

SHARKS IN THE WATER

RENTERS ON THE
LIMITS OF
EMERGENCY
RENTAL
ASSISTANCE



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This report is also available in Spanish—**Este informe también se encuentra disponible en español.**

Translation into Spanish by Luis López.

See photo captions on p. 24.



Popular Democracy in Action and its affiliates know that everyday people have the power to change the world. We upend politics as usual to forge a representative, multiracial government and society where we all thrive, no exceptions. www.populardemocracyinaction.org



Renters Rising is a national alliance of renters working to shift the balance of power between renters and corporate landlords to guarantee that renters are able to live with dignity. www.renters-rising.org

“So much power and violence works through exhaustion: the exhaustion of people’s capacities to resist; the exhaustion of people’s capacities to live their lives on their own terms; the exhaustion of having to navigate systems that are designed to make it harder to get what you need.”

—Sara Ahmed, feminist scholar¹

INTRODUCTION

As of summer 2022, the National Equity Atlas reported that rent debt was at “crisis levels.” Renter households collectively owe almost, at minimum, a massive **\$15 billion** in back due rent. These households are overwhelmingly occupied by low-income renters of color.² The U.S. Treasury launched the Emergency Rental Program (ERA) in January 2021 to address the crisis the COVID-19 pandemic fueled for renters. Research on best practices and implementation of the program overall has more thoroughly surveyed and interviewed landlords,³ program staff,⁴ and legal aid attorneys.⁵ Such perspectives have been invaluable in streamlining the ERA process while providing meaningful staff perspectives on the challenges of distributing funds as fast as possible to those most in need. However, the voices and critical perspectives of renters have not sufficiently informed the implementation of this program to date. This report describes renters’ experiences to highlight outstanding problems with the ERA implementation process. In particular, we share how corporate landlords have abused the system for profit. Though rent relief was supposed to combat housing insecurity, many landlords took the money and still evicted renters or lied about receiving the ERA money to collect payouts from both ERA and renters.

Our findings include:

- **Lack of accountability for landlords who abuse the ERA system**
- **Long delays in distributing relief**
- **Lack of responsiveness or transparency on application status and denials**
- **Barriers for undocumented tenants to access rent relief**



The ERA is a means-tested program that requires eligible individuals to apply for assistance, has insufficient staffing to administer relief at the scale of need quickly, and has few enforcement mechanisms to uphold landlord compliance with tenant protections. Millions of renters, especially the most marginalized and unable to access aid, are falling through the cracks. As a result, we advocate for universal protections that can reach those in need more efficiently and with less hassle, alongside government investment in genuinely addressing the roots of our housing crisis: corporate control and a lack of permanently affordable housing protected from the private market.

Through renters' stories, we highlight both short-term rent relief implementation recommendations as well as the root systemic change we need on a national scale:

- Universal tenant protections
- Accountability for corporate landlords, while curbing speculation
- Deep investment in affordable, democratically-controlled social and public housing



“Rent relief was a compromise—better than nothing. We knew from the start that it wasn’t going to be enough.”

—Bree Newsome Bass, North Carolina Housing Organizer and Lead Organizer of the NC Statewide Housing Justice Network

“Management companies and landlords are like sharks that tasted blood in the water, and they are feasting.”

—Oscar, Harris County renter and member of Texas Organizing Project

THE ONGOING CRISIS FOR RENTERS

While luxury housing development booms,⁶ low-income renters, who already face a lack of legal protections and political power, suffer a housing affordability crisis exacerbated by the financial crisis of unemployment, sickness, lack of childcare, and more.⁷ Even prior to the pandemic:

- Over **20 million households** were cost-burdened on rent, meaning their rent and utilities surpassed 30% of their household’s monthly income.⁸
- More than **80%** of these renters earned less than \$30,000 annually, which often meant they only had \$360 a month to pay for other needs after rent.⁹
- Due to the corporate control of the housing market, low-income renters of color faced ongoing challenges, such as extreme rent hikes that threatened to push them out of their homes.¹⁰
- The crisis was worse for Black renters during the pandemic because they already faced high rent burdens before 2020. Even in 2019, one in four Black households paid more than half their income for housing compared to one in ten white households.¹¹
- By 2022, research showed that disproportionately large shares of Black renters are in the lowest income groups, with 25% of Black renter households earning less than \$15,000 annually and 21% between \$15,000 and \$30,000.¹²



Research has shown that the housing affordability crisis for renters has worsened during the pandemic.

- In California, rents increased significantly, particularly for low-income and rural households, during the first 18 months of the pandemic.¹³ Across the country, landlords have imposed enormous rent increases of **40% or more**.¹⁴ Such rent hikes exacerbate the amount of rental arrears tenants have.
- Many renters depleted their savings and had to turn to family and friends or take on credit card debt and risky payday loans to make rent.¹⁵ One survey of 1,000 renter households in Los Angeles found that among those who only paid rent in part, over **40%** resorted to risky payday or emergency loans during the pandemic.¹⁶
- Worsening costs and displacement hit Black renters hardest.¹⁷ In Houston, an analysis of eviction filings from 2020–2021 showed that **21.7%** of citywide eviction filings occurred in majority-Black populated Census tracts, compared to **13%** of eviction filings in majority-white tracts.¹⁸ In other states, huge corporate landlords like Pretium file evictions at a higher rate in majority Black counties compared to majority white counties;¹⁹ Pretium filed to evict **over 12%** of its renters in DeKalb County, Georgia, which is majority Black.²⁰

Many housing advocates, including the Center for Popular Democracy, called for corporate landlords to cancel rent and utility payments during the pandemic, knowing that the eviction moratorium would only temporarily delay renters having to pay a growing financial burden of rent and utility debt, or rental arrears.²¹ We advocated for universal rent and mortgage cancellation as the best way to effectively deliver swift relief to the highest percentage of renters in need while making any direct bailouts to landlords contingent on their adoption of strong tenant protections. The Action Center on Race and the Economy (ACRE) pointed out in May 2020 that corporations were sitting on billions of dollars, while so many low-income households were likely not going to be able to afford housing costs for the foreseeable future.²²



