarity that can result in business practices that increase the risk of housing instability for tenants.<sup>63</sup>

It is also important to appreciate, as discussed previously, that clients seeking legal assistance overwhelmingly have complex personal and case characteristics that take time to resolve. Cases without such complications will typically not require longer times to resolve. Thus, rental property owners who are maintaining their properties, using written lease agreements and applying business practices that emphasize clear communication and assistive services for tenants are less likely to experience eviction processes that require significant time to resolve.

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<sup>62</sup> Ludden, Jennifer. “The housing market squeeze pushes renters into bidding wars.” NPR. June 2022.

<sup>63</sup> Grief, Meredith. “Collateral Damages, Landlords and the Urban Housing Crisis.” The American Sociological Association’s Rose Series in Sociology. 2022.

### *Positive Client Stories and Systemic Impacts of CT-RTC*

Throughout 2022, the Providers collected particularly impactful client stories demonstrating the impact of CT-RTC. Below are qualitative examples of how CT-RTC is assisting Connecticut residents. Client names were changed to maintain confidentiality.

Dottie was being evicted for non-payment of rent. When she came to CLS in May seeking assistance, she had a UniteCT application that had been pending since December 2021. CLS was able to delay the eviction for 2 months in order to follow up with Dottie's UniteCT application. At the time, UniteCT was winding down and not approving many applications. It appeared that it was going to be a challenge to secure this rental assistance on Dottie's behalf. After CLS became involved, however, UniteCT quickly approved the application and the rental property owner withdrew the eviction.

Sandy came to CLS for help with an eviction alleging non-payment of rent and lapse of time. CLS discovered that Sandy's rental property owner had been charging an illegal "extra" fee in addition to Sandy's subsidized rent. Sandy wanted to move, but the Rental Assistance Program (RAP) would not let her remain in the program if she moved before her rental property owner signed a form indicating Sandy did not owe any rent. The rental property owner refused to sign. Sandy had withheld a portion of rent due to conditions issues. In mediation, CLS indicated that the rental property owner had violated the Connecticut Unfair Trade Practices Act (CUTPA) by charging Sandy extra fees and that any non-payment of rent was more than covered by these extra fees. With this leverage, CLS negotiated the rental property owner's immediate signature on the RAP moving form, which stated that Sandy did not owe any additional rent. CLS also secured Sandy 3 additional months in the apartment while she looked for new housing.

Jennifer, a military veteran, contacted CVLC for assistance with her eviction case. During her interaction with the CVLC staff, Jennifer disclosed her military sexual trauma for the first time. In addition to representing Jennifer in her eviction, CVLC assisted her through the veterans' benefits process, and she is now receiving treatment for her trauma.

Daniel, a 49-year-old Army veteran with a young family living in New London County, sought legal help from CVLC after facing eviction for non-payment of rent. Daniel fell behind on rent in Spring 2021. The family signed a new lease during that time, and rent increased \$100 per month. Daniel was unable to pay his rent through February 2022 because of reduced work hours due to the pandemic. The rental property owner had not communicated with Daniel during the time when he was unable to pay rent. However, Daniel was served with a Notice to Quit and sought legal help in July 2022. The veteran and his family wanted to stay in their home and had the ability to pay rent going forward. A CVLC attorney filed an appearance and worked with SSVF Columbus House social workers to provide wrap around support and arrears repayment. The eviction action was withdrawn. The veteran, his wife, and his disabled son are now safely housed and able to pay rent moving forward.

John received a notice to quit for non-payment of rent. On the last business day before the quit date, a GHLA attorney met with John and learned that, after the notice to quit was delivered, John's UniteCT recertification was approved for payment. According to UniteCT's program agreement, the rental property owner could not file an eviction. GHLA contacted the rental property owner's attorney with this information and was able to negotiate a new lease and protect the tenant's rental record from an eviction filing.

GHLA assisted an elderly tenant with a disability who received a Notice to Quit for non-payment. The tenant had received assistance from a program for two months of rent and one month security deposit, but the property manager had recorded it as one month rent and two months security deposit. (Connecticut law requires that tenants over 62 pay no more than one month security deposit.) After a GHLA attorney contacted the property manager about this issue, it was corrected and the Notice to Quit was withdrawn.

Sarah lived with her family in a private two-family home where the local housing authority issued her a Section 8 Housing Choice Voucher. The rental property owner, who lived above her in this two-family home, refused to fix Sarah's broken stove. She was advised by Section 8 to purchase a new stove, so she did. As a result of having to buy a new stove, Sarah fell behind on her rent. The rental property owner was angry about both the new stove and the late rental payment, so he moved to evict her. During litigation, the NHLAA attorney moved to dismiss the case on account of the rental property owner having failed to provide West Haven Housing with notice of the eviction. The judge dismissed the eviction action and client was able to find other housing and move.

Martin called SLS the day before the marshal was scheduled to remove him from his home of 16 years. Martin was confused, as the rental property owner had explained that he no longer had to worry about the eviction. Martin believed the rental property owner since he had made payments and eliminated his arrears. Martin received no new eviction papers except the execution he found on his door the day of his call to SLS. His name was not properly identified, and when he attempted to find the case by docket number, it brought him to a case with a different spelling of his name. Martin tried speaking with the rental property owner, but the rental property owner refused and threatened to call the police. When Martin called the housing court, he was told that the execution had been issued and that he could not take further action. Martin was given the number for SLS, and our advocates called the court on his behalf. SLS then assisted Martin in completing an audita querela to seek relief from the consequences this improper eviction would cause. The Court granted Martin's application for an injunction (audita querela), and the execution was quashed. SLS helped Martin understand and articulate the improper pleading so that he can represent himself pro se, and as a result, the case was dismissed.

Mariah, a single mother of 2, called SLS in tears because she assumed that she and her infant children had to be out of their home by the end of the week because she had been served with papers and was three months behind in rent after losing her job. Mariah shared with SLS, when she called for help, that she had found SLS's number attached to the eviction papers that she received. The SLS advocate assigned Mariah's case asked Mariah to read them the papers she received. From that, it was determined that she was at the summons and complaint stage of the eviction process. SLS then assisted Mariah with her answer and appearance, and SLS assured Mariah that she and her children did not have to leave their home on the specified return date. Unfortunately, SLS could not refer Mariah's case to a legal aid partner because the CT-RTC partner in her area had paused intake. Still, Mariah was encouraged to call SLS back once she received a hearing date to learn if a referral was possible. Mariah did call SLS back, but unfortunately the CT-RTC partner was still paused for intake. Nevertheless, Mariah had found work during this time, and SLS prepared her for trial. Mariah was encouraged to bring a blank money order with her to court and offer it to the rental property owner to express her good faith in establishing a payment plan in mediation. Mariah called SLS the following week to share that she followed our advice. She successfully entered into a stipulated agreement that would reinstate her as a tenant in good standing, effective upon compliance with the conditions of her agreement. Furthermore, Mariah was relieved to know that she also had the opportunity to write into the agreement that upon compliance with the condition of the agreement, she could file a motion to open the judgment, and the rental property owner would file a withdrawal of action.

In addition to personal impacts on clients, CT-RTC is impacting Connecticut’s eviction ecosystem. For example, a CT-RTC attorney was successful on a motion for the awarding of attorney’s fees for a tenant after the rental property owner withdrew the eviction action in response to a Motion to Dismiss filed on behalf of the tenant demonstrated the tenant’s meritorious defense. Such awards can act as a deterrent to rental property owners pursuing an eviction action when the tenant has a meritorious defense, especially when a rental property owner knows that there will likely be an attorney representing the tenant who will recognize that the tenant has a defense. The rental property owner objected to the awarding of attorney’s fees, in part because the attorney was employed by a civil legal aid organization. The trial court rejected this argument, recognizing that awarding attorney’s fees to a tenant who is successful in defending against an eviction action is a matter of law under Connecticut’s Unfair Trade Practices Act where a lease provides for the landlord’s recovery of attorney’s fees. The court made special note that the defense of an eviction action requires specialized knowledge to be able to recognize when a client has a defense within the tight timeframe of a summary process action. The court quoted an earlier court decision, where a tenant represented by a legal aid attorney was awarded attorney’s fees in similar circumstances and the court there noted:

*“Because summary process is an expedited proceeding, it is essential that [defense counsel] stay on top of each case [...] Having presided over housing matters, the court recognizes that defending housing cases is very specialized.” 50 Conn. L. Rptr. 801.*

Other systemic impacts of CT-RTC include but are not limited to:

- Successfully litigating a motion to dismiss based on a housing authority’s failure to attach a notice of rights under the Violence Against Women Act (VAWA) that is required by statute. Subsequent dismissals have been based on this decision.
- CT-RTC attorneys have worked to structure agreements that do not result – as stipulated judgements often do in housing court – in judgment against the tenant. This protects the tenant’s credit record and ability to secure future housing.
- The Providers wrote to the Judicial Branch asking it to present the opening instructions for the docket “call” and mediation in the most common languages other than English that are used in each judicial district. This request is currently under advisement.
- The Providers have consulted on and been interviewed by the CT Mirror for a series related to the impact of eviction on children.
- The Providers are consulting with the Department of Housing on the implementation of the Eviction Prevention Fund of UniteCT.

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### *Tenant Engagement and Education*

Throughout 2022, the Providers and CBF engaged with tenants across Connecticut. This engagement included but was not limited to: launch of the EvictionHelpCT.org website to increase awareness and understanding of the program and how to access services, creating and distributing flyers and postcards (in English and Spanish) with information about how to access CT-RTC; posting on social media via Twitter and Facebook; participating in numerous interviews with news sources throughout the state and a live segment with WFSB Channel 3 in their “Renters’ Rights” series; and attending resource events for tenants in New Haven and Hartford.

Tenant engagement and education extended beyond what was specifically provided through CT-RTC. Provider staff regularly updated tenant resource materials related to the eviction process on the [CTLawHelp.org/eviction](http://CTLawHelp.org/eviction) website and CBF engaged staff from the Providers and the Judicial Branch to review a dynamic new interactive online self-help tool developed by staff of the Connecticut Fair Housing Center. The tool helps unrepresented tenants facing eviction complete the paperwork needed to respond to and represent oneself in an eviction proceeding. This tool is now available to tenants online at [cteviction.guide](http://cteviction.guide). CBF also introduced the tool to the members of the advisory working group on right to counsel, which agreed that it should be included in the next update to the CT-RTC notice sent to all tenants facing eviction in Connecticut.

In most zip codes where CT-RTC services are available, demand has outpaced capacity since the program launched. As a result, CBF, the Providers, and other stakeholders did not want to increase unmet demand through additional outreach efforts. However, in a few zip codes, particularly those in Bridgeport, where CT-RTC services have been offered, additional tenants could have been served than sought assistance from CT-RTC. To address this, targeted outreach efforts are needed to increase demand in select areas.



# Section V-Preliminary Estimate of Fiscal Impacts

The impacts and costs of eviction to states, cities, counties, and municipalities are significant and multi-dimensional. Substantial reporting has documented the negative impact that evictions have on individuals, families, businesses, and communities. While many of these impacts are not yet quantifiable, clear fiscal costs or economic impacts of disruptive displacement do exist. This section details preliminary estimates of fiscal impact that CT-RTC is having on publicly funded systems in Connecticut. These preliminary estimates of fiscal impacts provide insight into how representation in eviction cases could mitigate these costs or assist in redirecting the funds to other efforts undertaken by Connecticut.

Additionally, it is important to consider the economic impacts to key stakeholders in the eviction process, including rental property owners. Rental property owners Stout has engaged with throughout the country have explained the potential economic impacts and costs that they experience when filing evictions, which many use as a measure of last resort. The economic impacts and costs they communicate include but are not limited to attorney fees, filing fees, and other court costs; the time and costs associated with tenant screening and due diligence; costs of repair and maintenance to units needing to be re-rented; and the economic impact of tenants not paying rent as their eviction is being litigated.

As detailed on pages 42-45, it is important to appreciate that CT-RTC, as is the case with other eviction rights to counsel Stout has evaluated, is primarily assisting tenants with substantive legal issues, often challenging personal circumstances, serious consequences that could arise from disruptive displacement (such as unsheltered homelessness), and a variety of complex disputes with the rental property owner. CT-RTC, like other eviction right to counsel programs Stout has evaluated, rarely see clients that do not have these issues and complications with their cases and circumstances, representing a subset of all instances of delinquency and eviction filings (a subset of typically the most serious and severe cases). This is important context when considering potential fiscal impacts as well as the potential impacts of an eviction right to counsel for other stakeholders, including rental property owners, courts, and social service providers.

Stout relied on client interview data from the Providers to develop these estimates. Client circumstances and case characteristics often vary. Because of this variation, not all interview questions are applicable to all CT-RTC clients and therefore are not asked to all clients. While the goal is to ask all CT-RTC clients all questions applicable to their circumstance and case, Program staff exercise discretion during the interview process. There may be interview questions not asked based on a client's lived experiences, comfort level with certain topics, and/or having to recount traumatic experiences. A primary data element for Stout's preliminary fiscal impact calculations is the how CT-RTC clients answered the interview question, "If you have to move, where could your household stay?" Answers to this question inform the degree to which clients would need assistance from publicly funded social safety net systems in

Connecticut and the likelihood of other fiscal impacts (e.g., economic value lost due to out-migration).

Stout used the percentage of CT-RTC clients for which the Providers were able to achieve their goals (for the 3 most frequently cited goals) as the basis for the percentage of CT-RTC clients who likely avoided disruptive displacement through CT-RTC. Using this data, Stout estimates the Providers assisted in avoiding disruptive displacement for between 71% and 76% of CT-RTC clients in 2022. Stout uses the phrase “disruptive displacement” to capture outcomes of cases beyond “winning” and “losing.” For example, there may be circumstances where tenants did not have a formal eviction order issued against them and therefore were not displaced but have still experienced disruption in their lives because of the eviction filing, such as entering a negotiated settlement with unrealistic payment terms resulting in additional financial strain. Additionally, there may be circumstances where a tenant loses possession of their home but was granted an extra 30 days to vacate. In this situation, disruptive displacement may have been avoided because of the additional time to find alternative, suitable housing.

### *Estimated Total Preliminary Fiscal Impacts*

Stout estimated that Connecticut realized economic benefits of between \$5.8 million and \$6.3 million between January 31, 2022 and November 30, 2022 as a result of CT-RTC. The estimated benefits were related to:

- Cost savings related to housing social safety net responses - \$1.1 million to \$1.2 million
- Cost savings related to Medicaid spending on health care - \$2.5 million to \$2.7 million
- Out-of-home foster care placements - \$1.3 million to \$1.4 million
- Sustained education funding for children in Connecticut schools - \$60,000 to \$70,000
- Economic value preserved by retaining residency in Connecticut - \$800,000 to \$900,000.

