

Eviction Prevention in Permanent Supportive Housing

August 11th, 2022 – HOME Innovation Round Training

Resources

- CSH Issue Brief, March 2021: How to Develop an Eviction Prevention Plan in Affordable, Supportive and Integrated Housing for Property Owners and their Partners.
- CSH Eviction Prevention Protocol
- IHCDCA Eviction Prevention Plan Template for PSH Properties
- IHCDCA Sample Housing Retention Plan Worksheet
- IHCDCA Low-Barrier Screening and Eviction Prevention Presentation (2022)

Available on IHCDCA's [Eviction Prevention and Low-Barrier Screening](#) webpage.

Eviction: What's the big deal?

Tenant

Landlord

Provider



Costs of Eviction

Tenant

Landlord

Provider

Tenants experience loss of:

- Power and control
- Future housing opportunities
- Self-esteem, identity, and pride
- Connection to supports
- Possessions
- Health
- Routine, privacy, comforts

Costs of Eviction

Tenant

Landlord

Provider

- Legal and court fees
- Lost rent from vacancy and/or arrears
- Unit turnover
- Marketing unit and securing a new tenant
- Instability at the property

Costs of Eviction

Tenant

Landlord

Provider

- Housing location/relocation
- Loss of stability for service coordination
- High risk for negative outcomes for the individual
- Staff feelings of burn-out

Trivia Question

According to TransUnion SmartMove data, total eviction-related expenses for property managers average:

\$1,500

\$2,500

\$3,500

\$5,000+

Which of the following best describes evictions?

- A. Evictions should be the last resort
- B. Evictions are costly and time-consuming
- C. Evictions can lead to long-term homelessness
- D. Coordinated response with eviction prevention focus is key
- E. All the above

Eviction Prevention Plan Components

1. Eviction Prevention Philosophy
2. Resident Engagement Approaches
3. Community Partnerships Connecting Households to Resources
4. Roles and Responsibilities of Property Management Staff and Services Staff and Identify Mechanisms for Coordination and Communication
5. Tenant Knowledge of Roles and Responsibilities
6. Housing Retention Plans
7. Strategies for Mitigating and Responding to Common Lease Violations
8. Eviction Protocols

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Eviction Prevention Philosophy

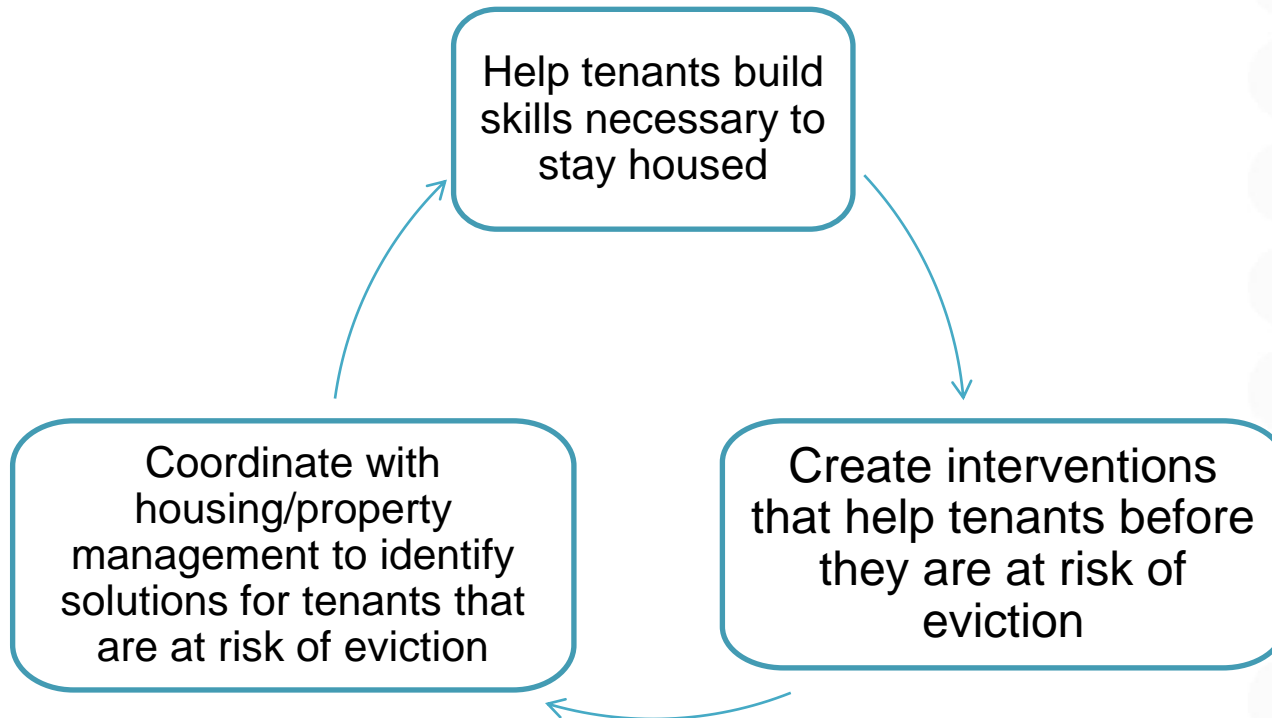
Your “why” statement. The philosophy should be developed first because it will guide the rest of the plan.

