THE COVID-19
EVICITION
DEFENSE
PROJECT

OVERVIEW

OCTOBER 2020
THE COVID-19 PANDEMIC TRIGGERED UNPRECEDENTED EVICTION AND DISPLACEMENT RISK FOR RENTERS

The COVID-19 Eviction Crisis: an Estimated 30-40 Million People in America Are at Risk

AUGUST 7, 2020 • EMILY BENFER, DAVID BLOOM ROBINSON, STACY BUTLER, LAVAR EDMONDS, SAM GILMAN, KATHERINE LUCAS MCKAY, ZACH NEUMANN, LISA OWENS, NEIL STEINKAMP & DIANE YENTEL

At least 29% of US Renters at Risk of Eviction...

Percentage Of Renters At Risk By State

Data visualization by Jacqueline Woolcockproject.org
EVICTIONS LEAD TO EXTREME SUFFERING

- Prolonged Homelessness
- Damaged Credit Scores
- Reduced Health Outcomes and Diseases of Despair
- Poor Attendance and Learning Outcomes

Source: Matt Desmond (2016)
In late March, we thought people might be struggling with rent payments, so we posted a simple message to Facebook...

Hey folks-

Apologies for the random FB post here- just not 100% how to get the word out. I'm a CO lawyer with a practice focused on tenant rights and evictions. I'm offering my services free of charge to anyone who needs them during the COVID-19 crisis impacting our state. Ideally, I'd love to be contacted before you're deep into the eviction process because there is a lot more I can do to help. If you'd like support, please feel free to send me a FB message with your email and I'll get in touch with you that way. I'm working with a group of attorneys, so we're hoping to be able to expand this soon. In the meantime, please get in touch.

Thanks,
Zach

The overnight response was overwhelming,

100+ Comments seeking engagement and advice

100+ Facebook messages

40+ Reposts

Lawyers, elected officials, and policymakers also reached out

Zach Neumann
March 30 at 1:22 AM · resources
WE QUICKLY BUILT AN ALL-VOLUNTEER, ALL-STAR TEAM WITH A WIDE RANGE OF EXPERTISE TO RESPOND TO THIS CRISIS

Zach Neumann
Co-Founder, Executive Director, & Attorney
- Legal Aid Lawyer
- Fmr. Mgmt. Consultant, World Bank, Organizer
- JD/MPP

Sam Gilman
Co-Founder, Head of Policy & Partnerships
- Harvard Legal Aid Bureau
- Fmr. Guild Educ, Mgmt. Consultant
- JD/MPP

Carey Degenaro
Attorney & Litigation Lead
- Fmr. Clerk on 10th Circuit & CO Supreme Ct.
- JD

Javier Mabrey
Attorney & Advocacy Lead
- Attorney, Faegre
- Fmr. Obama Organizer
- Experienced Eviction
- JD

Jac Woo
Data Lead
- Manager, Pricing analytics, Home Depot
- Investment Analyst
- MPA

Burt Nadler
Attorney, Sr. Advisor, & Intake Lead
- Fmr. Founder & Partner, Petrucelly, Nadler, & Norris PC
- JD

Marco Dorado
Sr. Advisor & Community Lead
- MPA
WE AIM TO KEEP COLORADANS AND AMERICANS HOUSED.

WE USE A MANAGED CARE APPROACH THAT CENTERS CLIENTS’ LEGAL AND FINANCIAL NEEDS
OUR LAW FIRM PROVIDES LEGAL ADVICE AND PROTECTS RENTERS IN EVICTION PROCEEDINGS

Hundreds of Tenants per Month Reach Out for Legal Aid from the Project

... And Are Matched with Dozens of Volunteer Lawyers who provide free legal representation

COVID-19 Eviction Defense Project
Are you struggling to pay your rent? Facing eviction? Need to talk to someone?
Please fill out this form and someone on our team will be in touch to better understand your situation.

17 Questions

START →
OUR THINK TANK ARM DOES DATA AND POLICY ANALYSIS GEARED TOWARDS INFORMING PUBLIC DISCUSSION AND CHANGING POLICY

Elizabeth Warren @SenWarren · Aug 8
40 million Americans – mostly Black & Latinx – could be evicted this year. That’s like the entire population of CA losing their homes. We must pass my bill to extend & expand the eviction moratorium & @SenSherrodBrown’s bill for rental assistance right now

Michael Bennet @SenatorBennet · Aug 7
30-40 million Americans, including as many as 596,000 Coloradans, are at risk of eviction in 2020.

We cannot allow a public health crisis to turn into an eviction crisis. It’s time for Republicans to negotiate in good faith so we can pass a relief bill.

 Julián Castro @JulianCastro · Aug 4
More than a third of homeless families with children cited eviction as the number one cause of housing insecurity.

28 million families are expected to face eviction by October if nothing is done. Do the math, @senatemajdr.
OUR ESTIMATES INFORMED THE CDC EXECUTIVE ORDER IMPOSING AN EVICTION MORATORIUM THROUGH THE END OF 2020

Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

The Federal moratorium, however, did not reach all renters. Many renters who fell outside the scope of the Federal moratorium were protected under State and local moratoria. In the absence of State and local protections, as many as 30-40 million people in America could be at risk of eviction. A wave of evictions on that scale would be unprecedented in modern times. A large portion of those who are evicted may move into close quarters in shared
WE HAVE BECOME A GO TO EVICTION ADVOCACY ORGANIZATION DURING THE LEG. SESSION, DRAFTING POLICY AND MOBILIZING ADVOCATES

Keep Coloradans Housed.