Stout’s preliminary estimate of fiscal impact is likely significantly understated. Included in the calculation are benefits of CT-RTC that can be quantified based on currently available data. However, Connecticut (as well as individual cities and counties within the state) would likely realize additional benefits that are not currently quantifiable based on available data.

These benefits that are not currently quantifiable include but are not limited to:

- The education costs, juvenile justice costs, and child welfare costs associated with children experiencing homelessness
- The effects of stabilized employment and income and the economic and tax benefits to the state associated with consumer spending
- The negative impact of eviction on tenants' credit score, ability to re-rent, and the potential loss of a subsidized housing voucher
- The cost of providing public benefits when jobs are lost due to eviction or the eviction process
- The cost of mental health care
- Certain additional costs associated with homelessness, such as additional law enforcement and incarceration costs
- The cost of family, community, and neighborhood instability
- Preservation of financial and personal assets
- A reduction, over time, of the number of eviction cases filed resulting in improved use of Connecticut Judicial Branch resources.

Appendix D is a compilation of publicly available research demonstrating the breadth of fiscal impacts arising from housing instability and eviction.

### Homelessness/Housing Social Safety Net

While homelessness may not always be experienced immediately following an eviction, eviction remains a leading cause of homelessness. According to data from the Connecticut Coalition to End Homelessness, there were 2,594 people experiencing homelessness in Connecticut in 2021.<sup>64</sup> Of these 2,594 people, approximately 83% were living sheltered and approximately 17% were living unsheltered.<sup>65</sup> Figure 46 shows the Connecticut residents who were experiencing homelessness in 2021 and living sheltered by type of shelter.<sup>66</sup>

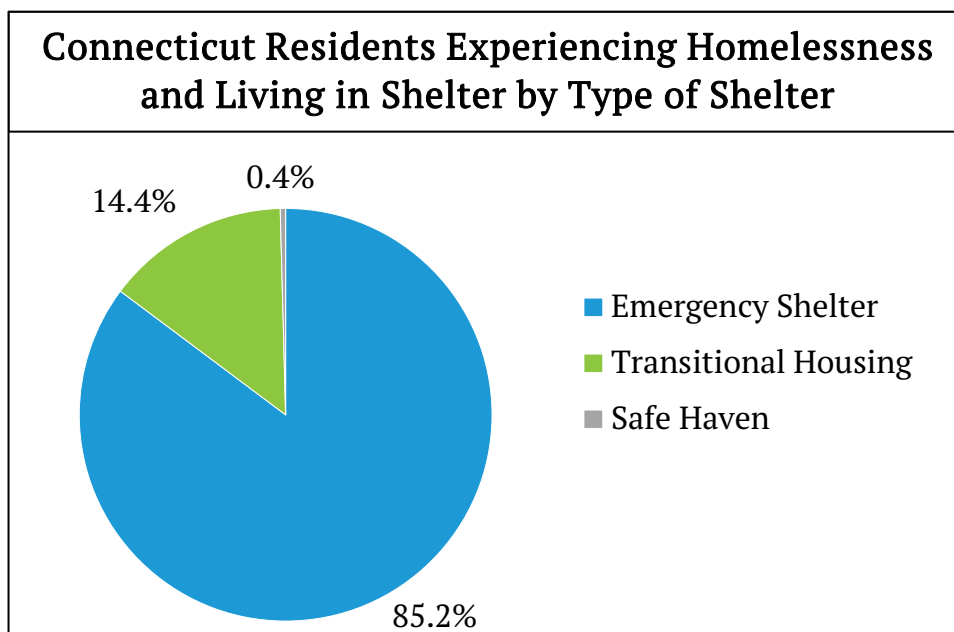


Figure 46

Based on data collected during the interview process, approximately 82 (18%) of CT-RTC clients who completed the interview process and received extensive service indicated that if they had to move, they would move to emergency shelter.<sup>67</sup> The estimated annual cost to provide a housing social safety net response for these client households would have been \$18,900 per household per year if the Providers were unable to avoid disruptive displacement for these clients.<sup>68</sup> The Providers avoided disruptive displacement for between 71% and 76% of RTC-C clients from January 31 through November 30, 2022, which likely resulted in housing social safety net response costs avoided of \$1.1 million to \$1.2 million to Connecticut.

<sup>64</sup> <https://cceh.org/data/interactive/PITresults/>

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> The estimated 18% is based on Stout’s extrapolation methodology to distribute answers of “nowhere to go” among other categories.

<sup>68</sup> “2019 HUD Function and PIT Count, Funding per PIT Capita Ranked by CoC.” National Homeless Information Project.

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### *Medicaid-funded Health Care Cost Savings*

A significant body of research has documented the connection between health and housing, and recent research has examined the connection between eviction filing rates and mortality rates.<sup>69</sup> People experiencing homelessness, including those experiencing homelessness because of eviction or disruptive displacement, often utilize in-patient and emergency room care more frequently than people who are stably housed. Stout found in its independent evaluation of Cook County’s (Chicago) Early Resolution Program, approximately 41% of clients facing eviction indicated that if they were not able to effectively resolve their case, they would likely experience increased stress and health concerns.

From January 31 through November 30, 2022, the Providers served 3,888 individuals, of which the Providers avoided disruptive displacement for between 71% and 76%. Approximately 57% of clients indicated that if they had to move, they would likely experience homelessness in some form.<sup>70</sup> Using utilization rates of in-patient and emergency room care for people experiencing homelessness, average cost data, Medicaid enrollment, and the estimated portion of Medicaid funded by Connecticut, Stout estimates that Connecticut saved between \$2.5 million and \$2.7 million in additional Medicaid costs from January 31 through November 30, 2022 as a result of CT-RTC.

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<sup>69</sup> Rao, Shreya et al. “Association of US County-Level Eviction Rates and All-Cause Mortality.” National Library of Medicine. November 2022. The researchers analyzed 2016 eviction data for nearly 700 counties and found that eviction rates were significantly associated with all-cause mortality with the strongest associations observed in counties with the highest proportion of Black and female residents. All-cause mortality increased by approximately 9 deaths per 100,000 residents for every 1% increase in eviction rates.

<sup>70</sup> The 57% includes RTC-C clients who indicated that they would need to enter emergency shelter, live in a hotel/motel, or live unsheltered or on the street and was calculated using a methodology to allocate pro rata the “nowhere to go” responses.

### Foster Care Cost Savings for Children Experiencing Homelessness

According to data from the federal Adoption and Foster Care Analysis and Reporting System, there were approximately 3,500 children in foster care in Connecticut in 2021. Figure 47 shows the annual number of children in foster care in Connecticut from 2013-2021.

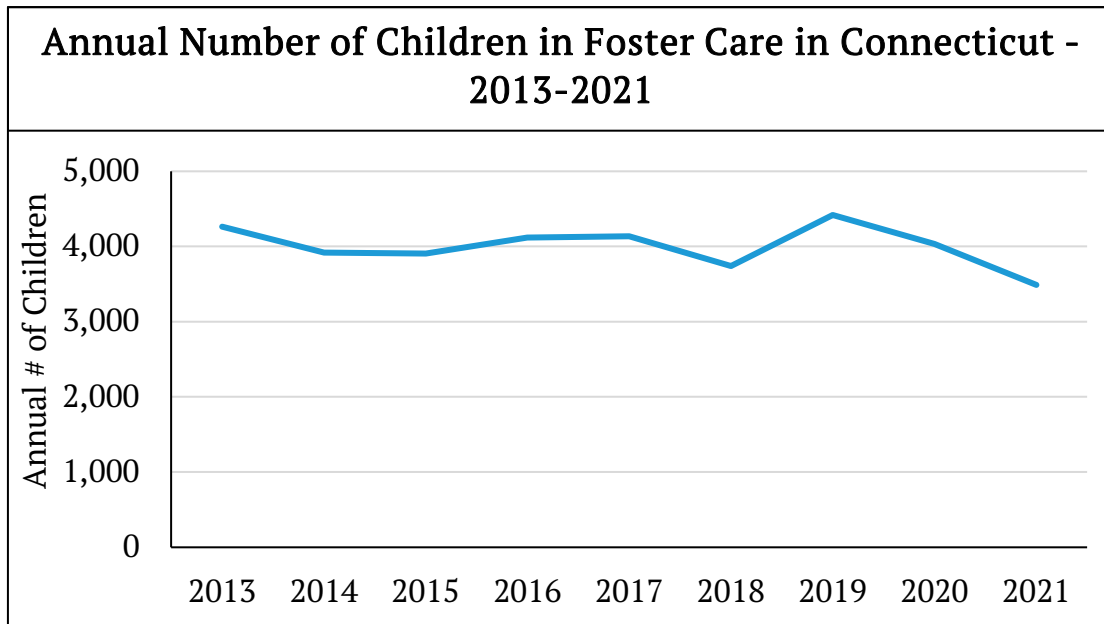


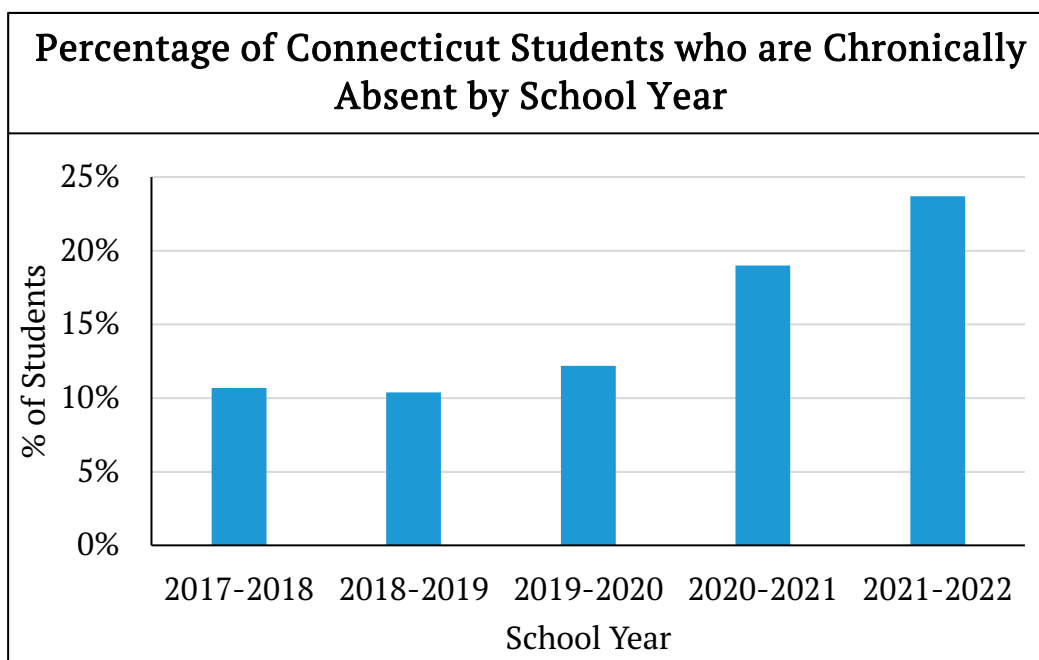
Figure 47

Data collected during the interview process indicated that there were 475 children living in CT-RTC client households from January 31, 2022 through October 31, 2022. The Providers avoided disruptive displacement for between 71% and 76% of CT-RTC clients during the same period. An estimated 4% of children from evicted families are placed in foster care and generally remain there for at least one year.<sup>71</sup> Stout estimated that Connecticut spends approximately \$99,000 annually per child in foster care. Through the Providers' representation of CT-RTC clients, Connecticut likely avoided between \$1.3 million and \$1.4 million in costs related to out-of-home foster care from January 31, 2022 through November 30, 2022.

<sup>71</sup> Berg, Lisa and Brannstrom, Lars. "Evicted children and subsequent placement in out-of-home care: a cohort study." Public Library of Science. April 18. 2018.

### Lost Federal Funding for Public Schools Due to Out-Migration

During the 2020-2021 school year, there were 3,310 students experiencing homelessness in Connecticut.<sup>72</sup> In addition to experiencing homelessness, a portion of students in Connecticut are also chronically absent from school, missing 10% or more of school days. Figure 48 shows the percentage of Connecticut students who were chronically absent by school year.



**Figure 48**

Housing instability not only impacts several facets of students’ education like test scores, level of educational attainment, and likelihood of graduating, but also the school system as a whole. Because Connecticut schools are allocated federal funding based on the number of students enrolled, when students leave Connecticut, funding is lost.

Approximately 7% of CT-RTC clients indicated that if they had to move, they would move in with friends or family who lived outside of Connecticut. CT-RTC client households have an average of 2 children and between 71% and 76% avoided disruptive displacement because of the Providers’ representation. Stout estimates that between 44 and 48 children would have migrated out of Connecticut to live with friends or family but for representation through CT-RTC.

<sup>72</sup> National Center for Homeless Education – Connecticut. Referencing data from the United States Department of Education’s EdFacts Initiative. 2022.



Connecticut receives approximately \$1,400 in federal funding per student enrolled in Connecticut schools.<sup>73</sup> The estimated 44 to 48 children who would have likely migrated out of Connecticut (and left Connecticut schools) to live with friends and family because of disruptive displacement would have resulted in \$60,000 to \$70,000 of lost federal funding for Connecticut schools.

### *Out-Migration and Population Loss*

Research has shown that evictions can contribute to out-migration and population loss.<sup>74</sup> Approximately 31 (7%) of CT-RTC clients indicated that if their household had to move, they would move in with friends or family who lived outside of Connecticut. The average household size of CT-RTC clients was 3 people, resulting in 94 people who would have likely moved out of Connecticut but for CT-RTC, and the Providers avoided disruptive displacement for between 71% and 76% of CT-RTC clients. If these CT-RTC client households would have migrated out of Connecticut, Connecticut would have likely lost an estimated \$12,000 in economic value (e.g., federal funding, state and local tax revenue, dollars spent in state and local economies) per person.<sup>75</sup> Because CT-RTC kept between 67 and 71 Connecticut residents from moving outside of Connecticut, Connecticut may have retained economic value of between \$800,000 and \$900,000 in from January 31, 2022 through November 30, 2022.

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<sup>73</sup> Estimated using data from Summary of Public Elementary-Secondary School System Finances by State for Fiscal Year 2021 compiled by the United States Census Bureau.