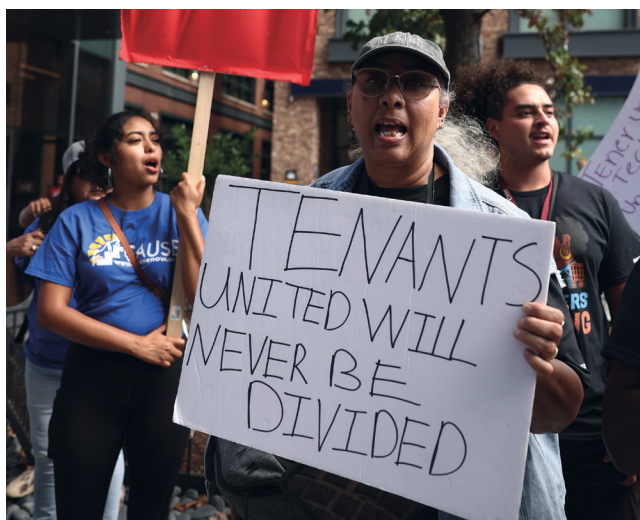
BACKGROUND OF EMERGENCY RENTAL ASSISTANCE (ERA)

To mitigate the financial fallout for landlords and renters during the COVID-19 pandemic, Congress appropriated an unprecedented total of \$46.55 billion in Emergency Rental Assistance to be administered by the U.S. Department of Treasury.

This sum came in two rent relief funding packages:

- **\$25 billion** through the December 2020 COVID-19 Relief Package (ERA1) of the Consolidated Appropriations Act, which established the ERA program.
- **\$21.55 billion** through the March 2021 American Rescue Plan (ERA2).²³

Congress allocated these funds to states, territories, tribes, and localities with over 200,000 residents.²⁴



Who Was Eligible?

The ERA program intended to keep people housed by helping tenants catch up on rent and utility payments, particularly low-income tenants at risk of eviction and homelessness. Households were eligible if they had:

- Experienced financial hardship due to the pandemic, such as reduced household income, high costs, or qualification for unemployment benefits
- Were at risk of homelessness or housing instability and could demonstrate said risk
- Had household incomes at or below 80% of area median income.²⁵

In ERA1, tenants could receive assistance for up to **12 months** (with an additional three months if necessary and funds were available). Across ERA1 and ERA2 combined, tenants could not receive more than **18 months of assistance**. Assistance could cover rent and utilities (electricity, gas, water, sewer, trash removal, and energy costs).²⁶ Within the Treasury's general guidance, states and localities had flexibility in designing programs and outreach to ensure that they targeted as many households in need as possible.²⁷



The Status of ERA Programs

The Treasury continues to distribute money slowly—as many programs have spent their funds at different speeds. According to recent data:

- \$19.3 billion of ERA1 and \$9.45 billion of ERA2 had been approved or paid to households as of July 1, 2022. Roughly **38%** of funds remain unpaid.²⁸
- **Over half (55%)** of low-income renters behind on rent had not applied for rental assistance as of February 2022. **Twenty-five percent** of renter household applicants got denied, while **38%** were still waiting for a decision.²⁹
- The Treasury has been reallocating unspent funds from programs unwilling or unable to perform to grantees in “higher-need” areas where programs already spent funds quickly.³⁰
- The National Low-Income Housing Coalition (NLIHC) estimates that **\$4.1–5.1 billion** of ERA funds still stand to be reallocated based on available data (as of May 2022).³¹

By February 2022, over a year after ERA1’s passage and nearly a year after ERA2’s, only a minority of applicants had been approved. However, a majority of ERA funds have now been spent. The Treasury Department’s process of assessment and reallocation is ongoing, potentially until December 31, 2022—which means that some rental assistance programs could still receive additional funds.³²

Many programs have closed as funds have been exhausted.³³ Many are only open to households with active eviction cases.³⁴

Grassroots organizations have worked hard to get assistance to renters, often despite the challenges their local ERA programs have posed.

CASA realized that residents in Maryland were struggling with a burdensome application process that involved tedious back-and-forth from agencies who would follow up to report that paperwork was missing and needed submitting. They helped their tenants not only with paperwork but also followed up with the county to try to make sure tenants did not fall through the cracks.

Detroit Action canvassed door-to-door to connect renters on the verge of eviction to resources, such as legal aid and rental assistance.³⁵

Myriam Ramirez of **Make the Road Pennsylvania** knew that many undocumented households struggled with language, transportation, and technology barriers. She made home visits to at least 50 undocumented households needing rental assistance.

Realizing that tenants who should have been eligible were being denied rent relief without any clear explanation, tenant organizers, including **Action North Carolina**, pushed for accountability. Bree Newsome Bass, the lead organizer of the NC Statewide Housing Justice Network, says, “*we had to do a lot of pushing and protesting and even publicly embarrassing some officials to get some transparency and answers because people were being turned away who shouldn’t have been turned away.*”



Relief Fails to Reach Tenants in Need, Resulting in Brutal Evictions

What will happen to millions of tenants across the country as rent relief dries up, especially with no strong renter protections? After the eviction moratorium ended, Oscar, a 63-year-old Black veteran from Harris County, Texas, described the harrowing evictions he saw in his complex—including seeing the local sheriff evicting three to four families at once. *“The parents are scrambling, trying to get Uhauls and places for them to store their belongings... Even if it’s 5 AM in the morning. The sheriff sets the belongings outside on the lawn or somewhere. You can’t even ask [to find] your medicine. It’s horrible.”* He said, *“Some people are fortunate. But for the most part, the majority have to jump through hoops, and by the time they get rent relief, a lot of them are already evicted.”*



In Oscar’s case, he felt “lucky.” He received application assistance through the local Veteran Affairs and the non-profit organization BakerRipley, as Veteran Affairs was able to advocate for him to ensure that veterans did not lose their homes.

