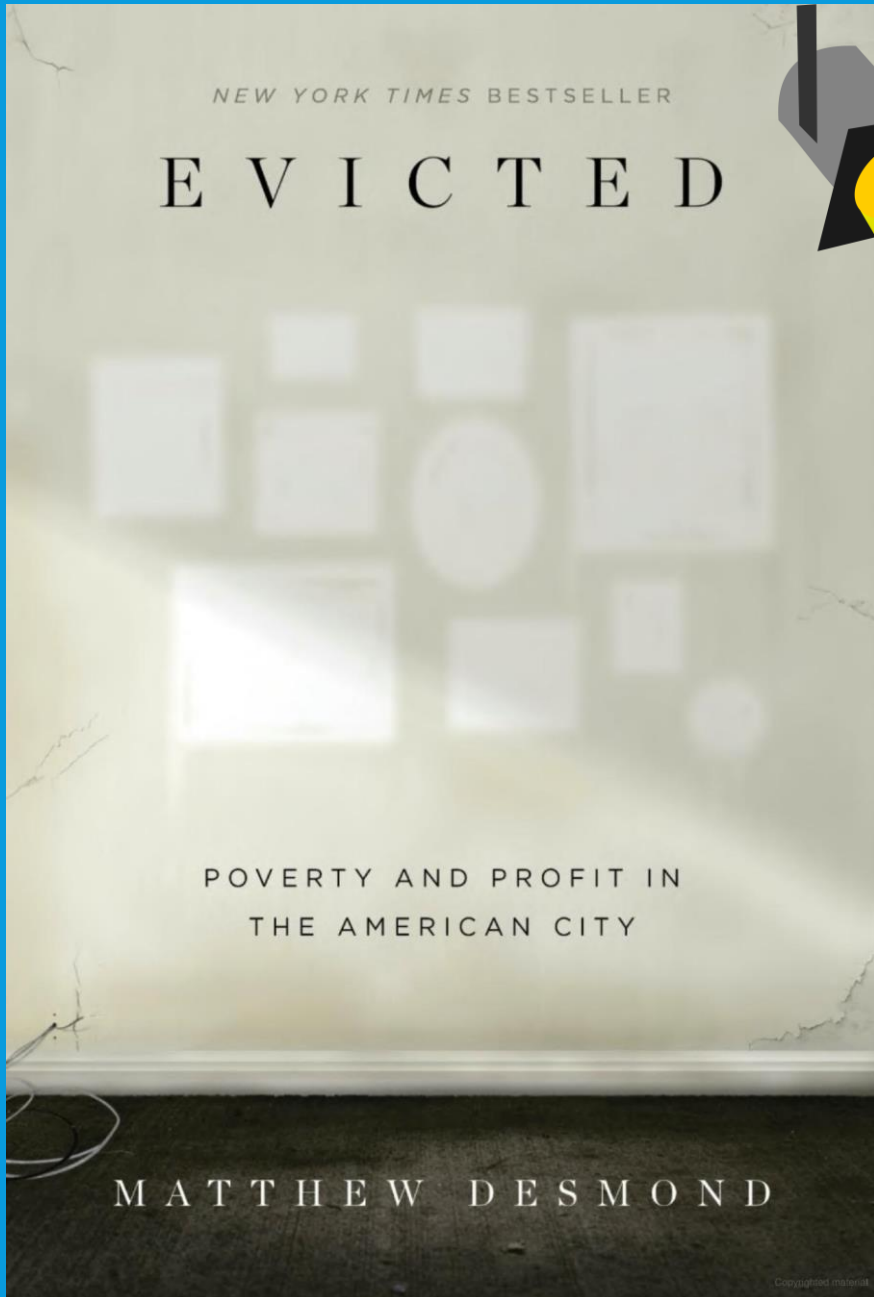




ACCESS TO COUNSEL Eviction Prevention

December 5, 2023 – Equitable Growth and Housing Committee



- Illuminated the relationship between eviction and an unbreakable cycle of poverty,
- the havoc that evictions exact on individuals' job opportunities,
 - their children's educational opportunities,
 - and the emotional well being of all family members.

"You are being asked to leave the premises": A Study of Eviction in Cincinnati and Hamilton County, Ohio, 2014-2017

Elaina Johns-Wolfe, M.A.
Department of Sociology
University of Cincinnati



JUNE 2018



Harvard University

<https://blog.petrieflom.law.harvard.edu> › 2022/11/02 ›

U.S. Eviction Policy is Harming Children: The Case for ...

Nov 2, 2022 – An **eviction** record can permanently scar a tenant's rental history, even when the case is decided in a tenant's favor. An **eviction** makes it more ...



Center for American Progress

<https://www.americanprogress.org> › article › the-dispr...

The Disproportionate Burden of Eviction on Black Women

Aug 14, 2023 – Notably, a recent national analysis found that **Black** women were more likely to live in counties with higher **eviction** and filing rates and faced ...



