

Eviction Prevention Initiative

MARCH 2022 / QUARTER 2



Eviction Prevention Initiative

✧ Partner Organizations



City of Chattanooga

Mayor Kelly's One Chattanooga strategic plan for the City of Chattanooga includes an overarching goal to ensure accessible housing choices for all Chattanoogaans. As a priority within this goal, the Kelly Administration will seek to support both tenants and housing providers with housing security and eviction prevention resources. As the first actionable step towards this key priority, the City of Chattanooga partnered with nonprofit agencies and allocated a portion of American Rescue Plan funding for the prevention of evictions and reduction of homelessness in Chattanooga.



Community Foundation of Greater Chattanooga

The Community Foundation of Greater Chattanooga (CFGCC) is a nonprofit organization committed to the vision of a vibrant community where everyone has the resources, opportunities, and relationships needed to achieve their full potential and thrive regardless of place, race or identity. Together with community and partners, CFGCC transforms generosity into lasting change toward a prosperous and just Chattanooga where all can thrive and achieve their full potential. In 2021, CFGCC developed a cross-collaborative partnership with local nonprofits, the City of Chattanooga, and private consultants designed to prevent evictions and support housing stability in Chattanooga..



Habitat for Humanity of Greater Chattanooga Area

Habitat for Humanity of Greater Chattanooga Area, Inc. is an ecumenical Christian nonprofit housing organization working in partnership with God's people in need to build simple, decent, and affordable homes. Recently, the organization added a full-time social worker focused on promoting housing stability for local households.



Legal Aid of East Tennessee

LAET provides high-quality legal services free of charge for qualifying individuals needing assistance with civil legal matters, such as housing access and stability. LAET currently has two full-time attorneys dedicated to preventing evictions and promoting housing stability in Hamilton County.



Cosette Consulting, LLC

Cosette Consulting, LLC is a Chattanooga-based company dedicated to system-level problem solving, outcomes-based programming, local leadership, and equity.

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Background

In March 2021, *The American Rescue Plan (ARP)* was signed into law by President Biden. The \$1.9 trillion economic stimulus bill intends to bring relief to Americans, protect the American economy, and combat the pandemic.¹ The ARP provides funds directly to state and local governments, with \$39 million allocated directly to the City of Chattanooga.²

In September 2021, the Chattanooga City Council approved the city budget for FY 2021-22, which included a \$500,000 allocation to the *Community Foundation of Greater Chattanooga (CFGC)* “for the prevention of evictions and to reduce homelessness in our community resulting from the pandemic.”³

Through this allocation, CFGC expanded its *Eviction Prevention Initiative (EPI)* pilot program. The EPI is a cross-collaborative partnership between the City of Chattanooga, CFGC, Habitat for Humanity of Greater Chattanooga, Legal Aid of East Tennessee, and private consultants.

Renter households are an essential component of our local economy, and Hamilton County families are currently facing growing housing affordability challenges.⁴ Our city’s continuous recovery from the pandemic, its growing popularity, and its new mayor all present a window of opportunity for our residents and policymakers to act strategically on the housing issues impacting our neighborhoods.

Through continuous improvement strategies and rigorous data collection and analysis, the EPI program will expand our understanding of Hamilton County’s housing needs and elevate system-level change opportunities.



THE GOALS OF THE EVICTION PREVENTION INITIATIVE ARE:



Increase housing stability through legal representation, case management, and access to flexible and coordinated funding.

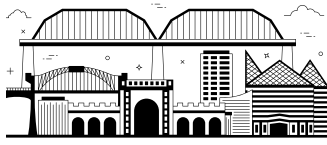


Collect and share data to inform the scope of the current eviction crisis and inform policy solutions.



Increase community education and awareness around housing issues and affordability in our community.