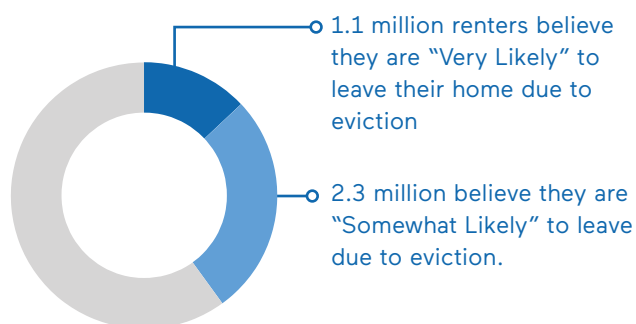


Even as ERA has not yet reached most renters in need, 114 of the 514 Treasury ERA programs listed on NLIHC's ERA dashboard are on hold—and **48 have closed**.³⁶

Meanwhile, millions of renters are still in crisis:

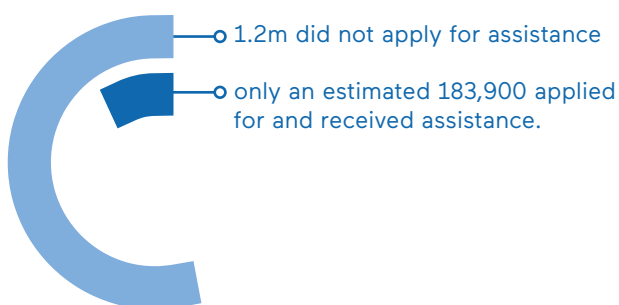
- Estimates of the rent and utility debt backlog are anywhere between **\$20–50 billion**.³⁷ The National Equity Atlas reports an estimated **\$15 billion total rent debt**, with 5.7 million renter households behind on rent as of May 2022 (households defined as including all persons occupying a housing unit).³⁸ These calculations do not include the debt burden of payday loans, credit card debt, or having to pay back friends and relatives (because U.S. Treasury or Pulse Survey data does not track these considerations).

- According to the June 2022 Pulse Survey, an estimated **8.4 million individual renters are behind on rent payments**.³⁹ Of these, **1.1 million** believe they are “Very Likely” to leave their home due to eviction in the next two months, and **2.3 million** believe they are “Somewhat Likely” to leave due to eviction.⁴⁰



- An estimated **1.2 million renters** who believe they are “Somewhat Likely” to be evicted did not apply for assistance, whereas only an estimated **183,900** of such renters applied for and received assistance.⁴¹

Of the 2.3 million who believe they are “somewhat likely” to be evicted,



Despite the ongoing crisis, some states with Republican governors, such as Nebraska and Arkansas, have sent back federal rental assistance, with Nebraska's governor claiming that he does not want Nebraska to be a “welfare state.”⁴² Arkansas's governor rejected **\$146 million** of rent relief in April 2022, claiming that the state did not need it.⁴³ Despite his actions, ongoing Arkansas tenant organizing shows that renters are still in extreme need.⁴⁴ The Treasury also reclaimed **\$45.3 million** from Montana and more than **\$39 million** from West Virginia.⁴⁵

CHALLENGES

Despite the relative success some state and local agencies claimed in distributing rent relief, outstanding challenges remain, as programs have largely continued inaccessible and user-unfriendly practices. A major issue, however, was the lack of accountability to check landlords who took advantage of the lack of tenant protections to cash in and evict.

Predatory Landlords Pocket Cash But Evict Renters

Since most programs have not been designed in a manner to pair relief with expanding tenant protections, this exposes them to abuses by uncooperative or exploitative landlords. Poor programmatic design and implementation allow landlords to pocket relief and evict tenants. Landlords who have moved to rapidly evict tenants despite receiving relief dollars include the most prominent corporate landlords, who have profited enormously during the pandemic⁴⁶—and even landlords of low-income, subsidized affordable housing, whose ostensible role in the housing market is to serve marginalized tenants.⁴⁷ **A July 2022 House Committee report found that four major corporate landlords—Pretium Partners, Invitation Homes, Ventron Management, and the Siegel Group—filed at least 14,744 evictions despite the Center for Disease Control and Prevention (CDC)’s eviction moratorium, even evicting renters who were waiting for ERA funds to arrive.**⁴⁸ While some smaller landlords expressed a desire to keep their tenants housed,⁴⁹ the National Housing Law Project reported that 86% of their attorney advocate respondents “have seen landlords

collect rental assistance and still proceed with evictions, or simply refuse to apply for funds.”⁵⁰ The situation is dire in Housing and Urban Development (HUD)-assisted housing, particularly for households relying on Section 8 vouchers. Sixty percent of surveyed attorneys reported that voucher landlords evicted tenants after receiving assistance, while 74% of attorneys reported seeing landlords outright refuse rental assistance. An attorney in Montana reported that they saw voucher landlords accept rental assistance for many months forward, evict the tenants, and then refuse to return the ERA funds.⁵¹

