

Expanding COVID-19 Eviction Diversion Strategies: Centering Black, Indigenous, and People of Color in Outreach



Diana Carrillo, Summer Fellow

Master of Public Policy Candidate
University of Maryland, College Park

8/11/2023



Contents

About the Fellow.....	2
Acknowledgments	2
Executive Summary	3
Background.....	4
Disparities in COVID-19 and Evictions.....	4
Eviction Diversion Policies: Immediate and Long-term Strategies	5
County Resources and COVID-19 Rent Relief Program.....	6
Evictions on the Rise	9
Eviction Hot Spots in Montgomery County	11
Racial and Ethnic Disparities.....	14
Racial Disparities in Evictions Nationwide	15
BIPOC Renters Benefitted from Rent Relief	15
Who Rents and Who Owns in Eviction Hot Spots.....	16
Preventing Further Disparities in Homelessness	18
Best Practices for Inclusive Eviction Diversion.....	20
Meet Tenants Where They Live	20
Conduct Culturally and Linguistically Competent Approaches.....	21
Recommendations.....	24
Conclusion	27
References	28
Appendix A	31

About the Fellow

Diana Carrillo is a Master of Public Policy candidate at the University of Maryland, College Park. In her studies and professional work, she focuses on the intersection of education, health, and housing policies on marginalized communities and envisions a system where their voices are routinely incorporated in policy creation.



Diana received her Bachelor of Arts in Political Science from the University of Maryland, Baltimore County, then began her career in the nonprofit sector. As a proud and longtime resident, Diana supports Montgomery County's vision to create a more equitable and inclusive community.

Acknowledgments

Thank you to the Montgomery County Council for the opportunity to work as a Summer Fellow, and to Pamela Dunn and Naeem Mia for managing the program. Special thank you to Janmarie Peña, Chitra Kalyandurg, Chris Cihlar, and the Office of Legislative Oversight for their support throughout the program and project. Additional thanks to Tara Clemons Johnson, the Department of Health and Human Services, and the Montgomery County Office of the Sheriff for their guidance, time, and data for the completion of this project.

Executive Summary

The COVID-19 pandemic exacerbated economic situations for low-income and Black, Indigenous, and People of Color (BIPOC) communities. To help the most vulnerable households stay in their homes during the public health crisis, governments initiated unprecedented housing initiatives, such as eviction moratoria and millions of dollars in emergency rental assistance. The pandemic-era programs led to the largest nationwide reduction in writs of repossessions and evictions. BIPOC renters benefited the most from housing relief, however, as COVID-19 assistance programs end, these communities face higher rates of housing instability.

Montgomery County, Maryland experienced parallel trends in eviction reductions and rent relief beneficiaries during the pandemic. County departments responsible for eviction diversion expanded their funding and strategies to alleviate the financial hardships of residents. Now, with the end of its COVID Rent Relief Program, the County is experiencing a rise in writs filed and evictions conducted, demonstrating a continued need for financial assistance. Data reveals that the County's evictions are concentrated in Silver Spring (20904, 20906, 20910), Gaithersburg (20878), and Germantown (20874).

Aligned with national best practices, this paper recommends that the County center its eviction diversion programs on BIPOC households living in at-risk eviction areas. The County should conduct *culturally and linguistically competent outreach* and *meet renters where they live* through the following three recommendations:

1. **Host community fairs** in the five eviction hot spots,
2. **Partner with Montgomery County Public Schools** to reach at-risk families, and
3. **Collaborate with the District Court and Sheriff's Office to raise awareness** on tenant's rights.