<sup>74</sup> Mah, Julie. "Gentrification-Induced Displacement in Detroit, Michigan: An Analysis of Evictions." Routledge. July 21, 2020

<sup>75</sup> Estimated by Stout using data from: (1) Aguilar, Louis. "Detroit population continues to decline, according to Census estimate." Bridge Michigan. May 2020. (2) "State and Local Expenditures." Urban Institute. 2018. Referencing State & Local Government Finance Data Query System and Data from U.S. Census Bureau, Annual Survey of State and Local Government Finances, Volume 4. 2020. (3) Present value of investments that cities and states have been willing to make to attract new residents.

## Section VI-Recommendations for 2023

Year 2 of implementing CT-RTC offers the opportunity to not only continue demonstrating the impact of CT-RTC for clients and the community but also to deepen and refine the understanding of the eviction landscape in Connecticut. Based on its Year 1 evaluation findings, Stout recommends the following activities be undertaken in Year 2 of CT-RTC:

1. Continue to effectuate incremental progress toward full implementation of CT-RTC. Each Program should invest in additional capacity annually as they work toward fully implementation while appreciating there is much to learn and adapt to throughout implementation. Through this process, each Program should assess its personnel needs and ability to expand. There may be opportunities to build or further develop relationships with pipeline institutions or organizations, such as law schools, paralegal programs, and social worker associations. Providers should also evaluate their salaries and benefits relative to the competitive market to determine if adjustments need to be made to attract qualified talent to serve CT-RTC clients given current labor market conditions.
2. Develop a deeper understanding of circumstances where CT-RTC is most impactful. Stout learned from the Providers that there are situations where effective assistance for clients may be a service level other than extensive service. Segmenting clients and cases by certain characteristics can assist with triaging and resource planning, particularly when capacity is limited.
3. Support the development of a CT-RTC Tenant Advisory Council to continue to gather feedback about CT-RTC and Connecticut’s rental housing ecosystem after the conclusion of the qualitative research conducted by the Yale researchers. The Tenant Advisory Council’s membership could include tenants from across Connecticut with lived experiences related to eviction and housing instability. Connecticut tenants with lived experience will have a unique perspective regarding the eviction process and ecosystem in Connecticut. CBF and the Providers should consider collaborating with tenant groups already established through other organizing activities in Connecticut. Stout understands there is a legislatively required working group and the Connecticut Advisory Council on Housing Matters, however, it may also be helpful to create an informal advisory council with membership from a broad range of stakeholder groups who interact with Connecticut’s eviction ecosystem, such as rental property owners (and their attorneys), the courts, public libraries, the education and health care systems, community-based organizations, and representatives from social safety net programs who frequently interact with people experiencing eviction and/or housing instability.
4. Maintain a commitment to timely, accurate data collection throughout the duration of a case. Use available tools and dashboards to monitor data collection and ensure client interview information is complete whenever possible, and cases are promptly closed. Capturing as much data as possible during the interview, and recording that information

promptly, can create a comprehensive view of what clients are experiencing and how the Providers are responding to those circumstances. Prompt case closure will be important to having current, reasonably accurate data throughout the year to inform Provider operations and activities.

5. Consider mechanisms for collecting client feedback at different intervals post-representation. Client feedback post-representation may provide insights into external challenges clients are experiencing that contribute to ongoing housing insecurity for CT-RTC clients.
6. Engage with the Connecticut Judicial Branch (Judicial) to assess additional opportunities for collaboration. There may be opportunities for CBF and the Providers to work with Judicial to develop best practices for improving messaging to people facing eviction, including when tenants are appearing pro se and may be eligible for CT-RTC services. Additional collaboration between Judicial, CBF, and the Providers could lead to greater consistency across state courts when interacting with potential CT-RTC clients.
7. Identify and review the services and educational resources currently available for tenants and rental property owners to educate them about the eviction process, how it can be avoided, and how to navigate it. Based on these resources and qualitative feedback from rental property owners and tenants, develop comprehensive plans for effective outreach and education for rental property owners and tenants.

# Appendix A-Stout's Profile and Qualifications

Stout Risius Ross, LLC (Stout) is a global investment bank and advisory firm specializing in corporate finance, valuation, financial disputes, and investigations. In addition to these services, Stout’s professionals have expertise in strategy consulting involving a variety of socioeconomic issues, including issues of or related to access to justice and the needs of low-income individuals and communities.

Under the direction of Neil Steinkamp, who leads Stout’s Transformative Change Consulting practice, Stout is a recognized leader in the civil legal services community and offers the following services:

- Economic impact assessments and policy research for civil legal services initiatives
- Strategy consulting and action plan development for issues relating to access to justice
- Non-profit budget development, review, and recommendations
- Cost-benefit and impact analyses for non-profit initiatives and activities
- Data-driven program evaluation and implementation
- Dispute consulting and damages analyses for low-income individuals.

Neil Steinkamp is a Managing Director at Stout and a well-recognized expert and consultant on a range of strategic, corporate, and financial issues for businesses, non-profit organizations and community leaders and their advisors. Neil has extensive experience in the development of strategic plans, impact analyses, data evaluation, and organizational change. His work often includes assessments of data reporting, data collection processes, the interpretation or understanding of structured and unstructured data, the review of documents and databases, the development of iterative process improvement strategies, the creation of data monitoring platforms to facilitate sustained incremental change toward a particular outcome and creating collaborative environments. Mr. Steinkamp also has premier experiencing with housing related issues, including eviction. He has authored numerous economic impact studies on providing low-income tenants with attorneys in eviction proceedings, one of which assisted in the passing of New York City’s historic right to counsel law. Mr. Steinkamp also currently serves as the court-appointed Independent Data Analyst in *Baez v. New York City Housing Authority* overseeing NYCHA’s compliance with the timely remediation of mold and leak work orders.

In mid-2020, Stout developed innovative analyses of tenant household instability caused by the COVID-19 pandemic, the estimated rental debt owed, and estimates of how that instability could result in an unprecedented number of eviction filings in states throughout the country. Stout’s research and analyses have been cited in local and national publications, including, but not limited to, The New York Times, The Washington Post, CNBC, Reuters, Forbes, Politico, and Bloomberg, and was referenced in the Centers for Disease Control and Prevention September 4, 2020 Order enacting a nationwide eviction moratorium. Stout also maintains an [Eviction Right to Counsel Resource Center](#) which includes Stout’s eviction cost-benefit analyses

as well as a compilation of resources related to the eviction process, housing instability, racial bias, the impacts and economic costs of eviction, and draft and enacted legislation.

Stout has been engaged by more than 50 non-profit organizations serving low-income communities across the United States. These engagements often included program or public policy evaluations, return on investment analyses, and strategic action planning.

Over the past 7 years, Stout has developed premier expertise in analyzing data from and evaluating the impact of eviction-related programs, including but not limited to eviction rights to counsel, eviction diversion initiatives (pre- and post-filing), eviction prevention and defense programs, emergency rental assistance, expanded legal representation, and access to brief services. Stout has provided eviction-related consulting services or assistance in nearly 40 jurisdictions:

- Alaska
- Atlanta
- Baltimore
- Boston
- Chattanooga
- Chicago (Cook County)
- Cleveland
- Columbus (Ohio)
- Connecticut
- Delaware
- Detroit
- Fort Wayne
- Grand Rapids
- Harris County (Texas)
- Indianapolis
- Kings County (Brooklyn, NYC)
- Lansing
- Las Vegas
- Los Angeles (city and county)
- Maryland (statewide)
- Miami-Dade
- Milwaukee County
- Nashville
- Newark
- New Orleans
- New York City
- New York State (outside of New York City)
- Oakland County (Michigan)
- Pennsylvania (statewide)
- Philadelphia
- Portland (Oregon)
- Rhode Island
- South Carolina
- St. Petersburg
- Suffolk County (New York)
- Toledo
- Washington, DC

Neil is currently serving as the evaluator of eviction right to counsels in Cleveland, Milwaukee, Connecticut, and Maryland. Stout has conducted eviction right to counsel fiscal return on investment analyses and independent expert reports for advocates, coalitions, bar associations or government agencies in Baltimore, Delaware, Detroit, Newark, Pennsylvania, New York City, Philadelphia, Los Angeles, and New York (outside of New York City) and is currently conducting a cost-benefit analysis of an eviction right to counsel in South Carolina. Following the release of Stout's reports in Baltimore, New York City, Philadelphia, and Detroit eviction right to counsel legislation was enacted. In these engagements, Stout worked closely with

fundes/potential fundes, legal services organizations, rental property owners, academics studying housing and eviction, government agencies and the continuum of care, non-profits serving low-income residents, community organizers, and impacted residents.



# Appendix B-Evaluation Data Elements Collected by Providers

<b>Data Element</b>	<b>Options</b>
Unique ID	Text
Required notice for RTC eligibility	Notice to Quit Eviction Complaint Subsidy Termination Notice Other Didn't receive Not specified
Client gender	Male Female Non-binary Other Prefer not to respond
Client race	Asian African American or Black Multiracial Native American White Other Prefer not to respond
Client ethnicity	Hispanic or Latino Not Hispanic or Latino
Client's primary language	English Spanish Spanish Creole Other Prefer not to respond
Limited English proficiency	Yes No Not asked
Does client need translation / interpretation services?	Yes No Not asked
Number of people 18 and over	1 2 3 4 5 More than 5

Number of people under 18	1 2 3 4 5 More than 5
Household income	\$Value
Source of income	Wages Income from someone else in the household SSDI / SSI Child support Unemployment TANF SAGA cash Workers comp Pension Social security Other None
Were you aware of the Right to Counsel program (or the availability of free legal assistance) before the hearing today?	Yes No Not asked
Court/Agency where matter is pending	Text
Amount client believes is owed	Text
Are you currently working?	Yes No Prefer not to answer Not asked
Is the head of household's primary job full time or part time?	Full time Part time Not asked
Are you currently receiving UC benefits?	Yes No Prefer not to answer Not asked

Do you or does anyone else in the home have any physical disabilities, health conditions, mental health conditions or developmental disabilities?	Yes No Prefer not to answer Not asked
How many adults have a physical disability or health condition (if none answer “0”)?	0 1 2 3 4 5 More than 5 Not asked
How many adults have a mental health condition or disability (if none answer “0”)?	0 1 2 3 4 5 More than 5 Not asked
How many, if any, of the children in your household have a physical disability or health condition (if none answer “0”)?	0 1 2 3 4 5 More than 5 Not asked
How many, if any, children in your household have a mental health, intellectual or developmental disability (in none answer “0”)?	0 1 2 3 4 5 More than 5 Not asked
Are you a veteran?	Yes No Prefer not to answer Not asked

Do you have technology to participate in a virtual hearing?	Yes No Prefer not to answer Not asked
Please describe any challenges you have in participating in a virtual hearing	It is difficult to use technology. I do not have a stable internet connection. I do not have access to a device. I do not have data bandwidth on my device. I do not have a private/quiet space to participate. Other
What is your current monthly rent or contract payment?	Text
Have you paid your rent late in the past year (last 12 months)?	Yes No Prefer not to answer Not asked
Can you deposit any of the back rent with us?	Yes No Prefer not to answer Not asked
What led to you not paying rent?	Job loss / reduced hours Unexpected expense Withheld rent due to conditions issues Denied benefits Other Not asked
How far behind are you?	1 month 2 months 3 months 4 months 5 months 6 or more months Not asked
Do you have the ability to pay anything toward the past due rent?	Yes No Prefer not to answer Not asked

Do you have the ability to pay all of the past due rent?	Yes No Prefer not to answer
Is there a termination of tenancy?	Yes No Not asked
Why was the tenancy terminated?	End of lease term Non-payment Breach of lease term Landlord sold/selling property Conflict with landlord or neighbor Reported conditions Other
Have you ever had previous issues with the management?	Yes No Prefer not to answer Not asked
Describe previous issues with management	Conditions issues not repaired at all Conditions issues not repaired timely Lack of communication / cannot get in touch with landlord/management Landlord entering unit with notification Harassment Discrimination Disputes regarding visitors Disputes regarding pets Other Prefer not to answer
When did you move into your current property?	Less than 1 year 1-2 years 3-5 years 6-9 years 10+ years Not asked
Is the rental contract oral or written?	Oral Written Not asked

What is the tenancy term?	One year Six months Month to month Multi-year Other Not asked
Does the tenant have any subsidy?	Housing Choice Voucher Public housing Project based Section 8 LIHTC RAP Other USDA rural housing None
How long have you been in your current housing program?	Less than 1 year 1-2 years 3-5 years 6-9 years 10+ years Not asked
If you have to move where could your household stay?	Friends/family - in CT Friends/family - outside CT Hotel/motel Shelter Street/unsheltered Another apartment Other Unknown Not asked
Have you ever had any previous evictions filed against you?	Yes No Prefer not to answer Not asked
Was the previous eviction filing in the past year?	Yes No Prefer not to answer Not asked
Are there any defective conditions at the rental unit?	Yes No Not asked

<p>What are the major defective conditions?</p>	<p>No smoke detector          Plumbing leaks          Water damage          Electrical issues          Infestation or pests          Mold          Wall/ceiling/floor damage          No or insufficient heat          Lead          Unstable or damaged flooring or carpet          Exterior damage (roofing, siding, gutters)          Other          Not asked</p>
<p>Have you informed your landlord about the conditions issues?</p>	<p>Yes          No          Prefer not to answer          Not asked</p>
<p>What repairs, if any, has the landlord made in the property?</p>	<p>Fixed all conditions issues to client's satisfaction          Fixed some conditions issues          Did not fix conditions issues          Not asked</p>
<p>Have you made any repairs to the property?</p>	<p>Yes          No          Prefer not to answer          Not asked</p>
<p>Have you contacted the city or housing inspectors?</p>	<p>Yes          No          Prefer not to answer          Not asked</p>
<p>Was the property inspected?</p>	<p>Yes          No          Prefer not to answer          Not asked</p>
<p>Do you want to stay in your rental unit?</p>	<p>Yes          No          Prefer not to answer          Not asked</p>



