



LMHA will not evict residents from public housing through Sept. 30



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Lucas Metropolitan Housing Authority on Friday announced it will not evict renters in its public housing units through the end of September, a move that will effectively extend the federal protections LMHA residents have been under since March 27.

The federal stay instituted as part of the CARES Act prohibited landlords nationwide from evicting renters who live in properties that receive federal subsidies or are backed by federal loans.

It expired Friday, and as many as 28 million Americans could be evicted in the coming months if no other moratoriums are put in place. That's according to Emily Benfer, a visiting law professor at Wake Forest University who is the co-creator of Princeton University's Eviction Lab, a national research center on evictions.



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That figure is nearly triple the estimated 10 million Americans who lost their homes during the years after the 2008 mortgage crisis.

Joaquin Cintron Vega, president and CEO of LMHA, said the agency recognized the difficult financial situation many of its public housing residents are in because of a loss of income during the coronavirus pandemic.

In addition to the eviction ban, he also extended the housing agency's repayment plan period to five months, instead of the three months tenants typically have.

"Those efforts will help several residents pay their rent during this crisis," he said.

Legal Aid of Western Ohio is gearing up for a possible flood of evictions as the national moratorium expires, even with LMHA enacting its own ban.

Local officials are hopeful rental assistance and landlord-tenant mediation programs can prevent from losing their homes during a pandemic many renters in Toledo who are struggling financially.

"We're concerned, but I think I would say I'm cautiously optimistic at this time," said Veronica Martinez, managing attorney for Legal Aid of Western Ohio, which serves 32 counties in the state.

A July 17 study from the Federal Reserve Bank of Cleveland found that in 44 U.S. cities and counties, eviction filings by landlords have almost returned to their usual levels in places where moratoriums have expired, or where bans were never enacted.

In Milwaukee, eviction filings dropped to nearly zero after Wisconsin instituted an emergency 60-day ban on evictions on March 27. After that order was lifted May 26, evictions surged past their pre-pandemic levels.



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Milwaukee recorded 1,966 eviction filings in the seven weeks following the ban's expiration, an 89 percent increase from 1,038 notices filed in the seven weeks leading up to the moratorium, the Princeton data show.

In Toledo, evictions resumed June 1 after Toledo Municipal Court, where housing cases are heard, reopened after an 11-week closure to comply with health officials' recommendations to prevent the spread of coronavirus.

Prior to the closure, the court's hallways were packed with landlords, tenants, and lawyers, and cases were heard in quick succession. Since the court reopened, eviction cases are split between two courtrooms and only a handful are heard each day.

The new process allows for health precautions such as physical distancing, but it also means eviction hearings are now being scheduled six weeks from their filing date instead of two. Hearings already are being scheduled into October, court filings show.

Ms. Martinez said she isn't terribly concerned about eviction filings spiking in the month of August, because the CARES Act provision requires landlords covered by the federal rules to give tenants a 30-day notice before filing an eviction.

That 30-day period gives organizations such as Legal Aid time to connect a tenant to resources such as the city's emergency rental assistance program, which recently expanded its reach to include tenants in public housing.

The Fair Housing Center also recently partnered with Lucas County to launch a mediation program, with the goal of resolving housing issues before an eviction court date.

Still, Ms. Martinez said she is preparing for a spike in eviction filings at the end of August and beginning of September, once those 30 days are up.



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Legal Aid is using some federal coronavirus aid dollars to hire another lawyer temporarily, and it is freeing up other staff to dedicate more time to housing work. They're also partnering with the University of Toledo to bring on a social work intern who will be able to help tenants navigate the often complicated requirements to receive rental assistance.

Ms. Martinez said Toledo has a lower median household income than other big Ohio cities, and renters here were struggling to get by before the coronavirus pandemic hit. She is hopeful that because Toledo already has some safety nets in place, it won't see a surge in families turning to shelters, moving in with family, or sleeping in their cars because of evictions.

"I don't know what the outcome will be, but I know that community organizations and the city itself are very aware and are trying to do as much as possible to prevent that from happening," she said.

Preventing mass displacement of renters is also key to preventing the spread of coronavirus, public health and housing experts say.

As evictions rise in some coronavirus hot spots, displaced families are doubling up with relatives or moving into shelters, creating conditions for the virus to spread widely, according to Diane Yentel, president of the Washington, D.C.-based National Low Income Housing Coalition.

"In these cases where social distancing is difficult or impossible, the likelihood of them contracting and spreading coronavirus increases exponentially," Ms. Yentel said.

Landlords say the pandemic is a crisis for them as well.



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Many have waived late fees, suspended evictions, and tried to work with tenants who haven't been able to pay their rent, said Carol Walls, president of Toledo Property Investors Network. But doing that financially impacts a property owner, too, she said.

"It's a very difficult time for property owners of all types, landlords as well as owner-occupied, because if people aren't working and especially if they've fallen through the cracks and aren't receiving any assistance of some sort... there's a lot of people that are hurting," she said.

Ms. Walls said landlords also have bills to pay, and they want the process to be fair.

"What I would like to address, and we haven't seen a whole lot of problems with it here, is that because the courts weren't allowing evictions, people who could pay, weren't," she said. "There were actually rent strikes in other parts of the country and it was a terrible thing because we have debt to pay. We have mortgages to pay. We have taxes and we have insurance."

Ms. Walls said she isn't too concerned about evictions spiking locally once the CARES Act protections expire.

"Most of them get settled in the hallway before they ever get in front of a judge," she said. "The majority of them, even on a regular basis, the majority of them get worked out. I don't see it being a big issue."