

United States Senate

WASHINGTON, DC 20510-0609

May 13, 2022

The Honorable Brian Schatz
Chair
Subcommittee on Transportation,
Housing and Urban Development
Senate Committee on Appropriations
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Subcommittee on Transportation,
Housing and Urban Development
Senate Committee on Appropriations
Washington, DC 20510

Dear Chair Schatz and Ranking Member Collins:

As you develop the Fiscal Year 2023 Transportation, Housing and Urban Development, and Related Agencies appropriations bill, we urge you to expand eviction prevention activities through the Department of Housing and Urban Development (HUD). We respectfully request funding of at least \$100 million for HUD's Eviction Protection Grant Program, to be made available through September 30, 2023.

American households have long faced a severe eviction crisis. Prior to the COVID-19 pandemic, 3.7 million eviction filings took place every year—a rate of seven every minute—with families of color disproportionately at risk of being removed from their homes.¹ This risk of eviction is due in part to the acute shortage of affordable housing,² which forced 1 in 4 renters, or nearly 11 million households, to spend more than half of their income on rent in 2018.³ At the height of the pandemic, timely aid through the federal Emergency Rental Assistance (ERA) program—coupled with federal, state, and local eviction moratoria—successfully helped keep families housed. However, with most moratoria lifted and ERA funds running out, millions of families are once again at risk of being removed from their homes amid rising prices, including rent increases as great as 30% in some markets.

The national eviction crisis undermines family economic security and places enormous financial strain on our nation's health care system, courts, schools, and local governments. Research shows eviction can have devastating long-term consequences for children and adults' physical and mental health, employment and educational outcomes, future housing stability, and more.⁴

¹ Peter Hepburn, Olivia Jin, Joe Fish, Emily Lemmerman, Anne Kat Alexander & Matthew Desmond, "Preliminary Analysis: Eviction Filing Patterns in 2021," The Eviction Lab (March 8, 2022), <https://evictionlab.org/us-eviction-filing-patterns-2021/>.

² Nationwide, for every 100 renter households with very low incomes, there were just 60 affordable and available housing units in 2019. National Low Income Housing Coalition, "The Gap" (March 2021), https://reports.nlihc.org/sites/default/files/gap/Gap-Report_2021.pdf.

³ Joint Center for Housing Studies of Harvard University, "America's Rental Housing 2020," https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2020.pdf

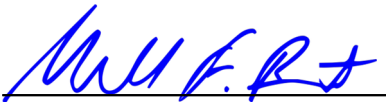
⁴ See, for example, https://www.law.nyu.edu/sites/default/files/upload_documents/evictions_collinson_reed.pdf; <https://www.healthaffairs.org/doi/10.1377/hpb20180313.396577/full/>; <https://www.rwjf.org/en/library/research/2011/05/housing-and-health.html>; and

Legal representation in eviction proceedings has consistently been found to significantly reduce evictions and reduce harm to families. Yet only about 3% of tenants facing eviction receive legal representation, compared to 81% of landlords.⁵ States and cities that have implemented right to counsel measures have seen a decline in eviction filings, and tenants who go to court are more likely to remain in their homes⁶ or obtain relief that helps secure long-term housing stability.⁷

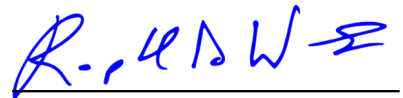
The Fiscal Years 2021 and 2022 omnibus appropriations bills each provided \$20 million to help fund legal assistance and related activities to prevent evictions and promote housing stability for those at risk of eviction. Early grantees have used the funds to hire eviction defense attorneys; fund housing court assistance centers; cover legal expenses; support right to counsel programs; and provide non-legal assistance including helping renters find new housing, apply for rental assistance, or seek mediation. Importantly, these grants add much-needed legal capacity to underserved rural communities. Additional funding for eviction prevention legal assistance will expand the reach of this important program to more communities and help mitigate the eviction crisis.

Thank you for your consideration of this request, and we look forward to working with you throughout the Fiscal Year 2023 appropriations process.

Sincerely,



Michael F. Bennet
United States Senator



Raphael G. Warnock
United States Senator

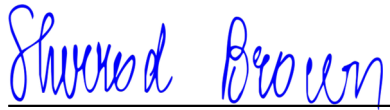
<https://journals.sagepub.com/doi/pdf/10.3102/0013189X12442239>.

⁵ National Coalition for a Civil Right to Counsel,


http://civilrighttocounsel.org/highlighted_work/organizing_around_right_to_counsel.

⁶ Sandra Park, "Tenants' Right to Counsel is Critical to Fight Mass Evictions and Advance Race Equity During the Pandemic and Beyond," ACLU (January 12, 2020), <https://www.aclu.org/news/racial-justice/tenants-right-to-counsel-is-critical-to-fight-mass-evictions-and-advance-race-equity-during-the-pandemic-and-beyond>.

⁷ See, for example, "Cleveland Eviction Right to Counsel Annual Independent Evaluation - January 1 to December 31, 2021" (January 31, 2022), https://freeevictionhelpresults.org/wp-content/uploads/2022/01/Stouts-2021-Independent-Evaluation-of-RTC-C_FINAL_1.31.22.pdf. The evaluation finds 93% of represented tenants avoided either eviction or an involuntary move, 92% secured additional time to move, 94% mitigated damages, and 97% secured monetary relief.



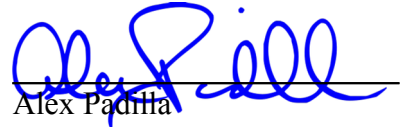
Sherrod Brown
United States Senator



Robert Menendez
United States Senator



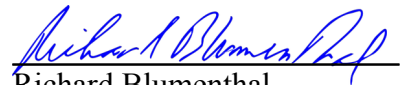
Tammy Baldwin
United States Senator



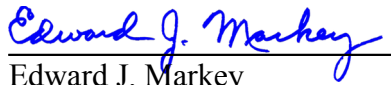
Alex Padilla
United States Senator



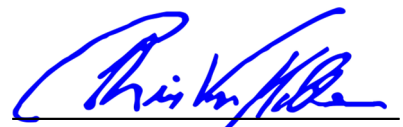
Dianne Feinstein
United States Senator



Richard Blumenthal
United States Senator



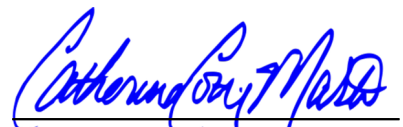
Edward J. Markey
United States Senator



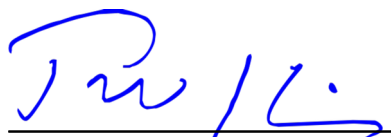
Chris Van Hollen
United States Senator



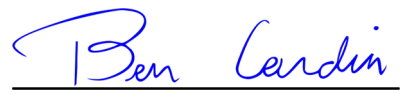
Tina Smith
United States Senator



Catherine Cortez Masto
United States Senator



Tim Kaine
United States Senator



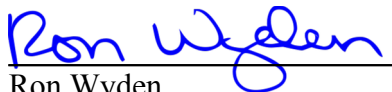
Benjamin L. Cardin
United States Senator



Bernard Sanders
United States Senator



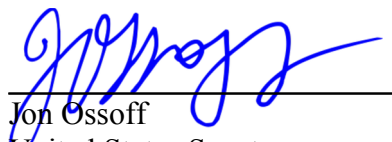
Elizabeth Warren
United States Senator



Ron Wyden
United States Senator



Martin Heinrich
United States Senator



Jon Ossoff
United States Senator