Housing and Evictions Snapshot



CHATTANOOGA MSA
35% of households are renters



HAMILTON COUNTY
36% of households are renters



TENNESSEE
34% of households are renters⁵

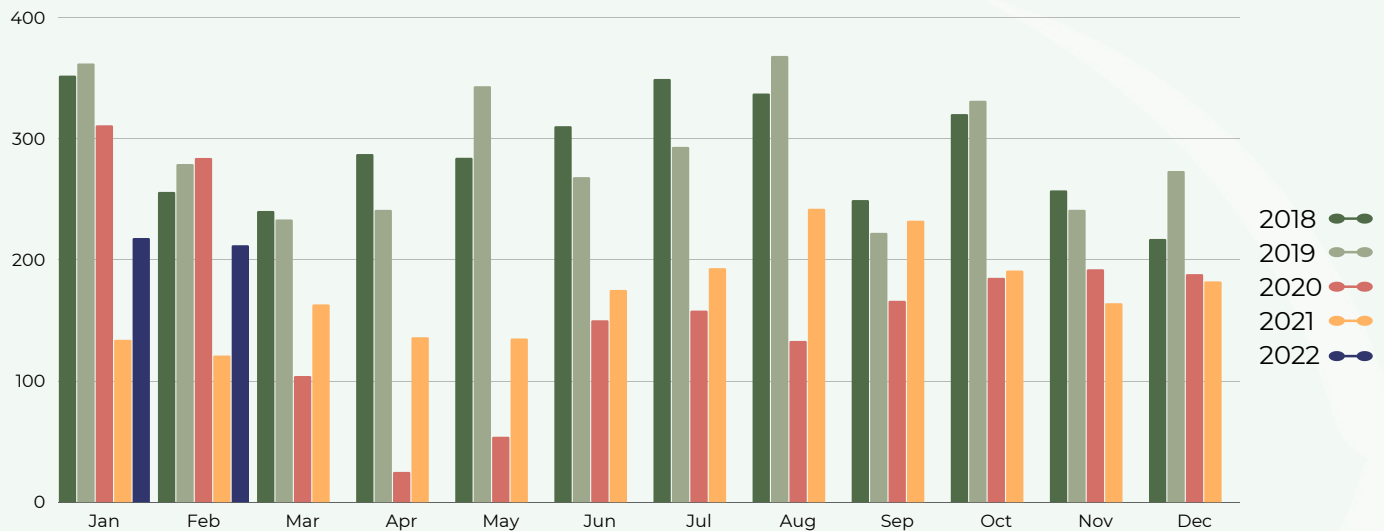
\$377/month

Monthly rent considered to be affordable for a worker earning minimum wage (\$7.25/hour) in Tennessee.⁶

MOM-AND-POP LANDLORDS⁷

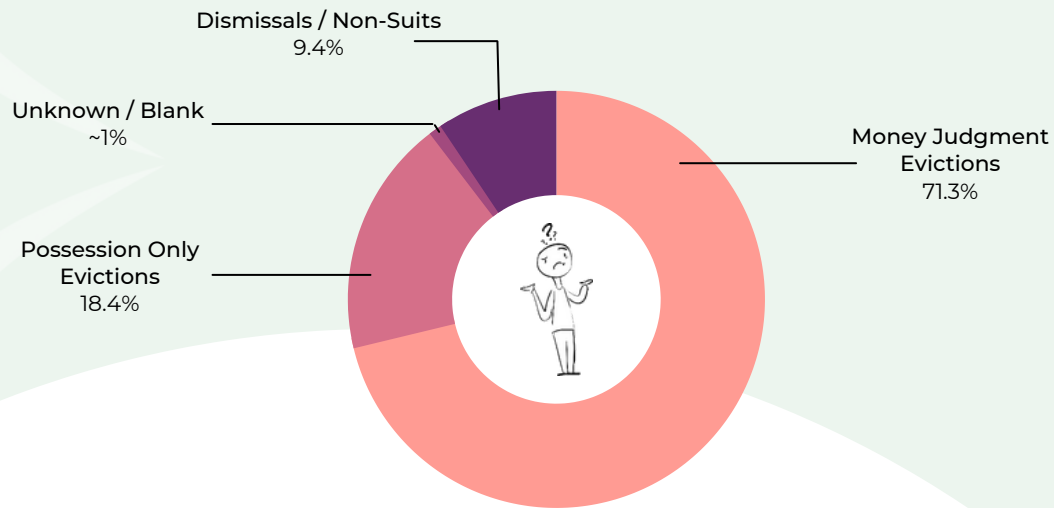
- Often operate 10 or fewer properties
- Own more than half of the units renting for less than \$750/month
- Black and Latino landlords are more likely to operate at this scale
- More likely to be socially and/or economically vulnerable
- More likely to house lower-income renters
- Own 22.7 million out of 48.5 million rental units in the market
- 58% do not have access to lines of credit for emergencies

