Stout’s Independent Evaluation of Cleveland’s Eviction Right to Counsel

Key Findings

January 31, 2022
Key Findings - Topics

• Prevented eviction judgments and achieved client housing goals
• Identifying and responding to housing conditions
• RTC-C responds to an eviction crisis that disproportionately impacts Black and female households
• Leveraging rental assistance
• Preliminary assessment of fiscal impacts
• Significant increase in eligible tenants who accessed a lawyer
• Themes from landlord counsel engagement activities
Key Findings

Prevented eviction judgments and achieved client housing goals

• Discussing client goals during the interview process
  • Client goals can change during the case

• Cleveland Legal Aid tracks 25 distinct client goals

• Key client goals achieved:

<table>
<thead>
<tr>
<th>Outcome Achieved</th>
<th>Frequency Outcome Achieved</th>
<th># of RTC-C Clients with Goal</th>
<th>% of RTC-C Clients with Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevented eviction judgment or involuntary move</td>
<td>93%</td>
<td>650</td>
<td>94%</td>
</tr>
<tr>
<td>Secured rental assistance</td>
<td>83%</td>
<td>342</td>
<td>50%</td>
</tr>
<tr>
<td>Secured time to move (30 days or more)</td>
<td>92%</td>
<td>299</td>
<td>43%</td>
</tr>
<tr>
<td>Mitigated damages</td>
<td>94%</td>
<td>288</td>
<td>42%</td>
</tr>
<tr>
<td>Secured monetary relief</td>
<td>97%</td>
<td>94</td>
<td>14%</td>
</tr>
</tbody>
</table>

• Cleveland Legal Aid achieved 92% - 99% for nearly all client goal categories in 2021
Key Findings

**Prevented eviction judgments and achieved client housing goals**

- Nearly 1,300 children were served through RTC-C in 2021
- Children per client household ranged from 1 to 7, and the average number of children per client household was 2
- Approximately 64% of RTC-C client households had more than 1 child
Key Findings

**Identifying and responding to housing conditions**

- Of RTC-C clients who answered interview questions related to sub-standard housing conditions:
  
  - 79% indicated that their home had at least 1 sub-standard housing condition, and 94% indicated they informed their landlord about the sub-standard housing condition(s)

<table>
<thead>
<tr>
<th>Are there any defective conditions at the rental unit (or property)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>79%</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Have you informed your landlord about the conditions issues?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
<tr>
<td>94%</td>
</tr>
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</table>
**Key Findings**

**Identifying and responding to housing conditions**

- More than half of sub-standard housing conditions identified by RTC-C clients were:
  - Plumbing issues – 15%
  - Wall/ceiling/floor damage – 15%
  - Water damage/water leaks – 13%
  - Infestation or pests – 12%

- 2022 – working with Cleveland Legal Aid to understand better when clients stay in their homes, how frequently sub-standard housing conditions are remediated through representation

- 92% of clients who had a goal of securing more time to move were successful in achieving that goal
RTC-C responds to an eviction crisis that disproportionately impacts Black and female households

- Cleveland eviction filings are concentrated in non-white majority census tracts
**RTC-C responds to an eviction crisis that disproportionately impacts Black and female households**

- 42% of all 2021 Cleveland eviction filings were in majority Black or African American census tracts compared to 19% in majority white census tracts.
- RTC-C clients are disproportionately Black and female compared to Cleveland’s overall demographics and the racial demographics of renters in the Cleveland-Elyria metropolitan area.

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**RTC-C Client and Comparative Demographics - Race**

- **RTC-C Clients**: 80% Black, 20% Other
- **All Cleveland Residents**: 60% Black, 40% White
- **Renter Households in Cleveland-Elyria Metro**: 60% Black, 40% White
- **Renter Households in Cleveland-Elyria Metro - <100% FPL**: 60% Black, 40% White

*All Cleveland Residents includes renters and homeowners. Renter household data is currently only available at the metro level (Cleveland-Elyria Metro), which includes 5 counties across northeast Ohio.*
RTC-C responds to an eviction crisis that disproportionately impacts Black and female households

• More Black or multi-racial RTC-C clients living in market rate housing experience sub-standard housing conditions (82%) compared to white RTC-C clients living in market rate housing (73%)

• More female RTC-C clients (56%) indicated they have a previous eviction filed against them compared to male RTC-C clients (44%)

• More female RTC-C clients (44%) indicated they had previous issues with management compared to male RTC-C clients (22%)

![Graph showing RTC-C Clients Who Indicated They Had a Previous Eviction Filing - by Gender](image)

![Graph showing RTC-C Clients Who Indicated They Had Previous Issues with Management - by Gender](image)
**Key Findings**

_**Leveraging rental assistance**_

- More than $28 million available for distribution, and $17 million distributed in 2021

- CHN Housing Partners received and reviewed approximately 20,000 applications for rental assistance from Cleveland residents