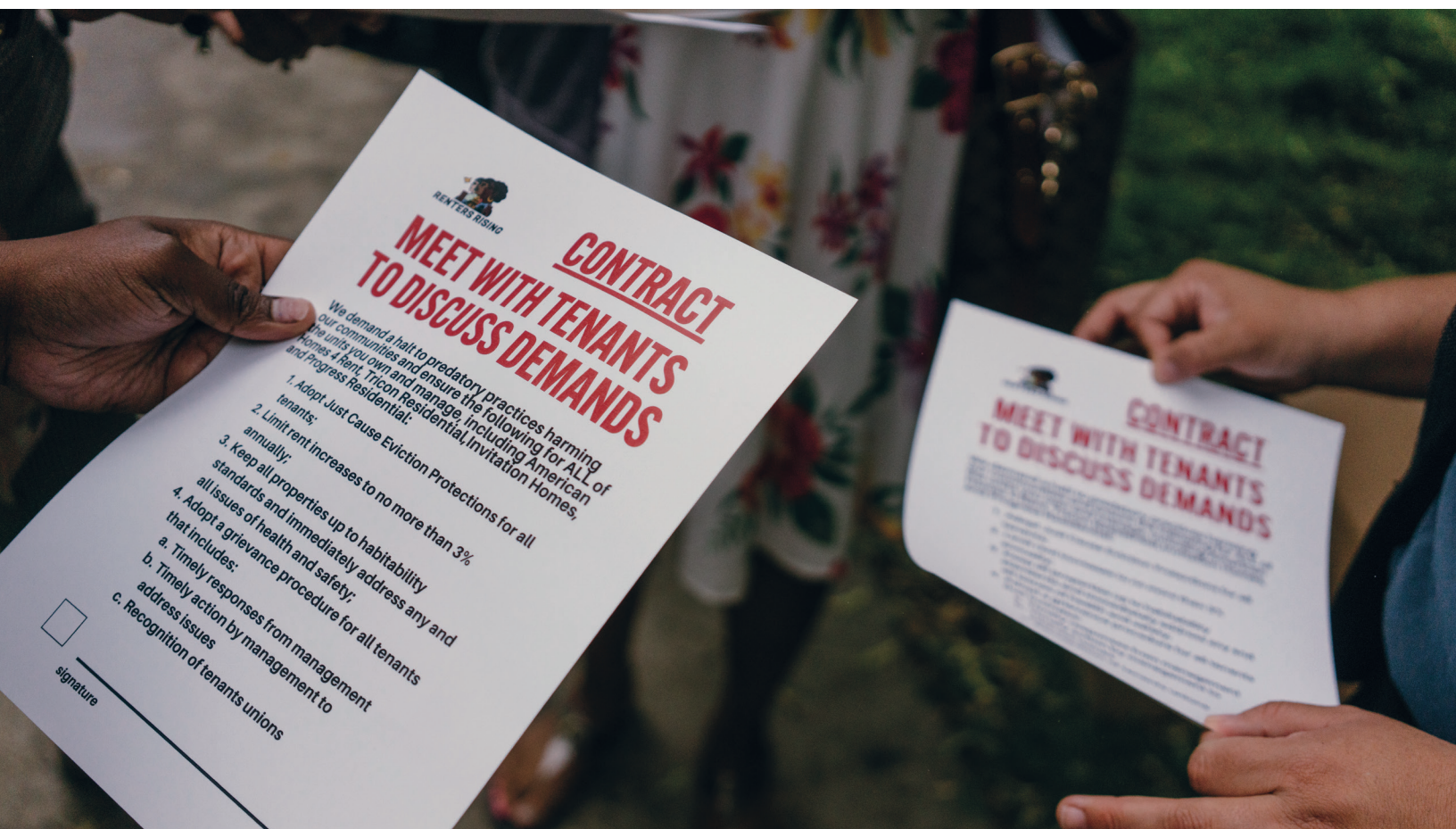
Like many other applications, Philadelphia’s ERA program allowed landlords to apply on behalf of their tenants—but tenants told organizer Myriam Ramirez of Make the Road Pennsylvania (MRPA) about many landlords who got paid, pocketed the money, yet evicted the tenants anyway (or lied about receiving funds in order to double up). Benita Gonzalez, a Make the Road Pennsylvania member in Reading, PA, found that her landlord had been double-dipping, collecting both ERAP on behalf of Benita’s household and monthly rent



from her family, doubling his income, and only agreed to repay when confronted.⁵² In another case, staff from MRPA heard that Philadelphia ERAP paid money to the landlords, but “the owners didn’t know where the money was” and claimed they had never received it.

Meanwhile, these same landlords hounded and harassed tenants, threatening eviction if they did not receive their rent money as soon as possible. One Philadelphia tenant, Brenda, “had a stroke and a heart attack... she kept getting threatening letters from the owners, and every time she got a letter, she would collapse and end up in the hospital.” Brenda’s children gathered money back in Puerto Rico and paid the rent for her, even though the owner had already received money from Philadelphia ERAP.

Programs also did not always bypass uncooperative landlords to deliver relief, despite guidance to the contrary. In Harris County, the application portal states, “Please note that landlords may choose not to participate, in which case you will be ineligible for assistance through this program.”⁵³ Many programs still deny assistance to tenants with uncooperative landlords.⁵⁴ As of July 2022, only about 35% of programs tracked by NLIHC allowed direct-to-tenant assistance.⁵⁵ This program design puts tenants at risk of eviction out of a deeply systemic and unfounded mistrust of whether renters will use the money for housing.⁵⁶

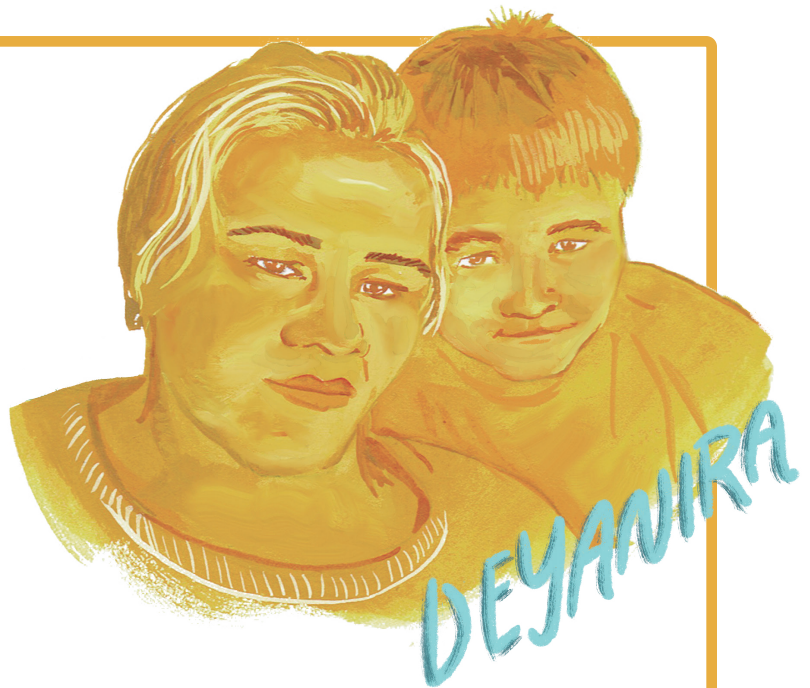


Corporate Landlord Received Relief Money, but Judge Allowed Landlord to Evict Renter

Deyanira (Harris County, Texas) is a single Latina mother who applied for rent relief after she lost her job due to COVID. She found the application process simple, and her application was approved.