<p>Did the tenant apply for rent assistance?</p>	<p>Yes No Prefer not to answer Not asked</p>
<p>Was the tenant approved?</p>	<p>Yes No Not asked</p>
<p>Did the landlord receive the rental assistance?</p>	<p>Yes No Unsure Prefer not to answer Not asked</p>
<p>What is / are your goals for the case? (Select all that apply)</p>	<p>Prevent eviction judgment Prevent involuntary move Prevent eviction filing Mitigate damages Secure time to move (30 days or more) Secure rent assistance Remediate defective conditions Secure monetary relief Avoid subsidy termination Secure participation in subsidized housing program Reduce rent/fee Recover security deposit Clear title and/or enforce rights under installment contract Secure attorneys fees Remedy housing discrimination - protected class Obtain accommodation Recover personal property Obtain order to prohibit re-rental Obtain order to remedy lead hazard Remedy lead hazard Secure supply of affordable rental housing Obtain vital documents Secured process accommodation – language access Secure process accommodation - disability Secured Process Accommodation –</p>

	money Other client goal (please specify)
For each goal, upon case closure, record the goal status (i.e., outcome)	Achieved Not achieved Planned Goal changed
Case resolution/disposition	Prevented eviction judgment Prevented involuntary move Prevented eviction filing Mitigated damages - improper amount alleged (enter amount) Mitigated damages - successful negotiation (enter amount) Secured time to move (30 days or more) Secured rent assistance (enter amount) Remediated defective conditions (enter type) Secured monetary relief (enter amount) Avoided subsidy termination Secured participation in subsidized housing program Reduced rent/fee (enter amount) Recovered security deposit (enter amount) Cleared title and/or enforce rights under installment contract Secured attorneys fees (enter amount) Remedied housing discrimination - protected class Obtained accommodation Recovered personal property Obtained order to prohibit re-rental Obtained order to remedy lead hazard Remediated lead hazard Negotiated agreement or settlement Avoided litigation Avoided eviction warrant/writ Executed new written lease (enter term) Connected client to housing resources (enter type) Connected client to social services resources (enter type) Other case resolution (please specify)

If damages were mitigated, by what amount was the amount owed reduced?	Text
Was the amount owed reduced because it was improper to begin with, because it was offset against expenses paid by the client, or because of legal negotiation?	Improper to begin with Offset against expenses paid by client Legal negotiation Not asked
At the conclusion of the case, did the client stay or move?	Stayed Moved Not asked
If the client agreed to move, how much time to move was secured?	Less than 30 days 30-60 days 61-90 days More than 90 days
If the client agreed to stay in the home, was there an agreement to remediate conditions or did the client's goal related to conditions change?	Agreement to remediate conditions Client's goal changed
If the client agreed to stay in the home, was a new written lease executed?	Yes No
What was the term of the lease?	One year Six months Month to month Multi-year Other

## Appendix C-Notice Periods by State

The table below summarizes the notice periods for non-payment of rent eviction filings for each state. States with multiple notice periods have different notice periods depending on the circumstances/facts of the case. This data was compiled by Legal Services Corporation (LSC) and can be found at: <https://www.lsc.gov/initiatives/effect-state-local-laws-evictions/lsc-eviction-laws-database>

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**3 days**

California  
Connecticut  
Florida  
Idaho  
Iowa  
Kansas  
Mississippi  
Montana  
New Mexico  
North Dakota  
Ohio  
South Dakota  
Texas  
Utah  
Wyoming

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**3 days, 10 days**

Arkansas

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**5 days**

Arizona  
Delaware  
Hawaii  
Illinois  
Louisiana  
Oklahoma  
Rhode Island  
South Carolina

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**5 days, 14 days, 30 days**

Wisconsin

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**7 days**

Alabama  
Alaska  
Kentucky  
Maine  
Michigan  
Nebraska  
Nevada

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New Hampshire

**10 days**

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Colorado

Indiana

Missouri

North Carolina

Pennsylvania

**10 days, 13 days**

---

Oregon

**14 days**

---

New York

Tennessee

Vermont

Virginia

Washington

**14 days, 30 days**

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Massachusetts

**30 days**

---

District of Columbia

**Landlord not required to give notice if evicting for nonpayment**

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Maryland

Minnesota

New Jersey

West Virginia

**Minimum amount of notice not specified**

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Georgia

# Appendix D-Fiscal Impacts Research

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### *Eviction is a Leading Cause of Homelessness*

While homelessness may not always be experienced immediately following an eviction, eviction remains a leading cause of homelessness. In Cleveland, an eviction right to counsel jurisdiction, eviction right to counsel clients are represented by Cleveland Legal Aid. During Cleveland Legal Aid’s intake interview, clients are asked where their household would stay if they were evicted. Stout analyzed responses to this question as an element of its 2021 independent evaluation of Cleveland’s eviction right to counsel and found that approximately 5% of clients indicated they would need to enter emergency shelter if they were evicted.<sup>76</sup> Approximately 23% of clients indicated they would need to “double up” with friends/family, approximately 6% indicated they would live unsheltered, and approximately 60% indicated they did not know where they would go, suggesting they do not have a plan for where they would find alternative housing and may experience sheltered or unsheltered homelessness.

A 2011 study of people experiencing homelessness in Harris and Fort Bend counties (Houston area), Texas found that approximately 30% of people experiencing homelessness identified eviction (either by a family member or a rental property owner) as a cause for their homelessness.<sup>77</sup>

The Massachusetts Interagency Council on Housing and Homelessness analyzed a variety of reports generated by the state’s shelter system to determine that 45% of people experiencing homelessness or who are at risk of experiencing homelessness cite eviction as the reason for their housing instability.<sup>78</sup>

Similar statistics were observed in Hawaii where 56% of families experiencing homelessness cite inability to afford rent as the reason for their experiencing homelessness.<sup>79</sup> An additional 18% of families cited eviction specifically, as the reason for their experiencing homelessness.<sup>80</sup>

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<sup>76</sup> “Cleveland Eviction Right to Counsel Annual Independent Evaluation.” Stout Risius Ross. January 31, 2022.

<sup>77</sup> “Capacity and Gaps in the Homeless Residential and Service System, Harris and Fort Bend Counties.” Coalition for the Homeless Houston/Harris County. 2011.

<sup>78</sup> “Regional Networks to End Homelessness Pilot Final Evaluation Report.” Massachusetts Interagency Council on Housing and Homelessness. February 15, 2011.

<sup>79</sup> “Homeless Service Utilization Report.” Center on Family at the University of Hawaii and the Homeless Programs Office of the Hawaii State Department of Human Services. 2010.

<sup>80</sup> Ibid.



In Seattle, a survey of tenants who were evicted revealed that nearly 38% were living unsheltered and half were living in a shelter, transitional housing, or with family and friends.<sup>81</sup> Only 12.5% of evicted respondents secured another apartment to move into.<sup>82</sup>

Researchers at the University of Delaware matched data from the statewide homelessness services network to eviction filings in Delaware and found that 21% of people experiencing homelessness in their study group received an eviction filing in the previous 2 years.<sup>83</sup>

A 2018 study of homelessness in Los Angeles County, citing surveys conducted as part of recent homeless counts, stated that 40% of unsheltered adults cited unemployment and lack of money, which encompassed inability to pay for shelter, as the reason for experiencing homelessness.<sup>84</sup> These factors (unemployment and lack of money) were identified more than twice as often any other factor, and eviction or foreclosure was specifically identified as the primary reason for homelessness by 11% of unsheltered adults.<sup>85</sup>

A 2014 San Francisco study of an eviction defense pilot program, citing a recent survey of families experiencing homelessness, revealed that 11% of families in San Francisco homeless shelters identified evictions (legal and illegal) as a cause of their homelessness.<sup>86</sup> The Housing and Homeless Division Family and Prevention Services Program Manager in San Francisco has stated that the number of families experiencing homelessness as a result of an eviction is potentially over 50%— much higher than 11% — when considering the intermediate living arrangements made with friends and family before the families who have been evicted access the shelter system.<sup>87</sup> The 50% estimate is supported by the survey of families experiencing homelessness, in which 45% of respondents indicated that the cause of their homelessness was being asked to move out.<sup>88</sup> Furthermore, a 2013 demographics report of adult shelters in San Francisco found

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<sup>81</sup> “Losing Home: The Human Cost of Eviction in Seattle.” The Seattle Women’s Commission and the Housing Justice Project of the King County Bar Association. September 2018.

<sup>82</sup> Ibid.

<sup>83</sup> Metraux, Stephen PhD et al. “Prior Evictions Among People Experiencing Homelessness in Delaware.” Delaware Academy of Medicine/Delaware Public Health Association. August 2022.

<sup>84</sup> Flaming, Daniel et al. “Escape Routes: Meta-Analysis of Homelessness in L.A.” Economic Roundtable. April 2018.

<sup>85</sup> Ibid.

<sup>86</sup> San Francisco Right to Civil Counsel Pilot Program Documentation Report. John and Terry Levin Center for Public Service and Public Interest, Stanford Law School. May 2014.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid.

that 36% of its population was living with friends or relatives before experiencing homelessness.<sup>89</sup>

A 2018 study of shelter use in New York City indicated that evictions: (1) increase the probability of applying for shelter by 14 percentage points compared to a baseline probability of approximately 3% for households not experiencing an eviction; and (2) increase the number of days spent in shelter during the two years after an eviction filing by 5 percentage points, or about 36 days.<sup>90</sup> The researchers concluded that because the estimated effects of eviction persist long-term, avoiding eviction does not simply delay a period of homelessness, it leads to lasting differences in the probability of experiencing homelessness.<sup>91</sup> The New York City Department of Homeless Services found that eviction was the most common reason for families entering city shelters between 2002 and 2012.<sup>92</sup>

Based on a control group analysis, a 2013 evaluation of the Homebase Community Prevention Program (the Abt Study) in New York City found that 18.2% of families with children who were at risk of homelessness applied for shelter, and 14.5% entered family shelter.<sup>93</sup> These metrics compare to Homebase case managers' expectations at program enrollment, which were that 25% of families with children who were at risk of homelessness would "definitely" enter shelter and for an additional 25% shelter entry was "very likely."<sup>94</sup> The Abt Study was an evaluation of the Homebase Community Prevention Program which included an analysis of households' use of homeless shelters and services. The Homebase program is a network of neighborhood-based homelessness prevention centers located in New York City. Homebase was designed to prevent homelessness and to prevent repeated stays in shelter. One of the research questions to be answered by the evaluation was: does Homebase affect the rate of shelter use (nights in shelter)? The evaluation population, as agreed upon with the New York City Department of Homeless Services, was 295 families with at least one child – 150 in the treatment group, and 145 in the control group. The evaluation indicated that over the evaluation period of 27 months (September 2010 to December 2012) a statistically significant difference the likelihood of spending at least one night in shelter between the treatment and control groups – 14.5 % compared to 8%. Evaluators had access to individual-level administrative data from certain systems operated by three New York

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<sup>89</sup> Ibid, citing 2013 Demographics Report – San Francisco Single Adult Shelters.

<sup>90</sup> Collinson, Robert and Reed, Davin. "The Effects of Evictions on Low-Income Households." New York University Law. December 2018.

<sup>91</sup> Ibid.

<sup>92</sup> "The Rising Number of Homeless Families in NYC, 2002-2012: A Look at Why Families Were Granted Shelter, the Housing They Had Lived in and Where They Came From." New York City Independent Budget Office. 2014.

<sup>93</sup> Rolston, Howard et al. "Evaluation of the Homebase Community Prevention Program." Abt Associates. June 2013.

<sup>94</sup> Ibid.

City social services agencies (the Department of Homeless Services, the Administration for Children’s Services, and the Human Resources Administration) and the New York State Department of Labor. This individual-level data was matched with Homebase data based on social security number, name, date of birth, and gender. The evaluators did not have access to data about single adults, adult families, and shelters outside of New York City. Evaluators used the individual-level data and a linear probability model to assess the likelihood of shelter entry. The evaluators indicated that limitations of the Study included only analyzing data from shelters operated by the Department of Homeless Services, the impact of “one shot” assistance among the studied population and limiting the study population to families with at least one child and pregnant women.

Robin Hood, a New York City-based non-profit organization that provides funding to, and evaluation metrics for more than 200 programs in New York City, estimates without any intervention, approximately 25% of those at risk of experiencing homelessness would enter shelter.<sup>95</sup> Robin Hood’s estimate, like the Abt Study case managers’, is based on the experiences and expectations of staff working with low-income families experiencing housing instability.

Researchers studying the typology of family homelessness (the Culhane Study) found that approximately 80% of families experiencing homelessness stay in emergency shelter for brief periods, exit shelter, and do not return.<sup>96</sup> The remaining 20% of families experiencing homelessness stay for long periods, and a small but noteworthy portion of families experiencing homelessness cycle in and out of shelter repeatedly.<sup>97</sup> Families cycling in and out of shelter have the highest rates of intensive behavioral health treatment, placement of children in foster care, disability, and unemployment.<sup>98</sup> The differences between families that have short shelter stays compared to families with longer shelter stays were identified as: family composition (e.g., larger, older, Black); predicament (e.g., experiencing domestic violence, pregnancy / newborn status); and resources at exit (e.g., housing subsidy).<sup>99</sup>

Data from California’s Continuums of Care indicated significant racial disparities among people who have accessed homeless services.<sup>100</sup> California’s population is approximately 6% Black, but Black or African Americans represent 31% of people accessing homeless

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<sup>95</sup> [https://www.robinhood.org/uploads/2017/04/Metrics-Equations-for-Website\\_Sept-2014.pdf](https://www.robinhood.org/uploads/2017/04/Metrics-Equations-for-Website_Sept-2014.pdf)

<sup>96</sup> Culhane, Dennis et al. “Testing a Typology of Family Homelessness Based on Patterns of Public Shelter Utilization in Four U.S. Jurisdictions: Implications for Policy and Program Planning.” *Housing Policy Debate*. May 2007.

<sup>97</sup> *Ibid.*

<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*

<sup>100</sup> “Demographics of People Who Were Served.” State of California Business, Consumer Services and Housing Agency. 2020.

services.<sup>101</sup> The data also indicated that 41% of people accessing homeless services reported a disabling condition, 17% reported experiencing domestic violence, and 22% were under the age of 18 – all factors that influence length of shelter stay, according to the Culhane Study.<sup>102</sup> A study of administrative data from the homeless shelter systems in New York City and Philadelphia found demographic differences among people experiencing homelessness, which contribute to differences in length of stay in shelters and could inform program planning.<sup>103</sup> The significant concentration of non-White people and those experiencing mental health challenges within the shelter system is consistent with the characteristics of people experiencing the eviction process. The researchers’ recommendation that targeted preventive and resettlement assistance, transitional housing and residential treatment, and supported housing and long-term care programs further indicates the incredibly costly housing responses needed to support people experiencing homelessness as a result of disruptive displacement.