Background

Evictions have long plagued communities nationwide and stood at the forefront of housing policies. An eviction occurs after a landlord initiates the legal process in state courts due to a breach of contract or non-payment of rent. Evictions have economic and social costs on communities, including financial losses for landlords, mental health issues for tenants, and cycles of housing instability. Studies found that housing instability affects low-income children more than advantaged children and contributes to a long-lasting achievement gap in math and reading and likelihood to repeat a grade.¹

Disparities in COVID-19 and Evictions

The COVID-19 public health crisis exacerbated financial hardships for low-income households and further placed them in rent burden conditions, forcing them to spend more than 30% of their income on housing. More importantly, Black, Indigenous, People of Color (BIPOC) families in minority-majority neighborhoods were impacted the most by COVID-19 and its spilling effects on housing insecurity. Likely, Montgomery County is not immune to racial inequities in evictions and housing insecurity. As explained in this report, Black² and Latinx³ renters in eviction hot spots are most vulnerable to experience displacement, which is a great concern as evictions begin to rise. The findings from this report show that the County must create approaches that target BIPOC communities. With the passage of the Racial Equity and Social Justice Act in 2020,

¹ Stephanie Bryant, Natalia Carrizosa, and Leslie Rubin, *Rent Regulations and the Montgomery County Rental Housing Market*, Office of Legislative Oversight Report 2023-5, pp. 21. https://www.montgomerycountymd.gov/OLO/Resources/Files/2023_reports/OLORReport2023-5.pdf

² The terms Black and African American will be used interchangeably based on the terminology used in the original source.

³ The terms Latinx, Latino, and Hispanic will be used interchangeably based on the terminology used in the original source.

Montgomery County pledged to advance racial equity within every County department, and the eviction diversion programs should be no exception.⁴

Eviction Diversion Policies: Immediate and Long-term Strategies

In response to the COVID-19 economic impacts, federal, state, and local governments enacted eviction diversion policies, which aimed to maintain tenants in their homes and prevent landlords from initiating court eviction filings for non-payment of rent. Governments implemented eviction moratoria and approved millions of dollars in prevention programs as diversion strategies to address the effects of the pandemic. These responses produced the first national infrastructure on eviction diversion and disrupted a system of 3.6 million eviction filings each year.⁵ However, these emergency responses were short-term in nature. With the end of moratorium orders and emergency rental assistance (ERA) funds, evictions are steadily rising to pre-pandemic levels.

Long-term solutions that address evictions can differ from one jurisdiction to another and can be implemented through legal protections at the local or state level. Common eviction diversion strategies include financial assistance, mediation between landlords and tenants, access to legal counsel, and tenant education workshops. Often times, the diversion efforts are implemented during an emergency time window, from the moment the landlord files a Writ of Restitution-- which is an eviction order filed in court by the landlord to regain possession of the unit, to the moment the Sheriff's Office conducts the eviction.⁶

⁴ Office of Racial Equity and Social Justice, Montgomery County, available at <https://www.montgomerycountymd.gov/ore/>.

⁵ White House, *FACT SHEET: White House Summit on Building Lasting Eviction Prevention Reform*, August 2, 2022, available at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/02/fact-sheet-white-house-summit-on-building-lasting-eviction-prevention-reform/>.

⁶ Sheriff's Office, Montgomery County, Maryland. Eviction Section, available at <https://www.montgomerycountymd.gov/sheriff/sections/eviction-section.html#:~:text=If%20the%20landlord%20orders%20a,for%20possession%20shall%20be%20stricken%20>.

The National Coalition for a Civil Right to Counsel acknowledges the importance of legal representation as a critical measure in eviction diversion policies and, in 2021, Maryland became the second state to adopt this legal protection.⁷ In an effort to extend statewide protection to tenants during eviction proceedings, the Maryland General Assembly passed HB 18, *Access to Counsel Act*.⁸ The Act established three major components:

- Access to legal representation for all Marylanders who income-qualify during “a judicial or administrative proceeding to evict or terminate a tenancy or subsidy, including the most voluminous type of landlord-tenant case, Failure to Pay Rent;”
- Requirement for landlords to complete a 10-day prefiling written notice to the tenant; and
- Creation of the Access to Counsel Task Force.⁹

In accordance with HB 18, jurisdictions throughout Maryland must work proactively to ensure tenants are aware and benefitting from this resource.

