

Statewide Eviction Landscape

Presentation to Senate Interim Committee on Housing and Development

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2023 Key Legislative Actions to Prevent Homelessness

HB 2001 (Sections 54-66) – Eviction Procedural Reform (*effective 3/29/23*)

- 10-Day Notice prior to termination for nonpayment. Notice and court paperwork to include information about where to find assistance in multiple languages;
- Payment, if provided before judgment, will result in dismissal. Payment from rent assistance provider may not be refused;
- Default judgment procedural reforms;
- Eviction court procedure timelines amended, to ensure T has time to seek advice and assistance;
- Expungment of qualifying FED judgments is automated.

HB 5019 and SB 5511 – Statewide Homelessness Prevention Rent Assistance Investments

- **HB 5019** – Early Investment Package, \$33.6 million for OREDAP and EPRR immediate use until January 2024
- **SB 5511** - \$55 million (30% set-aside for culturally-specific prevention programs, 70% for OREDAP and EPRR) for use January 2024 thru July 2025

High Level Data Regarding Court-Filed Eviction Cases

Temporary pandemic protections along with rent assistance programs significantly reduced displacement from nonpayment eviction filings.

Source: Oregon Law Center analysis of Oregon Judicial Department publicly available eviction court data

	2019	Jan- June 2021	July 21 – Feb 22	Mar 22 – June 22	July – Sept 2022	Oct 22 – Mar 23	April – Oct 23
	Pre-Pandemic	Moratorium on Nonpayment Filings	Grace Period for COVID rent; Safe Harbor if Rent Assistance Pending	Grace Period for COVID rent expired; Safe Harbor still in effect	Phase-out of Safe Harbor Protections	Safe Harbor Protections Expired, No Protections in Place	Permanent Eviction Prodecural Reform (HB 2001)
	Monthly Average	Monthly Average	Monthly Average	Monthly Average	Monthly Average	Monthly Average	Monthly Average
Total Filings	1,556	377	848	1,124	1,758	2050	1696
% of Filings for Nonpaymnt	Unsure	Not allowed	56%	64%	77%	87%	82%

**Note that eviction filing numbers are the tip of the iceberg in measuring displacement. [Studies](#) indicate that approximately 2-5x the # of people who face formal eviction filings are displaced through informal evictions.*

January 2023	
No protections in place	Outcomes
% Default	20% (392/1984)
% Dismissal	28% (546/1984)
% Negotiated Moveout	23% (466/1984)

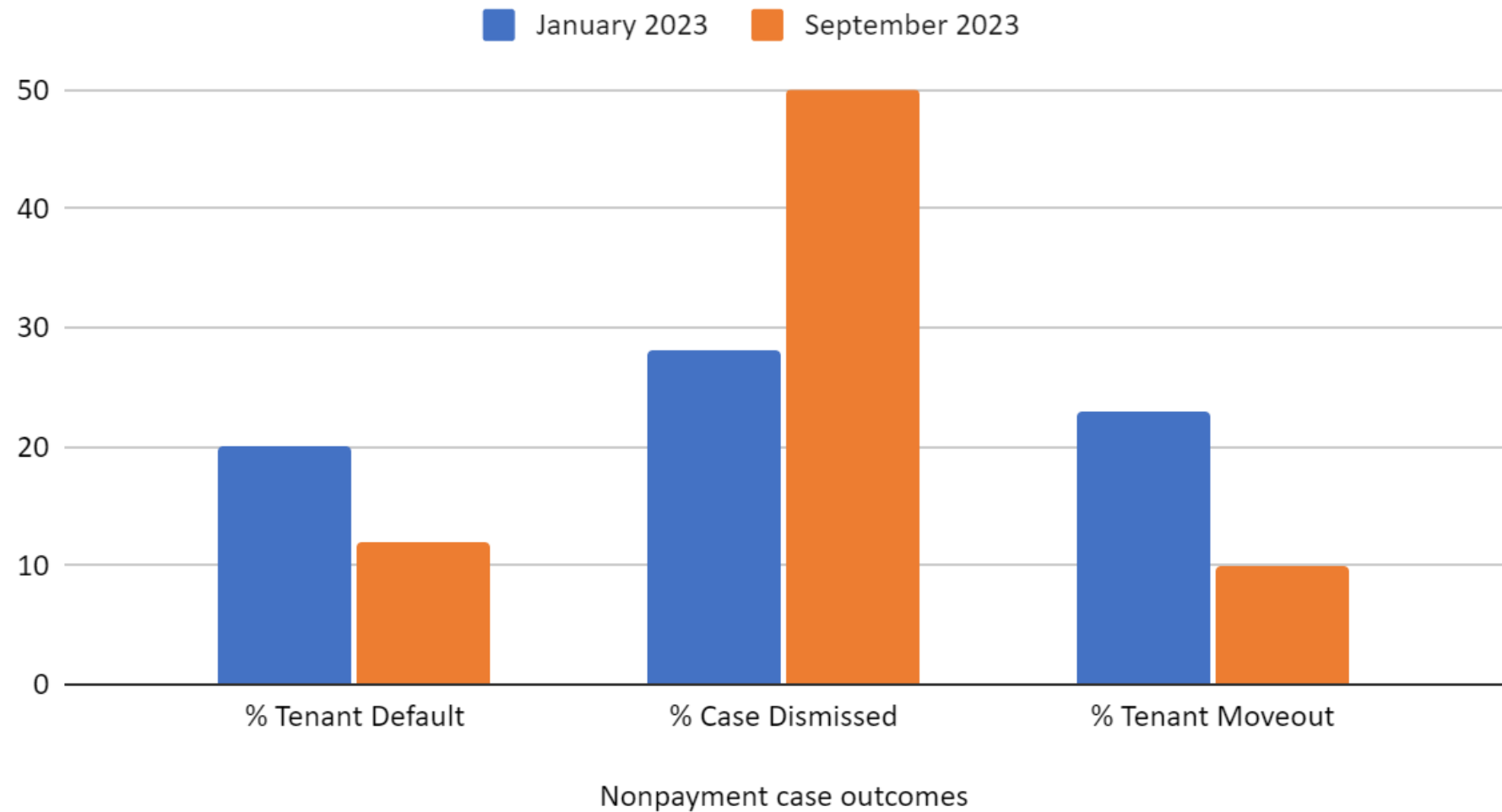
Sept. 2023	
HB 2001 in effect	Outcomes
% Default	12% (188/1596)
% Dismissal	50% (797/1596)
% Negotiated Moveout	10% (166/1596)