How to develop the philosophy:

- Convene with all parties (owner, property manager, and service provider) to work through expectations and reach agreement
- Commit to using eviction only as a last resort
- Discuss how your approach will be unique to this property - is your eviction process/timeline realistic and appropriate for the target population?

Reinforce through onboarding, periodic trainings, etc. to develop an organizational culture that matches the philosophy.

An Ongoing Process



Lease Agreement

Eviction Prevention is closely tied to the lease

Formalizes the rights and responsibilities of both the landlord and tenant

Legally enforceable

States clear expectations

- Should be identical to those in any other rental project in terms of rights and responsibilities
- Should not include participation requirements or limits on length of stay
- Addendums are okay – bed bug, pet related, property rules, etc.

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Move-in

Ongoing

Lease Violation

Eviction Notice & Filing + Alternatives

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Move-in

- At lease-signing, PM may walk through key pieces of the lease with tenant:
 - Payment schedule and payment method, if applicable
 - Visitor policy
 - Quiet hours
 - Notification process for maintenance issues
 - Consequences for lease violations and notification policy
- Services staff may consider scheduling a follow-up meeting with tenant to review lease again and create a housing stability plan
- Establish opportunities for tenants to connect with staff immediately, such as office hours, open door policies, community meet and greets, etc.

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Ongoing

- Continuously engage residents in services, offer tenancy supports
- Provide ongoing training to staff in housing first, eviction prevention practices, etc.

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Lease Violation

Most common lease violations and causes for eviction include:

- Non-payment of rent
- Disruptive behaviors
- Guest policy violations
- Neglect/damage to the unit
- Illegal activity on the property
- Vacant unit

A Housing First philosophy means that we are NOT:

- Evicting tenants for not participating in services or failing to follow through on or make progress on a services or treatment plan
- Evicting tenants for failing to maintain sobriety
- Removing tenants from housing without legal evictions proceedings

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Lease Violation

Notification process:

- Notice of lease violations should be in writing and provided to the tenant promptly
- Copies of all notices should be provided to case management (consider ROI)
- The notification should list only facts and avoid personal statements/opinions
- State the consequences of the violation and potential consequences of future violations

Considerations:

- How often are you issuing lease violations and how does this effect their impact?
- Is it always necessary to schedule a meeting to discuss lease violations, or are there times when a notice is sufficient?

Sample Violation Letter

_____ received a complaint and/or witnessed a concern about one or more of the following reasons checked below:

- Noise level coming from your apartment
- Violation of pet policy
- Known drug activity
- Health/safety risk to self or others
- Destruction of "xyz" property
- Violation of quiet, peace, and enjoyment
- Other _____

Call the office to schedule a time when you and your Case Manager can come into our office at _____ to help resolve these complaints. Failure to schedule this appointment may lead to a 30- day eviction notice.

If you have any questions or concerns, contact me at _____.

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Lease Violation

The problem should be “solved” as a team – case manager, property manager, and tenant.