Signed,

Organizations
The COVID-19 Eviction Defense Project
The Ball Policy Center
Colorado Center on Law and Policy
SEIU Local 105
Mile High United Way
Colorado Working Families Party
Cross-Colorado Disability Coalition
CoCoefect
Colorado Coalition for the Homeless
Colorado AFL-CIO
All Families Deserve a Chance Coalition
Westwood Unidos
Mile High Connects
East Colfax Community Collective
Violence Free Colorado
Lincoln Hills Cargo
Together Colorado
Colorados for the Common Good
9to5 Colorado
Interfaith Alliance of Colorado
The Blossom Project
Denver Area Labor Federation
COLOR
YIMBY Denver
Immaculate Conception Social Justice M.
Jefferson Union Church Community United for a New Economy
Colorado Latino Forum
UFCW Local 7
Colorado Village Collective
Colorado Children’s Campaign
Jefferson County Food Policy Council
Unite North Metro Denver
Colorado Fiscal Institute
Progress New Colorado

Elected officials and former elected officials
State Senator Julie Gonzales
Senate President Leroy Garcia
Colorado Secretary of State Jena Griswold
Colorado State Treasurer Dave Young
Denver City Council Member Robin Kniech
Denver School Board Director Tay Anderson
Former House Speaker and U.S. Senate Candidate Andre Spendlove
State Representative Steven Woodrow
State Senator Steve Fenberg (Senate Majority Leader)
State Representative Serena Gonzales-Gutierrez
State Representative Tom Sullivan
State Representative Dominique Jackson
State Representative Mike Weissman
State Representative Monica Duran
State Representative Jonathan Singer
State Representative Brianna Titone
State Senator Robert Rodriguez
State Representative Tom Sullivan
George P. Sia
Englewood City Council Member John Stone
Aurora City Council Member Juan Marcano
Aurora City Council Member Alison Cooombs
State Representative Tony Exum
State Senator Faith Winter
Denver City Council Member Jamie Torres
Denver City Council Member Amanda Sandoval
Denver City Council Member Debbie Ortega
Rex Reed
State Representative Adrienne Benavides
State Representative Edie Hooton
State Representative Daneya Esgar
State Senator Rhonda Fields
State Senator Mike Foote
State Senator Kerry Donovan
State Representative Emily Sirota
State Representative Yadira Caraveo
State Representative Dahla Michaelcohen Jenet
State Representative Tom Sullivan
State Senator Dominick Moreno
State Senator Chris Hansen
State Representative Meg Fentich
State Senator Jeff Bridges
State Representative Leslie Herod
State Representative Susan Lontine
State Senator Brittany Pettersen
Denver City Council Member Candi CdeBaca
State Representative Janet Buckner
State Representative Dylan Roberts
Denver City Council Member Amanda Sawyer
Thornton City Council Member Julia Marvin
Director, Regional Transportation District, Shonell Lewis
Chairman of the Regional Transportation District Board, Argie Rivera-Malpiede

On Thursday, the Colorado Senate failed to move forward a provision that would have prohibited evictions during the COVID-19 health and economic crisis. On Monday, Colorado’s eviction courts will be open for business. Absent extraordinary action from the legislature or the Governor, tens of thousands of Colorado families will be unprotected and facing homelessness. We are almost out of time.
THIS WORK TAUGHT US THAT LAWYERS ALONE CANNOT SOLVE A PROBLEM THAT IS NON-LEGAL.

EVICTIONS ARE THE LEGAL RESPONSE TO A CASH CRISIS.

WE LAUNCHED A HOUSING FUND TO PILOT A NEW FINANCIAL RESPONSE TO EVICTIONS.
CURRENT LEGAL AID & RENT RELIEF PROGRAMS DO NOT STABILIZE FAMILIES

LAWYERS ARE NOT ENOUGH

- There are too few lawyers in CO.
- Lawyers can’t solve cash crises

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<thead>
<tr>
<th>Have No Lawyer</th>
<th>Have a Lawyer</th>
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<td>3%</td>
<td>97%</td>
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33-66% Displacement Rate among tenants with Lawyers (MA data)

RENT RELIEF DOESN’T STABILIZE TENANCIES

- Bails out landlords, does not stabilize tenancies

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<thead>
<tr>
<th>Back Rent</th>
<th>Future Rent</th>
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<tbody>
<tr>
<td>Last Mo.</td>
<td>This Mo.</td>
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<tr>
<td>No Rental Aid</td>
<td>Eviction Possible</td>
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<tr>
<td>Traditional Rental Aid</td>
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<tr>
<td>CEDP Rental Aid</td>
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- Emergency rental assistance overpays for debt

100% Traditional Rental Aid
65% CEDP Rental Aid

THE ROOT CAUSE OF EVICTIONS IS ALMOST ALWAYS FINANCIAL

77% of Evictions are for Non-Payment, with an even greater % likely during COVID19

Reason for Eviction

% by case type

- Non-Payment of Rent: 77%
- Lease Violations: 13%
- Factors Outside Tenant Control: 10%

Source: Apartment List, In NYC, the figures are 82% nonpayment, 13% holdover disputes which include lease violations, public nuisance, expiration of lease, etc. 5% HP where tenant sues landlords to make repairs
OUR HOUSING FUND IS DESIGNED TO ADDRESS TENANT CASH CRISSES

Social impact funders

Provide partially recoverable grant to housing fund buying tenant debt.

Landlord
Sell rental debt to Housing Fund at reduced price

Housing Fund
Buy rental debt and future rent from landlord at reduced price
Sells reduced rental debt to tenants

Tenant
Gets manageable, long-term payment plan for lower debt via:
- no interest loan,
- forgiveness grant
Email: sam@cedproject.com
Phone number: 2028413180
Website: www.cedproject.org