Her corporate landlord apartment management told her that they never received the funds. Non-profit BakerRipley and Harris County, who partnered to administer the program, were unable to help her resolve the issue of the “lost” payment with the landlord. *“I and Texas Organizing Project actually reached out to Harris County and talked to staff directly and they verified that the money had been sent over to the landlord and the payment had been completed. But at that time, they also told me I couldn’t continue to call and send messages to them, because my case had been closed.”*

Her landlord filed for eviction and took her to court. *“The judge told me that because the landlord did not have the payment, I had to leave the property within 60 days, or pay the back rent.”* She owed at least \$13,000.



She found a new apartment, which put her in a different school district, uprooting her 13-year-old son from his friends and disrupting his education. Deyanira is currently looking for houses to clean to make ends meet. She struggles to put food on the table. *“I go to food pantries trying to get food support for my family.”*

Renters fearing lack of cooperation or abuse from landlords may feel deterred from applying for rent relief and self-disqualify themselves from receiving the viable support their households need to stay afloat. Without any accountability for landlords who abuse the program, Deyanira stated that she would not apply for rent relief again.



Backlogs and Bottlenecks: Slow Approval, Slow Disbursement Expose Tenants to Eviction

Most low-income renters behind on rent do not apply for rental assistance, often due to a lack of awareness or access barriers; landlords do not have to inform tenants about ERA.⁵⁷ Even the lucky few who applied and got approved for funding found lengthy delays in distribution. Throughout 2021, reporters noted a slow and uneven distribution of ERA money.⁵⁸ Renters and advocacy groups expressed concerns about ongoing delays in Emergency Rental Assistance rollouts, fearing tenants would be unable to receive rental assistance before eviction.⁵⁹ Even post-money allocation, funding still took time to reach the landlords and tenants. The National Coalition for Asian Pacific American Community Development (CAPACD) surveyed Asian American and Pacific Islander renters on their experiences accessing ERA. Many reported that funds not being released until three-to-four months after the application served as “a major deterrent to landlords’ willingness to participate in the program.”⁶⁰ The National Equity Atlas reported that as of May 2022, more than 217,000 renters in California were still waiting for assistance. Even with processing rates accelerating, it took more than three months for application approval and another month to receive the actual payment.⁶¹

Without other protections, rent relief delays also allowed landlords across the country to kick tenants out, even when they had a pending rent relief application or qualified for relief. During the eviction moratorium, community organization CASA noted that landlords in Prince George’s County took advantage of a loophole in state and federal eviction protections that allowed landlords to end the leases of tenants who were behind in payment, even as tenants applied for rent relief. Meanwhile, as organizer Trent Leon-Lierman has pointed out, without any assurances from their landlord that they won’t be evicted, tenants may be discouraged from applying.⁶²

