# Evaluating Emergency Rental Assistance During Covid-19

## A STRATEGY TO MITIGATE EVICTION OUTCOMES IN FUTURE NATIONAL CRISIS


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**Evaluating Emergency Rental Assistance During Covid-19**

A Strategy to Mitigate Eviction Outcomes in Future National Crisis

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# GLOSSARY

## Glossary

| | |
|---|---|
| CARES ACT | Coronavirus Aid, Relief, and Economic Security Act |
| CDC | Centers for Disease Control and Prevention |
| CRF | Coronavirus Relief Fund, authorized under CARES Act |
| ERA | Emergency Rental Assistance |
| ERA1 | First phase of ERA, authorized under P.L. 116-260: Consolidated Appropriations Act |
| ERA2 | Second phase of ERA, authorized under P.L. 117-2: American Rescue Plan |
| Grantee(s) | Eligible state, county, city, and district governments which received ERA funding. Tribal organizations and U.S Territories were also funded; however, this report only discusses state and local entities. |
| Subgrantee(s) | Nonprofits, small businesses, and institutions of higher education could be contracted by or could partner with grantees to assist with ERA implementation. Grantees are not obligated to apportion funds to subgrantees. As such, this report is limited to the experience of direct grantees. |
| HFAs | Housing Finance Agencies |
| HUD | Department of Housing and Urban Development |
| Landlord(s) | Individual property owners and property companies eligible to receive and apply for ERA payments based on their tenant's needs. |
| Moratorium | Temporary prohibition on court eviction proceedings |
| NCSHA | National Council of State Housing Agencies |
| Recipients | Persons/parties eligible to receive and/or apply for ERA payments. This group includes landlords, utility providers, and tenants. |
| Tenant(s) | Renters who meet ERA eligibility requirements and are eligible to receive and/or apply for ERA payments. |
| Treasury | Department of Treasury |
| Utility Provider(s) | Utility companies and state agencies, commonly power and electric companies, who are eligible to receive and apply for ERA payments because they provide services to qualifying tenants. |

# Executive Summary

## ISSUE

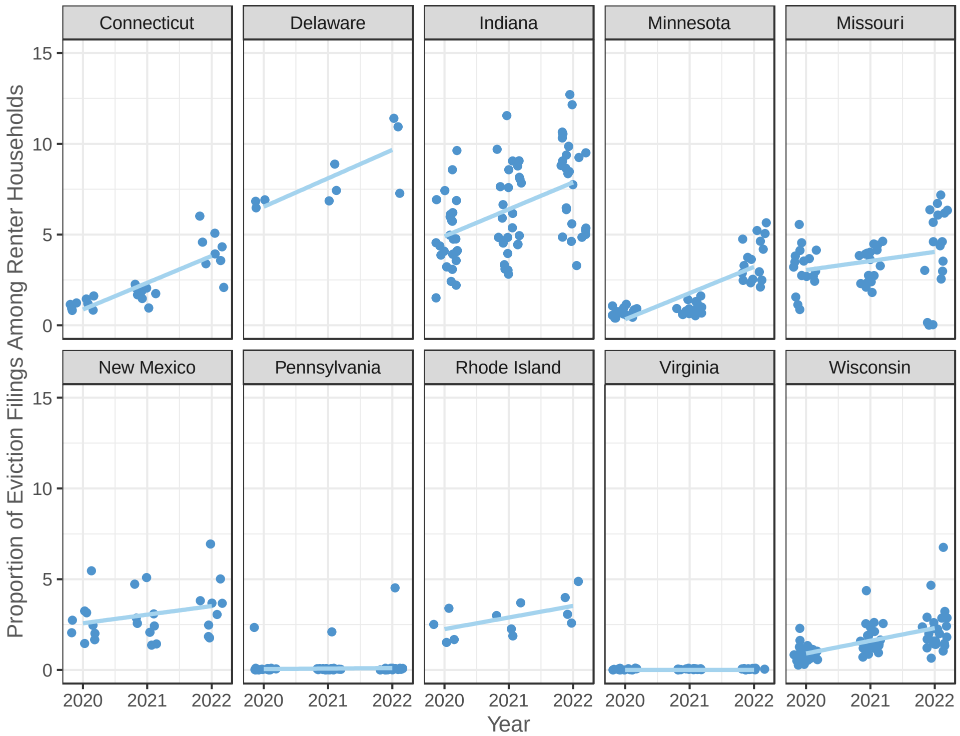
According to U.S. Census data, by December 2020, nearly 20% of renter households were behind on rent, and an estimated 30-40 million people were at risk of eviction (*The COVID-19 eviction crisis*, 2022). To stymie the oncoming flood of evictions due to nonpayment of rent and growing utility debt, Congress appropriated over $46 billion to states, localities, territories, and tribes under the first-ever national Emergency Rental Assistance (ERA) program. Allocated to the states by the Department of Treasury (Treasury), this funding was intended to keep households below 80% of Area Median Income struggling with COVID-19 hardship housed. Stated program goals included preventing evictions and reducing homelessness (CRS, 2023).

While 10.8 million ERA payments were delivered to renters in need by the end of 2022, ERA programs across the country faced difficulties establishing infrastructure and coordinating with recipients, leading to public and political backlash in some cases and slowing the pace of funding dissemination nationwide (*Emergency rental assistance: Supporting renting families, driving lasting reform*, 2023). The state and local agencies that received ERA funding, known as program grantees, were largely left to their own devices to determine program structure, outreach strategies, and management practices. As a result, eviction filing rates between and within the states were erratic and unpredictable.

Figure 1 below shows that only two states in the sample, Pennsylvania and Virginia, were consistently able to minimize eviction filings throughout the pandemic. Each dot in Figure 1 represents a single county within the state, and the plots for Indiana, Minnesota, and Missouri illustrate that their counties experienced higher eviction filing rates despite having similar levels of funding per capita (*See Figure 1*).

# EXECUTIVE SUMMARY

**Figure 1: Annual Eviction Filing Rates by State**




*Source:* (*The Eviction Tracking System*, 2023)

## METHODS AND ANALYSIS

As the data shows, it was unclear exactly which factors relevant to ERA implementation best predict eviction rates, if at all. To evaluate the efficacy of ERA within the larger rental assistance policy context, a dataset on factors related to the program's implementation and other supporting federal interventions was compiled and analyzed. State and county-level factors such as rental assistance funding, court moratoria interventions, demographics, and poverty levels were included.

The full model revealed the following:

1. The correlation between ERA funding adjusted per capita and eviction filing rates is insignificant.
2. Each additional week a state moratorium extended beyond the federal moratorium is correlated with a 0.05 percentage point reduction in county-level eviction filing rates.
3. A one percent increase in the Black population in a particular county is correlated with a 0.002 percentage point increase in eviction rates, while the correlation between a county's white population and eviction rates is insignificant.

# EXECUTIVE SUMMARY

## KEY FINDINGS

These findings, in combination with existing qualitative research, motivate the resulting policy alternatives listed below on how Treasury can improve federal emergency rental assistance to mitigate evictions more consistently across groups and localities in the case of a future national crisis.

***Policy Alternatives:***

1) TIE FUTURE EVICTION MORATORIA DIRECTLY TO LEGISLATION AUTHORIZING RENTAL ASSISTANCE
2) PREPARE A SHARED DATA ENTRY SYSTEM BEFORE NATIONAL CRISIS STRIKES
3) ENCOURAGE GRANTEES TO TARGET BLACK COMMUNITIES IN HIGH-POVERTY AREAS

Each alternative was evaluated against three criteria, using qualitative evidence and results from the regression analyses to provide informed ratings. Specifically, the interaction effects between relevant variables of interest were analyzed to support key conclusions, and findings were folded into the first evaluative criterion, 1) Effectiveness at Reducing Housing Instability. Two other evaluative criteria were used, 2) Political Feasibility; and 3) Administrative Feasibility. As the study of the literature and field interviews revealed that all three aspects are equally important for actionable policy in this space, all three criteria were weighted equally, and each policy alternative was assessed against them using a structured rubric.

## RECOMMENDATION

The assessment reveals that the third policy alternative would be most impactful, as analysis found a highly significant interaction between a county's Black population and poverty rates on eviction filing rates. A one percent increase in poverty rates in a county with a higher-than-average Black population is correlated with an increase in eviction filing rates that is 0.02 percentage points higher than in a county with a lower-than-average Black population. In other words, holding poverty rate constant between Black and white communities, the former is more sensitive to eviction. This leads me to conclude that the client, the National Council of State Housing Agencies (NCSHA), should lobby Treasury to formulate and release recommendations on how state and local rental assistance programs can better **target black communities in high-poverty areas** during a future state of emergency.

# CLIENT OVERVIEW

## Client Overview

National Council of State Housing Agencies (NCSHA) is a nonprofit, nonpartisan housing advocacy organization that seeks to resolve long-standing inequalities in the housing market and advance and provide affordable housing for low- and middle-income households. NCSHA has worked throughout the course of the pandemic to represent its member state-chartered Housing Finance Agencies (HFAs) participating in ERA and increase the transparency of ERA policies and procedures for all involved state agencies. NCSHA has submitted several comments and open letters to Treasury regarding ERA implementation.

This report will reveal which factors relevant to ERA implementation best predict eviction rates. Conclusions will inform the client in their national lobbying efforts and help them formulate recommendations to Treasury to ensure that low-income populations are protected during periods of crisis.

# INTRODUCTION

## Introduction

### PROBLEM STATEMENT

The economic recession caused by COVID-19 revealed existing inequities that define the U.S. housing system. Job losses among low-wage workers in industries such as food service, retail, and hospitality created a mass threat of evictions that disproportionately impacted low-income renters, especially among Black and Hispanic households.

In response to this eviction crisis, the U.S. Congress appropriated over $46 billion for emergency rent and utility assistance via the Emergency Rental Assistance (ERA) program. Managed by Treasury, this program gave millions of dollars to the states for the purpose of providing direct financial assistance to tenants (CRS, 2023). In several states, ERA payments were slow to reach renters in need, and demand for assistance quickly outpaced the rate of dissemination. Following the summer of 2022, only 41% of applicants nationwide had received assistance (Hermann, 2022). While studies have shown that 80% of ERA funds have been delivered to very low-income households and households of color, there is little quantitative evidence that isolates the effect of ERA on eviction rates (*New Treasury Data Shows over 80% of Emergency Rental Assistance Delivered to Lowest-Income Households*, 2022). **Despite an unprecedented influx of federal rental assistance, states and localities faced unique difficulties designing ERA programs which efficiently maximized available funds and consistently reduced eviction outcomes.** The analysis finds that poor Black counties experience eviction filing rates 0.02 percentage points higher than poor white counties, and ultimately concludes that Treasury and grantees should do more to target poor Black renters in a future national crisis.

### REPORT ROADMAP

The purpose of this report is to propose and evaluate policy alternatives for improving the design and implementation of federal emergency rental assistance in a future national crisis.

In this report, an overview of the COVID-19 eviction crisis from 2020 to 2022 is provided and policy responses by federal government are explored. The focus is specifically on the Coronavirus Relief Fund and related funding to the states under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the federal eviction moratorium, and Emergency Rental Assistance (ERA). While all these relief measures were unprecedented federal interventions, ERA stands out as a centralized rental assistance program uniquely overseen by Treasury which supported the inception and/or expansion of approximately 500 state and local rental assistance programs across the country (*Treasury emergency rental assistance (ERA) Dashboard*, 2023). Key program features and variations across the states are described and common challenges that program administrators and participating recipients faced are outlined.

# INTRODUCTION

The effect of ERA funding itself is also investigated. Tens of billions of dollars were apportioned to states, localities, tribes, and territories over two years, and the regression analyses reveal that the amount of money alone does not clearly predict the key outcome of interest: eviction rates.

