REDUCE EVICTIONS & TRANSFORM THE SYSTEM:



LESSONS FROM PHILADELPHIA

This Local Progress Impact Lab case study was written and submitted by former Philadelphia Council Member Helen Gym. It outlines the work done to significantly reduce evictions in Philadelphia.

Introduction

In 2019, during a press conference to introduce my Right to Counsel bill for the city of Philadelphia,¹ a soft spoken working mother named Gerrell Sampson described her fight against an unjust eviction and demanded Philadelphia change a broken process. She had lost a day's pay, covered child care, and arrived for an 8 a.m. hearing only to find herself waiting for hours in a room full of landlord attorneys, with no legal representation herself.

"Sometimes, when you go into a fight that you think you've already lost, you just brace yourself for impact," she said.

Her words cut to the heart: In Philadelphia, our systems – from the courts to city agencies to laws – enabled and perpetuated mass evictions: 22,000 a year on average. A former Municipal Court judge once proudly told me that clearing so many cases demonstrated "massive efficiency." Evictions at this scale don't happen by accident. They happen in an environment where eviction had too often become the first course of action rather than a last resort.

Since then, **Philadelphia has led a strategy to cut in half the number of evictions in our city.**We've developed groundbreaking policies like Right to Counsel, a nationally renowned Eviction Diversion Program, and new investments in housing vouchers, rental assistance, and housing counselors. We've expanded funding for legal organizations and tenant organizing groups. Recently, Pennsylvania's governor announced a proposed budget to fund access to legal representation statewide and to support eviction diversion, pointing to Philadelphia as a model.

¹ <u>Bill 190386</u> provides access to free legal representation to the City of Philadelphia's low-income residents facing eviction in Landlord Tenant Court under certain terms and conditions. Bill introduced May 2019, passage November 2019. Amending Chapter 9-800 of The Philadelphia Code, entitled "Landlord and Tenant," by adding a new Section 9-808, entitled "Legal Representation in Landlord Tenant Court."

PHILADELPHIA TODAY

EVICTION FILINGS

- Eviction filings reduced by 50% pre-COVID
- Mediation results in 70+% avoidance of eviction filing
- Court delays reduced from 90 days to 30

HALLMARK PROGRAMS

- Mandatory prefiling Eviction
 Diversion
- Right to Counsel in
 5 zip codes
- Public resources:
 Lawyer for a day,
 HELP desk in
 courts, tenant
 hotline, web portal,
 housing counselors

BUDGET INVESTMENTS

- \$3.5M/yr for PEPP
- \$15M/year targeted rent assistance
- Shallow rent vouchers
- Guaranteed income pilot for housing costs
- Property repairs loan program for landlords
- Proposed budget for statewide legal access

This **Local Progress Impact Lab case study** shows how Philadelphia turned around a culture of dysfunction and became a national leader on eviction prevention. This is more than a policy manual (although there are policy resources at the end). I'll show how we structured a purposeful collaborative governance model, expanded organizing capacity within communities, and developed narratives to change culture and expand the public will for a housing for all vision.

A Philadelphia Case Study

In 2016, I came to Philadelphia City Council on a mission to build a healthier city amid a massive housing and poverty crisis. Philadelphia ranked as the poorest large city in the nation, with nearly a quarter of residents living below the poverty line. One in 14 renters faced eviction², and the impact fell heavily on already struggling communities – overwhelmingly Black, female, and caregivers. Black tenants were almost three times more likely than white tenants to face an eviction.³

² As of April 2018

³ Evictions in Philadelphia: Race (and Place) Matters report (2018 - 2019)

Landlord lobbies complained of existing regulations and initially resisted change. A chaotic legal process obscured transparency and responsibility. Any landlord could file for an eviction, even those who rented illegally or had code violations. A private entity handling residential lockouts didn't keep proof of notification. More than half of all eviction judgments were by default, with most tenants never attending court hearings.

Focusing on Narrative and Coalition Building

In order to dismantle the prevailing notion of evictions as inevitable, my first priority – before introducing laws or policies – was to launch a public campaign to focus on the impact rather than the process of an eviction. In particular, I centered on public health and the consequences for vulnerable communities and public institutions.

My team **analyzed eviction data and identified potential testifiers** to highlight key data points. We gathered local partners into a **community housing coalition**, expanding beyond the usual housing groups to include doctors, school nurses, and family services organizations.