County Resources and COVID-19 Rent Relief Program

Montgomery County offered eviction prevention resources and enacted some preventive measures well before 2020. In its 2018-10 report, *Evictions in Montgomery County*, the County's Office of Legislative Oversight (OLO) examined the processes, categories, concentration, and consequences of evictions in the County, and provided critical recommendations like requesting the Executive Branch to track the zip codes, income, and race of residents applying to County programs.¹⁰

⁷ National Coalition for a Civil Right to Counsel, available at <http://civilrighttocounsel.org/map>.

⁸ Maryland-2021-HB18, *Landlord and Tenant – Residential Tenants – Access to Counsel*, 2021, available at <https://legiscan.com/MD/text/HB18/2021>.

⁹ Ibid.

¹⁰ Stephanie Bryant, Natalia Carrizosa, and Kelli Robinson, *Evictions in Montgomery County*, Office of Legislative Oversight Report 2018-10, pp. 116.

Before the pandemic, the County's rental financial assistance program helped tenants with an average of \$1,500 to \$1,750 for one month's rent, which was sufficient to prevent an eviction filing.¹¹ In comparison, since the start of the pandemic, households have accumulated between \$10,000 to \$30,000 in rental arrears.¹² These amounts illustrate financial needs seldom seen before.

As a response to COVID and enabled by State and Federal funds, the County expanded department and community resources through the COVID Rent Relief Program/ Emergency Rental Assistance Program (ERAP). The agencies leading these efforts included the Department of Health and Human Services (DHHS) and the Department of Housing and Community Affairs (DHCA) through programs such as the Housing Stabilization Services (HSS) and Services to End and Prevent Homelessness (SEPH). DHCA worked closely with DHHS and community organizations like CASA, Housing Initiative Partnership, Latino Economic Development Corporation, and Renters Alliance to conduct outreach, assist tenants with the application process, and raise awareness of rent relief programs.¹³ More specifically, to promote ERAP to specific households, the County distributed fliers in different languages in apartment buildings, ads on buses, community events, and electronically through social media and newsletters.¹⁴ However, with the end of ERAP in January 2023, these resources and efforts have diminished despite rental arrears remaining high.

Another positive change implemented during the pandemic was the countywide practice of data collection for COVID related initiatives. Prior to the pandemic, data on evictions were limited but during the ERAP application process the County began to collect information on the number of evictions

¹¹ Gathered during virtual interview with the Department of Health and Human Services on Tuesday, June 27, 2023.

¹² Gathered during virtual interview with the Department of Health and Human Services on Tuesday, June 27, 2023.

¹³ Council Staff Report, Montgomery County Council, February 8, 2022.

¹⁴ Ibid.

conducted and demographics and zip code of applicants. Beginning in July 2021, DHHS published important application updates and impacts of COVID on its weekly Pulse Reports.¹⁵ As of May 2023, four months after the end of Phase 4, ERAP had distributed \$98.6 million in assistance to 12,449 households.¹⁶ Ultimately, ERAP was effective in alleviating evictions during the pandemic as vulnerable households became unable to pay rent. As demonstrated in Table 1, there were 592 evictions conducted in Fiscal Year (FY) 2020 and 254 evictions in FY 2021— a respective 37 percent and 73 percent reduction from FY 2019.¹⁷

Table 1. Evictions in Montgomery County, FY 2019 to FY 2021

	FY 2019	FY 2020	FY 2021
Writs Received	11,930	7,985	2,573
Evictions Scheduled	8,605	4,820	908
Evictions Conducted	938	592	254

Source: Montgomery County, Maryland, Office of the Sheriff, May 2023.

¹⁵ Montgomery County DHHS Pulse Reports available at <https://www.montgomerycountymd.gov/covid19/news/pulse-reports.html>.