Figure 1 shows the percentage of people reporting that they are experiencing homelessness and entering shelter because of eviction/inability to pay for shelter by jurisdiction. These shelter entry metrics (i.e., the proportion of people at shelter connecting their entry to eviction/inability to pay for shelter) are not the same as the proportion of people experiencing eviction who enter shelter but are informative about the role eviction has as a pathway to homelessness and shelter entry.

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<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

<sup>103</sup> Kuhn, Randall and Culhane, Dennis. “Applying Cluster Analysis to Test a Typology of Homelessness by Pattern of Shelter Utilization: Results from the Analysis of Administrative Data.” *American Journal of Community Psychology*. April 1998.



**Figure 1**

It is also worth noting that not everyone who experiences disruptive displacement will also experience homelessness. However, not experiencing homelessness does not eliminate the social costs of disruptive displacement as these households will likely experience other trauma(s) related to disruptive displacement. That is, there are social costs to eviction even for households that do not experience homelessness as a result of their eviction. These social costs and traumas may include, but are not related to, needing to staying with family/friends until alternative affordable housing can be secured, experiencing challenges with securing alternative housing because of an eviction record, commuting longer distances to work because of where alternative affordable housing is available, disruptions to child school attendance and education, difficulty securing new child care providers, mental health trauma, and needing to make difficult financial decisions about basic needs (e.g., paying back rent owed or purchasing a medically necessary prescription).

***Evictions Connection to Homelessness Causes Fiscal Costs for Shelter Systems and Other Supports***

States often provide a variety of housing social safety net responses to people experiencing homelessness, such as emergency shelter, transitional housing, rapid re-housing, and permanent supportive housing.

The Massachusetts Housing and Shelter Alliance estimates that a homeless individual residing in Massachusetts creates an additional cost burden for state-supported services (shelter, emergency room visits, incarceration, etc.) that is \$9,372 greater per year than

an individual who has stable housing.<sup>104</sup> Each time a family experiencing homelessness enters a state-run emergency shelter, the cost to the state is estimated at \$26,620.<sup>105</sup> Data from the HomeStart Program in Massachusetts indicates that the cost to prevent an eviction, negotiate back-rent owed, and provide a family with stabilization services is approximately \$2,000 (compared to the emergency shelter cost of \$26,620 per year).<sup>106</sup>

The Central Florida Commission on Homelessness has reported that the region spends \$31,000 per year per person experiencing homelessness on law enforcement, jail, emergency room, and hospitalization for medical and psychiatric issues.<sup>107</sup>

The City of Boise, Idaho reported that costs associated with chronic homelessness are \$53,000 per person experiencing homelessness annually including day shelters, overnight shelters, policing / legal, jail, transportation, emergency medical services and drug and alcohol treatment.<sup>108</sup> In contrast, providing people experiencing homelessness with permanent housing and case managers would cost approximately \$10,000 per person annually.<sup>109</sup>

By way of comparison, MaineHousing, the state agency providing public and private housing to low- and moderate-income tenants in Maine, found that the average annual cost of services per person experiencing homelessness to be \$26,986 in the greater Portland area and \$18,949 statewide.<sup>110</sup> The services contemplated in the average annual cost were associated with: physical and mental health, emergency room use, ambulance use, incarceration, and law enforcement.<sup>111</sup>

Investing in eviction prevention helps a community save valuable resources by preventing homelessness before it starts.<sup>112</sup> A three-year study by RAND Corporation found that providing housing for very sick individuals experiencing homelessness saved

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<sup>104</sup> Wood-Boyle, Linda. "Facing Eviction: Homelessness Prevention for Low-Income Tenant Households." Federal Reserve Bank of Boston. December 1, 2014.

<sup>105</sup> Ibid.

<sup>106</sup> Eviction Prevention. HomeStart.org.

<sup>107</sup> Santich, Kate. "Cost of homelessness in Central Florida? \$31k per person." Orlando Sentinel. May 21, 2014.

<sup>108</sup> Crossgrove Fry, Vanessa. "Reducing Chronic Homeless via Pay for Success, A Feasibility Report for Ada County, Idaho." City of Boise. N.d.

<sup>109</sup> Santich, Kate. "Cost of homelessness in Central Florida? \$31k per person." Orlando Sentinel. May 21, 2014.

<sup>110</sup> Acquisto, Alex and Rhoda, Erin. "The \$132k idea that could reduce Bangor's eviction problem." Bangor Daily News. September 24, 2018.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid.

taxpayers thousands of dollars by reducing hospitalization and emergency room visits.<sup>113</sup> For every dollar invested in the program, the Los Angeles County government saved \$1.20 in health care and social service costs.<sup>114</sup>

***Eviction Can Lead to Costs Associated with Unsheltered Populations***

In addition to costs related to sheltering people who are experiencing homelessness, jurisdictions bear significant costs related to people who are experiencing unsheltered homelessness. A person is experiencing unsheltered homelessness if they are living somewhere not meant for human habitation (e.g., tents, cars, recreational vehicles without electricity or sanitation connections, sidewalks, abandoned buildings, and other public spaces).<sup>115</sup> In 2019, the U.S. Department of Health and Human Services and the U.S. Department of Housing and Urban Development commissioned a study of the costs to four cities (Chicago, Houston, San Jose, and Tacoma) that were working to reduce encampments used by people experiencing unsheltered homelessness and providing services to people experiencing unsheltered homelessness.<sup>116</sup> The cost to reduce encampments and provide services ranged from \$1,672 to \$6,208 per unsheltered person per year.<sup>117</sup> The overall annual cost to the cities ranged from approximately \$3.4 million (Houston) to approximately \$8.6 million (San Jose).<sup>118</sup> Figure 2 shows these costs.

	Total spending on encampment activities, FY 2019	Unsheltered homeless population, 2019 <sup>1</sup>	Cost per unsheltered homeless person, 2019
Chicago	\$ 3,572,000	1,260	\$2,835
Houston	\$ 3,393,000	1,614	\$2,102
Tacoma	\$ 3,905,000	629	\$6,208
San Jose	\$ 8,557,000	7,922	\$1,080

<sup>1</sup> The unsheltered homeless population for Chicago is for the city, whereas the numbers for Houston, San Jose, and Tacoma include the surrounding counties (Harris, Santa Clara, and Pierce Counties).

Source: City cost data; 2019 CoC Point-in-Time data, HUD

**Figure 2**

Costs incurred by local fire and police departments and emergency medical services were not included, but they can be the largest expenses for cities.<sup>119</sup> These quantifiable costs

<sup>113</sup> Holland, Gale. “Study find L.A. County saves money by housing sick homeless people.” Los Angeles Times. December 4, 2017.

<sup>114</sup> Ibid.

<sup>115</sup> Dunton, Lauren et al. “Exploring Homelessness Among People Living in Encampments and Associated Cost: City Approaches to Encampments and What They Cost.” U.S. Department of Housing and Urban Development, Office of Policy Development and Research. February 2020.

<sup>116</sup> Ibid.

<sup>117</sup> Ibid.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

are not the only costs to cities with responses to the unsheltered population. Providing services takes significant resource-intensive coordination among a variety of stakeholders. For example, the study indicated the following agencies/service providers were involved in responding to people experiencing unsheltered homelessness: sanitation/solid waste/environmental services; homeless services providers offering assistance with case management, medical and mental health services, substance abuse services, food assistance, and financial assistance; departments of public health; departments of transportation; airport authorities; parks departments; public utility companies; fire departments; city management departments; outreach teams; and police departments.<sup>120</sup>

Stout is collecting data in its eviction right to counsel program evaluations in other jurisdictions to understand more fully where people believe they will go if they were evicted and has found that between approximately 10% and 20% eviction right to counsel clients seeking representation indicate they will likely live unsheltered if they were evicted.

### *Eviction Can Cause Employment and Housing Instability*

Eviction can lead to job loss making it more difficult to find housing, further burdening an already struggling family. Matthew Desmond, author of *Evicted: Poverty and Profit in the American City*, describes how job loss and eviction can be interconnected. When an evicted tenant does not know where their family will sleep the next night, maintaining steady employment is unlikely. If the evicted tenant is unemployed, securing housing after being evicted may take precedence over securing a job. If the evicted tenant is employed, the instability created by eviction often affects work performance and may lead to absenteeism, causing job loss.<sup>121</sup> The period before an eviction may be characterized by disputes with a rental property owner or stressful encounters with the court system.<sup>122</sup> These stressors can cause workers to make mistakes as they are preoccupied with non-work matters.<sup>123</sup> After an eviction, workers may need to miss work to search for new housing, and because they now have an eviction record, finding a rental property owner willing to rent to them may increase the time it takes to secure new housing.<sup>124</sup> Workers may need to live farther from their jobs, increasing the likelihood of tardiness and absenteeism.<sup>125</sup> A recent Harvard University study suggests the likelihood

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<sup>120</sup> Ibid.

<sup>121</sup> Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." *Social Forces*. February 24, 2015.

<sup>122</sup> Desmond, Matthew and Gerhenson, Carl. "Housing and Employment Insecurity among the Working Poor." Harvard University. January 11, 2016.

<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

<sup>125</sup> Ibid.



of being laid off to be 11 to 22 percentage points higher for workers who experienced an eviction or other involuntary move compared to workers who did not.<sup>126</sup>

A similar analysis in Wisconsin, the Milwaukee Area Renters Study, found that workers who involuntarily lost their housing were approximately 20% more likely to subsequently lose their jobs compared to similar workers who did not.<sup>127</sup> Approximately 42% of respondents in the Milwaukee Area Renters Study who lost their job in the two years prior to the study also experienced an involuntary move.<sup>128</sup> The impact of job loss and eviction disproportionately affects Black people who face significant discrimination in both the housing and labor markets.<sup>129</sup>

Eviction not only adversely affects unemployed and employed tenants' job prospects but also their earnings and the potential future earnings of children. A study of eviction filings from 2007 to 2016 in New York City sought to assess whether evictions contributed substantially to poverty by analyzing the effect of evictions on earnings and employment.<sup>130</sup> Eviction filing data was linked to Medicaid, Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, and other New York City-specific benefits data.<sup>131</sup> The researchers found that eviction was associated with between \$1,000 and \$3,000 reduction in total earnings in the one to two years post-filing.<sup>132</sup> Robin Hood estimates a child's average future earnings could decrease by 22% if the child experienced juvenile delinquency, which can be associated with the disruption to families from eviction.<sup>133</sup> When families and children earn less (now or in future periods) the associated financial strains can result in various costs to the cities and communities in which they live. Research has shown that forced moves can perpetuate generational poverty and further evictions.<sup>134</sup> In addition, the reduction in earning capacity for these families can increase the demand on various social services provided by these cities and communities. Further, cities lose the economic benefit of these wages, including the

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<sup>126</sup> Ibid.

<sup>127</sup> Desmond, Matthew. "Unaffordable America: Poverty, housing, and eviction." Institute for Research on Poverty. March 2015.

<sup>128</sup> Desmond, Matthew and Gerhenson, Carl. "Housing and Employment Insecurity among the Working Poor." Harvard University. January 11, 2016.

<sup>129</sup> Ibid.

<sup>130</sup> Collinson, Robert and Reed, Davin. "The Effects of Evictions on Low-Income Households." New York University Law. December 2018. And Collinson, Robert et al. "Eviction and Poverty in American Cities." National Bureau of Economic Research. August 2022.

<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

<sup>133</sup> Robin Hood is a New York City based non-profit organization that provides funding to more than 200 programs across New York City. <https://www.robinhood.org/what-we-do/metrics/>

<sup>134</sup> Lundberg, Ian and Donnelly, Louis. "A Research Note on the Prevalence of Housing Eviction among Children Born in U.S. Cities." Princeton University, Woodrow Wilson School of Public and International Affairs, Center for Research on Child Wellbeing. 2019.

economic stimulus of community spending and potential tax revenue. These impacts – potential earning capacity, generational poverty, and other economic consequences – are long-term and incredibly challenging to reverse.

### *Eviction Can Impair Tenants' Ability to Re-Rent and Harm Credit Scores*

Tenants with an eviction case brought against may have the case on their record whether they are ultimately evicted or not. This information is easily accessible, free, and used by rental property owners and tenant screening companies to create tenant blacklists, making it difficult for tenants with eviction records to re-rent and exacerbating housing discrimination.<sup>135</sup> Data aggregation companies are now creating “screening packages” that rental property owners can use to select their tenants.<sup>136</sup> These packages often include a full credit report, background check, and an eviction history report. Using data and technology to streamline and automate the screening process will only exacerbate the impact of eviction on tenants. One data aggregation company stated, “it is the policy of 99% of our [landlord] customers in New York to flat out reject anybody with a landlord-tenant record, no matter what the reason is and no matter what the outcome is.”<sup>137</sup> In cities where there is a right to counsel, the number of eviction filings has declined, indicating that a right to counsel can also reduce the harmful effects of being exposed to the eviction process regardless of case outcomes. Many rental property owners and public housing authorities will not rent to tenants who have been recently evicted. Therefore, renters with an eviction on their record will often be forced to find housing in less desirable neighborhoods that lack adequate access to public transportation, are farther from their jobs, have limited or no options for child care, and lack grocery stores.<sup>138</sup> A University of North Carolina Greensboro study found that 45% of tenants who

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<sup>135</sup> Desmond, Matthew. “Unaffordable America: Poverty, housing, and eviction.” Institute for Research on Poverty. March 2015.

<sup>136</sup> Greene, Kimberly. “Online screening process gives landlords peace of mind.” Mortgage Professional America. November 12, 2019.

<sup>137</sup> Kleysteuber, Rudy. “Tenant Screening Thirty Years Later: A Statutory Proposal To Protect Public Records.” The Yale Law Journal. 2007. Referencing Rogers, Teri Karush. “Only the Strongest Survive.” The New York Times. November 26, 2006 (quoting Jake Harrington, founder of On-Site.com). While the inclination to reject tenant applicants regardless of the outcome of their prior eviction case might appear to nullify the impact of providing representation, system representation may cause a deterrent effect in terms of rental property owners’ decisions of whether to file an eviction in the first place. New York City and San Francisco, which are the only cities where a right to counsel has existed long enough to have data, have both experienced significant declines in their respective eviction filing rates. See: “Press Release: Supervisor Dean Preston Holds Hearing on Implementation for Right to Counsel Law.” February 24, 2020. & “New York City Residential Eviction Filings Decline.” NYU Furman Center. November 18, 2019.