NPR

<https://www.npr.org> › 2021/06/03 › corporate-landlord-...

Report Says Black Tenants Evicted At Far Higher Rate ...

Jun 3, 2021 – The group has been tracking **eviction** filings by corporate landlords and, in a report on Pretium, says it has found a **racial** disparity. According ...



The New York Times

<https://www.nytimes.com> › 2023/10/02 › upshot › evicti...

The Americans Most Threatened by Eviction: Young Children

Oct 2, 2023 – Facing **Eviction**: Babies and toddlers in the United States are disproportionately at risk of **eviction**, a new study found. The threat is acute for ...

EVICCTIONS IN CINCINNATI

*data from Eviction Lab

Year to date: 1/1/23 – 11/1/23 = 12,158 filings

Last month: 10/1/23 – 11/1/23 = 1,105 filings

26.1% of filings come from the top 100 buildings

EVICTION LAB

CINCINNATI, OHIO

There are 143,075 renter households in Hamilton County (Cincinnati), paying a typical rent of \$906 per month. If a landlord chooses to file an eviction, they need to provide their tenants with at least three days notice (in some cases more) and pay a \$110 filing fee to the courts.¹

The state of Ohio did not put a general eviction moratorium in place, but courts in Hamilton County (Cincinnati) suspended proceedings between March 19 and June 1, 2020. Eviction filings were accepted throughout this period, but fell in mid-March and April 2020.

On April 1, 2021, The Hamilton County Municipal Court stopped enforcing the national CDC moratorium, allowing for evictions for nonpayment of rent that may have been previously stayed.

FILING COUNTS LAST UPDATED: 11/01/2023

38,355 filings since 3/15/2020 82% of average ⓘ	12,158 filings in the past year 95% of average ⓘ
1,105 filings in the past month 99% of average ⓘ	

FILING RATES OVER THE PAST YEAR

8% eviction filing rate ⓘ	Unavailable households threatened rate ⓘ
Unavailable	

EVICTION LAB

Eviction Hotspots

26.1% of all eviction filings come from the top 100 buildings

Eviction filings aren't spread evenly across cities: a small number of buildings are responsible for a disproportionate share of eviction cases. This pattern, which existed before the pandemic, has continued in 2020 and beyond. We analyzed eviction records in Cincinnati to determine where the most cases are being filed. This is a list of eviction hotspots—the 10 buildings responsible for the most filings—over the course of the last year. We also display the plaintiff name most often listed with a given building in the court filings. In the next section, we map the top 100 hotspots across the county.

Eviction Hotspot data are updated semi-annually.

2950 HIGHFOREST LN CINCINNATI OHIO 101 LLC	238 filings
5469 KIRBY AVE KIRBY AVENUE CONQUERORS LLC	92 filings
2731 E TOWER DR FOUR TOWERS APARTMENTS LLC	82 filings
1828 SUNSET AVE CLEARPOINTE WOODS LLC	79 filings
1560 SPRING PARK WALK GLENWOOD HOUSING PARTNERS LLC	74 filings

Unlike in criminal court, defendants (tenants) are **NOT** given the right to legal representation.



Legal Aid only has the resources to represent a **small fraction** of the tenants who need an attorney.

In Hamilton County, your eviction case can take less than 45 seconds from start to finish.

From a study by the Cincinnati Tenants Union
of 19,000 evictions in Hamilton County
from March 2021 - January 2023:

Who has a lawyer in Hamilton County eviction court?



93%



of Landlords

7%



of Tenants

84% of represented tenants don't get evicted



Eviction Court
1000 Sycamore Street
Room B
Monday – Friday
9:30am and 10:30am
dockets

“I have an approval letter for rent assistance from the 513 Relief bus. I’m waiting on the check to be mailed to my landlord.”

“Section 8 stopped paying my rent. I don’t know what’s going on.”

No attorney?

EVICTED

“I received this eviction notice right after I reported the hole in the ceiling to the building department.”

“I don’t understand all the fees that are attached to my ledger.”*

*Vinebrook cases

The goal of
Access to
Counsel
is to level the
playing field in
eviction court.



Cincinnati's first Access to Counsel Ordinance

The initial Access to Counsel pilot includes contracts with the United Way and Legal Aid and will serve:

Tenants with a Notice to Leave the Premises

REQUESTING TENANT TO LEAVE PREMISES (THREE -DAY NOTICE)

TENANT'S NAME: [REDACTED]
 TENANT'S STREET ADDRESS: 3543 Harvey Avenue
 TENANT'S CITY/STATE/ZIP: Cincinnati, Ohio 45229

The purpose of this letter is to ask you to LEAVE the premises now in your possession, situated in Cincinnati, Hamilton County, Ohio, and known as:

together with the lot of land on which these premises are located. You are being asked to LEAVE for the following reason(s):

NONPAYMENT OF RENT.

Your compliance with this Notice within three (3) days after its service will prevent any further eviction action against you.