To examine state and county-level factors related to the policy context surrounding ERA funding and implementation, a regression analysis was conducted using an original dataset described in greater detail in Appendix A. Trends uncovered by this analysis, in conjunction with qualitative research, have informed the policy alternatives and evaluative criteria presented in this report. Each of the three policy alternatives regarding strategies for mitigating eviction outcomes in a future iteration of ERA are evaluated against three policy-relevant criteria. Once evaluated, these alternatives are compared on a detailed summary outcomes matrix. The alternative with the most favorable ratings is designated as the most effective strategy for mitigating eviction outcomes during a national rental crisis and is recommended to the client, Jennifer Schwartz, Director of Tax and Housing Advocacy at NCSHA.

Recognizing constraints on the regressions supporting this report is important, and limitations are described in further detail in Appendices A and B. For this reason, the data analysis is not the sole focus of this report's findings. The aim is to synthesize qualitative evidence with quantitative conclusions to determine which factors relevant to ERA implementation best predict eviction rates. The hope is that this report contributes to a growing body of research on the policy context surrounding rental assistance and offers usable alternatives for how Treasury can improve ERA in a future crisis.

# BACKGROUND

## Background

The next section provides an overview of the COVID-19 eviction crisis and major federal interventions. ERA program structure and implementation are reviewed, and key program challenges are highlighted.

### THE EVICTION CRISIS AND ROOT CAUSES

Out of the 9.7 to 14.2 million total renter households that faced some risk of eviction in late 2020, 9.7% of Black households and 8.7% of Hispanic households reported that they were very likely to be evicted in the first quarter of 2021, compared to 4.4% of white households and 3.7% of Asian households (National Council of State Housing Agencies, 2020; CRS, 2023). Black Americans reported less confidence in their ability to pay rent during the pandemic and faced a COVID-19 mortality rate 2.1 times higher than non-Hispanic whites (Benfer et al., 2021).

This situation reflected the underlying inequality that shapes the national affordable housing market. In 2018, 55% of cost-burdened renters were Black, and 53% were Hispanic (CRS, 2023). Systemic racial discrimination has resulted in Black and Hispanic households having fewer savings and lower incomes than white households – a direct result of the long history of racially discriminatory housing policies in this country (JCHS, 2022). Notable laws include the Housing Act of 1937, which excluded Black Americans from access to low-interest housing loans, and the Housing Act of 1949, which accelerated the urban displacement of Black communities and associated public housing with urban decay (Virgil & Clark, 2021). Combined with other exclusionary practices under the G.I. Bill of 1944 and discriminatory lending and buying policies such as redlining and restrictive covenants, Black communities were effectively prevented from building wealth via homeownership throughout the twentieth century. The legacy of such policies informs present-day practices such as exclusionary zoning, which localities leverage to block the construction of affordable housing in designated areas (Schuetz, 2022). Now the country grapples with a shortage of affordable homes. In January 2019, it was estimated that there were only 37 affordable rental homes for every 100 low-income renter households (Weller et al., 2022).

### COSTS TO SOCIETY

Rental eviction is a symptom and root cause of poverty. Households that go through the eviction process, even if they are not formally evicted by law enforcement, are more likely to experience emotional trauma, suffer from negative health outcomes, and have difficulty securing future housing, often resulting in moves into more disadvantaged neighborhoods or homelessness. One study of nearly 200,000 non-payment eviction cases in New York City found that eviction increases emergency room use and mental health hospitalizations (Collinson & Reed, 2018).

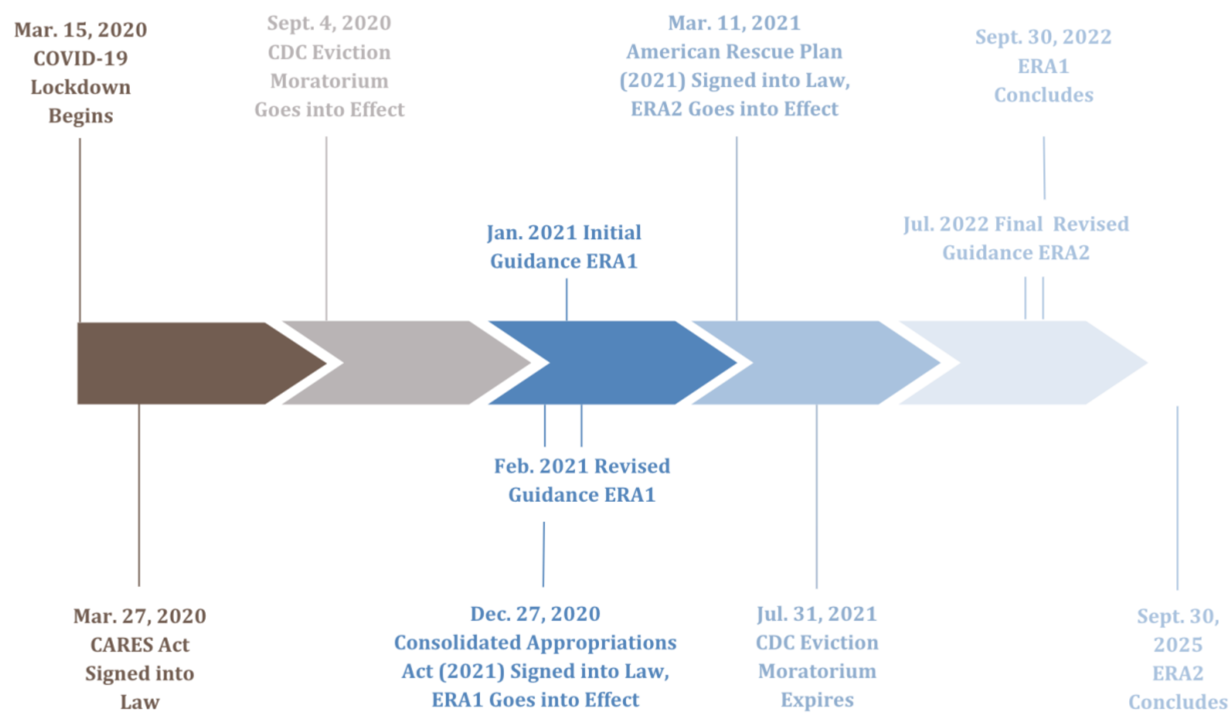
# BACKGROUND

Regarding the COVID-19 pandemic, eviction and housing displacement lead to overcrowding, doubling up, and homelessness, and contributed to increasing COVID-19 mortality and infection rates. (Benfer, et al., 2021).

## FEDERAL RESPONSE TO EVICTION CRISIS

Recognizing the health risk and economic disaster posed by the COVID-19 eviction crisis, the federal government took various measures to provide relief to renters facing economic hardship. These are summarized in the timeline presented in Figure 2 and are discussed in detail below.

**Figure 2: Timeline of Federal Rental Assistance Interventions**



# BACKGROUND

## CARES Act and State Funding Solutions

Many states used their grants from the Coronavirus Relief Fund (CRF) authorized under the CARES Act to establish rental relief programs during the early stages of the pandemic. The Community Development Block Grant-Coronavirus and Emergency Solutions Grant-Coronavirus under the CARES Act were also applicable funding sources for these early programs. Several states also utilized other funding pools at their disposal, such as HOME Tenant-Based Rental Assistance offered by the Department of Housing and Urban Development (HUD), state Trust Fund dollars, and reserves and/or operating funds belonging to the state HFA.

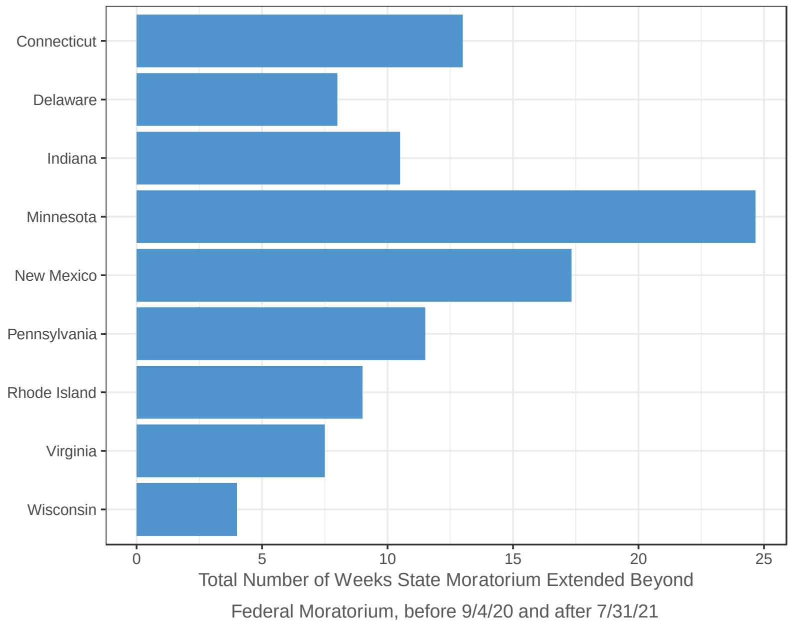
Without any centralization at the federal level, these early programs differed greatly across the states in terms of their financing and program structure.

## Eviction Moratorium

The Centers for Disease Control and Prevention (CDC) issued a nationwide eviction moratorium on September 4th, 2020, prohibiting evictions for nonpayment of rent. DC and 43 states also instituted their own moratoria, which all varied from each other in terms of the type of evictions and tenants covered, as well as the stage of the eviction judicial process which the mortarium was applied. Only 41% of states froze the eviction process at its initial moment, when the landlord first gives notice to the tenant of their intent to file for eviction. This meant that most states still required the parties involved to go through at least some portions of the eviction judicial process, even if the final decision to evict would be blocked. Researchers found that moratoria which stopped the eviction process earlier on were best able to reduce state eviction filings (Benfer et al., 2022).

By the time initial guidance for ERA grantees was released in January 2021, renters nationwide had accrued approximately $50 billion in rent and utility arrears (ERASE Team, 2022). Many states began to incorporate renter-supportive measures, including ERA and/or a moratorium on utility shutoffs, into their eviction judicial processes. In addition, several state legislatures or governors moved to extend duration of their state's moratorium beyond the federal expiry date of July 31st, 2021. Figure 3 below illustrates the variation across states in the duration of their state moratoriums. Minnesota had the longest moratorium in the sample, 26 weeks beyond the duration of the federal moratorium. Out of the states included in the sample, Missouri did not institute a statewide moratorium on evictions and is absent from Figure 3.

**Figure 3: Duration of State Moratoria beyond Federal Moratorium**




*Source:* (Benfer et al., 2022)

## ERA1

Every state, regardless of population or circumstance, received a minimum of $200 million from the Treasury. Local governments with a population of at least 200,000 could also receive direct appropriations from Treasury, but payments made to localities reduced the amount of funding available to the state. Funding for eligible localities was at least 45% less than the funding available to the state and was calculated in proportion to the percent of the state population residing in the given locality (CRS, 2023). ERA1 statute required that eligible households (1) have incomes at or below 80% of area median income; (2) have at least one member who qualifies for unemployment benefits or has experienced another form of financial hardship due to COVID; and (3) demonstrate a risk of housing instability via an eviction notice, past due rent notice, or evidence of unsafe or unhealthy living conditions (ERASE Team, 2022). Initial guidance in January 2021 by the Trump Administration did not allow households to self-attest their own eligibility and required grantees to verify cooperation from the applicant's landlord or utility provider for at least 21 days before granting the applicant assistance. Grantees also must limit administrative costs to 10% of their federal allocation, and any funds not used by September 30, 2021, were eligible for recapture by Treasury (Reina et al., 2021). These stringent requirements and budgetary benchmarks slowed program implementation and discouraged eligible households from applying.

# BACKGROUND

## ERA2

In February 2021, under the Biden administration's American Rescue Plan Act, Congress appropriated an additional $21.55 billion to ERA, totaling program funds to $46 billion. The Biden Administration also reversed several Trump-era policies under new guidance issued in February 2021, allowing self-attestation and shortening verification time from 21 to 10 days.