In Spring 2017, I held our first City Council hearing on the impact of evictions from a health, educational, and economic perspective. Seniors and military veterans spoke about substandard rentals with no utilities. Disabled renters testified about struggling to find adaptive housing with an eviction record; teachers and social workers explained how evictions increased drop-out rates and forced family separations; and working parents spoke of losing hours from their jobs as they scrambled to find emergency shelter. They challenged the fairness of court proceedings when less than 10% of renters had legal representation while more than 90% of landlords did.

We structured our communications strategy around their experiences to show how evictions contributed to a housing and poverty crisis. **As a former organizer, I make storytelling and communications a core part of any campaign strategy.** My team trained advocates on messaging techniques and then scheduled them to speak on radio broadcasts, write opinion pieces, and meet with reporters and editorial boards. We didn't just talk about the impact on Black residents and vulnerable communities; we showcased how Black residents and vulnerable community members demanded solutions to meet their needs.

We also challenged the prevailing narrative that tenants were the sole beneficiary of eviction prevention. If the city was going to put forth significant funding to address evictions, it was vital that communication around the issue accurately **emphasized the collective good to the community that came from reducing evictions** — tenants were able to stay in their homes and landlords were granted financial assistance to maintain their income from rent⁴.

⁴ Financial assistance granted to landlords via <u>Targeted Financial Assistance (TFA)</u>, pending their good faith participation in tenant-landlord mediation.

In June 2017, I secured \$500,000 in the city budget to launch the **Philadelphia Eviction Prevention Project** to pilot strategies for legal representation in landlord-tenant court. The City also formed a multi-agency **Anti-Eviction Task Force** to establish recommendations to end Philadelphia's eviction crisis.

Structuring Collaborative Governance

Our success in Philadelphia relied on a **large network of advocates**, **leaders**, **and agencies** who came together in various formal and structured collaborative governance tables.

The Anti-Eviction Task Force⁵ that met weekly over the next six months proved effective under the leadership of the new head of Health and Human Services, who was herself a longtime housing advocate and who would go on to effectuate genuine systemic change in eviction prevention over the next two mayoral terms. The Task Force included representatives from Witnesses to Hunger, an anti-poverty advocacy group led by Black mothers who spoke about abysmal conditions of illegal and substandard rentals and the importance of stable rent to nutrition and health. Legal aid groups provided strong recommendations for solutions to failures in the process. We also invited individuals with expertise in maternal health, asthma, and domestic violence.

The Task Force helped me **identify people for longer term partnerships** like a highly respected retired judge who became an effective advocate with the Municipal Courts as well as the new executive director of the Philadelphia Human Relations Commission responsible for enforcement of fair housing laws.

The Task Force issued **bold recommendations**,⁶ including that the city should fund local rent vouchers and set up an eviction diversion program. The Municipal Courts instituted a requirement for landlords to be licensed with no outstanding code violations in order to pursue eviction.

NOTABLE RECOMMENDATIONS OF TASK FORCE

JANUARY 2018: SINGLE PORTAL ACCESS TO EVICTION PREVENTION SERVICES CREATED

NOVEMBER 2019: RIGHT TO COUNSEL PASSED

JANUARY 2020: \$500 MONTHLY SHALLOW RENT VOUCHERS PILOTED

SEPTEMBER 2020: MANDATORY PRE-FILING EVICTION DIVERSION PASSED, REQUIRING LANDLORDS AND TENANTS TO GO THROUGH MEDIATION BEFORE EVICTION CAN BE FILED

⁵ Established September 2017, the Eviction Task Force was charged with 1) understanding the Philadelphia eviction landscape, 2) developing a comprehensive plan to prevent evictions / reduce the damaging impact of evictions, and 3) identifying funding to support the recommendations of the task force. Members with experience in housing, landlord-tenant matters, legal services and related fields were appointed.

⁶ Eviction Prevention and Response Taskforce Final Report

After the Task Force ended, we continued to structure collaborative governance tables with diverse members who could push institutions to change. We formed a **monthly Housing Security work group** to troubleshoot problems and set new priorities for our work. We commissioned expert studies⁷ with new data to orient conversations around solutions such as a civil Right to Counsel, which we won in 2018, and expanded budgets to support legal representation.

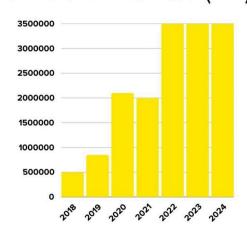
Governments are notoriously inflexible and unresponsive, but structured and disciplined engagement is what defines collaborative governance.