<sup>138</sup> Desmond, Matthew and Tolbert Kimbro, Rachel. “Eviction’s Fallout: Housing, Hardship, and Health.” Social Forces. February 24, 2015.

were evicted had difficulty obtaining decent, affordable housing after their evictions.<sup>139</sup> Additionally, evictions can have a detrimental impact on tenants receiving federal housing assistance, such as Section 8 vouchers. In some cases, court-ordered evictions may cause a housing authority to terminate the tenant’s Section 8 voucher or render the tenant ineligible for future federal housing assistance.<sup>140</sup> Rental property owners often view a potential tenant’s credit score as a key factor in determining whether they want to rent to the potential tenant. A low credit score caused by a past eviction can make it exceedingly difficult for renters to obtain suitable housing.<sup>141</sup> A tenant who was interviewed in the University of North Carolina Greensboro study stated, “it [eviction] affected my credit and it is hard to get an apartment...three landlords have turned me away.”<sup>142</sup> Damage to a renter’s credit score from an eviction can also make other necessities more expensive since credit scores are often considered to determine the size of initial deposit to purchase a cell phone, cable and internet, and other basic utilities.<sup>143</sup> Another tenant from the University of North Carolina Greensboro study stated, “I have applied for at least three different places and was turned down because of the recent eviction. The only people I can rent from now are slumlords who neglect their properties. The ones that don’t even care to do any kind of record check.”<sup>144</sup> In Milwaukee, tenants who experienced an involuntary move were 25% more likely to have long-term housing instability compared to other low-income tenants.<sup>145</sup> A 2018 survey of tenants who had been evicted in Seattle found that 80% of survey respondents were denied access to new housing because of a previous eviction, and one-third of respondents were not able to re-rent because of a monetary judgment from a previous eviction.<sup>146</sup>

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<sup>139</sup> Sills, Stephen J. et al. “Greensboro’s Eviction Crisis.” The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.

<sup>140</sup> Desmond, Matthew and Tolbert Kimbro, Rachel. “Eviction’s Fallout: Housing, Hardship, and Health.” Social Forces. February 24, 2015.

<sup>141</sup> An eviction itself is not reported to credit bureaus even if the rental property owner is successful in court, although money judgments are reported. The effects of the eviction may appear on a credit report if the tenant failed to pay rent and the rental property owner sent the delinquency to a collection agency. While there is not a set timeframe for when this information appears on a credit report, the item is treated like any other delinquent debt. It will remain there for seven years from the date of delinquency, even if it is paid off. There are also screening reports that rental property owners use that report eviction data, criminal records, etc. See <https://aaacreditguide.com/eviction-credit-report/>.

<sup>142</sup> Sills, Stephen J. et al. “Greensboro’s Eviction Crisis.” The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.

<sup>143</sup> [https://www.investopedia.com/terms/c/credit\\_score.asp](https://www.investopedia.com/terms/c/credit_score.asp).

<sup>144</sup> Sills, Stephen J. et al. “Greensboro’s Eviction Crisis.” The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.

<sup>145</sup> Desmond, Matthew. “Evicted: Poverty and Profit in the American City.” 2016.

<sup>146</sup> “Losing Home: The Human Cost of Eviction in Seattle.” The Seattle Women’s Commission and the Housing Justice Project of the King County Bar Association. September 2018.

The Consumer Financial Protection Bureau released an Enforcement compliance bulletin reminding rental property owners, consumer reporting agencies, and others of their obligations to accurately report rental and eviction information.<sup>147</sup> Without a lawyer, it may be challenging for tenants to dispute inaccurate rental and eviction information they find on their credit reports. Having accurate credit reports is particularly relevant in the current economic climate of increasing rents and low vacancy rates. Stout has learned through its eviction right to counsel evaluations in other jurisdictions that rental property owners often use past eviction filings, regardless of the outcome of the case or the circumstances involved, as a leading indicator of risk.

### *Eviction Can Arise from Unpaid Utility Bills*

Non-payment of utilities can result in eviction and the loss of housing vouchers.<sup>148</sup> A recent study of the costs of eviction in Seattle connected income instability and having unpaid utility or property tax bills to possible eviction.<sup>149</sup> After an income disruption (i.e., job loss, health emergency, unexpected expenses), financially insecure households are three times more likely to miss a utility payment and 14 times more likely to be evicted than financially secure households.<sup>150</sup> In 2011, the average electric bill in Houston, Texas was found to be more than \$200 per month during the summer, making utility payments a barrier to maintaining housing for low-income renters.<sup>151</sup> Furthermore, some rental assistance programs in Houston calculate a “utility allowance,” which often do not fully cover true utility costs, leaving tenants at risk of eviction if utility bills are unpaid.<sup>152</sup>

### *Eviction is Connected to Physical Health Impacts*

A significant body of research has documented the connection between health and housing. Substandard housing conditions are associated with a variety of health conditions, such as respiratory infections, asthma, and lead poisoning.<sup>153</sup>

An analysis of the 2015 American Housing Survey data, which included specific questions on asthma and asthma triggers in the home, indicated that: (1) households with children are more likely to have at least one child with asthma when they also report exposure to

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<sup>147</sup> “As Federal Eviction Protections Come to an End, CFPB Warns Landlords and Consumer Reporting Agencies to Report Rental Information Accurately.” Consumer Financial Protection Bureau. July 2021.

<sup>148</sup> Ibid.

<sup>149</sup> Elliot, Diana and Kalish, Emma. “The Cost of Eviction and Unpaid Bills of Financially Insecure Families for City Budget.” Urban Institute. January 2017.

<sup>150</sup> Ibid.

<sup>151</sup> “Capacity and Gaps in the Homeless Residential and Service System, Harris and Fort Bend Counties.” Coalition for the Homeless Houston/Harris County. 2011.

<sup>152</sup> Ibid.

<sup>153</sup> Krieger, James and Higgins, Donna. “Housing and Health: Time Again for Public Health Action.” American Journal of Public Health. 2002.

smoke, mold, and leaks in their home; (2) renters with children are more likely to have asthma triggers in their homes than owners; and (3) households receiving rental subsidies (e.g., vouchers, rental assistance, or living in public housing) have higher exposure to indoor asthma triggers than other low-income renters not receiving rental subsidies and are more likely to have at least one child with asthma.<sup>154</sup>

Like asthma, housing instability can affect the health of family members of all ages.<sup>155</sup> Researchers at Boston Medical Center found that caregivers of young children in unstable low-income housing are two times more likely than those in stable housing to be in fair or poor health, and almost three times more likely to report symptoms of depression. Children aged four and under in these families had almost a 20% higher risk of hospitalization, and more 25% higher risk of developmental delays.<sup>156</sup> Another study of caregivers to children found that, of more than 22,000 families served by medical centers over a six-year study period, approximately 34% had at least one of the following adverse housing circumstances: 27% had been behind on rent; 12% had experienced homelessness; and 8% had moved at least twice in the previous 12 months.<sup>157</sup> A recent study published by the American Academy of Pediatrics examining the effects of homelessness on pediatric health found that the stress of both prenatal and postnatal homelessness was associated with increased negative health outcomes compared to children who never experienced homelessness.<sup>158</sup> A study of nearly 10,000 mothers in five U.S. cities found that prenatal homelessness was associated with a higher likelihood of low birth weight and preterm delivery.<sup>159</sup> Researchers from Harvard and Princeton (in conjunction with the Public Health Institute of Basel, Switzerland) had similar findings in their study of eviction filings: experiencing an eviction filing during pregnancy was associated with an increased risk of low birth weight and premature birth.<sup>160,161</sup> Furthermore, Black mothers who are experiencing homelessness have worse birth

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<sup>154</sup> Ganesh, Bhargavi et al. “The Relationship between Housing and Asthma among School-Age Children.” Urban Institute. October 2017.

<sup>155</sup> Butera, Candace. “The Burden of a Late Rent Check Can Harm the Health of Both Parents and Kids.” Pacific Standard. January 23, 2018.

<sup>156</sup> Ibid.

<sup>157</sup> Sandel, Megan, et al. “Unstable Housing and Caregiver and Child Health in Renter Families.”

<sup>158</sup> Sandel, Megan, et al. “Timing and Duration of Pre- and Postnatal Homelessness and the Health of Young Children.” The American Academy of Pediatrics. September 2018.

<sup>159</sup> Cutts, Diana B. et al. “Homelessness During Pregnancy: A Unique, Time-Dependent Risk Factor of Birth Outcomes.” Maternal and Child Health Journal. November 2014.

<sup>160</sup> Khadka, Aayush, et al. “In utero exposure to threat of evictions and preterm birth: Evidence from the United States.” Health Services Research. 2020.

<sup>161</sup> Himmelstein, Gracie and Desmond, Matthew. “Association of Eviction With Adverse Birth Outcomes Among Women in Georgia, 2000 to 2016.” JAMA Pediatrics. March 2021.

outcomes than other mothers who are experiencing homelessness – a reflection of the disparate health outcomes generally experienced by the Black population.<sup>162</sup>

A recent study published by the American Academy of Pediatrics explored the impact of formal and informal evictions on households with children and their caregivers.<sup>163</sup> The study describes correlations between households experiencing eviction and:

- Increased likelihood of the caregivers and children experiencing worse health outcomes
- Increased developmental risks among children
- Increased hospital admission among children
- Increased likelihood of the household experiencing food insecurity and inability to afford utilities, healthcare, and childcare.<sup>164</sup>

A 2022 study of a medical-legal partnership in Greater Cincinnati, Ohio found that when lawyers addressed health-related social needs of children, the hospitalization rate for the children decreased approximately 38% following the year of legal assistance compared to children who did not receive legal assistance.<sup>165</sup> Lawyers working within the medical-legal partnership assisted with representing households with children in eviction proceedings, compelling the remediation of substandard rental housing conditions, appealing public benefits denials, and resolving issues with schools about disability accommodations.<sup>166</sup> A 2014 study of mold prevalence in Detroit homes found that the age of the home and mold contamination were positively correlated (i.e., older homes had higher rates of mold contamination).<sup>167</sup> Asthmatic children in Detroit were living in homes with higher than average mold contamination rates than non-Detroit homes.<sup>168</sup> According to a Michigan Department of Health and Human Services report, the prevalence of asthma among Detroit adults is 29% higher than Michigan residents

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<sup>162</sup> Gay Dawes, Elizabeth. “Housing Instability Is an Important (Yet Overlooked) Factor in the Maternal Health Crisis.” Rewire.News. April 12, 2018.

<sup>163</sup> Cutts, Diana B. MD. et al. “Eviction and Household Health and Hardships in Families with Very Young Children.” American Academy of Pediatrics. October 2022.

<sup>164</sup> Ibid.

<sup>165</sup> Beck, Andrew F. et al. “Reductions in Hospitalizations Among Children Referred to a Primary Care-Based Medical-Legal Partnership.” Health Affairs. March 2022.

<sup>166</sup> Ibid.

<sup>167</sup> Vesper, Stephen et al. “Use of Medicaid and housing data may help target areas of high asthma prevalence.” Journal of Asthma. 2017.

<sup>168</sup> Ibid.

outside of Detroit, and the hospitalization rate for people with asthma in Detroit is 3 times higher than Michigan residents outside of Detroit.<sup>169</sup>

A 2016 Canadian study found that eviction specifically is associated with increased odds of having detectable viral loads among people living with HIV and increased rates of illicit drug use and relapse.<sup>170</sup>

Families who are evicted often relocate to neighborhoods with higher levels of poverty and violent crime.<sup>171</sup> Researchers at Boston Medical Center and Children’s Hospital found that homes with vermin infestation, mold, inadequate heating, lead, and in violent areas were connected to increased prevalence of respiratory disease, injuries, and lead poisoning in children.<sup>172</sup> Living in a distressed neighborhood can negatively influence a family’s well-being.<sup>173</sup> Moreover, families experiencing eviction who are desperate to find housing often accept substandard living conditions that can bring about significant health problems.<sup>174</sup> The primary health outcome found to be related to housing is respiratory health, which is measured by the presence of respiratory disease or by lung function.<sup>175</sup> Housing conditions that are respiratory health factors include cold temperatures, humidity, and ventilation – all of which contribute to the growth of mold, fungi, and other microorganisms.<sup>176</sup> Living in these conditions can result in wheezing, aches and pains, gastrointestinal issues, headaches, and fever.<sup>177</sup> Data from the Third National Health and Nutrition Examination Survey estimated that housing environments exacerbate the effects of asthma in 40% of children.<sup>178</sup>

Researchers in Boston analyzed 10 years of tenant complaints to the city regarding mold, pest infestation, and other substandard housing conditions. After adjusting for income

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<sup>169</sup> DeGuire, Peter et al. “Detroit: The Current Status of the Asthma Burden.” Michigan Department of Health and Human Services Bureau of Disease Control, Prevention and Epidemiology. March 2016.

<sup>170</sup> “Eviction and Health: A Vicious Cycle Exacerbated by a Pandemic.” Robert Wood Johnson Foundation. April 2021. Referencing Kennedy, Mary Clare et al. “Residential Eviction and Risk of Detectable Plasma HIV-1 RNA Viral Load Among HIV-Positive People Who Use Drugs.” AIDS Behavior. February 2016.

<sup>171</sup> Desmond, Matthew and Tolbert Kimbro, Rachel. “Eviction’s Fallout: Housing, Hardship, and Health.” Social Forces. February 24, 2015.

<sup>172</sup> “Not Safe at Home: How America’s Housing Crisis Threatens the Health of Its Children.” The Doc4Kids Project, Boston Medical Center and Children’s Hospital. 1998.

<sup>173</sup> Desmond, Matthew and Tolbert Kimbro, Rachel. “Eviction’s Fallout: Housing, Hardship, and Health.” Social Forces. February 24, 2015.

<sup>174</sup> Ibid.

<sup>175</sup> Shaw, Mary. “Housing and Public Health.” Department of Social Medicine, University of Bristol. October 2003.

<sup>176</sup> Ibid.

<sup>177</sup> Ibid.