EVICTON FILINGS OVER TIME (2018 - 2022)



Housing and Evictions Snapshot

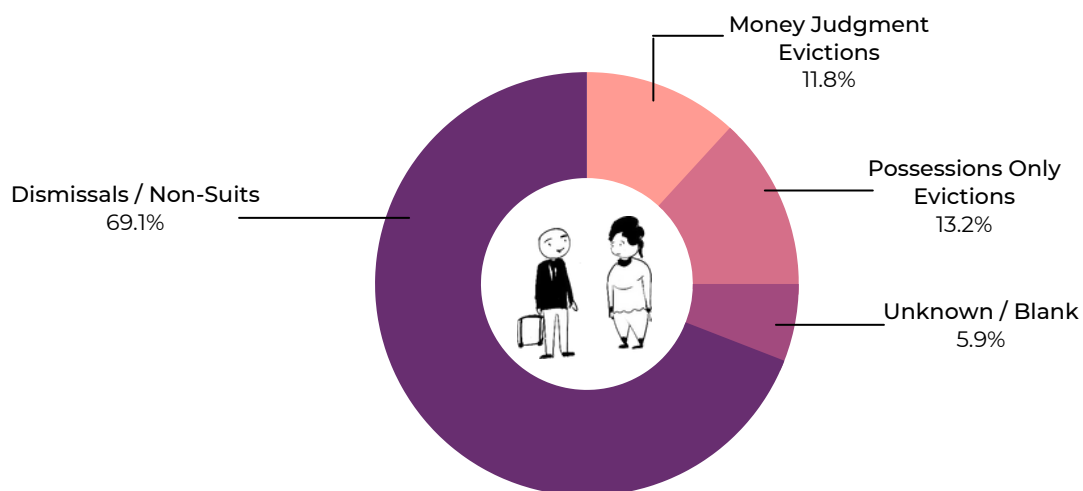
CASE OUTCOMES FOR TENANTS WHO WERE NOT REPRESENTED BY AN ATTORNEY AND NEGOTIATED THEIR OWN CASE IN COURT (2021)



TAKEAWAY:

When an **unrepresented** Hamilton County tenant faces eviction and negotiates with their landlord or their landlord's attorney in court, they receive a money judgment eviction **against** them **71% of the time**.

CASE OUTCOMES FOR TENANTS WHO WERE REPRESENTED BY AN ATTORNEY WHO NEGOTIATED THE CASE FOR THEIR TENANT CLIENT (2021)



TAKEAWAY:

When a **represented** Hamilton County tenant faces eviction and their attorney negotiates with the opposing party, they receive a money judgment eviction **against** them **12% of the time**.

Court Snapshot

TERMS TO KNOW

FORMAL EVICTION

When a landlord utilizes the court system to evict a tenant.

INFORMAL EVICTION

When a tenant moves out of a rental property, usually after receiving a notice of termination, warnings, or threats of legal proceedings from their landlord, and the court system is not used.