This time, the funding was not disseminated all at once; Treasury distributed the first 40% of funds and then required that grantees demonstrate they spent at least 75% of their allocation before receiving the rest of their allotment (CRS, 2023). ERA2 gives grantees until September 2025 to spend their allotted funds. Guidelines were revised again in March, May, and August of 2021, and finally in July of 2022, expanding types of rental assistance that could be covered, increasing flexibility for the financial hardship requirement, increasing the allowable proportion of administrative costs, and shortening landlord outreach periods to a final wait time of 5 days (ERASE Team, 2022). Importantly, the May guidance prohibited grantees from excluding federally assisted households. Grantees commented that while necessary, the changing requirements increased their administrative and reporting burdens.

## ERA PROGRAM DESIGN

At a high level, ERA-allotted dollars flow from Treasury to eligible state, territorial, county, and city governments, or Tribal organizations. The relevant legislature will then authorize the appropriate department or government-affiliated organization to use the funds, making it the official Treasury grantee. This grantee is then responsible for distributing funds to landlords or utility providers for the purpose of alleviating a tenant's rent, rental arrears, utilities, utility arrears, and other housing expenses such as relocation and rental fees. Direct payments are allowed if the landlord or utility provider is unwilling to accept ERA payments.

The process of applying for and receiving assistance is a three-way verification and confirmation process that engages the grantee/subgrantee, tenant, and their landlord or utility provider. The application or request for assistance can be initiated by any party; landlords and utility providers can apply on behalf of eligible tenants behind on rent or utilities, or tenants can apply for direct assistance. Both the tenant and landlord or utility provider must confirm their cooperation; different ERA programs may require additional eligibility documentation from both parties and/or specify certain conditions for participation. ERA2 is less specific about landlord involvement, reflecting trends toward increasing program flexibility and increasing trust in tenant applicants.

To aid in proactively identifying tenants-in-need or processing applications, grantees can transfer their funding to local nonprofits, housing agencies, and other community and government groups to serve as official ERA subgrantees (CRS, 2023).

### State-Level Program Examples

*New Mexico*

The New Mexico Department of Finance and Administration (DFA) was responsible for delivering ERA to state residents and relied on cross-jurisdictional and cross-sector partnerships to ensure assistance was delivered to renters in need. The Public Regulation Commission helped identify and intake payments on behalf of renters with utility debt, the tax agencies helped verify applicant identities, and the Administrative Office of the Courts helped coordinate a quadrant-based rollback of ERA in the state. A centralized online application system was carefully built and branded to increase accessibility for eligible tenants.

*North Dakota*

In North Dakota, the Human Services Division was the agency that implemented ERA payments. To reach its large immigrant and refugee populations, the Division contracted Somali, Bhutanese, Nepali, and Native American -focused nonprofits to help tenant applicants. These nonprofit contractors contributed 75 application counselors to the state's ERA program. A few of these organizations provided housing facility specialists to manage the cases of recently homeless households, a service covered under ERA funding as general housing stability services.

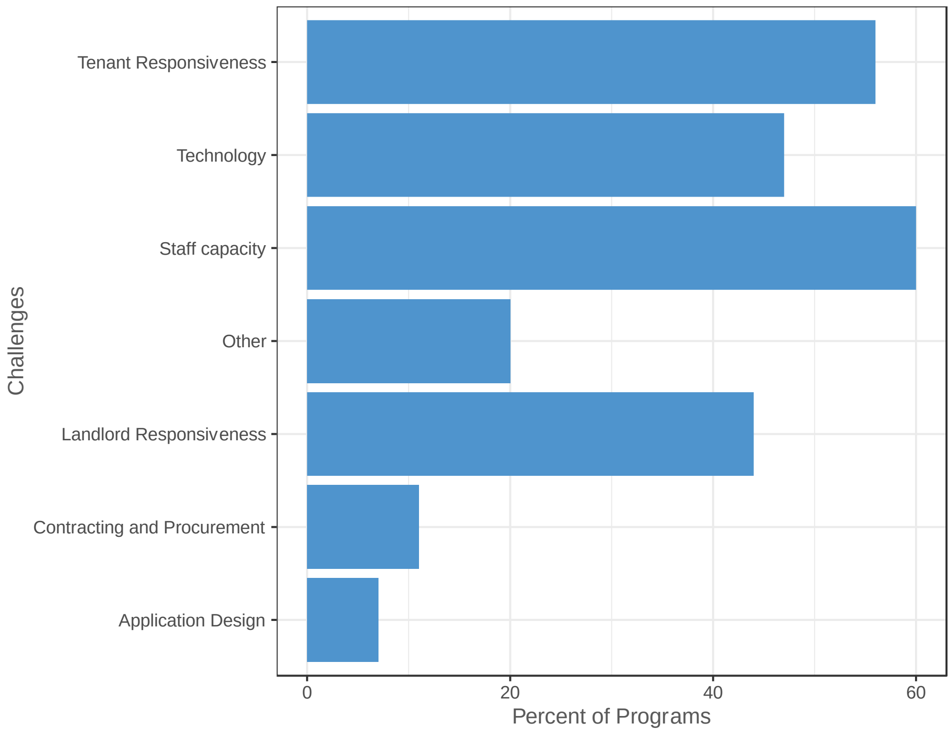
*Minnesota*

Minnesota Housing, in partnership with the Minnesota HFA, developed an eviction mitigation program in conjunction with ERA outreach. While the moratoria were in effect, case managers and volunteers from the HFA helped connect tenants and landlords seeking legal recourse to ERA relief.

## CHALLENGES ASSOCIATED WITH ERA IMPLEMENTATION

A survey conducted by the Housing Initiative at the University of Pennsylvania on 64 out of the 140 ERA programs across the country in operation as of April 2021 provides the sample that informs the following statistics. This sample is skewed towards state-level programs; 47% of respondents were state-level ERA program administrators, while state-level ERA programs only made up 12% of programs at the time. Yet given NCSHA's vested interest in HFAs and other state-level programs administrators, conclusions from this survey still aptly capture ERA implementation challenges and will be studied further in this report. Figure 4 below summarizes survey findings and demonstrates the major challenges as reported by administrators.

**Figure 4: ERA Program Challenges as Reported by 64 Programs Surveyed by the Housing Initiative at Penn**




*Source:* (Reina et al., 2021)

### Staff Capacity

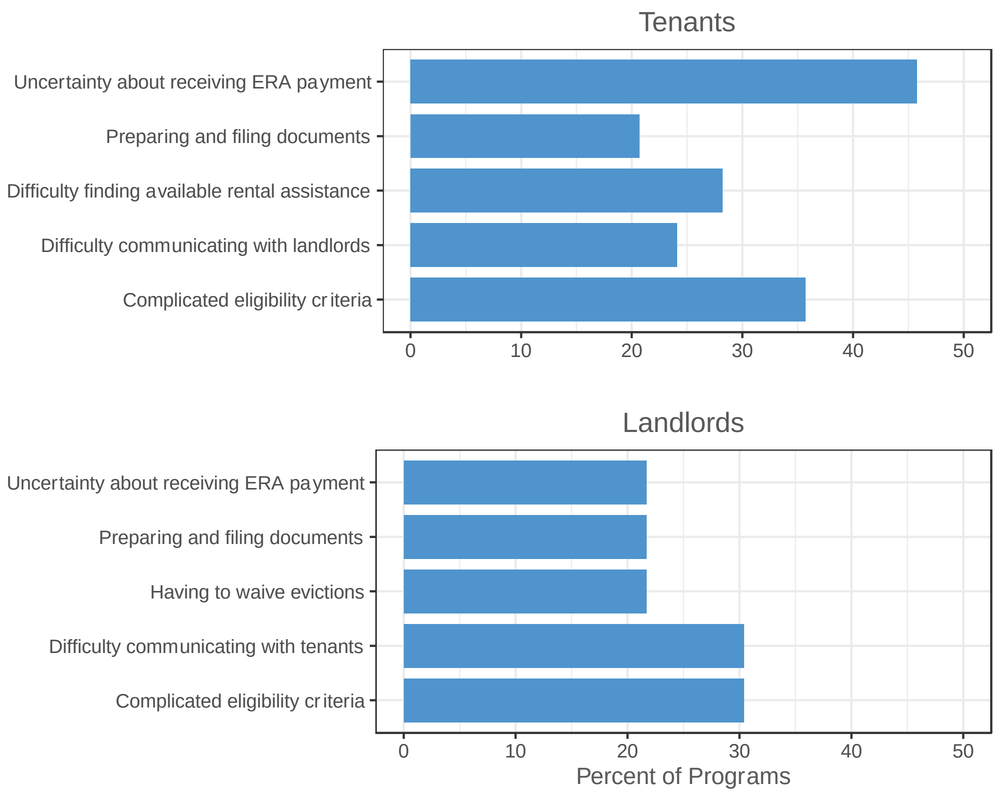
The lack of preexisting capacity, administrative knowledge, and internal infrastructure was a key issue in program implementation. As shown in Figure 4, 60% of respondents reported staff capacity as a major challenge. To help review and manage the growing volume of applications as the pandemic progressed, 100% of surveyed programs in early 2021 had added or expected to add more staff. 88% of surveyed programs hired temporary staff, 67% reassigned existing staff, and 47% of programs partnered with a nonprofit for help with administering payments. Jurisdictions that established early-stage programs with CARES Act or other available funding before ERA were believed to have been better positioned to begin distributing funds quickly (CRS, 2023).

### Tenant and Landlord Responsiveness

The three-way verification process that defines ERA requires that program administrators consistently follow up with tenants and landlords. Tenants who lacked reliable internet access had difficulties completing their applications. More notably, many landlords expressed distrust in the

ERA program and often refused to cooperate. In a follow-up to the survey conducted by the Housing Initiative at Penn, respondents reported that 27% of landlords "often or sometimes refuse to participate," compared to 9% of tenants. (ERASE Team, 2022). This reality was a motivating factor in Treasury's encouragement of direct-to-tenant assistance under ERA2. Figure 5 below captures barriers to participating in ERA as reported by tenants and landlords.

**Figure 5: Barriers Against Completing ERA Applications as Reported by 1,300 Tenants and 1,000 Landlords Surveyed by Avail**

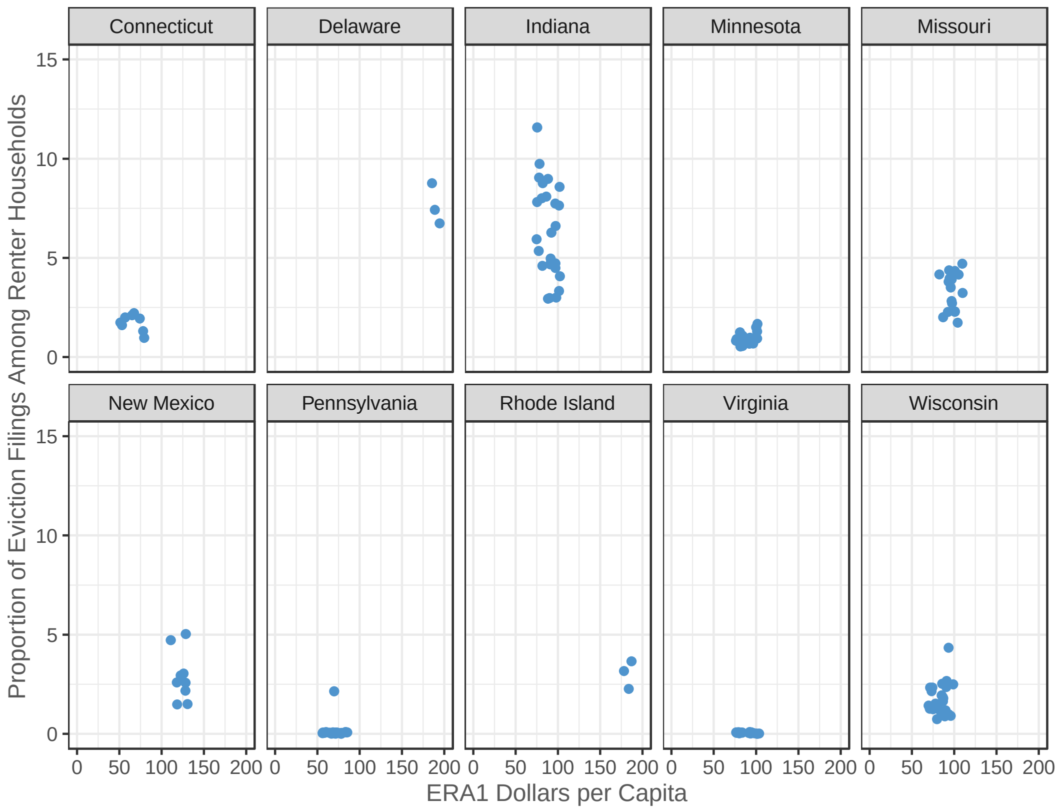



*Source:* (Choi et al., 2021)

## CONCERNS WITH ERA PROGRAM EFFICACY

While over 60% of payments were delivered to households with extremely low incomes, and Black renters were strongly represented among ERA recipients, it is possible that the various rental assistance interventions described in this section, from early-stage programs funded by the CARES Act to the federal moratorium and unique state moratoria, could have played a stronger role in mitigating housing instability during the COVID-19 pandemic. As the figures below demonstrate, it is unclear whether federal ERA dollars delivered to the states reduced eviction outcomes in the counties. (*See Figures 6 and 7*).