Effective problem solving requires people who experience the system differently to come together to address needs as they arise, and to make progress effectively.

Investing in Capacity Building and Organizing

Broadening organizing capacity was a major purpose of my coming into elected office. With every budget cycle, I pushed to expand the resources going to organizing groups and partner agencies. These groups could then scale up their programs, staffing, and reach. For example, when we needed housing counselors to assist with mediations, we helped fund the neighborhood organizations that hired them. When we invest in organizing capacity, we invest in our ability to secure more victories.

PHILADELPHIA EVICTION PREVENTION PROJECT (PEPP) BUDGET



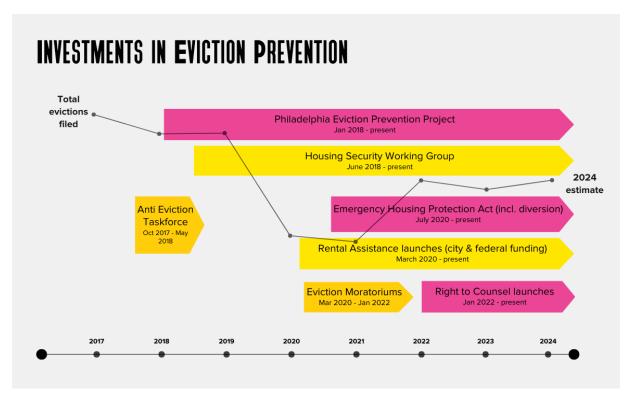
Building solidarity among

organizations and stakeholders who represent a range of issue areas was a key part of this strategy. For example, I partnered with some of the housing groups on campaigns to win funding for school modernization in air conditioning and clean water with the message that schools were a second home for youth. I included housing partners in my efforts to win new labor laws and in trainings on the city budget process to improve everyone's advocacy skills.

We also invested in **technological capacity** to broaden our reach and improve efficiency. Our first funding effort in 2017 created a tenant hotline and a website to request a lawyer in court hearings. In January 2020, the City tested a system to distribute shallow rent vouchers, which provided monthly rent assistance up to \$500 a month for rent-burdened occupants of public

⁷ Cost-Benefit Analysis for Philadelphia Right to Counsel | Stout: This STOUT report showed that Philadelphia would avoid over \$45M in costs with a \$3.5M annual investment in right to counsel.

housing.⁸ When COVID hit, the same office piloted the first local rent assistance effort. When the state announced a \$150 million rent relief package, Philadelphia was one of the few cities with the experience to distribute funds to people in need.



COVID and Transforming in Crisis

In 2018-2019, the city saw only modest declines in eviction filings, but we had **laid a foundation** to take action when the COVID crisis hit in March 2020. The city council moved swiftly to adopt my proposal for a first-in-the-nation mandatory eviction diversion program, which required landlords to seek mediation with the city before they could file for eviction. To handle rent assistance, the city invested in a modern web portal to take applications and sync information across other city departments. This investment is how **Philadelphia became a national leader in rent distribution** when the Biden Administration later announced a \$46 billion rent relief package.

Yet, I still encountered **fierce opposition**. The Mayor proposed slashing the Philadelphia Eviction Prevention Project budget in half (he later funded it). A landlord lobby sued the City (they lost) and an already contentious relationship with the presiding municipal court judge deepened as he allowed eviction cases to be filed despite local and state moratoriums.

Nonetheless, Philadelphia's eviction diversion program proved a success. Here's how we grew:

⁸ Shallow Rent Vouchers were <u>set to launch in March 2020</u>, but efforts pivoted when the pandemic hit. Vouchers <u>later</u> <u>reopened in 2023</u> with funds available for 300 new applicants for 30 months.

- We had **agency leaders** with backgrounds in not just housing policy but also housing advocacy. They were less threatened by outside advocates and sought compromises and solutions that met needs.
- We invested in **real time feedback from renters**, **advocates and landlords** (via the collaborative governance tables). Rather than focus on individual programs, we leveraged a combination of strategies diversion, rent assistance, and legal representation, and organizing to respond to shifting circumstances and limited funds.
- The program evolved. I had to pass four different versions of the diversion law within two years to respond to needs and to help the city manage an influx of cases.
- 4Advocates pushed for and won **new leadership in the Municipal Courts.** Under a new presiding judge, the Court became one of our strongest partners in guaranteeing the success of our eviction prevention programs.
- (5) We maintained a **strong media and communications presence** that documented progress and highlighted accolades from the White House and prominent individuals like Professor Matthew Desmond and Eviction Lab.