STATE OF TENNESSEE, COUNTY OF HAMILTON
To Any Lawful Officer to Execute and Return: Summon

DETAINDER SUMMONS

To appear before the General Sessions Court of Hamilton County, Tennessee.
To be held at the **Courts Building, Courtroom 6, 2nd Floor,**
600 Market Street, Chattanooga, Tennessee 37402

on _____, at 8:30 a.m.,
to answer the claim by Plaintiff(s) for a money judgment for ☐ rent, ☐ damages,
☐ attorney fees, and court costs and for possession of property Plaintiff claims that
Defendant(s) wrongfully possesses in this county having a street address, or otherwise described
as: _____
Defendant's initial possession was based on ☐ written ☐ oral lease or and the right to
possession has now terminated because of non-payment of rent or _____
☐ Written ☐ Oral notice to vacate was given to Defendant(s) on or about
_____, 20____. Rent payments of \$_____ are due on the
_____ day of each _____, and the amount of rent owing through _____
and unpaid is \$_____. Plaintiff holds \$_____ paid as a
damage/security deposit. Plaintiff asks for possession of the property, all unpaid rent
owed as of the court date, restitution for damages to the property, attorney fees (if
provided for in the contract), and all court costs and litigation taxes.
Issued _____ Clerk/Deputy Clerk

☐ Judgment is granted to Plaintiff(s) against Defendant(s) _____
in the amount of \$_____ and all costs and taxes, and for possession of the described
property for which a writ of possession shall be issued on Plaintiff's request. This judgment is
based on: ☐ Default of Defendant(s) ☐ Agreement of Parties ☐ Trial in Court
☐ Case is dismissed and all costs and taxes are to be paid by Plaintiff, for which
execution may issue. Dismissal is based on
☐ Failure to prosecute the suit by Plaintiff(s) ☐ Non-suit by Plaintiff, requested by:

☐ Finding in favor of Defendant(s) after trial
Date: _____ Judge: _____

Case No. _____

Plaintiff

Address

Phone

vs
Defendant

Address

Defendant

Address

DETAINDER SUMMONS
Court of General Sessions:
LARRY L. HENRY, Clerk

By _____, Deputy Clerk
Issued _____, 20____
Set for _____ At 8:30 a.m.
Reset for _____

Served Upon: ☐ All Named Defendants
☐ All Defendants

SERVICE
Except: _____
Served _____, 20____
Sheriff/Constable (Process Server)

Attorney for Plaintiff
Telephone _____
Attorney for Defendant
Telephone _____

UNLAWFUL DETAINDER SUMMONS

- Legal complaint for eviction
- Filed with court
- Provides notice of hearing to tenant

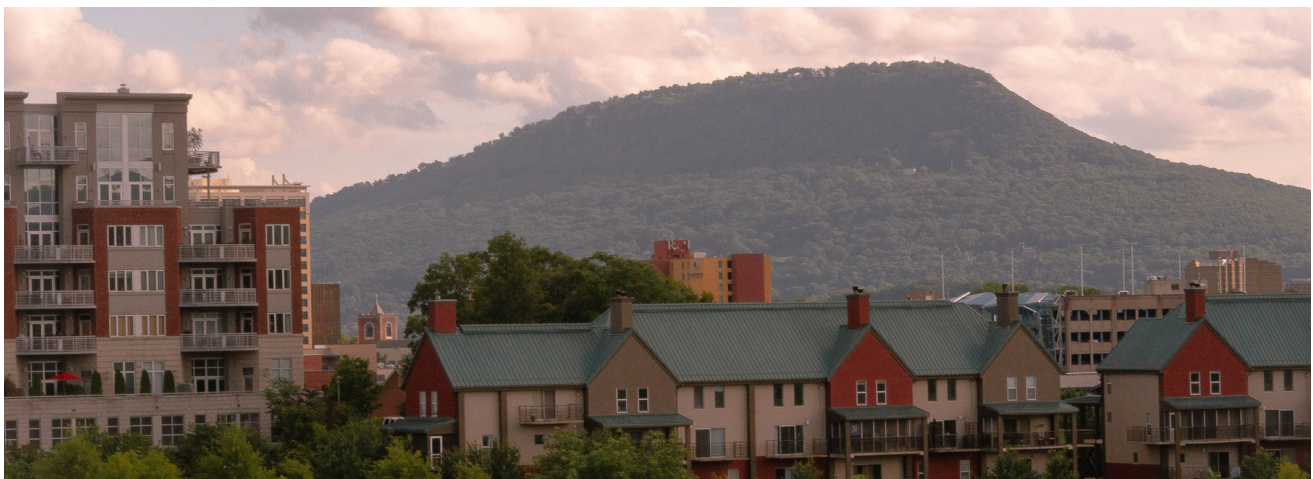
HOW A FORMAL EVICTION PROCESS IS STARTED:

- 1 Landlord may provide written notice to the tenant of alleged lease violation
- 2 In some instances, the tenant can remedy, or "cure," lease violation
- 3 In some instances, the tenant may not be able to "cure" and may be asked to vacate home within a specified number of days
- 4 If the violation is not cured, or if the tenant does not voluntarily vacate, landlords can begin the formal eviction process
- 5 Landlord or their attorney pay a filing fee and file an unlawful detainer summons in the Hamilton County Civil Court Clerk's Office
- 6 The unlawful detainer summons may provide basic information about the case
- 7 The unlawful detainer summons is served on the tenant by a private process server or sheriff's deputy with a court date and time

Key Project Milestones

Since January 2022, the EPI has achieved the following key milestones.

- EPI project partners have **identified a database system** optimized for tracking and measuring impact.
- EPI staff and CFGC worked together to develop an **online presence** that will serve tenants, landlords, and local decision-makers.
- EPI Project Director and CFGC presented EPI's progress and impact to the **Chattanooga City Council's Equity and Community Development Committee**.
- EPI staff hosted the **first Tenant Advisory Council meeting** with EPI clients to elevate resident input and storytelling in eviction diversion efforts.
- EPI staffed a table at The City of Chattanooga's Landlord Convening where the **Housing Provider Risk Mitigation Fund** was announced.
- The EPI social worker, Elizabeth Riley, worked to secure an MOU between Habitat for Humanity and the Chattanooga Housing Authority to participate in the **Homeless Preference Voucher program**.
- The EPI team welcomed new **Data Input Specialist Lynesha Lake** to support data entry efforts from Court Watch.
- The City of Chattanooga and the Eviction Prevention Initiative **implemented a data-sharing agreement** to analyze anonymized Court Watch data for public education.
- The EPI appeared in **four significant media pieces**:
 - WUTC's Scenic Root's first "One for All" episode⁸
 - 100 Days in Appalachia piece on Appalachia's Housing Crisis⁹
 - News Channel 9 piece on the Eviction Prevention Initiative¹⁰
 - Times Free Press piece on the Eviction Prevention Initiative¹¹
- EPI staff have continued involvement with the national **Eviction Prevention Learning Lab** and connected with other southern cities undertaking eviction diversion and prevention work.
- EPI staff connected with the **Legal Services Corporation (LSC)** to think strategically about data collection and analysis.