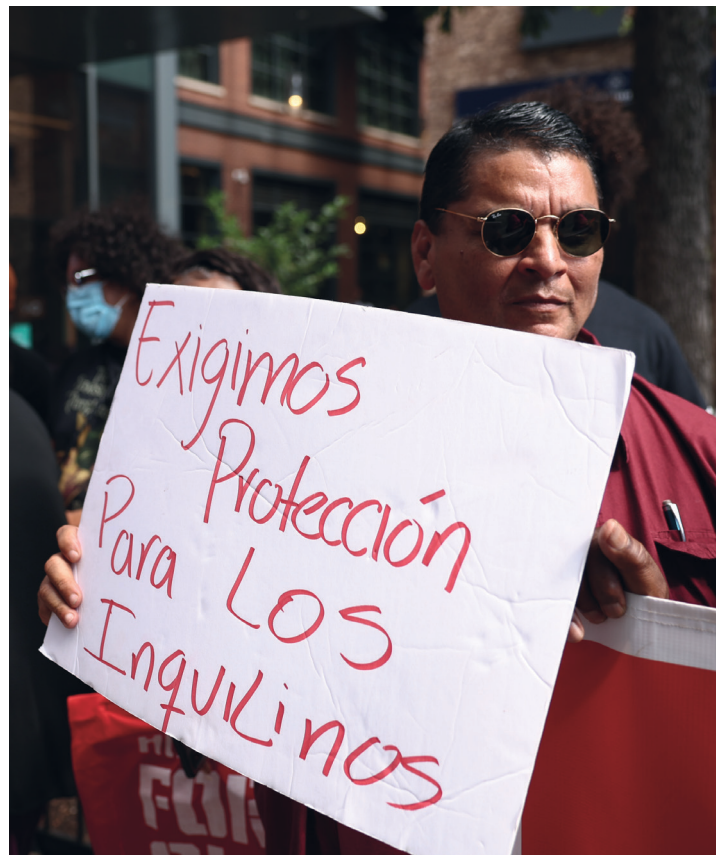


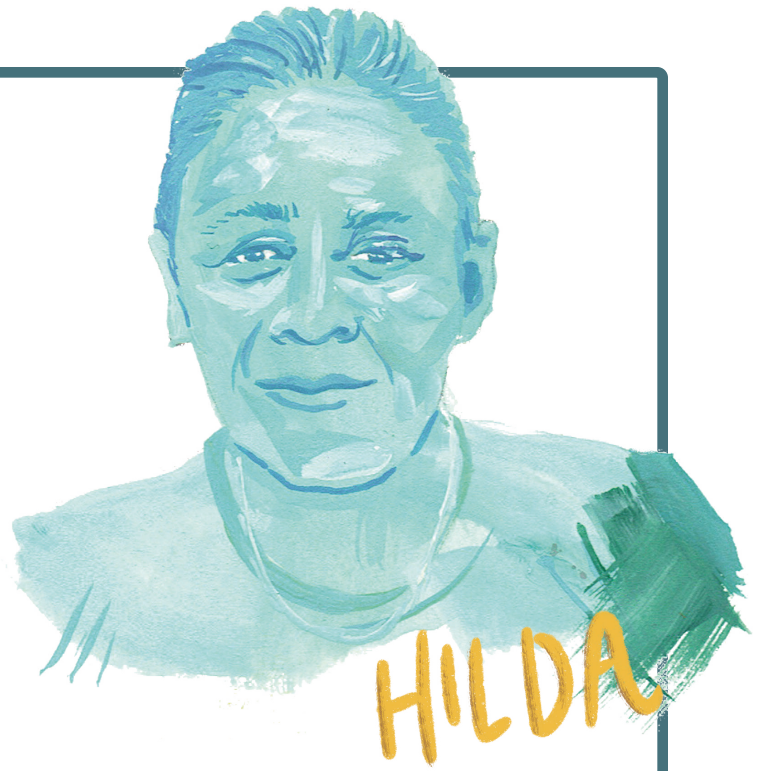
Photo: A protestor at the National Multifamily Home Council annual meeting on September 13, 2022 holds a sign stating “We Demand Protection for Tenants” in Spanish.



Chronically-Long Wait Times for ERA Approval Leave Tenants Uncertain of Future

For some, the wait time has been even longer than three months. Hilda (Prince George's County), a monolingual Spanish speaker, lost her husband to cancer immediately before the pandemic. Grieving, she tried to resume work, then lost her job at the onset of the pandemic and could not pay her rent. She also is financially supporting her very ill father in Guatemala.

Trent Leon-Lierman, a housing organizer from CASA, not only helped her fill out the application—he and other staff also followed up with the county, provided legal aid to guide her through multiple court dates to combat the evictions filed against her, and also tried to negotiate with her very unsympathetic landlord. Three of her four eviction cases got dismissed because of her pending rent relief application. Still, the county has a massive backlog of applications.



Hilda is waiting on approval for more than \$14,000 of rent relief, and she has been waiting since December 2021.



Unresponsiveness, Intransparency, and Arbitrary Denials Wreak Havoc on Renters' Lives

Lack of communication and transparency from ERA program staff exacerbates delays in the rent relief application process. Staff lacked time and capacity to respond individually and seemingly made arbitrary decisions on who needed funding. Organizer Apryl Lewis from Action North Carolina observed that the Mecklenburg County ERA program, known as the Rental and Mortgage Assistance Program (RAMP), suffered from a lack of transparency and communication.⁶³ In many cases, people applied but received no money or response. She and other organizers felt that caseworkers were not transparent about why people were denied or tried to find any reason to deny applicants. Caseworkers told some tenants they did not qualify but gave no justification for denying them. Unfortunately, there remains little recourse for applicants who want to challenge denials.

In situations where only a tiny proportion of applicants in need can access service, the grounds for denial become increasingly arbitrary. In Detroit, Tea Sanders (Detroit Action) and other advocates observed that renters who fit all the criteria were denied, particularly in “redline” areas where poverty hit residents the hardest. Detroit Action joined a coalition with Moratorium NOW! to form a committee that went to Wayne Metropolitan Community Action Agency to challenge these denials. Many original denials eventually became approved.

Mecklenburg County lawyer Ismaail Qaiyim (attorney with Queen City Community Law Firm and a core member of the Charlotte Housing Justice Coalition) advocated for increased transparency, writing and releasing a letter that led to Ismaail being connected directly to the person overseeing RAMP. Noticing long delays in approvals for assistance and payment period, he was able to advocate to get some cases successfully resolved. Unfortunately, some of these case delays come down to staffing issues, as well as documentation required for individual cases slowing down the process and creating bottlenecks. “RAMP is really overwhelmed and understaffed... the need is overwhelming and they’ve always had a problem with staffing. They do have better staff, but ... tenants can’t follow up individually about individual applications.”



Photo: Serita Russell, member of Action North Carolina, describes the effects of corporate greed and poor habitability conditions at the National Rental Home Council conference on May 24, 2022 at the Park Hyatt Washington D.C. (Photographer: Lexey Swall; Renters Rising)