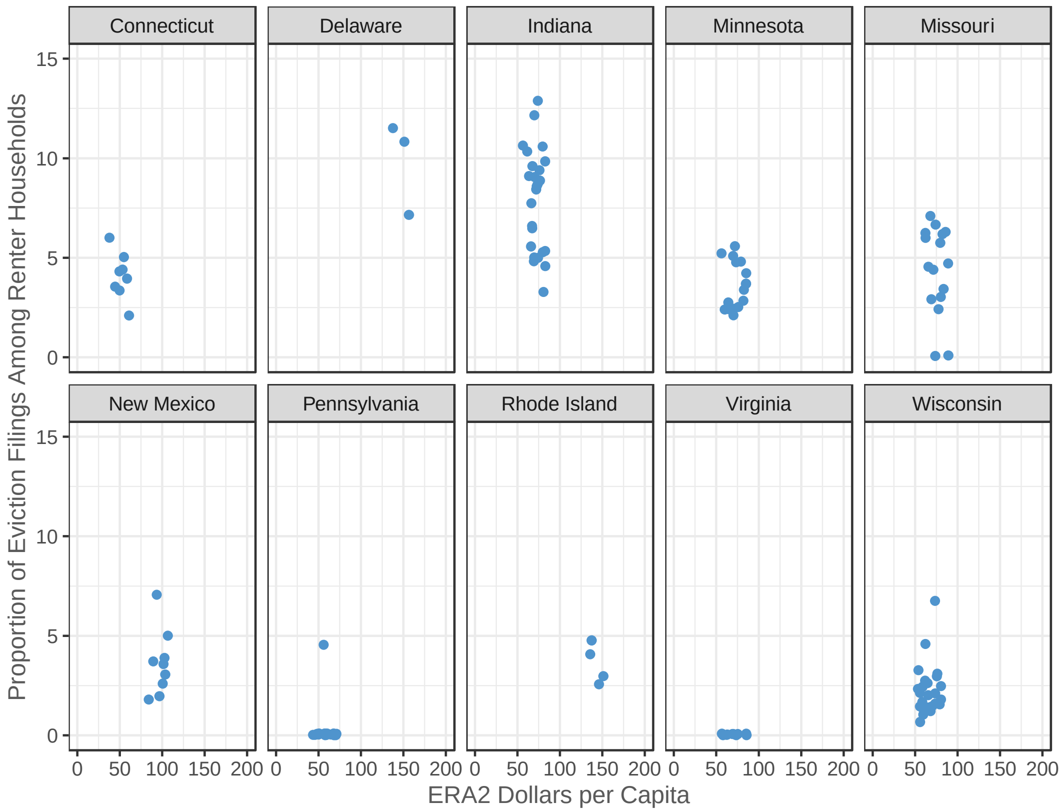
**Figure 6: Correlation Between ERA1 Dollars per Capita and Eviction Filings by State**




Examining the states represented in the sample above, it is evident that eviction filing rates in the year 2021, when ERA1 began, is not correlated to the dollars received per capita. For example, Rhode Island, which received about $200 per state resident, experienced eviction filing rates similar to Wisconsin, and Missouri, which received approximately $100 per resident. Indiana experienced considerable spread in eviction filing outcomes across its counties, despite receiving the same amount of funds per capita as states like Virginia and Minnesota. Interestingly, counties in Delaware received the among most amount of funds per capita but recorded some of the highest eviction filing rates in the sample.

This trend, or rather, lack of trend, between eviction filing rates and state-level ERA1 funding is supported by the full model, presented in Appendix B. Controlling for within-year and state variation, and considering the effects of other variables related to ERA implementation and the surrounding policy context, the full model found that state ERA1 funding per capita has an insignificant effect eviction on eviction filing rates well beyond the ten percent level (p = 0.731).

**Figure 7: Correlation Between ERA2 Dollars per Capita and Eviction Filings by State**




Eviction filing rates in 2022, when ERA2 rollout was well underway, reveal a similar trend. Most states received fewer dollars per capita, though less populous states like Delaware and Rhode Island continued to receive excess money. The full model finds that state ERA2 funding adjusted per capita also has an insignificant effect on eviction rates at the ten percent level (p = 0.267; *See Appendix B*).

These trends suggest other factors informing the federal, state, and local affordable housing policy contexts during COVID-19 may be more strongly correlated with eviction outcomes than ERA1 and ERA2 dollars. Analyzing these potential factors will reveal the viable policy alternatives for improving federal rental assistance to be discussed in the upcoming sections.

## Evaluative Criteria

To be accepted as a viable policy option, the final recommendation should reduce eviction outcomes in the immediate aftermath and lasting duration of a potential national crisis. To do this, it must be supported by the implementing federal agency, which in the case of ERA, is Treasury. It also must accommodate the bandwidth and limitations of state and local programs, otherwise, it will lack agents and supporters for implementation. Following these acknowledgements, three distinct criteria emerged which are listed below:

1) **Effectiveness At Improving Housing Stability**
2) **Political Feasibility**
3) **Administrative Feasibility**

Performance in these categories, determined based on existing literature and results from the regression analysis, will reveal the extent to which each policy alternative can improve federal emergency rental assistance. Alternatives are assessed along each criterion using a LOW - MEDIUM - HIGH qualitative scale. Each criterion includes three binary questions that will be answered on a yes/no basis. If a policy receives 0 or 1/3 yeses for a particular criterion, it is rated as "LOW," if it receives a 2/3 it is rated as "MEDIUM," and if it receives 3/3, it is rated as "HIGH."

1. **Effectiveness at Decreasing Housing Instability**
   - Will the policy decrease eviction filing rates?
   - Does the policy increase grantees' resources and internal capacity?
   - Will the policy smooth relationships with reluctant landlords?

   Many states and localities had to build their ERA programs from scratch – hire staff, design an application process, and establish partnerships with relevant community and governmental organizations. This put most ERA-era programs at a disadvantage; while states and localities with rental assistance programs established with CARES Act funding were able to scale up to meet demand faster (*Emergency Rental Assistance Data Shows Programs Ramping Up, but States and Localities Must Do More to Accelerate Aid*, 2021.). As a result, ERA experienced a very slow rate of expenditure. By May 2021, six months after funds opened to grantees, only 6% of ERA1 funds had been spent on tenants' rent and utility payments (CRS, 2023). Especially in states with Republican leadership, the slow pace of disbursement contributed to antagonistic public relations and growing tension among landlords. Increasing the speed of disbursement is crucial to combating rental and utility arrears that will continue to grow as a crisis progresses. Rental arrears are a direct cause of eviction filings (ERASE Team, 2022).

# EVALUATIVE CRITERIA

2. **Political Feasibility**
   - Does Treasury have the capacity to implement the policy?
   - Is the policy apolitical?
   - Will relevant legislative and judicial branches of government cooperate?

   The multiple iterations of ERA guidance demonstrate the presidential administration's increasing willingness to relax program guidelines and increase flexibility. However, future policy action regarding ERA improvements must account for the demands Treasury faces and the priorities of the current and future executive branch. Additionally, there must be full assurance that future ERA policies will not be blocked by legislative and/or judicial bodies.

3. **Administrative Feasibility**
   - Does the policy offer possible channels of communication between grantees and nonprofit and agency partners?
   - Does the policy reduce the need to follow up with recipients?
   - Does the policy decrease grantees' reporting burdens?

   As the Background section illustrates, rental assistance interventions on the federal and state level were confusing and haphazard, often subject to revision and reversal. To be supported by program administrators, the main agents of rental assistance implementation, the proposed policy must reduce this confusion and ease relationships between program administrators and their state and local-level stakeholders, including recipients.

# POLICY ALTERNATIVES

## Policy Alternatives

The next section proposes the alternatives for improving ERA and provides supporting evidence. Reflecting the priorities of the client, these recommendations attempt to overcome cross-state variation in eviction filing rates by advocating for stronger leadership at the federal level while maintaining program flexibility.

### POLICY ALTERNATIVE #1: TIE FUTURE EVICTION MORATORIA DIRECTLY TO LEGISLATION AUTHORIZING RENTAL ASSISTANCE

Property owners and landlord groups across the country opposed the federal moratorium, forming coalitions and filing lawsuits to protest the legality of the CDC order (O'Donnell, 2021). This group felt disadvantaged by lost enforcement power; if the local ERA program was slow to distribute funds or tenants were noncooperative, landlords were forced to incur losses, often at the expense of their own mortgages and property maintenance costs. Yet once the moratorium ended on July 31, 2021, the burden shifted to tenants. Even if they had applied for assistance or were in the process of receiving payments, tenants were vulnerable to eviction due to nonresponsive or noncooperative landlords.

The negative costs of this tradeoff and resulting political controversy could have been mitigated if the federal moratorium was implemented in tandem with ERA. What transpired was the opposite; ERA1 was implemented over three months after the federal moratorium was enacted, and ERA2 will continue four years beyond the moratorium's expiration (CRS, 2023). If the CDC order and similar state moratoria had been tied to the timeline of federal appropriations and followed specific state disbursement schedules, whether through the initial CDC order or the authorizing legislative statutes, states would have been better able to collaborate with their court systems and relevant executive agencies to organize the rollout and rollback of their ERA programs.

#### Evaluation of Policy Alternative #1

##### *Effectiveness at Reducing Housing Instability: Medium*

**Will the policy decrease eviction filing rates? – YES**

A working paper by Marcal et al.  simulated rental debt and homelessness rates under four different conditions: COVID-19 with no intervention, COVID-19 with only the enacted federal moratorium, COVID-19 with the moratorium and actual rates of ERA disbursement, and COVID-19 with the moratorium and hypothetical rapid rates of ERA disbursement. The simulation projected that national rental debt by February 2020 under the federal moratorium and actual ERA condition was five billion dollars less than rental debt under only the federal moratorium. This indicates that having the moratorium and ERA together was impactful; the third condition also resulted in about 50,000 fewer homeless households compared to the second and first. However, the most dramatic reduction in debt and homelessness was seen in the fourth condition. Debt decreases by another five billion dollars from the third condition, and overcrowding and homelessness plummet back to pre-pandemic levels. Neither the federal moratorium alone nor the moratorium and the actual ERA program could accomplish this feat.