<sup>178</sup> Sandel, Megan and Desmond, Matthew. “Investing in Housing for Health Improves Both Mission and Margin.” The Journal of the American Medical Association. 2017.

and other neighborhood characteristics, they found tenant race was a significantly associated with the incidences of housing conditions that trigger asthma.<sup>179</sup> For every 10% decrease in the proportion of White residents in a neighborhood, the incidence of housing conditions that trigger asthma increased by approximately 3 reports per 1,000 residents.<sup>180</sup> Not only were incidence of asthma triggers higher in low-income, racially diverse neighborhoods, but response times by the city to these complaints were longer.<sup>181</sup> In neighborhoods with the lowest proportions of White residents, the response time to complaints was 17% (3.5 days) slower than the median response in neighborhoods with the highest proportions of White residents.<sup>182</sup> Complaints in neighborhoods with the lowest proportions of White residents were also approximately 14% more likely of being flagged as overdue for a response and approximately 54% less likely to have been repaired than complaints in neighborhoods with the highest proportions of White residents.<sup>183</sup>

While mold is often a cause of asthma, it is also a food source for dust mites, which are a known allergen.<sup>184</sup> In addition to causing respiratory health issues, exposure to lead can have irreversible health impacts. Because lead is more prevalent in older and substandard housing, lead poisoning must also be viewed as a manifestation of the affordable housing crisis.<sup>185</sup> According to the Centers for Disease Control and Prevention, children who live in households at or below the federal poverty level and those living in housing built before 1978 are at the greatest risk of exposure.<sup>186</sup> Children of color are also at a higher risk of lead exposure attributable in significant part to the longstanding effects racist housing policies including redlining, which have exacerbated other historical inequities in accessing safe and healthy housing.<sup>187</sup> Even at low levels of exposure, lead causes brain and nervous system damage including: impaired growth, hyperactivity, reduced attention span, intellectual and developmental disabilities, hearing loss, insomnia, and behavioral issues.<sup>188</sup> Researchers from Harvard recently studied the connection between eviction and lead poisoning by analyzing data from the national Fragile Families & Child Wellbeing Study. Children evicted in their first year of life were predicted to have approximately a 10% likelihood of being diagnosed with lead

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<sup>179</sup> Lemire, Evan et al. “Unequal Housing Conditions and Code Enforcement Contribute to Asthma Disparities in Boston, Massachusetts.” Health Affairs. April 2022.

<sup>180</sup> Ibid.

<sup>181</sup> Ibid.

<sup>182</sup> Ibid.

<sup>183</sup> Ibid.

<sup>184</sup> Shaw, Mary. “Housing and Public Health.” Department of Social Medicine, University of Bristol. October 2003.

<sup>185</sup> “Lead.” National Center for Healthy Housing. N.d.

<sup>186</sup> “Childhood Lead Poisoning Prevention.” Centers for Disease Control and Prevention. November 2020.

<sup>187</sup> Ibid.

<sup>188</sup> “Lead.” National Center for Healthy Housing. N.d.



poisoning by age 3 compared to approximately a 5% likelihood if they were not evicted.<sup>189</sup> Future evictions were shown to exacerbate this disparity. Between ages 3 and 5, children evicted in both the first and third years of life were predicted to have an 11% likelihood of being newly diagnosed with lead poisoning compared to a 2% likelihood if they were never evicted.<sup>190</sup>

Although already well-documented, the COVID-19 pandemic has created further evidence of the connection between housing and health. Housing instability undermines crucial infection prevention strategies deployed throughout the pandemic, exacerbating the health consequences of eviction.<sup>191</sup> Research has shown that eviction and displacement are associated with increased COVID-19 infection and mortality rates.<sup>192</sup> Eviction and displacement lead to overcrowding, doubling up, and homelessness, which all increase contact with other people and make social distancing challenging.<sup>193</sup> While most people who experience eviction do not immediately enter shelter and instead double up with friends and family, these living arrangements increase the likelihood of exposure to COVID-19 and are compounded by members of these households who are often working essential jobs with a higher risk of exposure.<sup>194</sup> Research has demonstrated that eviction and housing instability are associated with a variety of comorbidities – increased incidence of high blood pressure, heart disease, respiratory illnesses, sexually transmitted infections, and drug use.<sup>195</sup> These comorbidities, in combination with the inability to socially distance, puts people who have been evicted or who are experiencing housing instability at increased risk of contracting, spreading, and dying from COVID-19.<sup>196</sup>

Although the pandemic has moved into a phase with less intensive responses (e.g., social distancing, business and school closures, mask mandates, eviction moratoria), renters with low incomes may still be at increased risk of contracting COVID-19, which can have severe consequences, such as eviction arising from employment loss or a reduction in

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<sup>189</sup> Schwartz, Gabriel. “Cycles of Disadvantage: Eviction and Children’s Health in the United States.” Harvard University. 2020.

<sup>190</sup> Ibid.

<sup>191</sup> “Eviction and Health: A Vicious Cycle Exacerbated by a Pandemic.” Robert Wood Johnson Foundation. April 2021.

<sup>192</sup> Nande, Anjalika et al. “The effect of eviction moratoria on the transmission of SARS-CoV-2.” medRxiv. November 2020.

<sup>193</sup> Benfer, Emily et al. “Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy.” Journal of Urban Health. January 2021.

<sup>194</sup> Ibid.

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.

hours. These impacts will likely persist as will the associated disruptions so long as COVID-19 remains highly transmissible and capable of significant impacts to health.

### *Eviction is Connected to Mental Health Impacts*

An Associate Professor of Pediatrics at Drexel University College of Medicine testified at a Philadelphia City Council hearing that, “science has shown that children who live in stressful environments, such as substandard housing, the threat of eviction, homelessness and poverty, have changes in their neurological system that affects their ability to learn, to focus, and to resolve conflicts.”<sup>197</sup> Professor Daniel Taylor also stated that this “toxic stress” affects many of the body’s critical organ systems resulting in an increased prevalence of behavioral issues, diabetes, weight issues, and cardiovascular disease.<sup>198</sup> Furthermore, major life stressors have been found to increase rates of domestic violence.<sup>199</sup> According to a nationwide survey of domestic violence shelters and programs, approximately 41% of respondents indicated evictions and home foreclosures as a driver of increased demand for domestic violence services.<sup>200</sup> In Seattle, approximately 38% of survey respondents who had experienced eviction reported feeling stressed, 8% experienced increased or new depression, anxiety, or insomnia, and 5% developed a heart condition they believed to be connected to their housing instability.<sup>201</sup> Among respondents who had school-age children, approximately 56% indicated that their children’s health suffered “very much” as a result of eviction, and approximately 33% indicated that their children’s health suffered “somewhat” for a total of 89% of respondents’ children experiencing a negative health impact because of eviction.<sup>202</sup> A recent study in Cleveland by Case Western University found that approximately 21% of interviewed tenants facing eviction self-reported that they were experiencing poor health.<sup>203</sup> Forty-five percent of interviewed tenants reported that they had been mentally

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<sup>197</sup> Taylor, Daniel R. Testimony Presented to City Council Committee on Licenses and Inspections and the Committee on Public Health and Human Services Regarding Resolution 160988. March 20, 2017.

<sup>198</sup> Ibid.

<sup>199</sup> Makepeace, J. “Life Events Stress and Courtship Violence.” *Family Relations*. January 1983.

<sup>200</sup> “Homeless Service Utilization Report.” Center on Family at the University of Hawaii and the Homeless Programs Office of the Hawaii State Department of Human Services. 2010. Referencing “Domestic Violence Counts 2009: A 24-Hour Census of Domestic Violence Shelters and Services.” National Network to End Domestic Violence. 2009.

<sup>201</sup> “Losing Home: The Human Cost of Eviction in Seattle.” The Seattle Women’s Commission and the Housing Justice Project of the King County Bar Association. September 2018.

<sup>202</sup> Ibid.

<sup>203</sup> “The Cleveland Eviction Study: Observations in Eviction Court and the Stories of People Facing Eviction.” Center on Urban Poverty and Community Development, Case Western University. October 2019.

or emotionally impacted by the eviction process and that their children were also mentally or emotionally impacted.<sup>204</sup>

A survey of approximately 2,700 low-income mothers from 20 cities across the country who experienced an eviction consistently reported worse health for themselves and their children, including increased depression and parental stress.<sup>205</sup> These effects were persistent. Two years after experiencing eviction, mothers still had higher rates of material hardship and depression than mothers who had not experienced eviction.<sup>206</sup> In a study of the effects of forced dislocation in Boston's West End, approximately 46% of women and 38% of men expressed feelings of grief or other depressive reactions when asked how they felt about their displacement.<sup>207</sup> A study on the effects of eviction in Middlesex County, Connecticut included interviews with individuals who had experienced an eviction. In almost every case, interviewees expressed that their eviction negatively impacted their physical and mental health.<sup>208</sup> Approximately two-thirds of interviewees reported feeling more anxious, depressed, or hopeless during the eviction process.<sup>209</sup> Individuals who had previously struggled with mental health issues reported that the stress from the eviction exacerbated their conditions with three interviewees reporting hospitalization for mental health issues following their evictions.<sup>210</sup> Inadequate sleep, malnourishment, physical pain, and increased use of drugs and alcohol were also cited by the interviewees.<sup>211</sup>

As with many of the negative impacts of eviction, both physical and mental health issues can be long-term, difficult to reverse, and extremely costly to treat. A study of Medicaid recipients in New Jersey found that health care spending for Medicaid recipients who were experiencing homelessness were between 10% and 27% higher than Medicaid recipients who were stably housed, all else equal.<sup>212</sup> The 10 to 27% increase in Medicaid spending for individuals experiencing homelessness equates to an additional \$1,362 to \$5,727, of which at least 75% is attributed to inpatient hospital and emergency department services.<sup>213</sup> A study in Michigan found that Medicaid spending for adults

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<sup>204</sup> Ibid.

<sup>205</sup> Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." *Social Forces*. February 24, 2015.

<sup>206</sup> Ibid.

<sup>207</sup> Fried, Marc. "Grieving for a Lost Home: Psychological Costs of Relocation." The MIT Press. 1966.

<sup>208</sup> Babajide, Rilwan, et. al. "Effects of Eviction on Individuals and Communities in Middlesex County." The Middlesex County Coalition on Housing and Homelessness. May 12, 2016.

<sup>209</sup> Ibid.

<sup>210</sup> Ibid.

<sup>211</sup> Ibid.

<sup>212</sup> Cantor, Joel C. et al. "Medicaid Utilization and Spending among Homeless Adults in New Jersey: Implications for Medicaid-Funded Tenancy Support Services." *The Milbank Quarterly*. January 22, 2020.

<sup>213</sup> Ibid.

experiencing homelessness was 78% higher than the statewide average and 26% higher for children experiencing homelessness than the statewide average.<sup>214</sup>

The American Journal of Preventive Medicine recently published a research article examining the intersection of eviction and health care utilization / access in New York City. Over a 6-month period, Medicaid enrollees who were evicted made 32% fewer prescription fills, 40% fewer ambulatory care visits, and 22% more acute care visits.<sup>215</sup> A 2016 study of more than 1,600 Medicaid enrollees found that when these enrollees lived in affordable housing, overall health care expenditures decreased by 12% and emergency department visits decreased by 18%.<sup>216</sup>

The connection between housing stability and a household's mental and physical health is evident. Safe, habitable homes are important, especially in times of crisis when mental and physical health issues may become exacerbated. During the COVID-19 pandemic, numerous cities and states throughout the country instituted eviction moratoriums, recognizing the crucial role housing plays in public health and safety.<sup>217</sup> Researchers from the University of California, Los Angeles' Ziman Center for Real Estate found that renters reported better mental health as the eviction moratoriums progressed, particularly the mental health of Black renters.<sup>218</sup> Each additional week that eviction moratoriums were in place, the share of Black renter households who reported "feeling anxious" decreased by approximately 2%.<sup>219</sup>

### *Eviction Can be a Cause of Suicide*

In 2015, the American Journal of Public Health published the first comprehensive study of housing instability as a risk factor for suicide.<sup>220</sup> Researchers identified 929 eviction- or foreclosure-related suicides, which accounted for 1% to 2% of all suicides and 10% to

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<sup>214</sup> Spellman, Brooke, et. al. "Costs Associated With First-Time Homelessness for Families and Individuals." U.S. Department of Housing and Urban Development, Office of Policy Development and Research. March 2010.

<sup>215</sup> Schwartz, Gabriel L. et al. "Eviction, Healthcare Utilization, and Disenrollment Among New York City Medicaid Patients." American Journal of Preventive Medicine. 2022.

<sup>216</sup> "Health in Housing: Exploring the Intersection between Housing and Health Care." Center for Outcomes Research and Education and Enterprise Community Partners, Inc. February 2016.

<sup>217</sup> Parker, Will. "Coronavirus Outbreak Pushed Local Governments to Freeze Home Evictions." The Wall Street Journal. March 22, 2020.

<sup>218</sup> An, Xudong et al. "More Than Shelter: The Effects of Rental Eviction Moratoria on Household Well-Being." SSRN. July 2021.

<sup>219</sup> Ibid.

<sup>220</sup> Fowler, Katherine A. et al. "Increase in Suicides Associated With Home Eviction and Foreclosure During the US Housing Crisis: Findings From 16 National Violent Death Reporting System States, 2005-2010." American Journal of Public Health. February 2015.

16% of all financial-related suicides from 2005 to 2010.<sup>221</sup> In 2005, prior to the 2009 housing crisis, there were 58 eviction-related suicides.<sup>222</sup> At the peak of the housing crisis in 2009, there were 94 eviction-related suicides, an increase of 62% from 2005.<sup>223</sup> These statistically significant increases were observed by researchers relative to the frequency of all other suicides during the same period and relative to suicides associated with general financial hardships, suggesting that the increase in eviction- or foreclosure-related suicides was not only a part of a general increase in the number of suicides.<sup>224</sup> After the housing crisis, eviction-related suicides began to return to pre-crisis levels. Approximately 79% of suicides occurred before the actual loss of housing, and 39% of people taking their lives had experienced an eviction- or foreclosure-related crisis (e.g., eviction notice, court hearing, vacate date) within two weeks of the suicide.<sup>225</sup> A 2012 analysis of online court record archives that linked court records to suicide deaths found that in an urban county, nearly a third of suicide victims had recent court involvement – twice the proportion of the control group.<sup>226</sup> Foreclosure was associated with a threefold increase in the risk of suicide.<sup>227</sup>

### *Eviction Can Cause Excess Mortality*

According to The National Health Care for the Homeless Council, people experiencing homelessness have higher rates of illness and die, on average, 12 years sooner than the general population.<sup>228</sup> A 7-year study of people experiencing homelessness in New York City who were living in emergency shelter found that their age-adjusted mortality rate was 4 times higher than the general population.<sup>229</sup>

The National Health Care for the Homeless Council (the Council) conducted a literature review of studies related to premature death among people experiencing homelessness. Several studies reviewed by the Council indicated increased rates of premature death in “zones of mortality” which were characterized by high poverty rates, concentrations of

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<sup>221</sup> Ibid.

<sup>222</sup> Ibid.

<sup>223</sup> Ibid.

<sup>224</sup> Ibid.

<sup>225</sup> Ibid.