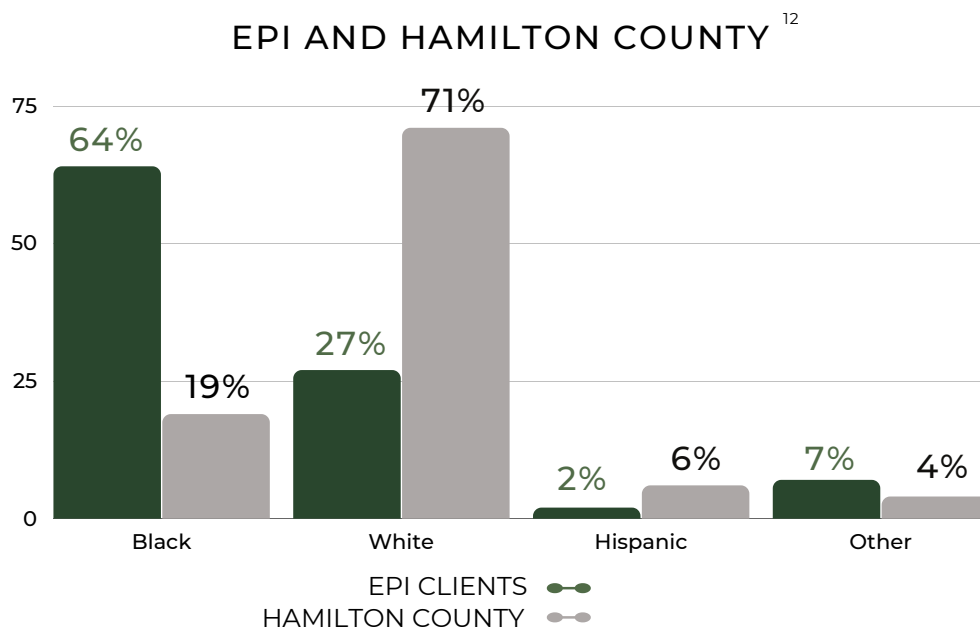


EPI Progress and Outcomes

The following two pages include descriptive and analytic data for residents who have faced formal evictions, engaged with EPI between June 2020 and November 2021, and currently have closed cases.



EPI Household Information



COVID-19 Impact

- 73% of clients had their income negatively impacted by COVID-19

Housing Burden

- 64% of EPI clients were housing cost-burdened before their income loss
- 33% of EPI clients were severely housing cost-burdened before their income loss

Household

- 80% of EPI households are headed by a single or divorced adult
- 59% of EPI households have children in the home

Rent Relief Funds

- 41% of EPI clients who received advice or representation from EPI attorneys have accessed rent relief funds for their cases

Flex Funds

- 136 households received flex funding to prevent an eviction or support housing stability
- \$250,000 was spent in flex funding for an average of \$1,838 per household

EPI Impact

Between June 2020 and March 2022, the EPI has achieved the following outcomes:



212 households, including 464 individuals and 252 children, have avoided eviction.

- An increase in 28 households from Q1.



\$369,567 in THDA rent relief funds distributed directly to landlords since March 2021.



35 households received an eviction with improved outcomes.

- An increase of 11 households from Q1



Social Worker Elizabeth Riley, full time since October 2021, has supported 13 of her 18 clients since June 2020 to remain stably housed or obtain stable housing

Between January 2022 - March 2022, EPI staff worked on the following:

- Attorneys have represented an average of 6.5 tenants per week at court
- Elizabeth Riley, the EPI social worker, actively worked with 11 clients
- Meg Nyweidi, the SAU social work graduate student, actively worked with 4 clients

System Change and Areas for Growth

Between January 2022 - March 2022, EPI staff worked on the following:

EPI staff's Q2 efforts continued to focus on building capacity, developing program criteria and processes, expanding outreach and partnership building, and developing a timeline and implementation plan for improved data collection and analysis practices.

Progress has been undertaken in the following system-level change areas:

COVID Resilience and Recovery

- Implementing the selected EPI database will expand data collection and analysis capabilities to better understand program participants' short and long-term economic and housing vulnerabilities.

Affordable and Quality Housing

- The needs of both landlords and tenants are essential in identifying solutions for improving housing stability for families, so in turn, EPI staff launched the Tenant Advisory Committee and increased their outreach to local landlords.

Local Government Collaboration

- Outreach and relationship building continues with local government stakeholders.

Municipal Resource Use

- The EPI team has a 2023 goal to conduct a cost-benefit analysis of access to counsel and housing stability programs in eviction cases. Currently, efforts to identify data needs, sources, and collections strategies are underway.