Amid crisis and uncertainty, we never stopped touting our successes and pushing for more resources. In June 2021, the city council passed a historic budget to fund neighborhood preservation, which included long-term funding for eviction prevention. We took bold steps to win additional resources, build our leadership, and chart a path forward.

Lessons for Other Municipalities

While this case study focuses on eviction prevention, the principles presented here come out of years of organizing experience to change culture and practice and to end dehumanizing conditions that prevent communities from thriving. **As an elected official, you bring resources that communities are often denied and a public voice that commands attention.**

1. Changing the narrative means driving a public messaging campaign for dignity and fairness in housing.

I embedded communications and strategic messaging throughout our campaign. Our messages focused on:

• *Intersectionality*: People are more than "renters" and "landlords" in dispute. To dispel negative stereotypes for communities most impacted by evictions, we focused on

messages that centered women as working parents and caretakers; children who need stability in their schooling and housing; and vulnerable community members whose health and well-being we could not afford to jeopardize. Our messages put housing as the key component to public health, to the education of children and families, and to public safety – making eviction prevention a matter of urgent public concern.

- **Fairness**: We described the consequences when tenants weren't afforded legal representation or weren't guaranteed notification of a pending eviction. We also drove home the importance of negotiating fair resolutions that allowed people to stay in their homes and the benefits of diverting away from traditionally imbalanced court systems.
- **Focused solutions**: A messaging strategy creates clear short-term wins in a complicated issue like housing. I started with a relatively modest \$500,000 allocation to support legal representation and made the case that the city had to preserve housing options whenever possible.
- **Affirmation**: Document and share your work via respected and aligned partners. Support from local policy organizations as well as accolades from national level entities like the White House, Pew Research Center, and Princeton professor Matthew Desmond with the Eviction Lab helped convey legitimacy and insulated us from attacks.

Your role as a local elected official is to bring a professional level effort to lead a new message for housing stability, find and develop new voices, provide venues for testimony, and build a positive relationship with the media and media creators.

2. Build effective coalitions through structured collaborative governance tables to change institutional practice.

Our success relied on a large network of advocates, leaders, and agencies who came together to pass policies, build and nurture programs, and develop relationships with different officials to create a balanced working group.

- Bring in new voices: You play a crucial role in diversifying collaborative governance tables and ensuring new voices are heard alongside the usual cohort of government and advocacy representatives. Focus on people who see the intersectionality of issues health, housing, education, domestic violence, and more and build solidarity among organizations and stakeholders who represent a range of issue areas.
- Create multiple structures for collaborative governance: Our most effective tables had staff who followed through on tasks and committee chairs who played a critical role in troubleshooting problems. I also brought on committee members that were skilled in bridging opposing viewpoints, especially renter advocates or city officials who could build relationships with landlords and the courts. We used a variety of formats to mix tables or split them off, depending on what was most productive for a particular issue or moment.

- Adjust to changing circumstances: At multiple stages, we made collective decisions
 about how to triage limited resources in order to preserve programs and to stay on track
 for long-term growth. I rewrote our eviction diversion laws four times. We modified the
 timing of program rollouts and shifted eligibility thresholds to become more effective.
- Focus on conditions for success: When evaluating progress, I try to identify the conditions that enable groups to improve. In some cases, fresh voices, new resources, or local funding change the dynamics. In other cases, it took media pressure or an outside evaluator to encourage change. When things stagnate, consider what is needed for people (or a program) to become successful.

Your role as an elected official is to bring new people in and assure a balanced, diverse group of actors who reflect community needs; to provide multiple formats for members to engage productively; and to anticipate problems by staying flexible and focused on conditions for success.

3. Build capacity in under-resourced areas as you grow.

Our anti-eviction strategy focused on a steady growth of resources to build capacity in order to expand our reach and institutionalize progress.