Findings from the analysis support this conclusion. Each additional 100 dollars per capita of ERA1 funding in a state with a longer-than-average state moratorium (> 8 weeks longer than the federal moratorium) is correlated with a 0.82 percentage point decrease in eviction filing rates ($p = 0.013$). Unexpectedly, the state moratoria alone are positively correlated with eviction rates. The full model finds that each additional week a state moratorium extends past the federal moratorium is correlated with a 0.05 percentage point increase in eviction filing rates, and the interaction effects model finds that each additional week a state moratorium extends past the federal moratorium is correlated with a 0.61 percentage point increase in eviction filing rates. See Appendix B for full results. This deviates from the literature by suggesting that the state moratoria were unhelpful and increased eviction rates. Given the limitations of the analyses discussed in Appendix A and B, further study is needed to confirm this. Nonetheless, the finding show that implementing a moratorium in tandem with ERA1 decreases eviction filing rates.

**Does the policy increase grantees' resources and internal capacity? – NO**

This policy has no effect on the federal and state resources that are provided to grantees, and thus has no effect on increasing the speed of program set-up, and in turn, the rate of funding disbursement to tenants.

**Will the policy smooth relationships with reluctant landlords? – YES**

This policy diminishes the tradeoff space between landlords and tenants by ensuring that tenants have access to ERA payments to pay their debts during the moratoria, and satisfied landlords have no reason to evict compliant tenants after the moratoria ends. The clear protections to both parties offered by this coordinated schedule will likely encourage reluctant landlords to participate in ERA.

### *Political Feasibility: Low*

**Does Treasury have the capacity to implement the policy? – NO**

No, there is no precedent to support Treasury's executive power in implementing an eviction moratorium. A future moratorium will have to be decreed by the presidential administration or legislated by Congress. As such, Treasury cannot coordinate a moratorium with ERA rollout from the federal level.

**Is the policy apolitical? – NO**

The federal moratorium was a highly partisan intervention. Throughout the pandemic, S.2578 (117th) and related bill H.R.4791 Protecting Renters from Eviction Act 2021 were the only Congressional proposals in support of the eviction moratorium. Following news of the Supreme Court's ruling curbing CDC authority, both bills suggested legislatively extending the moratorium past its initial expiration date, and neither bill received any Republican backing. Aside from Senator Bernie Sanders (I-VT), all 23 cosponsors of the Senate bill and all 102 cosponsors of the House bill were registered under the Democratic Party (Congress.gov). Legislation to implement a moratorium again in the face of a future national crisis seems highly unlikely, much less coordinating it with future rental relief statutes.

**Will relevant legislative and judicial branches of government cooperate? – NO**

The precedent for the federal moratoria is unfavorable; the Supreme Court struck it down on the basis that the CDC overstepped its statutory authority. Considering recent rulings limiting the rulemaking and regulatory power of federal agencies in *National Federation of Independent Business et al., Applicants v. Department of Labor, Occupational Safety and Health Administration*, 595 U.S (2022) and *West Virginia et al. v. Environmental Protection Agency et al.*, 597 U.S (2022) it is unlikely the current conservative-leaning court will accept another sweeping order temporarily banning evictions during the next pandemic. Given this judicial trend, the political responsibility of issuing a moratorium must be left to Congress and/or independent state legislatures. Recognizing the partisan nature of the moratorium policy, it is unlikely this alternative will be implemented consistently across the states.

### *Administrative Feasibility: Medium*

**Does the policy present possible channels of communication between grantees and nonprofit and agency partners? – YES**

At the state level, implementation of this alternative may require increased cooperation between state administrative agencies, state judges, lawyers, and landlord groups. Leaders of the New Mexico Department of Finance and Administration, the agency responsible for administering ERA across the state, had to communicate closely with judges, attorneys, case managers, and landlords to ensure funds were being processed and distributed at a reasonable pace as the state moratorium was lifted. To achieve best results under this alternative, communications will also be required between program administrators and court-related stakeholders to ensure that negotiations between tenants and landlords continue while the moratorium is in place and relief is distributed. Efforts by Minnesota Housing and the Minnesota Housing Finance Agency were supported by the state's especially long moratorium (*See Figure 3*). Under this policy alternative, it should become clear to grantees which judicial stakeholders and administrative agencies hold the most weight in the court evictions space, revealing key partnerships for effective program rollout. However, smaller grantees with limited resources and capacity to support this increased communication could become more confused and less organized.

**Does the policy reduce the need to follow up with recipients? – YES**

Once court-level partners and mediators are brought in to assist in program rollout, program administrators will bear less responsibility for following up with nonresponsive and noncooperative tenants and landlords; court partners would serve as another point of contact and accountability for recipients.

**Does the policy decrease grantees' reporting burdens? – NO**

Grantees may also have to take on more record-keeping, tracking, and other paperwork duties necessitated by these added partnerships.

## POLICY ALTERNATIVE #2: PREPARE A SHARED DATA ENTRY SYSTEM BEFORE NATIONAL CRISIS STRIKES

This alternative also proposes that Treasury invests in building a shared data entry system that streamlines the reporting processes for grantees. On a monthly basis, grantees were expected to report on payments given to each household, broken down into four categories: rental payments, rental arrear payments, utility payments, and utility arrear payments. In addition to monthly evaluations, grantee expenditures were also reviewed quarterly for the purpose of reallocation. The exact requirements of these monthly and quarterly reports often changed in response to updates in the federal guidelines. Instead of requiring ERA program grantees to contract out or create their own reporting systems, and instead of placing the responsibility for keeping up with changing guidelines on them, Treasury should endeavor to create a shareable technical infrastructure that can be updated to automatically reflect program guidelines across the states and localities. Such a tool would save significant costs and resources when crisis inevitably strikes.

### Evaluation of Policy Alternative #2

*Effectiveness at Reducing Housing Instability: Medium*

**Will the policy decrease eviction filing rates? – YES**

Reducing the time program administrators would spend recording changes to federal guidelines and updating their data collection and logging strategies, this shared data entry system would enable administrators to get money to landlords and tenants faster and thus decrease housing instability outcomes. While there is no empirical evidence to support this conclusion, opinions from program administrators emphasize that the opportunity cost of data collection and reporting is high, and any effort to lighten this burden would give grantees time back to focus on identifying eligible recipients and delivering payments which keep people housed.

**Does the policy increase grantees' resources and internal capacity? – YES**

This alternative is based on the idea of a shared service model for business, which focuses on consolidating the operations of multiple smaller groups and organizations into a centralized process or program. A case study of implementing this model in the public sector can be seen with New Jersey's SHARE program, established in 2005. This program has awarded more than $4.2 million in 86 grants to school districts and nonprofits, and acts as a regional coordinator to encourage local entities to share resources amongst each other. Another example is the enterprise resource planning model rolled out in Erie County, New York in 2000, designed to consolidate county data and communication systems (Burns & Yeaton, 2008). The studied benefits of cost savings, increased collaboration, increased services awareness, and increased constituent support address many of the problems ERA programs across the country faced from 2020-2022 and will positively benefit individual grantees' capacity.

**Will the policy smooth relationships with reluctant landlords? – NO**

This policy has no direct effect on how landlords will interact with ERA. This alternative is largely contained within the backend of program administration; changes will not be visible to landlords and will have no effect on their relationships with individual grantees.

*Political Feasibility: Medium*

**Does Treasury have the capacity to implement the policy? – NO**

While there is precedent within Treasury for creating and operating shared service programs - cyber security and infrastructure operations are the most prominent areas of application - there is no precedent in Treasury for applying this solution to welfare and assistance programs. Now, in the aftermath of COVID-19 and during the close of ERA programs across the country, it is unlikely that Treasury will focus on rental assistance improvements, especially considering its wide array of other responsibilities. Treasury would have to expend significant resources to design the flexible reporting system. As an example, the Food and Drug Administration (FDA) Adverse Event Reporting System is a database that records adverse events, medication error reports, and product quality complaints from healthcare professionals, consumers, and manufacturers nationwide. The principles of centralized reporting across a wide variety of stakeholders managed by this system could be replicated for a rental assistance data entry system, though this would likely require significant upfront planning and investment.

**Is the policy apolitical? – YES**

A data entry system is an apolitical tool used by major executive agencies and is clearly apolitical.

**Will relevant legislative and judicial branches of government cooperate? – YES**

Yes, this alternative does not infringe upon the jurisdiction of other branches of government and does not inherently require legislative action or judicial affirmation.

*Administrative Feasibility: Medium*

**Does the policy present possible channels of communication between grantees and nonprofit and agency partners? – YES**

Yes, nonprofit/agency partners and subgrantees which directly deliver payments to recipients would have access to this proposed data entry system. They would be able to directly input payment data and recipient demographic data as future rental assistance guidelines require, reducing the communication and coordination burden on the grantee.

**Does the policy reduce the need to follow up with recipients? – NO**

No, this policy does not lessen the need for program administrators to follow up with recipients. Assuming the three-way verification process still stands in a future iteration of ERA, this policy would not reduce the responsibility program administrators have in ensuring that both parties, landlords and tenants, comply with program requirements and the payment process.

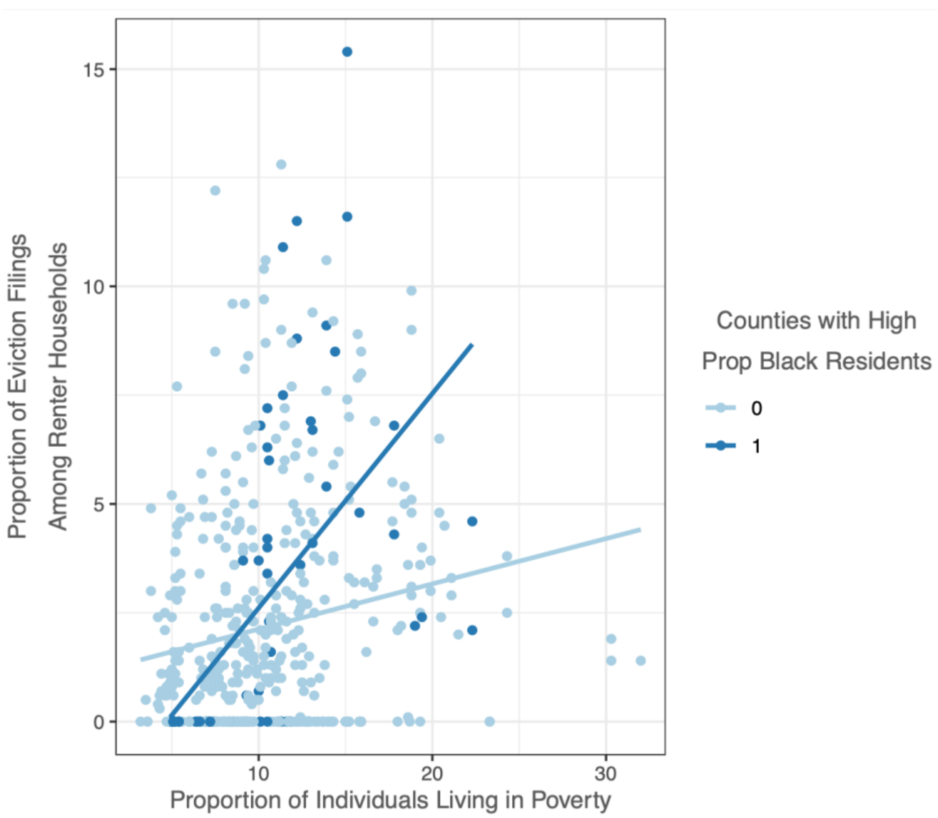
**Does the policy decrease grantees' reporting burdens? – YES**

This solution directly addresses the federal reporting burden state and local administrators faced during ERA implementation.