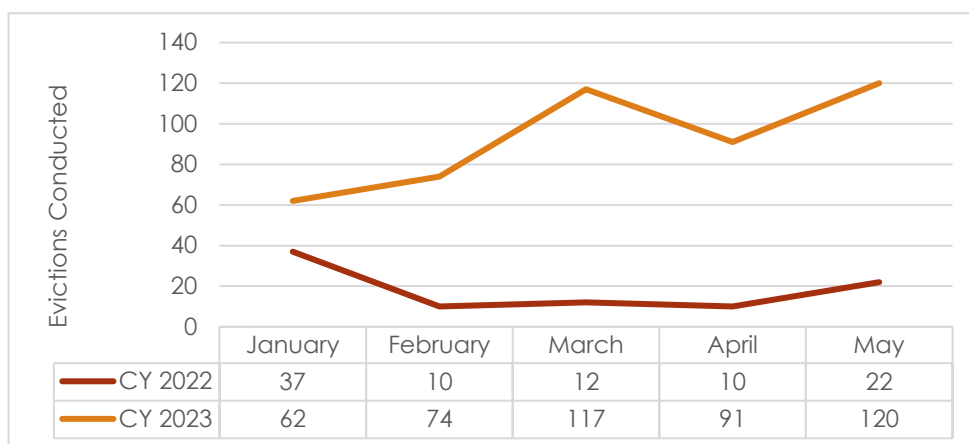
¹⁶ Montgomery County DHHS, *DHHS Pulse Report – May 17, 2023*, available at <https://www.montgomerycountymd.gov/covid19/Resources/Files/pulse/DHHS-Pulse-230517.pdf>

¹⁷ Montgomery County, Maryland, Office of the Sheriff, *Montgomery County, Maryland Evictions*, June 6, 2023.

Evictions on the Rise

With the end of pandemic-era policies, like ERAP and eviction moratoria, and with court dockets catching up, the number of evictions has risen in 2023. In a statement released in August 2022, the White House stated that despite the projected eviction “tsunami,” national eviction filings have stayed 26 percent below historic levels.¹⁸ However, data reported by the Montgomery County Office of the Sheriff and the Maryland Department of Housing and Community Development suggest otherwise. Within the first five months of Calendar Year (CY)¹⁹ 2023 there have been 464 evictions conducted in the County, compared to 91 evictions during the respective months of CY 2022.²⁰

Figure 1. Evictions Conducted in Montgomery County from January to May in CY 2022 and CY 2023



Source: Montgomery County, Maryland, Office of the Sheriff, May 2023.

¹⁸ White House, *FACT SHEET: White House Summit on Building Lasting Eviction Prevention Reform*, August 2, 2022, available at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/02/fact-sheet-white-house-summit-on-building-lasting-eviction-prevention-reform/>.

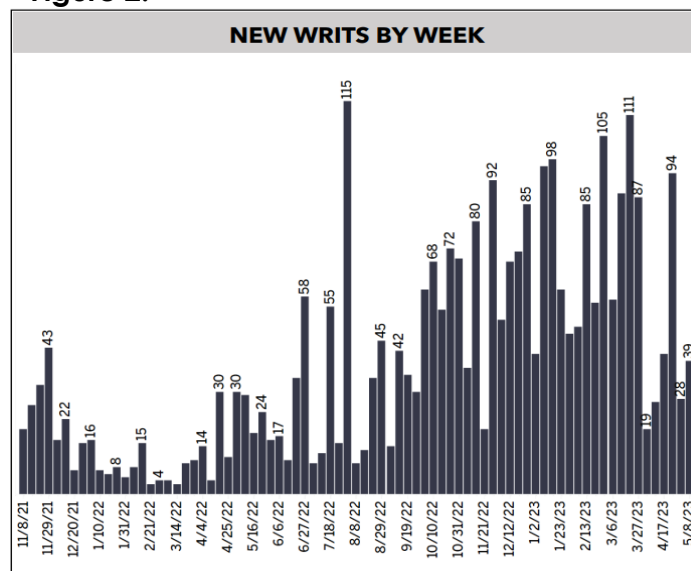
¹⁹ The reporting period for a Calendar Year collects data from January to December and differs from the County's Fiscal Year, which collects data from July to June.

²⁰ Montgomery County, Maryland, Office of the Sheriff, *Montgomery County, Maryland Evictions*, June 6, 2023.