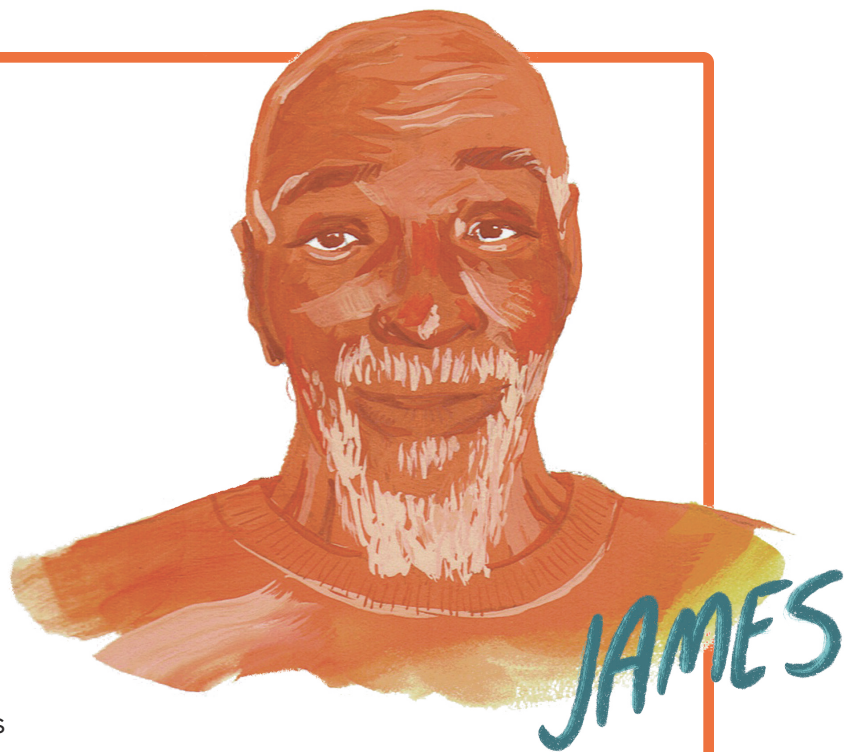


Long Wait Times and No Updates, Even After Approval, Cause Extreme Hardship to Renters

James (Mecklenburg County) is a 77-year-old Black man who rents from a small “mom and pop” landlord. His only source of income is Social Security. He fell behind on rent by at least \$14,000 during the pandemic. While Mecklenburg County’s ERA program, RAMP, approved his rent relief application early in 2022, they still have not distributed the money and have been unable to provide updates or directly follow up on when they will do so. “It has been months,” his nephew Dion said.

Occasionally, James would scrap together \$400–500 here and there for rent, making a good-faith effort to catch up where he could but came to a point where he could not pay anything. His nephew Dion tries to help out where he can, but Dion’s sister is also struggling with homelessness, currently living in a hotel.

Dion described James’s landlord as a “blessing.” Unlike many other landlords who immediately filed for eviction of non-paying tenants, his landlord felt determined to keep James housed.



Still, the rental arrears are accumulating—and his landlord, as a small landlord, is also counting on the money. RAMP staff told James and Dion that the landlord would contact them once they processed the payment and that RAMP would not communicate with the tenants directly.

At the time of writing, James had been hospitalized for a month. Medical bills are an additional financial burden, although he is on Medicaid.

Dion worries that RAMP has given up on James. “We keep praying. All he has is me—and God.”



No Justice: Barriers for Undocumented Tenants

The lack of federal immigration protections also posed a barrier to those who desperately needed the money. Treasury guidance does not make immigration status a condition of eligibility, so that in theory, undocumented tenants should be able to apply and receive funds.⁶⁴ In practice, eligibility requirements, burdensome paperwork, and inflexible local laws discouraged undocumented applicants. While program administrators told Myriam Ramirez with MRPA that Phase 4⁶⁵ of Philadelphia's ERA program would be easier for undocumented applicants, she found that was not the case. Many undocumented tenants did not have a formal lease, which initially discouraged them from applying to the program in previous phases. When the tenants were told they could "self-attest," and write a letter describing their situation, "everyone was very excited," hoping this would increase their chances of receiving assistance. However, the ERA still denied them—even when they tried to self-attest—or asked for documents they could not provide, such as pay stubs, because their employers paid in cash. "It was hard to get the right documents to [the program]," Myriam said.

In some cases, state laws about IDs worked against federal rent relief guidelines, especially in areas with little legal protection for immigrants. Tea Sanders, an organizer from Detroit Action, noted that because of Michigan state law prohibiting undocumented immigrants from acquiring state IDs and driver's licenses,⁶⁶ applicants could not provide the ID required in the rent relief application, eliminating their chance to receive rent relief before it could start.⁶⁷ The issues did not stop there: Undocumented community members felt too intimidated to go to court to contest evictions because they feared what Sanders termed "ICE in the courtroom." The virtual video system would log both the email address of the community member and their location, leaving them vulnerable to harassment from Immigration and Customs Enforcement (ICE).

The ERA program revealed the extent to which landlords took advantage of undocumented tenants, who often felt hesitant to report problems with units or protest unfair rents.⁹⁶ In Philadelphia, undocumented tenants had to pay double the rent money of the average local citizen, with no recourse. MRPA said it was painful to see the deplorable, uninhabitable condition of the homes and observe the cruel ways landlords talked to their tenants.

"There is no justice for them out here."

– Myriam Ramirez, housing organizer,
Make the Road Pennsylvania



“We wanted something real, not just a bandaid. We wanted a real permanent protection like Good Cause Eviction.”

— Cynthia Norris, Housing Organizer,
New York Communities for Change

“Just making more ‘affordable’ housing is not enough. We need cooperative housing and ownership by the people.”

— Jessica Moreno, Housing Organizer,
Action North Carolina

POLICY RECOMMENDATIONS

The Center for Popular Democracy and Renters Rising housing platform emphasizes policy solutions that comprehensively address renters’ right to housing and curb corporate landlord abuses. Corporate landlords have gobbled up property and increased their profits during the pandemic.⁶⁸ Rents are rising nationwide,⁶⁹ but low-income renters comprise the majority of renters.⁷⁰ Tenants lack protections. As long as corporate landlords control rental housing, and while we rely on for-profit housing production, low-income renters will be priced out, displaced, harassed, and subjected to high eviction rates at the whim of for-profit landlords.⁷¹

The experiences of renters uplifted in this report echo the critiques of other advocates who fear that ERA is another exhausting, means-tested approach that burdens renters to prove they need the funds.⁷² ERA, while a short-term solution that still allows some renters to stay in their homes, leaves the for-profit ownership structure and imbalances of our housing system in place. In the absence of critical renter protections, we prioritize a transformation of our housing system to guarantee the affordable housing we need is available in the first place, and ensure true justice for renters. We desperately need other solutions that will work: housing not in the hands of corporate investors and private equity firms—but democratically controlled, permanently affordable housing held by low-income communities of color. We need large-scale social and public housing with universal rent control.