## POLICY ALTERNATIVE #3: ENCOURAGE GRANTEES TO TARGET BLACK COMMUNITIES IN HIGH-POVERTY AREAS

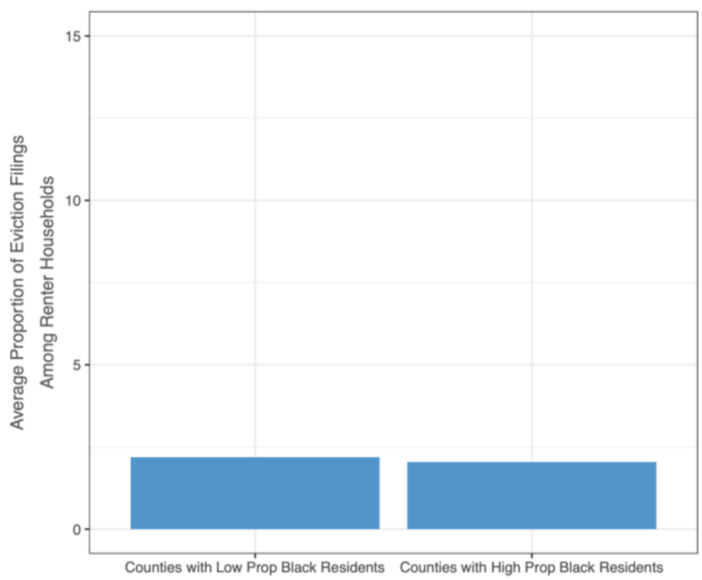
The analysis reveals that more could have been done to aid Black renters in high-poverty communities during COVID-19. While racial equity was a focus of 60% of ERA programs surveyed by the Housing Initiative at Penn, the analysis finds that poor counties with a higher-than-average proportion of Black residents (> 13.6%) experienced higher eviction filing rates than poor counties with a lower-than-average proportion of Black residents *(See Appendix B*). This trend is captured in Figure 8 below. Counties in the sample with a high proportion of Black residents, denoted in dark blue, had more renter households file for eviction than less diverse counties with similar poverty levels. To be more precise, the graph demonstrates that a one percent increase in poverty rates increases eviction filing rates in Black communities by 0.02 percentage points more than in white communities ($p = 0$). Poor Black communities remained disproportionately affected by eviction filings throughout the pandemic, despite efforts to focus program outreach on historically disadvantaged minorities.

**Figure 8: Comparing Eviction Filing Rates between Poorer Counties with Low and High Proportion of Black Residents**



Common strategies included distributing information to relevant community organizations, contracting with trusted community groups for program outreach, using targeted media such as Spanish-language advertisements, holding in-person events in underserved communities, and door-knocking in underserved communities (Reina, et al., 2021). Interestingly, without accounting for poverty rates, the analysis finds that the average eviction filing rate among Black counties is approximately 0.15 percentage points less than the average filing rate among white counties in the sample. This is summarized in Figure 9; the average rate of eviction filings in counties with a low proportion of Black residents and counties with a high proportion of Black residents both hover below 2.5%, but contrary to expectations following the interaction effects model, the Black counties are evicted slightly less than non-Black counties.

**Figure 9: Comparing Eviction Filing Rates between Counties with Low and High Proportion of Black Residents**




This indicates that ERA may have been successful at reaching Black tenants as Treasury claimed. By the end of 2021, Treasury reports that 40% of applicants receiving assistance self-identified as Black, directly reflecting the fact that Black renters historically make up approximately 35% of eviction filings (*New Treasury Data Shows over 80% of Emergency Rental Assistance Delivered to Lowest-Income Households*, 2022). However, simply accounting that a sufficient number of payments went to Black households is not enough evidence to conclude that racial disparities were addressed. The full model also suggests that Black communities were more likely to be evicted. A one percent increase in the Black population of a particular county increases eviction filings by 0.002 percentage points (p=0.079). While this effect size and the effect of the interaction between poverty and community Blackness (0.02 percentage points) may seem small, they nonetheless highlight the fact that the racial divide in affordable housing, especially among those living in poverty, persisted to some degree throughout the pandemic. This alternative suggests that ERA should increase focus on Black tenants in poorer communities in a more directed attempt to improve racial equity.

## Evaluation of Policy Alternative #3

*Effectiveness at Reducing Housing Instability: Medium*

**Will the policy decrease eviction filing rates? – YES**

While the demographic composition of high-poverty neighborhoods across the country has actually experienced a decline in the portion of Black residents, someone who is Black and poor is currently three times more likely to live in a high-poverty neighborhood than someone who is white and poor (Benzow & Fikri, 2020). The analysis described above clearly illustrates that Black tenants in high-poverty areas remained at most risk of eviction, despite grantees' efforts to target underserved individuals. Thus, we can conclude that a more focused and intentional strategy to identify minority renters in poor communities will decrease overall filing rates and mitigate racial inequity during national crisis.

**Does the policy increase grantees' resources and internal capacity? – NO**

This alternative suggests that grantees invest more time and resources in identifying and easing the application and payment process for poor Black renters. Leaving the specific strategies and tactics for achieving this goal up to individual grantees, it will still be challenging for most to determine the correct balance between targeting disadvantaged persons and meeting total demand. There is a risk that hyper-focus on poor Black communities will place other groups on the sidelines; the overall pace of payments may become slower.

**Will the policy smooth relationships with reluctant landlords? – YES**

If grantees communicate this goal to landlords in high-poverty communities, the group may be more willing to comply with ERA requirements and procedures, knowing that their qualifying tenants would be highly likely to receive rental assistance money as quickly as possible.

*Political Feasibility: High*

**Does Treasury have the capacity to implement the policy? – YES**

Treasury made explicit efforts to ensure that grantees collected data on Black and Latino ERA recipients, and most grantees tried to make racial equity a major theme of their program design. It would not be a stretch for future federal rental assistance guidelines to advocate for increased program focus on Black renters in high-poverty communities. There is little cost to Treasury in terms of revising guiding documents such as a "Promising Practices" list, and suggesting that grantees identify poorer communities within their catchment geographies.

**Is the policy apolitical? – YES**

Yes, especially since Treasury's newly created Advisory Committee on Racial Equity has been established, it is clear that the problem of racial equity is being highlighted at the institutional level, and is becoming less and less dependent on the political priorities of the party in power.

**Will relevant legislative and judicial branches of government cooperate? – YES**

Yes, revisions and updates to program recommendations are not policy mandates or agency regulations, and are therefore out of the purview of legislative and judicial branches unless legally challenged by constituents.

*Administrative Feasibility: Medium*

**Does the policy offer possible channels of communication between grantees and nonprofit and agency partners? – YES**

Overall, the number of people living in high-poverty communities has doubled since 2000, and interestingly, the fastest growth in Black concentration of poverty has not occurred in large cities, but in metropolitan areas with 500,000 to 1 million residents (Jargowsky, 2015). This has important implications for state and local rental assistance programs, offering a clearer idea of which states and localities are likely to have concentrated populations of vulnerable communities. To see trends within individual states, please examine Figure 10 in Appendix B. While not all states in the sample clearly experienced this disparity, it is interesting to note which states did – Missouri and Delaware in particular.

**Does the policy reduce the need to follow up with recipients? – YES**

Targeted efforts to identify Black tenants and/or simplify their application process will reduce the need to follow up with recipients, as they will receive their assistance money faster and face more incentives to comply with program requirements.

**Does the policy decrease grantees' reporting burdens? – NO**

This policy presents no change to grantees' reporting burdens. Grantees will likely continue to report on recipient demographics and income levels. These metrics will remain relevant for assessing how well grantees achieved this alternative's goal in a future crisis.

# Summary Outcomes Matrix

| Evaluative Criteria | Impact Category | Policy Alternatives | | |
|---|---|---|---|---|
| | | Tie future eviction moratoria directly to legislation authorizing rental assistance | Prepare a shared data entry system before national crisis strikes | Target Black communities in high-poverty areas |
| Effectiveness at Decreasing Housing Instability | Will the policy decrease eviction filing rates? | YES | YES | YES |
| | Does the policy increase grantee's resources and internal capacity? | NO | YES | NO |
| | Will the policy smooth relationships with reluctant landlords? | YES | NO | YES |
| Political Feasibility | Does Treasury have the capacity to implement the policy? | NO | NO | YES |
| | Is the policy apolitical? | NO | YES | YES |
| | Will relevant legislative and judicial branches of government cooperate? | NO | YES | YES |
| Administrative Feasibility | ·Does the policy offer possible channels of communication between grantees and nonprofit and agency partners? | YES | YES | YES |
| | ·Does the policy reduce need for follow-up among recipients? | YES | NO | YES |
| | Does the policy decrease grantees' reporting burdens? | NO | YES | NO |

| Legend | | |
|---|---|---|
| Low | Medium | High |

# Recommendation

### Policy Alternative #3: Encourage grantees to target black communities in high-poverty areas

This alternative addresses a long history of systemic discrimination, and continues precedents set by Treasury and ERA grantees to combat racial disparities. Policy Alternative #3 has the greatest potential to decrease housing instability and be supported by government institutions and program administrators, making it the most actionable improvement to federal Emergency Rental Assistance.

NCSHA can gain the attention of Treasury and former grantees with the evidence that this recommendation brings to light; it is the responsibility of all participating groups and organizations to ensure that marginalized renters living in concentrated communities of poverty are protected with focused tactics.

For example, data analysts at Minnesota Housing used Census data to locate communities in need and plan door-to-door outreach efforts. While not all state and local programs have the capacity to leverage similar strategies, and not all states have concentrated minority populations, there are multiple methods of making ERA accessible to vulnerable persons. From increasing direct marketing and outreach, establishing intentional partnerships with Black community organizations, and simplifying the application and tenant verification process for specific neighborhoods and/or landlords, grantees would be free to adopt the tactics which best suit the communities they are obligated to serve given their existing resources.

# Implementation

Targeting Black communities in high-poverty areas is not a recommendation limited to ERA program outreach. An Equity Checklist developed by the Urban Institute emphasizes the importance of different program aspects such as application design, tenant eligibility requirements, landlord-tenant mitigation activities, and program-community partnerships (Reynolds, n.d.). Relying on its own expertise and the experience of its member HFAs and other partner organizations charged with administering ERA, NCSHA should work to determine trends in grantees' equity and inclusion strategies. 59% of the programs surveyed by the Housing Initiative at the University of Penn reported that they made efforts to support racial equity, and of these, 100% reported targeting outreach to disadvantaged groups, 77% provided additional application support, 73% attempted to reduce application barriers (Reina et al., 2021).

## CONDUCT RESEARCH

If NCSHA could support these findings with evidence of their own, it could sort useful tactics by program or state/locality type. For example, states with large populations may have chosen to simplify the application process rather than decrease tenant eligibility requirements, and states with more rural populations could have chosen to form intentional community partnerships rather than increase direct outreach to individuals. If NCSHA could identify such trends, it could deliver more concise recommendations to Treasury on how individual grantees can build on past tactics to improve focus on Black communities, specifically in high-poverty areas. However, recognizing that most ERA programs have closed or are in the process of closing, and most state and local grantees are transitioning back to their regular responsibilities and agency functions, it may be difficult for NCSHA to retroactively collect data or anecdotal evidence to identify trends.

It would be most impactful if NCSHA could commission a study on the experience of Black households in high-poverty areas in receiving rental assistance. Evidence which uncovers precisely why these communities received less assistance than Black communities in low-poverty areas could help NCSHA ideate more specific solutions. For example, Minnesota Housing used Census data to identify where renters of color were living; if the proposed study were to find that poor communities of color simply were not aware of ERA compared to non-poor communities of color, NCSHA could recommend that ERA programs simply increase direct outreach. Another example: North Dakota's Human Services Division established contracts with immigrant-focused community organizations. If the study found that lack of cultural competency was the main issue, NCSHA could recommend that grantees increase partnerships with African American-based organizations and community institutions that serve high-poverty areas.

# IMPLEMENTATION

Given that there are a wide variety of strategies that can and were used to increase program take-up among disadvantaged communities, it is imperative that NCSHA first pinpoint specific tactics which suit the contexts of the different states and localities and their unique populations.