The County's Eviction Tracker recorded a spike in Writs of Restitution during the second half of 2022 and first half of 2023, with an increase of three times from July to August (Figure 2).²¹

Notably, as demonstrated in Table 2, while the writs received by the Sheriff's Office decreased by 57 percent between FY 2019 and FY 2023, evictions conducted only decreased by 13 percent.²² The gap in the decrease of rates indicate that a larger percent of evictions are likely to occur if the landlord initiates a writ.

Figure 2.



Source: DHHS Pulse Report, COVID-19 Rent Relief Update, May 2023.

The DHHS Pulse Reports noted that less than 8 percent of writs typically result in eviction, but that rate doubled to 16 percent during FY 2023.²³ While fewer writs indicate a favorable trend, the slightly fewer evictions may signify a lack of intervention from the moment a landlord files to the moment the Sheriff's Office completes an eviction.

Table 2. Evictions in Montgomery County, FY2019 and FY 2023

	FY 2019	FY 2023	% change
Writs Received	11,930	5,186	-57%
Evictions Scheduled	8,605	3,273	-62%
Evictions Conducted	938	818	-13%
% of Evictions to Writs	8%	16%	+8%

Source: Montgomery County, Maryland, Office of the Sheriff, May 2023.

²¹ Montgomery County DHHS, *DHHS Pulse Report – May 17, 2023*.

²² Calculated using Montgomery County, Maryland, Office of the Sheriff. *Montgomery County, Maryland Evictions*, June 6, 2023.

²³ Ibid.

Eviction Hot Spots in Montgomery County

Starting in January 2023 and in accordance with Maryland HB 18, the District Court of Maryland began collecting and reporting eviction data on the Maryland Department of Housing and Community Development (DHCD) *Landlord Tenant and Eviction Dashboard*. Although the compiling of statewide eviction data is a new process, the DHCD dashboard provides updates on evictions by jurisdiction and case type, including Breach of Lease, Failure to Pay Rent (FTPR), Tenant Holding Over, and Wrongful Detainer.

Out of the four case types, FTPR cases have historically constituted the majority of eviction cases filed in the County District Court.²⁴ Consistently, within the first five months of 2023, 532 out of 587 eviction cases filed in the County were categorized as FTPR.²⁵ Further analysis of the data shows that 63 percent of the County's FTPR cases filed were concentrated within five zip codes: Silver Spring 20906, Silver Spring 20904, Silver Spring 20910, Gaithersburg 20878, and Germantown 20874.²⁶ Notably, four of these five hot spot areas—20874, 20878, 20906, and 20910-- were also identified in the OLO 2018-10 report as having the highest average number of evictions.²⁷ The OLO report also found garden-style apartment buildings faced higher concentrations of evictions, consisting of 60 percent of County evictions in all apartment buildings between FY 2014 and FY 2017.²⁸

²⁴ OLO Report 2018-10, pp. 97.

²⁵ The data from the District Court and DHCD do not match the numbers collected by Sheriff's Office. The District Court and DHCD report eviction cases filed, and the Sheriff's Office collects evictions conducted.

²⁶ Maryland Department of Housing and Community Development, Landlord Tenant and Eviction Dashboard, 2023 available at <https://app.powerbigov.us/view?r=eyJrljoiYWU1Yzg0YiYtNDkZS00MDUyLThlMDctYmE1ZjY5MGl0MwJhliwidCI6IjdkM2I4ZDAwLWY5YmUtNDZINy05NDYwLTRIZjJkOGY3MzE0OSJ9&pageName=ReportSection>.

²⁷ OLO Report 2018-10, Appendix D.

²⁸ Ibid, pp. 107.