The Center for Popular Democracy and Renters Rising's policy platform prioritizes the following on a federal level:

- Work towards universal tenant protections:
 - Just cause evictions
 - Right to counsel at eviction proceedings
 - Recognition of tenants' right to organize and form unions
 - Rent control
 - Habitability guidelines and enforcement of standards
- Rein in corporate landlords and real estate speculation
- Fund public housing (See Ilhan Omar's Homes for All bill)⁷³
- Invest in deeply affordable, quality social housing⁷⁴

There is advocacy at the federal level for permanent rent relief. If the Eviction Crisis Act bill (S.2182) wins the votes in Congress and the Senate, the Treasury will establish a permanent rental assistance program for low-income households at risk for housing instability due to sudden financial shocks. Administered by Housing and Urban Development, the program would allocate \$3 billion a year.⁷⁵ If this program gets implemented, program administrators must learn from the design mistakes outlined in this brief and build on the following recommended best practices.⁷⁶





CPD's Short-Term Principles for Rent Relief:

- Add navigator capacity to existing ERA programs to expedite ERA expenditures and assist with direct follow-up with tenants on the status of their applications, and ensure rule enforcement.⁷⁷
- Extend statewide eviction protections for renters, or at least prevent landlords from evicting tenants with active ERA applications.⁷⁸
- Pair relief with universal tenant protections, and ensure enforcement and penalties against landlords who violate these protections.⁷⁹
- Combine rent relief with rent forgiveness.⁸⁰
- Continue to develop strategies to target the most vulnerable renters at risk for eviction.⁸¹
- Improve transparency around denials and create processes for tenants to appeal decisions. Audit denials.⁸²
- Penalize landlords who abuse the ERA system, have violated eviction moratoriums, and who benefit from relief but evict tenants.⁸³
- Prioritize direct-to-tenant assistance for tenants whose landlords refuse to participate in the program.⁸⁴
- Expand and invest in legal protections for renters and educational outreach to know their rights.⁸⁵
- Find creative workarounds to ensure that undocumented tenants get the assistance they need. Go beyond explicitly stating that immigration status will not disqualify recipients.⁸⁶



Our affiliates are working on expanding permanently affordable housing, renter protections, and assistance to undocumented renters on a local level.

CASA is advocating for local governments to allocate money towards housing trust funds, Right of First Refusal, and other policies that would put housing in the hands of low-income and marginalized communities in Maryland.⁸⁷ Right of First Refusal is a tool that would allow the government or housing authority to get first dibs on an existing rental unit and keep it affordable, prioritizing nonprofit developers in the community rather than for-profit corporate landlords.⁸⁸ They have successfully advocated for a rent cap to prevent local landlords from raising the rents to exorbitant fees during the pandemic. In Montgomery County, regulations capped rent at 1.4% in 2021⁸⁹ and 0.4% in 2022. When they intend to increase the rent, landlords must give renters 90 days' notice.⁹⁰

Detroit Action won Right to Counsel in Detroit, an ordinance that provides \$6 million in federal COVID relief funds and \$12 million over three years in private or philanthropic funding to provide court representation for low-income tenants facing eviction.⁹¹

Make the Road New Jersey immigration advocates won \$53 million in unspent federal coronavirus pandemic funds to create a grant program for undocumented New Jerseyans who had not qualified for other economic assistance.⁹² Localities could use unspent American Rescue Plan funds to establish similar funds to provide direct cash assistance to undocumented tenants who would otherwise fall through the cracks.

Make the Road Pennsylvania won their Whole Home Repair campaign, which allocates \$125 million in American Rescue Plan funding to train and build local workforces to repair homes across Pennsylvania, allowing them to address habitability issues in rental housing.⁹³

New York Communities for Change fought for Good Cause Eviction in New York to protect market-rate tenants from rent gouging. Good cause, also known as "just cause," would allow tenants a right to a lease renewal and only allow evictions for egregious violations, such as destruction of property or other lease violations.⁹⁴ With surging rents and bidding wars for apartments, tenants were hopeful, but legislators refused to vote on the measure.⁹⁵



CONCLUSION

Organized Tenant Voices Expand Democracy

Oscar now works part-time as a housing organizer with the Texas Organizing Project to help others stay in their homes. “Truth be told—getting relief is one thing. [Because] the laws still favor the landlords, you will run into the same predicament unless you hit the lottery. They care about profit over people.

This is why we organize as people, because the legislation has to change. It has to.”

Renters everywhere are organizing and building renter power. People should not have to fear displacement. They should not have to cobble together onerous paperwork to prove they deserve to stay in their home. No one should have to face abuse and harassment from their landlords. Grassroots tenant organizations are looking out for their members, ensuring they can stay in their homes, and organizing them to build a powerful national movement of renters so that all of us can have a stable, safe, and affordable home where we can thrive. We need real solutions that provide renters with universal protections, rein in abuses by corporate landlords, and shift our housing system away from one dominated by for-profit developers toward greater government responsibility for creating permanently affordable social and public housing.

We need policymakers with the political will to make housing a human right.



PHOTO CAPTIONS

Cover photo: Tenant leaders from Renters Rising protest corporate greed and rising rents at the National Multifamily Housing Council annual meeting and the National Rental Home Council conference in 2022. (Photographers: Chris Thomas, Lexey Swall; Renters Rising)

Photos on pages 4, 12, 16, 20: Members of Renters Rising protest corporate greed and rising rents at the National Rental Home Council conference on May 24, 2022 at the Park Hyatt Washington D.C. (Photographer: Lexey Swall; Renters Rising)

Photos on pages 7, 14, 23: Members of Renters Rising protest corporate greed and rising rents at the National Multifamily Housing Council annual meeting on September 13, 2022 at the InterContinental at The Wharf Washington D.C. (Photographer: Chris Thomas; Renters Rising)

Photo on page 21: Members of Renters Rising protest corporate greed and rising rents at the National Multifamily Housing Council annual meeting on September 13, 2022 at the InterContinental at The Wharf Washington D.C. (Photographer: Cheriss May; Renters Rising)

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