Policy and Legal Considerations for Tenant Protections

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Framing The Housing Instability Problem
Low-Rent Housing Stock

Source: JCHS tabulations of US Census Bureau, American Community Survey 1-Year Estimates.
Number of Cost-Burdened Renters

Renters with Cost Burdens (Millions)

Source: JCHS tabulations of US Census Bureau, American Community Survey 1-Year Estimates.
Renter Cost-Burden Rates

Share of Renter Households with Cost Burdens (Percent)

Source: JCHS tabulations of US Census Bureau, American Community Survey 1-Year Estimates.
COVID-19 will exacerbate a housing market that was already in crisis.
Unemployment rate by race

Note: For civilian Americans, seasonally adjusted. White, black and Asian categories are not exclusive of Hispanic ethnicity.

Source: Labor Department
Total estimated low-income jobs lost

Overall

US 14,335,660

Source: Where Low-Income Jobs Are Being Lost to COVID-19, Urban Institute
Low-Income Renters are More Likely to Work in the Five Industries Most Vulnerable to COVID-19 Shock

Share in vulnerable industries

Source: Urban Institute calculations from the 2018 American Community Survey.
Notes: The sample includes all renters in the labor force. We grouped household income relative to the area median income (AMI) and looked at all individuals within those households. For non-metropolitan statistical areas (MSAs), median household income is calculated using population within the state not living in MSAs.
Expected Employment Income Loss by Race and Ethnicity

Share of adults in households where at least one person expects to lose employment income in the next four weeks

Source: Urban Institute calculations from the Racial Equity Analytics Lab’s COVID-19 racial equity recovery tracker, based on the US Census Bureau’s Household Pulse Survey.

Note: Because of small survey sample sizes, these averages are imprecisely estimated with large margins of error. To illustrate that uncertainty, we’ve shown margin of error for each data point.
Who Can Afford Rent?

Renters by Race and Ethnicity

Share of renters who paid rent in May

- Paid
- Not paid or deferred

- Asian
- Black
- Latino
- White
Homelessness
Moving 2+ times a year
Doubling up
Living in dangerous situations (e.g. living with a violent partner, or in a hazardous home)

Housing Instability
What Has The Response Been?
When State Eviction Protections Expire

Map Source: https://projects.propublica.org/covid-evictions/
Source: Anti-Eviction Mapping Project  https://antievictionmap.com/covid
1. Landlord gives tenant an eviction notice
2. Landlord files an eviction lawsuit with the court
3. Court holds a hearing
4. Court issues a ruling
5. Sheriff physically evicts the tenant

*steps and terms vary by state*
What Happens Now?
Extend moratoriums past the immediate crisis, to give people time to find work after the risk of COVID-19 subsides

Pause all rent increases during the pandemic and recovery periods

Create extended payment plans with no late fees so that people can repay rent after the moratorium on evictions ends

Establish emergency rental assistance programs for tenants (or enhance existing ones), to help defray rent costs

Offer or require mediation to reduce eviction filings;

Identify additional housing options for people who are unhoused — for example, create additional shelters or use existing hotel rooms

Increase access to counsel through “right-to-counsel” laws

Enable expungement to prevent lasting harm

Ensure equitable housing renter protections through source-of-income nondiscrimination laws