Table 3. Failure-to-Pay-Rent Cases Filed in Montgomery County, January to May 2023

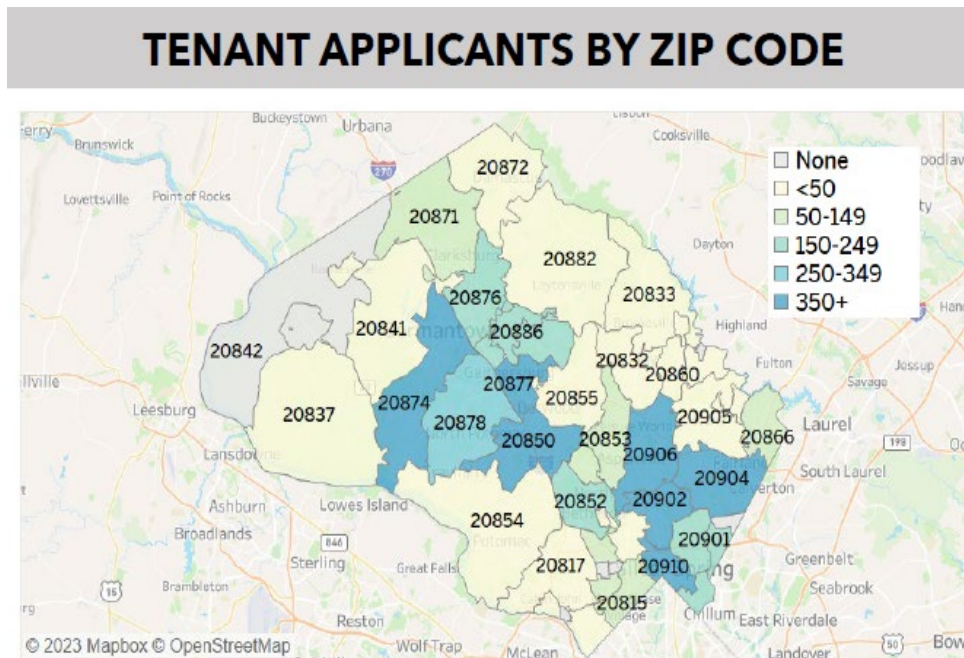
	January	February	March	April	May	Total ²⁹
Silver Spring 20906	14	8	53	15	8	98
Silver Spring 20904	8	10	30	17	11	76
Silver Spring 20910	6	8	15	8	28	65
Gaithersburg 20878	5	11	15	4	16	51
Germantown 20874	5	7	9	3	2	46
Rockville & North Bethesda 20852	0	3	8	1	8	20
Chevy Chase & Bethesda 20815	0	0	2	0	3	5
Olney 20832	0	0	2	0	0	2
Poolesville 20837	0	1	0	0	0	1

To provide better comparison of evictions taking place throughout the County, Table 3 includes the number of FTPR cases for zip codes 20852, 20815, 20832, and 20837. The data for the last three jurisdictions illustrate the disproportionate risk that residents in the eviction hot spots face compared to other areas of the County.

Finally, as seen in Figure 3, areas with the highest concentration of ERAP applications filings overlapped with some eviction hot spots, including 20904, 20906, and 20910 in Silver Spring. The data demonstrate greater need for eviction diversion strategies in at-risk neighborhoods throughout the County.

²⁹ The numbers reflect the data shown on the State dashboard as of August 7, 2023.

Figure 3.



Source: DHHS Pulse Report, COVID-19 Rent Relief Update, May 2023.

Racial and Ethnic Disparities

When finding solutions for eviction diversion, policymakers must consider the identities of people who are most impacted, as well as the systemic racist policies in housing such as redlining, discrimination in mortgage lending, and practice of eminent domain. The history of government policies and practices created today's racial wealth gap, where BIPOC communities have less resources to prepare for economic hardships that often result in housing insecurity.

Scholars Melvin Oliver and Thomas Shapiro explain the roots of the racial wealth gap through the practices of the Homestead Acts, Federal Housing Act, and the GI Bill, which mainly facilitated property ownership for Whites and “systematically exclud[ed] similar opportunities for African Americans and other minority groups.”³⁰ Montgomery County is not exempt from a history of racist housing practices that benefitted White residents. Although racial covenants were unconstitutional in 1906, four African American men, known as the “Belmont Syndicate,” were forced out of Wisconsin Avenue between Chevy Chase and Friendship Heights when they purchased land and attempted to develop an elite neighborhood accessible to African Americans.³¹ As the four developers advertised the new neighborhood, they faced violent mobs, legal actions, and financial schemes from adjacent White landowners, and ultimately were forced to hand the land to a powerful White businessman.³² Exclusionary systematic practices such as this continued throughout the 20th Century and deepened the racial wealth gap and racial inequities in housing in the County.

