

ACDS Eviction Prevention Program
Description and Outcomes Data – Emergency Response Process for
Tenants Scheduled for Eviction While Rental Assistance Applications Are Pending
December, 2021

Since March, 2021, when our current Eviction Prevention Program began, **ACDS has approved 1379 applications for nearly \$17.1 Million** in emergency rental assistance. We are currently processing rental assistance applications on two tracks: the bulk of our team processes applications as quickly as they possibly can for tenants who are not facing imminent eviction, and the rest of our team works on emergencies and priority applications, which include applicants with evictions scheduled and applicants who we know to have live writs for possession pending against them (meaning they can be scheduled for eviction at any time). Mostly, the team doing emergencies can handle the number of emergencies as they come in, but we often have to pull in our legal partner, Community Legal Services, to seek stays on evictions, and we also frequently have to pull in staff who don't normally do emergencies to help us keep up. Sometimes, like next week, we are all on emergencies, all the time.

Our process for preventing evictions once they have been scheduled is perpetually in emergency mode and very labor intensive. We constantly scour the Sheriff's eviction schedule – a shared Google document the Sheriff created and made available to us upon request as the eviction moratorium came to an end - and we are always racing to get money to our applicants' landlords before their eviction date arrives. Some evictions are added to the list later than others, but we usually have an idea of what's coming at least week or so ahead of time. As the list is populated with locations, our staff start making phone calls to the properties to try to find out who is scheduled. (The schedule lists dates, times and locations where evictions are scheduled to take place within the upcoming few weeks, but rarely includes names.) Sometimes the properties will provide us with a list of the tenants scheduled for eviction, so we can cross-reference the names with our application waitlist. Other times, the properties will not tell us who is scheduled for eviction, and instead require that we pull all a report from our waitlist database of all their tenants who have applications on file with us, and they then tell us which of them are scheduled. Often, the list they provide is accurate and complete. Sometimes it is not.

Many times, we learn of scheduled evictions from our applicants when they receive a notice of eviction from the Sheriff. The Sheriff provides our contact information when they serve notices of eviction, and they have become a great referral resource. Sometimes we are alerted to tenants with imminent evictions by our legal partner or by other agencies in the community. We happily accept emergency applications from tenants who are scheduled for eviction who haven't yet applied. In fact, we encourage landlords with eviction dates to have tenants who have not yet applied submit emergency applications before their eviction date, and they often do.

Once we know who is being evicted, a flurry of activity takes place. We pull applications from the waitlist, and staff reach out to the tenants to gather all the documentation necessary to confirm eligibility. At the same time, our case managers contact the applicant's

property manager to gather information about the landlord and to get the tenant's ledger along with an agreement from the landlord that they will participate in our program. If (when) the stars align, we send a landlord agreement to the landlord with the amount we will pay and receive the landlord's agreement to cancel the eviction before the eviction date arrives. Often – very often – that happens the night before or even the day of the scheduled eviction. If it looks like we'll be cutting the timing too close or we have problems connecting with the landlord, we seek assistance from Community Legal Services to apply for a stay on the eviction for the tenant. That, too, is all very last minute, and we have to cross our fingers for success since there is really no applicable basis in the law to support a stay on evictions to allow time to complete the rental assistance process. Our legal partner is very good, and we (along with our rental assistance applicants) have been very fortunate so far. We have literally had emergency motions to stay filed at 8:30am for tenants scheduled for eviction at 9:30am and been able to prevent the eviction. So far, every eviction we have delayed has resulted in payment to the landlord and continued housing for the tenant.

With that background in mind, the data provided below reflects recent results of the emergency response processes we have put in place to respond to scheduled evictions. The numbers below do not include evictions avoided by paying rental assistance on behalf of tenants we knew to have live writs pending against them during the same time period. **Forty (40) evictions were avoided for tenants with writs pending against them** from mid-October to mid-December, 2021.

Data below is for Anne Arundel County households scheduled for eviction from mid-October, 2021 to mid-December, 2021, and refers to tenants scheduled for eviction while they had applications for emergency rental assistance pending with ACDS.

For reference, the total number of evictions that actually occurred in Anne Arundel County in October, 2021, as reported by the Maryland District Court, was 15. However, see caution below about the accuracy/potential inaccuracy of this number.

Total number of *properties* where evictions were scheduled: 146 This is *not the number of households* scheduled for eviction. Sixty of the 146 properties had multiple households scheduled for eviction – generally anywhere from 6 to 40+.

Number of **scheduled evictions for households with applications for emergency rental assistance pending with ACDS: 114**

Number of **scheduled evictions prevented** by the ACDS Eviction Prevention Program for households with applications for emergency rental assistance pending (by providing payment or agreement to pay): **103**

Number of households **provided with relocation assistance** (security deposit, first month's rent and prospective rent) because eviction could not be avoided by payment of rent: **3**

Number of households found to be **ineligible for rental assistance: 4** Most were over-income for the program and we believe they were able to pay and stay.

Number of **households that could not be reached or had already moved out: 4**

Number of **late-night, early-morning and weekend hours worked** by ACDS staff and Community Legal Services attorneys (on top of their regular work schedules) to prevent the evictions noted above on very short notice: **Too many to count.**

DATA THAT IS LACKING:

Total number of households and names of all tenants actually scheduled for eviction in Anne Arundel County: Unknown.

The court issues writs for possession as they are requested by landlords who have obtained judgments against tenants. Not all judgments result in writs being issued, and not all writs result in evictions being scheduled. Similarly, not all scheduled evictions result in actual evictions.

When multiple evictions are scheduled for one property on the same day - which is the case for many evictions on the Sheriff's schedule - the schedule says "multiple" or "various" where the tenant's name would otherwise go. No names are listed, nor is the number of households scheduled for eviction listed. We do *not* fault the Sheriffs for this. We understand their time is limited. We always try to get the names of all tenants scheduled at particular locations from the properties themselves, but the properties often will not provide us with names of tenants who do not have rental assistance applications pending, nor will they give us the number of tenants they are scheduled to evict on a given date. Despite our request to the court, writs issued by the court have not been made available to us, so we are not able to determine even who *might* be at risk of eviction at a specific property on any particular date.

Total number of households actually evicted in Anne Arundel County: Unknown.

While we know the outcomes of scheduled evictions for tenants who have applications for rental assistance on file with ACDS, we do not know the outcomes of scheduled evictions for any other tenants. To my knowledge, there is no formal or even informal recording of the outcomes of writs, either by the court or the Sheriffs' Department. In other words, no one is counting the number of households that are actually evicted and recording that data in a central repository. Even if that number is recorded somewhere, it is definitely not readily available to the public. Property owners themselves do not publicly share the numbers of evictions that actually occur at their properties. The District Court posts a graph on its website that includes a column for evictions; however, despite much digging, no one seems to be able to find where the data reported by the court actually comes from since there does not actually appear to be a repository for gathering that information. Accordingly, *as of right now, any data purporting to show actual numbers of evictions that*

have occurred should be viewed with knowledge of the lack of an actual reporting mechanism for accurately calculating those numbers.