SNAPSHOT DATA COMPARISON

Comparison Of Outcomes in Nonpayment Eviction Cases

January 2023 (no protections in place)
Compared to
September 2023 (HB 2001 in effect)

Nonpayment Case Outcomes



Default – T loses housing

Dismissal – T keeps housing

Moveout – T loses housing

Preliminary Data is Good News, but there is also Reason for Caution

GOOD NEWS

- HB 2001, coupled with Rent Assistance Investments, is significantly improving both the *incidence* and the *outcomes* of non-payment eviction cases.
- The procedural protections in place are providing a chance to seek and receive rent assistance and legal assistance in time to avoid displacement.

And CAUTION

- *If rent assistance resources expire while affordability challenges persist, these positive outcomes can be expected to change.*
- *Eviction filing rates are on the rise again – After lower rates in April, May, June and July, filing rates increased, and Aug – Oct rates averaged over 2,000 per month. We will see if this is a trend or if things settle down.*
- *At current levels of need, additional investments will be necessary well before the end of the biennium to prevent spikes in homelessness and displacement.*

Using October as a Snapshot

- 2,070 Eviction filings
- 86% for nonpayment = 1,780 filings for nonpayment
- Average amount of back rent reflected in court paperwork = \$2,504 per case
 - *Note that the stabilization need is more than what is listed in court paperwork;*
 - *These records only reflect the need as captured by court records – many tenants seek assistance before court proceedings are filed.*
- *Even using the superficially low \$2,504 as a base, if filing rates remain over 2,000 per month, the allocations made by the State would only be projected to last until the summer of 2024.*

Evictions,
displacements,
and
homelessness
are systemic.

State policies
can create better
systems.

Rent burdens lead to demonstrably higher rates of eviction. For every \$100 increase in rents in a community, there is a 9% increase in homelessness.



New research confirms prior studies showing that evictions result in increased homelessness and hospital visits, and reduces earnings, consumption, and access to credit.



These same studies show that long-term impacts of eviction are increased indebtedness, poor credit scores, and poor health outcomes.

Black and Brown Oregonians and families with children are at greater risk of home loss and homelessness.

Evictions and affordability challenges continue to pose the greatest risks to Black and Brown renters.



In Oregon, Black women face eviction filings at more than twice the rate of white renters, and the presence of a child in the home is an eviction risk indicator.



Households of color and with children are at greater risk of homelessness after displacement.

**Moving Forward,
We Must
Continue to
Focus on
Prevention of
Displacement
and
Homelessness**

Prevention is cheaper than re-housing efforts, and saves households from immense and generational trauma



Successful prevention turns people off the path to homelessness, allowing service-providers to accomplish reduction.



We must increase housing supply, AND recognize that supply will take years to balance out. In the meantime, we must act to prevent displacement, and support and fund to scale humane and effective emergency response.