- Like RTC-C clients, rental assistance applicants were disproportionately Black, female, and had incomes of 100% or less of the FPL
  - 73% of applicants with household incomes of 100% or less of the FPL also had at least 1 child

- The number of rental assistance applicants that would likely also quality for RTC-C compared to the actual number of RTC-C clients suggests that rental assistance has likely assisted in avoiding a significant number of eviction filings
Key Findings

*Leveraging rental assistance*

- 79% of RTC-C clients indicated they were aware rental assistance was available
- Of the 21% who were not aware, approximately 98% had the goal of securing rental assistance (in addition to other goals), and Cleveland Legal Aid achieved this goal for 81% of them
- Of the 52% of RTC-C clients who had not already applied for rental assistance, approximately 97% had the goal of securing rental assistance (in addition to other goals), and Cleveland Legal Aid achieved this goal for 77% of them
Key Findings

**Preliminary assessment of fiscal impacts**

- Stout’s estimates are preliminary and likely understated
- Preliminary fiscal impacts Stout was able to quantify based on currently available data:
  - Cost savings related to housing social safety net responses - $1.1 million to $1.2 million
  - Sustained education funding for children in Cleveland Metropolitan School District - $1.1 million to $1.2 million
  - Economic value preserved by retaining residency in Cleveland - $1.4 million to $1.6 million
  - Cost savings related to Medicaid spending on health care - $108,000 to $116,000
  - Cost savings related to out-of-home foster care placements - $580,000 to $620,000
- Total estimated preliminary fiscal impact - $4.3 million to $4.7 million
Preliminary assessment of fiscal impacts

• Costs that are not currently quantifiable based on available data:
  • The education costs, juvenile justice costs, and child welfare costs associated with children experiencing homelessness
  • The effects of stabilized employment and income and the economic and tax benefits to the state associated with consumer spending
  • The negative impact of eviction on tenants’ credit score, ability to re-rent, and the potential loss of a subsidized housing voucher
  • The cost of providing public benefits when jobs are lost due to eviction or the eviction process
  • The cost of mental health care
  • Certain additional costs associated with homelessness, such as additional law enforcement and incarceration costs
  • The cost of family, community, and neighborhood instability
  • Preservation of financial and personal assets
  • A reduction, over time, of the number of eviction cases filed resulting in improved use of Cleveland Municipal Court resources.
Key Findings

**Significant increase in eligible tenants who accessed a lawyer**

- The estimated representation rate for households expected to be *eligible* for RTC-C was approximately 60% from January 1, 2021 to December 31, 2021.

- In 2021, on average, approximately 18% of all tenants facing eviction in Cleveland were represented in housing court compared to between 1% and 2% before RTC-C was enacted.

- Cleveland Legal Aid represented approximately 90% of all tenants who were represented in 2021 filings. Not all of these tenants were eligible for RTC-C, however, 9 out of 10 represented tenants had a Cleveland Legal Aid attorney assisting them with their eviction case.

- 38% of RTC-C clients screened at court were aware of RTC-C before their hearing.
  
  - UWGC and Cleveland Legal Aid undertaking hyper-local outreach and communications plans in 2022 to increase awareness.
Key Findings

**Significant increase in eligible tenants who accessed a lawyer**

Cleveland Eviction Data
Eviction Filings with Representation By Month

The number and percent of cases where the defendant is represented for November and December 2021 is significantly understated.

The docket data does not always reflect the assignment of counsel when eviction cases are filed.
Key Findings

*Themes from Stout’s landlord counsel engagement*

- Stout’s landlord engagement
  - Supportive of intent of RTC-C and believe tenants should be represented
  - Underscored importance of eviction diversion and effective mediation
  - Communicated the importance of sustained rental assistance to maximize impact of RTC-C and minimize potential hard to small landlords
  - Indicated importance of training, process improvements, and leveraging social workers
Key Findings

**Recommendations for 2022**

1. Iteratively refining data collection, reviewing and rephrasing interview questions, developing mechanisms to ensure completion of interviews and prompt case closure

2. Launch client follow-up surveys via text message to develop deeper insights into medium- and long-term impacts of RTC-C

3. Develop complementary communication and outreach strategy centered on local trusted messengers and a methodology for evaluating its impact

4. Collaborate with UWGC, Cleveland Legal Aid, and community stakeholders to collect information during door-to-door canvassing, particularly for residents who do not plan to seek legal representation

5. Support the development of a Tenant Advisory Council and a Landlord Advisory Council
Key Findings

Recommendations for 2022

6. Understand efforts landlords are undertaking to work with tenants prior to filing eviction

7. Understand intersection of pre- or post-filing eviction diversion programs and RTC-C

8. Refine data collection and qualitative feedback to assess impact of RTC-C and intersections with other Cleveland initiatives (Lead Hazard Control Program, Say Yes Cleveland) and identify opportunities to use new data to unlock further insights related to:

   • Nexus between rental assistance and the prevention or effective resolution of eviction cases

   • Analyze differences in outcomes for RTC-C clients compared to unrepresented Cleveland tenants