- This is an engagement opportunity
- Together define the problem, focusing on the lease violation
- Discuss:
 - What are potential solutions?
 - What resolution does the property need to see, and can they make any adjustments?
 - Are there service needs?
 - What are some measurable actions that the tenant is willing to take?
- Develop an action plan (- housing retention plan)
- Document every meeting

Housing Retention Plan

The housing retention plan is an individualized strategy (an “action plan”) for addressing lease violations, with the goal of resolving the issue and prevention and future issues.

- Describes action(s) to be taken by the tenant, property, and/or service partner to address/correct each lease violation
- Notes ongoing resources that the tenant will utilize for continued stability, if applicable (e.g., emergency rental assistance)
- Confirms in writing if/when the tenant has resolved issue leading to lease violation

Housing Retention Meeting and Strategy Worksheet

A new workflow should be completed for each lease violation. For lease violations where multiple meetings/violations are involved, the staff member(s) conducting the meeting and date of meeting must be noted and documented for the corresponding workflows.

- **Lease Violation:** Clearly describe the lease violation, focusing on the violation as the central issue being addressed in this meeting. Include the reference number assigned to the lease violation in Section 1.
- **Education:** If necessary, review the section of the lease that was violated. Review the tenant's rights and responsibilities in terms of receiving notice, correcting the issue, participating in, or failing to participate in, a housing retention plan, etc.
- **Actions:** Share with the tenant what actions the property requires the tenant to take to correct the issue and discuss whether the tenant anticipates that they will need additional supports to make these changes. Additional supports may include being connected to a cleaning service; engagement with a community partner for assistance with medical, mental, or behavioral health needs; support from the property for enforcement of security/trespass policies; receipt of a payment plan and coaching for the payment system, etc. Clearly describe who will complete each action and the expected timeline for completion.
- **Follow-up:** Determine whether any follow-up is needed, and if so, when/where/how it will occur, what actions should be taken by the time of the follow-up, and by whom.

Name of Staff Member(s):

Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

Individualized Housing Retention Plan: Check-in Worksheet

Tenant Name: Identifier/Address:
Staff Member: Date:

Action Item Report-Out:

Is the issue resolved? Yes No

If not resolved, clearly describe the actions required to resolve the lease violation, the date by which the resolution must occur, and supports to be provided, if applicable:

If resolved, describe any additional actions that the tenant, property, or partners intend to pursue individually or jointly to prevent future lease violations, if applicable:

Follow-up Meeting Scheduled: No Yes Date of Next Meeting:

Other comments:



Sample Process

1. Lease violation occurs
2. Property Manager and/or Case Manager speak with tenant about issue
3. Lease violation continues to occur
4. Property Manager issues notice of lease violation
5. Meeting occurs to discuss lease violation; if all parties are not confident that tenant can resolve issue independently or with services, housing retention plan is created
6. Property Manager, Case Manager, and Tenant meet according to schedule described housing retention plan
 - Team determines whether sufficient change has occurred – have any additional issues arisen? What has been the severity?
 - If the issue isn't resolved but is improving or not worsening, what additional supports can be in place with additional time?
7. If additional lease violations occur and no remedy is found, property may proceed with eviction or identifying alternatives.

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Alternatives to Eviction

If the housing retention plan has been unsuccessful and the tenant can no longer reside at the property, consider alternatives to eviction:

- Non-renewal
- Early termination with other housing identified, if possible
- Conversion to tenant-based voucher

Considerations:

- How often will alternatives be considered? In all cases?
- Who will make the decision to offer an alternative?
- What action plan can the team create to ensure housing stability upon departure?

Stages of Eviction Prevention and Opportunities for Intervention/Diversion

Eviction Notice & Filing

The process for implementing an eviction should be formally and clearly detailed in the Eviction Prevention Plan. Included should be:

- An explanation of how and when an eviction will be initiated
- A detailed appeals process, including documentation and all possible resolutions
- The role and responsibilities of an eviction prevention committee, etc.
 - Who will comprise this committee?
 - Will it approve all evictions, or only hear appeals?
- In alignment with the local court system, Fair Housing, VAWA, and related nondiscrimination requirements, etc.
- Accessible and straightforward, with accommodations available

Questions?

A draft eviction prevention plan should be submitted to IHCDA for review prior to submitting an application for IHCDA funding.

Eviction prevention plans must be approved by IHCDA prior to lease-up.