<sup>226</sup> Cook, Thomas Bradley and Davis, Mark. “Assessing Legal Strains and Risk of Suicide Using Archived Court Data.” Center for Health Disparities Research & Education. August 2012.

<sup>227</sup> Ibid.

<sup>228</sup> “Homelessness & Health: What’s the Connection?” National Health Care for the Homeless Council. February 2019.

<sup>229</sup> Barrow, Susan M and Struening, Elmer L. “Mortality Among Homeless Shelter Residents in New York City.” American Journal of Public Health. April 1999.

people experiencing homelessness, emergency shelters, and substandard housing conditions.<sup>230</sup>

A 19-year study by researchers at Wayne State University of Medicine compared the health status of older adults in Detroit to older adults in Michigan outside of Detroit. The analysis, titled *Dying Before Their Time*, found that older adults living in Detroit die at twice the rate of those living in Michigan outside of Detroit.<sup>231</sup> The researchers identified social determinants of health as a major cause of excess death in Detroit.<sup>232</sup> Social determinants of health, one being housing, influence between 60% and 70% of individual and community wellbeing.<sup>233</sup>

### *Eviction Impacts the Education of Children*

When families are evicted, children experience a variety of disruptions that can negatively impact their education and behavior. When children succeed in school, it is often indicative of their needs being met in other areas of their lives.<sup>234</sup>

The National Assessment of Education Progress, known as “the Nation’s Report Card,” suggests that children who frequently change schools (i.e., more than twice in the preceding 18 months) are half as likely to be proficient in reading as their stable peers.<sup>235</sup> A study of third grade students who frequently changed schools found that students without stable housing were approximately twice as likely to perform below grade level in math compared to stably housed students.<sup>236</sup> Not only do unstably housed students perform worse in reading and math than their stable peers, they are also nearly three times more likely to repeat a grade, and the likelihood that they will graduate is reduced by more than 50%.<sup>237</sup> In Seattle, approximately 88% of survey respondents with school-aged children reported their children’s school performance suffered “very much”

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<sup>230</sup> O’Connell, James J. “Premature Mortality in Homeless Populations: A Review of the Literature.” National Health Care for the Homeless Council. December 2005.

<sup>231</sup> Smitherman, Herbert C, MD, MPH, FACP, et al. “Dying Before Their Time III 19-Year (1999-2017) Comparative Analysis of Excess Mortality in Detroit (PSA 1-A). Wayne State School of Medicine. July 2020.

<sup>232</sup> Ibid.

<sup>233</sup> Ibid.

<sup>234</sup> “State of the Detroit Child 2010.” Data Driven Detroit. 2010.

<sup>235</sup> Isaacs, Julia and Lovell, Phillip. “The Impact of the Mortgage Crisis on Children and Their Education.” First Focus. May 1, 2008., citing Rumberger, Russell. “The Causes and Consequences of Student Mobility.” Journal of Negro Education. 2003.

<sup>236</sup> Isaacs, Julia and Lovell, Phillip. “The Impact of the Mortgage Crisis on Children and Their Education.” First Focus. May 1, 2008., citing “Elementary School Children: Many Change Schools Frequently, Harming Their Education.” United States General Accounting Office Report. 1994.

<sup>237</sup> Ibid. And Isaacs, Julia and Lovell, Phillip. “The Impact of the Mortgage Crisis on Children and Their Education.” First Focus. May 1, 2008., citing Rumberger, 1993.

because of the eviction the family experienced, and approximately 86% of respondents reported their children had to move schools after the eviction.<sup>238</sup>

In Atlanta, an ongoing program embeds housing attorneys and community advocates in high schools in neighborhoods where many residents are experiencing housing instability.<sup>239</sup> As a result of this program, the enrollment turnover rate decreased by 25% to 51% in certain schools, and attorneys stopped 20 evictions and assisted with 81 other housing-related cases.<sup>240</sup>

When students miss school, academic achievement can be negatively impacted. Students who are chronically absent during early elementary grades are less likely to be reading proficiently by third grade and more likely to not graduate.<sup>241</sup> These challenges are also experienced by children who change schools frequently due to housing instability or homelessness.<sup>242</sup>

Researchers at University of Michigan Poverty Solutions recently linked economic and housing instability to higher rates of disciplinary action for students. Students who were housed but low-income were suspended nearly 3 times as frequently as housed students who were low-income (11% v. 4%).<sup>243</sup> Students experiencing homelessness were disciplined at an even higher rate (16%).<sup>244</sup>

Children who frequently move are also more likely to experience behavioral issues. Researchers analyzed survey data from the Mothers and Newborns Study, a longitudinal birth cohort maintained by the Columbia Center for Children’s Environmental Health, to ascertain certain characteristics of children born to approximately 500 mothers.<sup>245</sup> Researchers found that children who experienced housing instability were approximately twice as likely to have thought-related behavioral issues and were

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<sup>238</sup> Losing Home: The Human Cost of Eviction in Seattle.” The Seattle Women’s Commission and the Housing Justice Project of the King County Bar Association. September 2018.

<sup>239</sup> Starnes, Ashleigh and King, Katie. “Standing with Our Neighbors Featured on CBS This Morning.” Atlanta Volunteer Lawyers Foundation. March 23, 2018.

<sup>240</sup> Ibid.

<sup>241</sup> “How Chronic Absenteeism Affects Student Achievement.” Edmentum. 2021.

<sup>242</sup> “A Place to Call Home: The Case for Increased Federal Investments in Affordable Housing.” National Low Income Housing Coalition. 2015.

<sup>243</sup> Erb-Downward, Jennifer and Blakeslee, Michael. “Recognizing Trauma: Why School Discipline Reform Needs to Consider Student Homelessness.” University of Michigan Poverty Solutions. May 2021.

<sup>244</sup> Ibid.

<sup>245</sup> “Housing Instability Is Linked to Adverse Childhood Behavior.” Urban Institute. May 8, 2019. Referencing Gaylord, Abigail et al. “Impact of Housing Instability on Child Behavior at Age 7 Years.” International Public Health Journal. July 1, 2018.

approximately one-and-a-half times more likely to have attention-related behavioral health issues than children who were stably housed.<sup>246</sup>

### *Eviction Causes Family Instability Causing Responses from Child Welfare and Foster Care Systems*

Poverty, housing instability, and child welfare/foster care system involvement are connected. Children of parents who are experiencing homelessness are four times more likely to become involved with the child welfare system than low-income, stably housed children.<sup>247</sup> Homelessness not only increases the likelihood that a child will be placed in foster care, but also creates barriers to family reunification once a child is placed in foster care or with other family members.<sup>248</sup> According to U.S. Department of Health and Human Services, approximately 10% of children are removed from their homes because of housing issues.<sup>249</sup> With an average annual cost for out-of-home care of \$18,000 per child, the federal government is expected to spend \$972 million on foster care.<sup>250</sup> In contrast, providing housing and in-home services through the Family First Prevention Services Act to keep families together would cost an estimated \$276 million, an annual cost savings of \$696 million.<sup>251</sup> California spends approximately \$167 million annually in federal funds on foster care and services for children separated because of housing instability, but the state could save approximately \$72 million if it could use those funds to ensure housing was readily available when parents are eligible for reunification.<sup>252</sup>

In a survey of 77 families living in Worcester, Massachusetts shelters, approximately 19% of their children were placed in foster care compared to 8% of low-income, housed children in Worcester.<sup>253</sup> Findings from a similar survey of families experiencing homelessness in New York City indicated that 35% of families had an open child welfare

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<sup>246</sup> Ibid.

<sup>247</sup> “Housing Instability Is Linked to Adverse Childhood Behavior.” Urban Institute. May 8, 2019. Referencing Gaylord, Abigail et al. “Impact of Housing Instability on Child Behavior at Age 7 Years.” *International Public Health Journal*. July 1, 2018.

<sup>248</sup> “Keeping Families Together.” New Mexico Appleseed. 2013.

<sup>249</sup> “The AFCARS Report.” U.S. Department of Health and Human Services, Administration for Children and Families. October 20, 2017.

<sup>250</sup> Letter from Ruth White of the National Center for Housing & Child Welfare to Assistant Secretary Chang of the U.S. Department of Health & Human Services. March 2021. Referencing NCHCW Cost Analysis 2021.

<sup>251</sup> Ibid.

<sup>252</sup> “The AFCARS Report.” U.S. Department of Health and Human Services, Administration for Children and Families. October 20, 2017.

<sup>253</sup> Bassuk, E.L., et al. “Homelessness in Female Headed Families: Childhood and Adult Risk and Protective Factors.” *American Journal of Public Health*. 1997.



case and 20% had one or more children in foster care.<sup>254</sup> A study of approximately 23,000 mothers living in Philadelphia found that approximately 37% of mothers experiencing homelessness became involved with child welfare services within the first five years of a child's birth compared to approximately 9% of mothers living in low-income neighborhoods and 4% of other mothers.<sup>255</sup> The risk of child welfare services involvement at birth is nearly seven times higher for mothers who have ever experienced homelessness than for mothers who have neither experienced homelessness nor are in the lowest 20% bracket of income.<sup>256</sup> Children born into families that have experienced homelessness were placed into foster care in approximately 62% of cases compared to approximately 40% of cases involving low-income families.<sup>257</sup>

Researchers at Case Western Reserve University in Cleveland, Ohio examined the effects of entry into foster care on children's well-being and future opportunity. The researchers found that of the students in foster care systems, more than 57% were chronically absent at school (i.e., having missed more than 10% of the days enrolled).<sup>258</sup> Additionally, nearly 80% of students involved in both foster care and the juvenile system were cited as being chronically absent.<sup>259</sup> Nine percent of students that had been in foster care had used homelessness services, and 14% of students that were involved in foster care and the juvenile system had used homelessness services.<sup>260</sup> Lastly, the researchers found that, of students involved with the foster care and juvenile systems who began ninth grade, only 23% were still enrolled during twelfth grade compared to 58% of non-system involved students.<sup>261</sup> These factors indicate that students removed from their families are more often absent in school, drop out of school prior to completion, or use homelessness services.

A first of its kind study in Sweden examined to what extent children from evicted households were separated from their families and placed in foster care. The study found that approximately 4% of evicted children were removed from their families compared to 0.3% of non-evicted children.<sup>262</sup> An American study, using a nationally representative

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<sup>254</sup> Nunez, R.D. "Hopes, Dreams, and Promise: The Future of Homeless Children in America." Institute for Children and Poverty, Homes for the Homeless Inc. 1994.

<sup>255</sup> Culhane, Jennifer, et. al. "Prevalence of Child Welfare Services Involvement among Homeless and Low-Income Mothers: A Five-year Birth Cohort Study." *Journal of Sociology and Social Welfare*. 2003.

<sup>256</sup> Ibid.

<sup>257</sup> Ibid.

<sup>258</sup> Coulton, Claudia et al. "Policy Research Brief: Effects of Foster Care and Juvenile Justice Involvement on Early Adult Outcomes: A Study of Cleveland's Youth." Case Western Reserve University. N.d.

<sup>259</sup> Ibid.

<sup>260</sup> Ibid.

<sup>261</sup> Ibid.

<sup>262</sup> Berg, Lisa. "Evicted children and subsequent placement in out-of-home care: A cohort study." Centre for Health Equity Studies, Department of Public Health Sciences, Stockholm University. April 18, 2018.

longitudinal data set, explored the prevalence of inadequate housing among families under investigation by child welfare services agencies.<sup>263</sup> Findings indicated that inadequate housing contributed to 16% of child removals among families under investigation by child protective services.<sup>264</sup>

The Administration for Children and Families, a division of the U.S. Department of Health and Human Services, issued in January 2021 an Information Memorandum (IM) highlighting the importance of civil legal services in advancing child and family well-being, addressing social determinants of health, and enhancing community resiliency.<sup>265</sup> The IM cites housing, access to adequate housing, habitability, and eviction as civil legal issues that, if left unresolved, can become a major impediment to keeping families together.<sup>266</sup>

### *Eviction Causes Community Instability*

Researchers have investigated how high eviction rates unravel the social fabric of communities. When evictions take place on a large scale, the effects are felt beyond the family being evicted; a social problem that destabilizes communities occurs.<sup>267</sup> More than middle- and upper-income households, low-income households rely heavily on their neighbors. For example, individuals in low-income communities depend on each other for childcare, elder care, transportation, and security because they cannot afford to pay for these services independently. These informal support networks develop over time, particularly in communities with no or minimal social safety nets.<sup>268</sup> However, these informal support networks are fragile, and when people are displaced from their communities, the networks are more likely to become strained.<sup>269</sup>

The lack of formal social safety net supports is then further exacerbated because the informal support networks that were once there are gone because people providing those supports have been displaced.<sup>270</sup> Thus, people living in these communities can become more susceptible to crises.<sup>271</sup> Matthew Desmond has indicated through his work that

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<sup>263</sup> Fowler, PJ, et. al. “Inadequate housing among families under investigation for child abuse and neglect: prevalence from a national probability sample.” *American Journal of Community Psychology*. 2013.

<sup>264</sup> Ibid.

<sup>265</sup> ACYF-CB-IM-21-02.

<sup>266</sup> Ibid.

<sup>267</sup> Blumgart, Jake. “To reduce unfair evictions tenants need lawyers.” *Plan Philly*. March 16, 2017

<sup>268</sup> Mah, Julie. “Gentrification-Induced Displacement in Detroit, Michigan: An Analysis of Evictions.” *Housing Policy Debate*. 2020.

<sup>269</sup> Ibid.

<sup>270</sup> Ibid.

<sup>271</sup> Ibid.

eviction can account for high residential instability rates in neighborhoods with high levels of poverty, holding all other factors equal.<sup>272</sup>

Community instability can also manifest due to the association between eviction and interaction with the criminal system. A 2018 first of its kind study analyzed data from the national Fragile Families and Child Wellbeing Study and estimated that mothers who have been evicted are more than twice as likely than mothers who have never been evicted to be involved with the criminal system.<sup>273</sup> This finding is consistent with other studies of housing instability, homelessness, criminal behavior, and incarceration.

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<sup>272</sup> Johns-Wolfe, Elaina. “You are being asked to leave the premises: A Study of Eviction in Cincinnati and Hamilton County, Ohio, 2014-2017.” The Cincinnati Project. June 2018. Referencing Desmond, Matthew. “Community in Crisis: Understanding Housing Insecurity.” Northern Kentucky University. 2018.

<sup>273</sup> Gottlieb, Aaron and Moose, Jessica W. “The Effect of Eviction on Maternal Criminal Justice Involvement.” SAGE. 2018.