## BUILD A COALITION

Once NCSHA collects data which informs this recommendation and supports its implementation among the states and localities, it should share its findings with related housing advocacy groups to build a coalition of supporters. Organizations like the National Low Income Housing Coalition and Urban Institute are strong supporters of racial equity, and would likely add weight to any comments or letters NCSHA submits to Treasury on this topic. These interest groups could also support NCSHA in the preceding data collection and presentation efforts. With their own internal resources and connections to past ERA programs at the local level - NCSHA focuses on state-level grantees - they may be better equipped to research and survey programs assigned to poor Black communities, and they may have the capacity to interview and interact with Black recipients formerly eligible for ERA. NCSHA should consider reaching out to these organizations before embarking on a research journey that is overly complex or too in-depth. A small simple survey to members and partnering grantees may also be sufficient if NCSHA cannot collect supporting data or build external coalitions.

## REPORT FINDINGS

Finally, NCSHA's findings and final recommendations for increasing program focus on Black communities in high-poverty areas should be delivered to Treasury in the form of an open letter. This step assumes that Treasury will remain amenable to receiving interest groups' input on ERA after NCSHA and potential coalition partners have consolidated their research, a process which could take months, or over a year. Depending on the economic and financial constraints of the future and the priorities of the presidential administration in power, Treasury may not have the capacity to examine and incorporate recommendations for ERA. Treasury is a broad federal agency which encompasses many bureaus and programs regarding the country's economic wellbeing. Even during COVID-19, ERA was only one Treasury program out of many that offered assistance for state, local, and tribal governments.

At a minimum, findings can be informally disseminated among NCSHA members and partnering agencies that participated in ERA. Program administrators would likely be interested to learn how their state can improve along this aspect of racial equity.

# Conclusion

Motivated by the initial finding that ERA funding adjusted per capita does not affect eviction filing rates, the analysis uncovered which state and county-level characteristics best predict eviction rates during COVID-19, and ultimately found that the disparity between Black and white communities persisted despite best efforts to reach renters from minority backgrounds. A one percent increase in poverty rates increases eviction filing rates in Black communities 0.02 percentage points more than in white communities. The analysis also finds that an additional 100 dollars per capita of ERA1 funding in a state with a longer-than-average moratorium is correlated with a 0.82 percentage point decrease in eviction filing rates in 2021. Yet this does not remain true in 2022, and further investigation into the moratoria illustrates it was a temporary measure that did not sustainability reduce eviction filing rates.

This report presented three policy alternatives on how Treasury can improve federal Emergency Rental Assistance based on qualitative evidence and results from the regressions: 1) Tie future eviction moratoria directly to legislation authorizing rental assistance; 2) Prepare a shared data entry system before national crisis strikes; and 3) Encourage grantees to target black communities in high-poverty areas. After evaluating these alternatives against the criteria of effectiveness at reducing housing instability, political feasibility, and administrative feasibility, it is recommended that NCSHA lobby Treasury to 3) Encourage grantees to target black communities in high-poverty areas. To effectively do so, programs should be implemented with clear tactics tailored to the population and policy context of their particular state or locality.

For future research, a more detailed study of the efficacy of ERA programs within the larger COVID-19 rental assistance policy context may occur on the grantee level instead of the state and county level, and thus incorporate observations on specific program requirements and outreach tactics. Such an analysis may offer more prescriptive recommendations on effective ERA program strategies to reduce evictions consistently across the states. A limitation of the current analysis is that all effect sizes are reported in percentage point units. In an extension of this study, these effect sizes could be converted to the actual number of households that would be affected by the suggested policy alternatives. These calculations would likely require data on actual evictions rather than general eviction filings. The distinction between these two metrics is described in Appendix A.

Nonetheless, the analysis reveals the persistent disadvantage Black communities faced during the COVID-19 pandemic. NCSHA should conduct further research to validate or disprove these findings and lobby Treasury, member HFAs, partners, and other grantees to ensure targeting Black communities in high-poverty areas is a clear focus in a future iteration of federal rental assistance. The hope is that a national crisis on the scale of COVID-19 never occurs again, but if it does, Treasury and former ERA grantees should be prepared to protect vulnerable renters in need.

# APPENDIX A: DATA DICTIONARY

## Appendix A: Data Dictionary

The following section describes each of the variables studied in the regression analysis, where the goal was to determine which state and county-level factors had a significant effect on eviction filing rates during the years of the COVID-19 crisis.

Units of observation of this dataset (N=531) are individual counties within the states.

| VARIABLE NAME | DESCRIPTION | DATA SOURCE | EXAMPLE |
|---|---|---|---|
| fipsid | Federal Information Processing System (FIPS) code, unique geographic identifier | Census Bureau | 09001 |
| state | Name of state | Census Bureau | Connecticut |
| county | Name of county | Census Bureau | Fairfield County |
| year | Year label, years 2020-2022 included | -- | 2020 |
| percevictedhouseholds | Percent of renter households which experienced an eviction filing. Eviction filings are not equivalent to eviction judgements; households that are filed for eviction may not be evicted through executive action but must follow through some portion of the eviction judicial process. Calculated by dividing Number of eviction filings by number of renter occupied units (2021) | Princeton Eviction Lab and Census Bureau | 1.1 |
| totpop | Total population | Census Bureau | 955895 |
| medianhouseincome | Median household income, dollars | Census Bureau, Small Area Income Poverty Estimates | 98828 |

# APPENDIX A: DATA DICTIONARY

| VARIABLE NAME | DESCRIPTION | DATA SOURCE | EXAMPLE |
|---|---|---|---|
| | | (SAIPE) Program | |
| totgovunits | Number of grantees in the state who received funding under ERA. Counts state government and any additional local governments that received funding, across ERA1 and 2. | Treasury | 1 |
| caresactpercap | Total state rental assistance funding authorized under CARES Act and other available funding pools. Implemented through September 2020, dollars per capita | National Council of State Housing Agencies | 2.8 |
| era1percap | Total ERA1 funding allocated to the state, dollars per capita | Treasury | 65.4 |
| era2percap | Total ERA2 funding allocated to the state, dollars per capita | Treasury | 51.7 |
| weeksmoratorium | Number of weeks state moratorium extended beyond federal moratorium (before 9/4/20 and after 7/31/21) | (Benfer, et al., 2022) | 26 |
| rentalunits | Number of affordable and available rental homes per 100 extremely low-income renter households | National Low Income Housing Coalition | 41 |
| percunemp | Percent unemployed | Bureau of Labor Statistics | 7.8 |
| percpoverty | Percent of people of all ages in poverty | Census Bureau SAIPE Program | 8.8 |
| perchildpoverty | Percent of people ages 0-17 in poverty | Census Bureau SAIPE Program | 10.8 |
| percfemale | Percent of women | Census Bureau | 51 |

# APPENDIX A: DATA DICTIONARY

| VARIABLE NAME | DESCRIPTION | DATA SOURCE | EXAMPLE |
|---|---|---|---|
| percwhite | Percent of persons identifying as white | Census Bureau | 60.2 |
| percblack | Percent of persons identifying as Black or African American | Census Bureau | 11.3 |
| perchispanic | Percent of persons identifying as Hispanic | Census Bureau | 21 |

All the correlational findings and figures included in this report derive from this dataset.

## ASSUMPTIONS

1. CARES Act and related funding is associated with the year 2020, though NCSHA data only accounts for funding allocated through September 2020.
2. ERA1 funding is associated with the year 2021, though the funding dissemination and reallocation process continued into early 2022.
3. ERA2 funding is associated with the year 2022, though funding dissemination began in 2021. ERA2 dissemination to the states was more deliberate and occurred over a longer period. Allocations were still ongoing in the last quarter of 2022 (CRS, 2023).
4. Eviction filing rates are proportional to the number of renter-occupied units in 2021, the only year when this metric is available. Thus the assumption was made that the number of renter-occupied units per county remains consistent throughout the pandemic.
5. Unemployment, race, gender, and poverty estimates were unavailable for the year 2022; the assumption was made that rates between 2021 and 2022 would remain approximately constant, and thus forward-filled estimates from 2021 to 2022.
6. Total population estimates were also unavailable for 2022. The total population for each state was predicted by multiplying the total population in 2021 by the estimated population growth rate (MacroTrends, 2023).

## DATASET LIMITATIONS

The dataset from Princeton Eviction Lab (*The Eviction Tracking System*, 2023) used to estimate eviction filing rates contains eviction filings only four ten states in the years 2020-2022. As such, the dataset described above is limited to these ten states, listed below:

- Connecticut
- Delaware
- Indiana
- Minnesota
- Missouri

- New Mexico
- Pennsylvania
- Rhode Island
- Virginia
- Wisconsin

Additionally, as eviction filing rates are represented as a percent of renter households, only counties with available estimates on the number of renter households are included in the dataset.

### Implications

Given the disproportionate sample of East Coast states and states with small to mid-size populations, the observed trends summarized in this report may not hold in larger states like California and Texas, and the recommendations may not be as applicable. Once eviction data is published on all 50 states for the years in question, further study is needed to confirm if the conclusions remain true.

# Appendix B: Regression Models

## FULL MODEL

To analyze the effect of various state and county-level factors related to ERA implementation and the surrounding affordable housing policy context on eviction filing rates, eviction filing rates were regressed on 13 variables included below, controlling for total population, the supply of rental units, and within-state and year effects. Virginia is the base state and 2022 is the base year.

### Equation and Results

$$
\begin{aligned}
percevictedhouseholds_{it} &= \alpha_0 + \beta_1 caresactpercap_{i,t-1} + \beta_2 era1percap_{i,t-1} + \beta_3 era2percap_{i,t-1} \\
&+ \beta_4 totgovunits_{i,t-1} + \beta_5 weeksmoratorium_{i,t-1} + \beta_6 medianhouseincome_{i,t-1} \\
&+ \beta_7 percfemale_{i,t-1} + \beta_8 percwhite_{i,t-1} + \beta_9 lnpercblack_{i,t-1} \\
&+ \beta_{10} lnperchispanic_{i,t-1} + \beta_{11} lnpercunemp_{i,t-1} + \beta_{12} lnpercpoverty_{i,t-1} \\
&+ \beta_{13} lnperchildpoverty_{i,t-1} + \beta_{14} lntotpop_{i,t-1} + \beta_{15} rentalunits_{i,t-1} \\
&+ \beta_{16} 2020_i + + \beta_{17} 2021_i + + \beta_{18} Connecticut_t + \beta_{19} Delaware_t + \beta_{20} Indiana_t \\
&+ \beta_{21} Minnesota_t + \beta_{22} Missouri_t + \beta_{23} New\ Mexico_t + \beta_{24} Pennsylvania_t \\
&+ \beta_{25} Rhode\ Island_t + \beta_{26} Wisconsin_t
\end{aligned}
$$