YOU ARE BEING ASKED TO LEAVE THE PREMISES. IF YOU DO NOT LEAVE, AN EVICTION ACTION MAY BE INITIATED AGAINST YOU. IF YOU ARE IN DOUBT REGARDING YOUR LEGAL RIGHTS AND OBLIGATIONS AS A TENANT, IT IS RECOMMENDED THAT YOU SEEK LEGAL ASSISTANCE.

Signature: Anthony Leach
 Landlord/Agent's Name: Anthony Leach
 Date: 10/10/2023

ME Real Estate Columbus, Inc.
 4300 E. Broad St. Suite A
 Columbus, Ohio 43213
 (614) 722-1000
 ColumbusOffice@MEREIG.com

Tenants with a court date for eviction

Summons Returnable by: 11-27-2023

Original

Eviction Court Summons
from Hamilton County Municipal Court

Dear [REDACTED]

Your landlord has sued to evict you from 3543 HARVEY AVE # [REDACTED] CINCINNATI, OH 45229.

When	December 5, 2023 at 10:30 A.M. Come at least 30 minutes early. The security lines will be long. If you are late, you may be evicted automatically.
Where	JUSTICE COMPLEX-SOUTH, ROOM B, 1000 SYCAMORE, CINCINNATI, OH 45202

Don't ignore this eviction case. You could be given 7 or fewer days to vacate your rental home.

An eviction can make it harder to rent in the future. If you go to court you might be able to defend yourself and avoid eviction. If **you don't go to court, your landlord can evict you automatically.**

Get Help

- **Speak With a Free Lawyer.**
Call the Help Center at 513-946-5650 to get information about your options or make a free 40-minute appointment with a lawyer. They cannot represent you in court. You can also visit room 113 of the Hamilton County Courthouse or visit www.cincyhelpcenter.org.
- **Find a Lawyer to Represent You in Court.**
Call Legal Aid at 513-241-9400. If you qualify for a free lawyer who could represent you in court. You can also hire a private lawyer. Visit www.cincybar.org or call 513-381-8213.
- **Seek Help Paying Rent.**
Call United Way at 211, to see if you qualify.
- **Request a translator or accommodation for a disability.**
Call the court at 513-946-5200.

A Complaint to evict you has been filed with this court. No person shall be evicted unless the person's right to possession has ended and no person shall be evicted in retaliation for the exercise of the person's lawful rights. If you are depositing rent with the clerk of this court you shall continue to deposit such rent until the time of the court hearing. The failure to continue to deposit such rent may result in your eviction. You may request a trial by jury. You have the right to seek legal assistance. If you cannot afford a lawyer, you may contact your local legal aid or legal service office. If none is available, you may contact your local bar association.

Your Case Number
23 [REDACTED]

Case Caption
Me Real Estate Columbus Inc vs. [REDACTED]

Me Real Estate Columbus Inc
4300 E Broad St Ste A
Columbus, OH 43213

Melancthon W Chatfield
700 Walnut St Ste 500
Cincinnati, OH 45202-0000

3543 Harvey Ave # [REDACTED]
Cincinnati, OH 45229

Certified Mail Number (PO)
[REDACTED]

Balliff's Code
139820302

Date Created
11/14/2023

Hamilton County Justice Center,
Room B, 1000 Sycamore St.,
Cincinnati, OH 45202

Get help by texting COURT to 513-993-4565
Your code is: HC23234051

Clerk's Signature

The Access to Counsel pilot criteria are:

- Tenant lives in the City of Cincinnati, and
 - Owes back rent that \$2500-\$3000 will bring current.
 - Is under 60% of the Area Median Income (AMI).

Household Size	Eligible if income is under this/year
1	\$42,480
2	\$48,540
3	\$54,600
4	\$60,660

- Is able to demonstrate the ability to pay rent moving forward.
- Hasn't received Access to Counsel money in the last 12 months.
- Priority will be given to households:
 - with children, seniors (over age 65) or individuals with disabilities.
 - under 100% of the federal poverty level.
 - at risk of losing a housing subsidy or voucher.



Initial investment from the City:

- \$600,000 for legal services
- \$600,000 in rent assistance
- \$50,000 for administrative fees

United Way	Legal Aid
Will work with eligible tenants who have a notice to leave to premises.	Will work with eligible tenants who have an eviction court date.
Goal: prevent an eviction from being filed	Goal: to get the eviction dismissed + removed from the Clerk's website.
If the tenant needs rent assistance, the United Way will be able to issue a check within 2 weeks.	

What we'll learn:



- 1) # of evictions dismissed
- 2) # of eviction filings avoided
- 3) Average amount of rent assistance needed per case
- 4) # of evictions removed from the clerk's website
- ★ 5) Source of tenants' housing instability
- ★ 6) # of tenants still at the same address 6 months after receiving assistance

What comes next?



This initial funding will serve about 240 tenants.

In order to expand the # of tenants who can be represented in eviction court, we need sustainable long-term funding.