³⁰ Melvin L. Oliver and Thomas M. Shapiro, “Disrupting the Racial Wealth Gap,” *American Sociological Review*, March 7, 2019, available at <https://journals.sagepub.com/doi/10.1177/1536504219830672>.

³¹ Neil Flanagan and Kimberly Bender, “Four Black men developed a Montgomery County suburb to provide a better life for some in their community. They received something very different in return.” July 28, 2022.

³² *Ibid.*

Racial Disparities in Evictions Nationwide

A study by the Eviction Lab analyzing millions of eviction cases filed between 2012 and 2016 in 39 states concluded that writs and eviction rates were higher for Black renters than for white renters.³³ While only 19.9 percent of adult renters were Black, Black renters made up 32.7 percent of all eviction filing defendants.³⁴ The study also found that Black and Latinx renters were respectively 14.7 percent and 13.1 percent more likely to experience a serial eviction filing rate at the same address, creating a cycle of insecurity.³⁵ Further, the study also found that within the racial and ethnic groups of evictees, Black and Latinx female renters disproportionately faced higher eviction rates. Compared to their male counterparts, Black women were 4 percent more likely to experience eviction, while Latina renters were 9 percent more likely.³⁶

Acknowledging the intersecting identities of individuals vulnerable to financial hardships and evictions can enable better approaches in prevention measures. Black and Latinx renters can face additional, and often overlooked, barriers when seeking and applying for rental assistance programs. There can be barriers to accessing and completing assistance applications that include, but are not limited to, transportation, English comprehension, literacy level, and technology access and savviness. Ensuring equitable application accessibility is a critical component of eviction prevention.

BIPOC Renters Benefitted from Rent Relief

Whether through local or federal programs, ERA saved thousands of BIPOC renters from eviction. To examine the impact of ERA programs, the Eviction Lab at Princeton University evaluated 434,304 eviction cases filed across six states

³³ Peter Hepburn et al., *Racial and Gender Disparities among Evicted Americans*, Eviction Lab, December 2020, available at <https://evictionlab.org/demographics-of-eviction/>.

³⁴ Ibid.

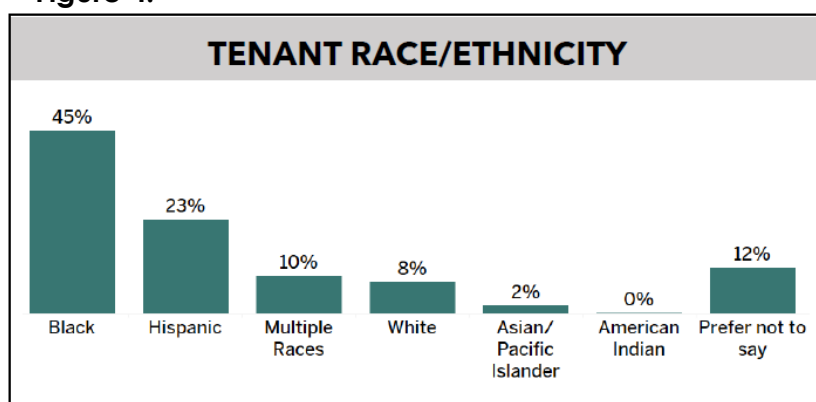
³⁵ Ibid.

³⁶ Ibid.

and 31 cities between January 1 and December 31, 2021.³⁷ The study found that ERA eviction programs resulted in almost 105,000 fewer eviction filings in majority-Latino communities and over 120,000 fewer eviction filings in majority-Black communities, ultimately preventing 27.9 percent of all evictions in majority-Black communities.³⁸ In addition to experiencing the largest decrease in eviction filings, the data also revealed higher application rates for Black and Latinx households living in majority BIPOC neighborhoods, finding that 40 percent of ERA applicants identified as Black and 20 percent as Latino.³⁹

Demographic trends in County ERA data mirror national trends. As Figure 4 shows, by the end of the COVID-19 Rent Relief Program, 45 percent of applicants identified as Black and 23 percent as Hispanic.⁴⁰

Figure 4.