- Improve technological capacity: When people's lives are on the line, we must fix inefficiencies and delays that cause people to lose trust in government. The centralized renters' rights website and tenant hotline we funded were critical assets in connecting with constituents. Philadelphia piloted small efforts at rent assistance to test what we needed if more funds became available. When COVID hit, the web portal we built allowed us to distribute \$250M in rent assistance faster than any other city in the state.
- Invest in human resources: We need more people to work in the housing field. Our eviction diversion program relied heavily on housing counselors to perform mediations but we struggled to fill counselor positions once the courts re-opened and mediation requests grew exponentially. I would have invested in education, training and outreach programs to grow our pool of housing counselors.
- Increase local funding: Money matters. We utilized increased city revenue from property assessment growth to find significant new funding after the federal money ran out. We also added an online resource portal for landlords and expanded a property repairs fund.

You play a critical role in allocating funding, supporting capacity building efforts within departments and agencies, and finding new funders and other organizations who can support or partner with you on capacity building.

4. Do more than progress. Institutionalize permanent change and transform culture.

No matter your level of progress, plan periodic big leaps to transform culture and practice. Use opportunities and moments wherever you can to advance anti-eviction work in order to institutionalize permanent change.

A literal and massive threat to public health and safety (COVID) drove home the importance of an alternative to an eviction and allowed us to make a mandatory diversion program reality. Because my housing work had originated around the intersection of housing and public health, I constantly messaged that eviction prevention was an urgent public health crisis in daily life in order to increase funding and budgets. We also stressed how a change in leadership at the Municipal Courts enabled us to have a new level of collaboration and success.

Your role as a local elected official is to know when to take action, to continue to expand resources and funding, and to keep inspiring your partners to stay with the hard work of governance.

Conclusion

One of the most powerful things we can do as elected officials is to dare to make a difference – to make seismic changes in culture and practice that improves people's lives and makes government more responsive to human needs. When I came into office, I was no housing expert but I came with a vision and a mission to transform our city for the people of Philadelphia. At every stage, I challenged myself to find what we needed to succeed, and if we didn't have it, then we would build it ourselves – through coalitions, media presence, and new relationships.

Our success is due to a hard charging group of people who did everything we could in the time we had to end poverty-based evictions and prove that government working purposefully and hand in hand with communities could shift the imbalance in our courts, in our funding, and in our city's mission to keep people housed.

Go BIG. Be fearless in the face of injustice, take bold leaps that transform culture and practice, and invest in our capacity and vision for a housing for all mission.

Appendix

Policies to Reduce the Impact of Evictions

This is not an exhaustive list of policies that can address evictions, rather it is a starting point. Please reach out to helpdesk@localprogress.org for more in-depth ideas around eviction prevention policies.

- 1. **Right to Counsel** the right for a tenant to have access to legal representation during their eviction hearing.
 - → National Coalition for a Civil Right to Counsel
- 2. Just Cause / Good Cause limits the grounds upon which a landlord may evict a tenant, requiring them to identify a cause when filing against a tenant for eviction (i.e., nonpayment of rent, intentional damage to the unit, noncompliance with lease, etc). Without this policy, landlords are legally allowed to evict a tenant without identifying a reason, commonly known as a no-fault eviction.
 - → Good Cause Eviction: Resources and Information
- 3. **Right to Cure** the right for a tenant to be granted a period to "cure" a lease violation, often referring to nonpayment of rent as the lease violation. This usually looks like a tenant being given a certain number of days to pay back-owed rent before a landlord can file for eviction.
- 4. **Pre-filing Eviction Diversion Program** a comprehensive program that provides resources (i.e., tenant-landlord mediation, rental assistance, etc) for landlords and tenants to resolve issues before an eviction is filed.
 - → Philadelphia Eviction Diversion program
- 5. **Eviction Moratorium** cities have enacted moratoriums on evictions for different circumstances including a mandatory pause on evictions during the school year for households with children attending school and a mandatory pause on evictions when the temperature drops below 15°F.
 - → Seattle School Year eviction protections
 - → Cook County Below-15-Degrees winter eviction protection
- 6. **Eviction record sealing / expunging** when an eviction is filed against a tenant, it creates a permanent legal record that is publicly available *regardless of the final outcome of the case*. Cities have put forth eviction sealing bills that make the filing unavailable on a tenant's record to the public, although it can be reopened. Expungement is eliminating the eviction filing entirely from a tenant's record, without ability to reopen or retrieve the information.
 - → Fact sheet: Limiting Public Access to Eviction Records
 - → DC Eviction Record Sealing Authority Amendment Act of 2021
- 7. **Fair Notice Ordinance** require landlords to provide written notice to tenants prior to filing an eviction for unpaid rent.
 - → Minneapolis Fair Notice legislation