# APPENDIX B: REGRESSION MODELS

| percevictedhous~s | Coefficient | Std. err. | t | P>\|t\| | [95% conf. interval] | |
|---|---|---|---|---|---|---|
| caresactpercap | .0667277 | .0263247 | 2.53 | 0.012 | .0149756 | .1184799 |
| era1percap | -.002097 | .0060889 | -0.34 | 0.731 | -.0140672 | .0098732 |
| era2percap | .0088667 | .0079811 | 1.11 | 0.267 | -.0068234 | .0245569 |
| totgovunits | .0235964 | .0235091 | 1.00 | 0.316 | -.0226205 | .0698132 |
| weeksmoratorium | .0533849 | .0240659 | 2.22 | 0.027 | .0060734 | .1006964 |
| medianhouseincome | -.0000216 | 9.02e-06 | -2.40 | 0.017 | -.0000394 | -3.90e-06 |
| percfemale | .0140565 | .0688586 | 0.20 | 0.838 | -.1213134 | .1494264 |
| percwhite | -.0140043 | .0103931 | -1.35 | 0.179 | -.0344363 | .0064277 |
| lnpercblack | .2075902 | .1180266 | 1.76 | 0.079 | -.0244398 | .4396201 |
| lnperchispanic | -.1317544 | .1320733 | -1.00 | 0.319 | -.3913989 | .12789 |
| lnpercunemp | -1.554663 | .4181108 | -3.72 | 0.000 | -2.376632 | -.7326941 |
| lnpercpoverty | -2.687348 | .5339712 | -5.03 | 0.000 | -3.737088 | -1.637607 |
| lnperchildpoverty | 2.945865 | .502191 | 5.87 | 0.000 | 1.958601 | 3.933128 |
| lntotpop | .3386073 | .1225924 | 2.76 | 0.006 | .0976014 | .5796132 |
| rentalunits | -.0771649 | .0652676 | -1.18 | 0.238 | -.2054753 | .0511454 |
| yeardum1 | -1.963613 | 1.086118 | -1.81 | 0.071 | -4.098825 | .1715985 |
| yeardum2 | -.0149989 | .5128442 | -0.03 | 0.977 | -1.023206 | .9932079 |
| statedum1 | 3.52902 | .4998039 | 7.06 | 0.000 | 2.54645 | 4.511591 |
| statedum2 | 6.591737 | .6610259 | 9.97 | 0.000 | 5.292218 | 7.891256 |
| statedum3 | 6.322784 | .241478 | 26.18 | 0.000 | 5.848059 | 6.797508 |
| statedum4 | 1.224756 | .4640009 | 2.64 | 0.009 | .3125707 | 2.136941 |
| statedum5 | 0 | (omitted) | | | | |
| statedum6 | 3.593143 | .8353303 | 4.30 | 0.000 | 1.950957 | 5.235329 |
| statedum7 | 0 | (omitted) | | | | |
| statedum8 | 4.695644 | 1.18151 | 3.97 | 0.000 | 2.372898 | 7.018389 |
| statedum10 | 1.781797 | .3410174 | 5.22 | 0.000 | 1.111386 | 2.452207 |
| _cons | 1.595825 | 5.008106 | 0.32 | 0.750 | -8.249673 | 11.44132 |

## Limitations

I recognize that the model presented above may not be the model of best fit for the data. I transformed some of the variables into log distributions, upon recognizing that the original distributions were heavily skewed. I could have log transformed the dependent variable as well, but I chose not to in order to simplify model interpretations.

# APPENDIX B: REGRESSION MODELS

## INTERACTION EFFECT MODEL POLICY ALTERNATIVE #1

The model below aims to find the marginal effect of ERA1 dollars for states with a moratorium that extended beyond the federal moratorium longer than average (> 8 weeks). Fixed state and year effects are included with the same base state and base year as the full model.

### Equation and Results

$$
\begin{aligned}
percevictedhouseholds_{it} &= \alpha_0 + \beta_1 era1percap_{i,t-1} + \beta_2 longmoratorium_{i,t-1} \\
&+ \beta_3 (era1percap * longmoratorium)_{i,t-1} + \beta_4 2020_i + + \beta_5 2021_i \\
&+ + \beta_6 Connecticut_t + \beta_7 Delaware_t + \beta_8 Indiana_t + \beta_9 Minnesota_t \\
&+ \beta_{10} Missouri_t + \beta_{11} New\ Mexico_t + \beta_{12} Pennsylvania_t + \beta_{13} Rhode\ Island_t \\
&+ \beta_{14} Wisconsin_t
\end{aligned}
$$

| percevictedhouseholds | Coefficient | Std. err. | t | P>\|t\| | [95% conf. interval] | |
|---|---|---|---|---|---|---|
| era1percap | .0000862 | .0051091 | 0.02 | 0.987 | -.0099509 | .0101234 |
| 1.longmoratorium | .6115022 | .2744724 | 2.23 | 0.026 | .0722814 | 1.150723 |
| longmoratorium#c.era1percap | | | | | | |
| 1 | -.0082031 | .0032918 | -2.49 | 0.013 | -.0146701 | -.0017362 |
| yeardum1 | -1.719597 | .2323772 | -7.40 | 0.000 | -2.176119 | -1.263076 |
| yeardum2 | -.7211813 | .4715861 | -1.53 | 0.127 | -1.647646 | .2052836 |
| statedum1 | 2.346555 | .308213 | 7.61 | 0.000 | 1.741048 | 2.952061 |
| statedum2 | 8.096873 | .5001002 | 16.19 | 0.000 | 7.11439 | 9.079356 |
| statedum3 | 6.489765 | .2055437 | 31.57 | 0.000 | 6.085959 | 6.89357 |
| statedum4 | 1.612255 | .2890154 | 5.58 | 0.000 | 1.044464 | 2.180047 |
| statedum5 | 3.400574 | .2849567 | 11.93 | 0.000 | 2.840756 | 3.960392 |
| statedum6 | 3.182192 | .3170504 | 10.04 | 0.000 | 2.559324 | 3.80506 |
| statedum7 | .0783412 | .189254 | 0.41 | 0.679 | -.293462 | .4501444 |
| statedum8 | 2.888766 | .4430109 | 6.52 | 0.000 | 2.01844 | 3.759093 |
| statedum10 | 1.812026 | .2272295 | 7.97 | 0.000 | 1.365618 | 2.258435 |
| _cons | .6071575 | .1678387 | 3.62 | 0.000 | .2774263 | .9368888 |

# APPENDIX B: REGRESSION MODELS

## INTERACTION EFFECT MODEL POLICY ALTERNATIVE #3

The model below aims to find the marginal effect of poverty for counties with a higher-than-average Black population longer than average (> 13.6%).

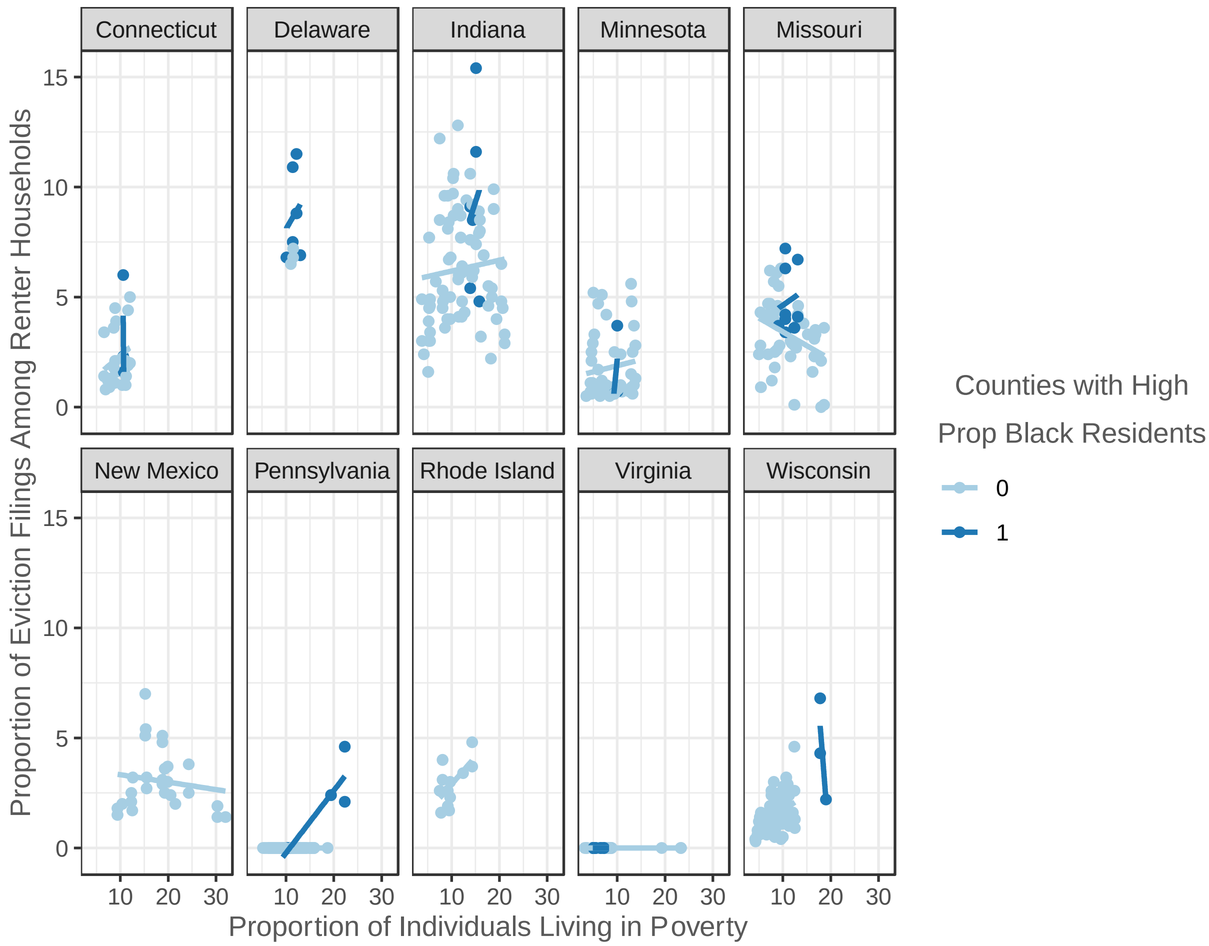
### Equation and Results

$$
\begin{aligned}
&percevictedhouseholds_{it} \\
&\quad = \alpha_0 + \beta_1 lnpercpoverty_{i,t-1} + \beta_2 highpercblack_{i,t-1} \\
&\quad + \beta_3 (lnpercpoverty * highpercblack)_{i,t-1} + \beta_4 2020_i + + \beta_5 2021_i \\
&\quad + + \beta_6 Connecticut_t + \beta_7 Delaware_t + \beta_8 Indiana_t + \beta_9 Minnesota_t \\
&\quad + \beta_{10} Missouri_t + \beta_{11} New\ Mexico_t + \beta_{12} Pennsylvania_t + \beta_{13} Rhode\ Island_t \\
&\quad + \beta_{14} Wisconsin_t
\end{aligned}
$$

| percevictedhouseholds | Coefficient | Std. err. | t | P>\|t\| | [95% conf. interval] | |
|---|---|---|---|---|---|---|
| lnpercpoverty | .2799697 | .1748858 | 1.60 | 0.110 | -.063606 | .6235454 |
| 1.highpercblack | -3.203991 | .8547306 | -3.75 | 0.000 | -4.883171 | -1.524811 |
| highpercblack#c.lnpercpoverty | | | | | | |
| 1 | 1.852751 | .3809994 | 4.86 | 0.000 | 1.10425 | 2.601251 |
| yeardum1 | -1.275709 | .1353819 | -9.42 | 0.000 | -1.541676 | -1.009741 |
| yeardum2 | -.8762712 | .1344485 | -6.52 | 0.000 | -1.140405 | -.6121375 |
| statedum1 | 2.057589 | .3201895 | 6.43 | 0.000 | 1.428554 | 2.686625 |
| statedum2 | 6.999088 | .4741361 | 14.76 | 0.000 | 6.067614 | 7.930563 |
| statedum3 | 6.165904 | .248233 | 24.84 | 0.000 | 5.678233 | 6.653576 |
| statedum4 | 1.625053 | .2615371 | 6.21 | 0.000 | 1.111244 | 2.138861 |
| statedum5 | 3.151095 | .2624773 | 12.01 | 0.000 | 2.635439 | 3.666751 |
| statedum6 | 2.734608 | .3423666 | 7.99 | 0.000 | 2.062004 | 3.407212 |
| statedum7 | -.2654225 | .2323032 | -1.14 | 0.254 | -.7217989 | .1909539 |
| statedum8 | 2.738512 | .4147426 | 6.60 | 0.000 | 1.923721 | 3.553304 |
| statedum10 | 1.400937 | .2434966 | 5.75 | 0.000 | .92257 | 1.879303 |
| _cons | .2329683 | .4127973 | 0.56 | 0.573 | -.5780018 | 1.043938 |

# APPENDIX B: REGRESSION MODELS

**Figure 10: Comparing Eviction Filing Rates between Poorer Counties with Low and High Proportion of Black Residents by State**



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