Court System

- EPI staff continue their Court Watch data collection within the court.

Policy and Housing Tracker

Local

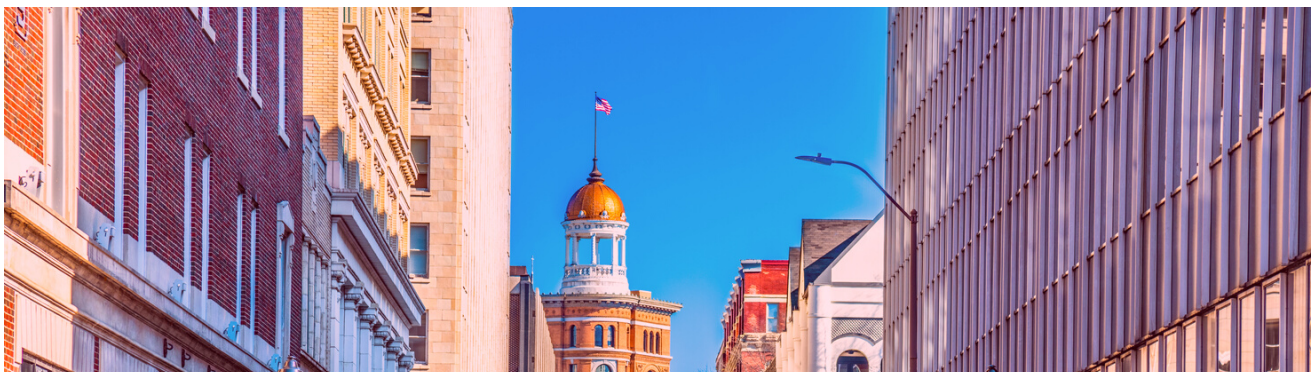
- The Urban League of Chattanooga released their State of Black Chattanooga Report.¹³
- The City of Chattanooga hosted a landlord gathering in March 2022 and announced a pilot Housing Provider Risk Mitigation Fund.¹⁴
- Chattanooga median home sales price hit a record high in January 2022 at \$290,000.¹⁵
- Approval to rezone a property in Brainerd in preparation for a 63-unit housing development for low-income seniors (below 60% AMI) was deferred; a community development corporation was formed for the 63,000-square-foot project.¹⁶
- Collier Construction expects 89 of their 450 planned homes for Mill Town in Oak Grove will be completed by late summer.¹⁷
- Passenger Flats sold for \$17.2 million.¹⁸
- In 2021, there were \$4.9 billion in real estate transfers, up 48% from 2020; all of the top 10 sales involved apartment complexes bought by investment firms, most of which are based outside of Chattanooga.¹⁹

State

- The Tennessee Housing Development Agency has achieved the following for rent and utility relief in Hamilton County as of March 2022:²⁰
 - Total Households Assisted: 2,551
 - Total Rental Dollars Disbursed: \$11,130,218.93
 - Total Utilities Dollars Disbursed: \$166,668.24

National

- In October 2021, the U.S. Department of Housing and Urban Development, Office of Policy Development and Research published a “Report to Congress on the Feasibility of Creating a National Evictions Database” for formal court-ordered evictions, extra-legal evictions, and administrative evictions.²¹
- The Joint Center for Housing Studies of Harvard University released a comprehensive “America’s Rental Housing: 2022” report that notes, among many trends, that ownership of rental units continues to shift from individuals to investor entities.²²
- In February 2022, the American Bar Association House of Delegates approved a measure to adopt the ABA Ten Guidelines for Residential Eviction Laws & urged all federal, state, local, territorial, and tribal legislative, & other governmental bodies to implement.²³
- In January 2022, the National Low Income Housing Coalition released a report with policy recommendations, “Tenant Protections and Emergency Rental Assistance During and Beyond the COVID-19 Pandemic.”²⁴



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