Resource Guide

Philadelphia Resources

Policies and Programs

- Philadelphia Eviction Prevention Project (PEPP)
 - Resource page: Philly Tenant outlines list of PEPP services to communities
- Ordinance: Mandatory Pre-filing Eviction Diversion
 - Original <u>Eviction Diversion bill</u> (passed June 2020)
 - Updated Eviction Diversion bill (passed Oct 2022)
 - <u>Evaluation report of Eviction Diversion</u> (published December 2023 by The Reinvestment Fund)
- Ordinance: Right to Counsel bill (passed November 2019)
 - o STOUT Cost-Benefit Analysis for Right to Counsel
 - Evaluation of Philadelphia's Right to Counsel rollout (published November 2023 by The Reinvestment Fund): Within a year, 40% of tenants facing eviction in the covered zip codes had legal representation.

Funding

- <u>Neighborhood Prevention Initiative</u> \$400M multiyear bond to fund affordable housing investments including \$15M for shallow rent subsidies and \$11.4M for eviction prevention. (passed June 2021)
 - o Ordinance: City of Philadelphia File #: 210681

Progress Reports

- City of Philadelphia <u>Taskforce on Eviction Prevention and Response Report</u> (published June 2018)
 - o Four focus areas of recommendations:
 - Outreach and education
 - Resources and supports
 - Housing standards and enforcement
 - Legal processes and policies.
- Housing Security Working Group: A diverse government-civic collaborative created in the aftermath of the Taskforce to oversee evaluation and progress of eviction prevention work
 - <u>Taskforce Progress Report</u> (published September 2019)

COVID-specific

- Philadelphia City Council Emergency Housing Protections Act (passed May 2020)
 - Mandatory Pre-Filing Eviction Diversion: Establishes a temporary mandatory
 pre-filing eviction diversion program requiring both landlords and renters who
 have experienced COVID-related financial hardships to participate in mediation to

- resolve issues before they lead to formal eviction proceedings.
- <u>Late Fee Waiver</u>: Temporarily waives all late fees on rent during the pandemic for those experiencing COVID-related financial hardship.
- Rental Payment Plan: Allows renters with COVID-related financial hardship to pay rent through a nine-month repayment plan.
- <u>Legal Recourse</u>: Allows renters who are illegally locked out to file with the Philadelphia Fair Housing Commission to recover damages.
- Resolution for Comprehensive Rent Relief: Calls on the PA legislature and the US
 Congress to provide a comprehensive relief package to stabilize local rental
 housing markets and provide large scale rent subsidies.
- Philadelphia Municipal Court Order for Mandatory Eviction Diversion (passed April 2021)
 - Any landlord filing an eviction based on non-payment of rent must first complete an application to the Philadelphia rental assistance program and then wait 45 days to file. Additionally, landlords must be automatically enrolled in the Eviction Diversion Program after applying for rental assistance and a landlord's lack of participation was made "a dispositive affirmative defense" for tenants.

<u>Local Progress Impact Lab Resources</u>

- Policy Bulletin: <u>Emerging Strategies on Eviction Protection</u> (2022)
- Policy Brief: Ending Drug-Related Evictions in Public Housing (2019)

National Resources

- **Eviction Lab:** The Eviction Lab at Princeton University creates data, interactive tools, and research to help neighbors and policymakers understand the eviction crisis.
 - <u>Eviction Lab Research</u> general landing page (check back here for updates)
 - Eviction Rankings show the top evicting large cities in the US
- **Eviction Research Network**: The Eviction Research Network collects, analyzes and maps evictions, specializing in the analysis of racial and gender disparities in eviction
 - The Eviction Research Network
- National Renter Bill of Rights: Released in January 2023 by the Biden Administration, <u>this Bill blueprint</u> compiles data and research to support recommendations and best practices, including mandatory pre-filing diversion.
- **STOUT:** Stout is a private consulting firm which runs impact studies on right to counsel and other solutions to combat the eviction crisis that cities large and small are facing.
 - <u>Eviction Right to Counsel Resources</u> includes Right to Counsel cost-benefit studies in cities such as Baltimore, Detroit, Los Angeles, Philadelphia, and Milwaukee, as well as statewide studies.
- Urban Displacement Project: Out of UC Berkeley, the Urban Displacement Project
 created the Housing Precarity Risk Model (HPRM), which estimates where households are
 at the highest risk of evictions, displacement and long-term poverty
 - o Housing Precarity Risk Model research page