Who Rents and Who Owns in Eviction Hot Spots

A demographic analysis of owner-occupied units and renter-occupied units in the County's five eviction hot spots demonstrates additional racial and ethnic disparities in housing and further illustrates the vulnerability of BIPOC residents. Using the 2020 *Decennial Demographic and Housing Characteristics Census* survey, Tables 4 and 5 display the tenure data by race and ethnicity of

³⁷ Peter Hepburn, et al, 2022. *Preliminary Analysis: Eviction Filing Patterns in 2021*.

For a list of states and cities included in the study, see <https://evictionlab.org/eviction-tracking/>.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Montgomery County DHHS, *DHHS Pulse Report – May 17, 2023*.

householder in Silver Spring 20906, 20904, and 20910, Gaithersburg 20878, and Germantown 20874. The data show the following:

- (Table 4) In each eviction hot spot, White residents are overrepresented in owner-occupied units and underrepresented in renter-occupied units compared to their total population.
- (Table 4) In each eviction hot spot, Black residents are overrepresented in renter-occupied units and underrepresented in owner-occupied units compared to their total population.
- (Table 5) Although the rates of Latinx residents in renter-occupied units are relatively proportionate to total population, there are significant disproportionate gaps in owner-occupied units, with the largest gap in Silver Spring 20906.

Table 4. Tenure by Race of Household in County Eviction Hot Spots, from 2020 Census

	ZCTA5 20874	ZCTA5 20878	ZCTA5 20904	ZCTA5 20906	ZCTA5 20910
Total population %: Black or African American	26.6%	10.2%	46.6%	24.3%	30.7%
Total population %: White	32.1%	46.3%	22.0%	27.5%	44.5%
Total owner-occupied units	14,084	16,085	10,896	17,126	6,880
% of owner-occupied: Black or African American	18%	5%	35%	21%	14%
% of owner-occupied: White	46%	59%	37%	46%	69%
Total renter-occupied units	8,885	7,803	10,435	8,541	15,184
% of renter-occupied: Black or African American	38%	19%	55%	31%	41%
% of renter-occupied: White	29%	39%	23%	25%	37%

Table 5. Tenure by Ethnicity of Household in County Eviction Hot Spots, from 2020 Census

	ZCTA5 20874	ZCTA5 20878	ZCTA5 20904	ZCTA5 20906	ZCTA5 20910
Total population %: Hispanic/ Latino	22.6%	14.3%	17.8%	34.6%	13.7%
Total population %: non- Hispanic/Latino	77.4%	85.7%	82.2%	65.4%	86.3%
Total owner-occupied units	14,084	16,085	10,896	17,126	6,880
% of owner-occupied: Hispanic/ Latino	15%	7%	11%	18%	8%
% of owner-occupied: non-Hispanic/Latino	85%	93%	89%	82%	92%
Total renter-occupied units	8,885	7,803	10,435	8,541	15,184
% of renter-occupied: Hispanic/ Latino	21%	19%	15%	34%	12%
% of renter-occupied: non-Hispanic/Latino	79%	81%	85%	66%	88%

** Data by ethnicity includes individuals of different races. Percentage of individuals can include duplicated numbers from Tenure by Race of Household, for example can include Hispanic/ Latino African American or Hispanic/Latino White.

Preventing Further Disparities in Homelessness

Although most households do not experience homelessness as a result of an eviction, homelessness often begins with an eviction.⁴¹ Often times, households vacate a rental unit without undergoing formal eviction court proceedings out of fear or from a lack of knowledge of their rights as tenants.⁴²

According to FY 2023 data tracked in the DHHS Homeless Management Information System (HMIS), out of the 1,738 individuals who entered a shelter and self-reported primary race and ethnicity, 61 percent identified as Non-Hispanic Black, African American, or African (Figure 5).⁴³ The second highest group by race was Non-Hispanic White at 14 percent— less than one-fourth of the former

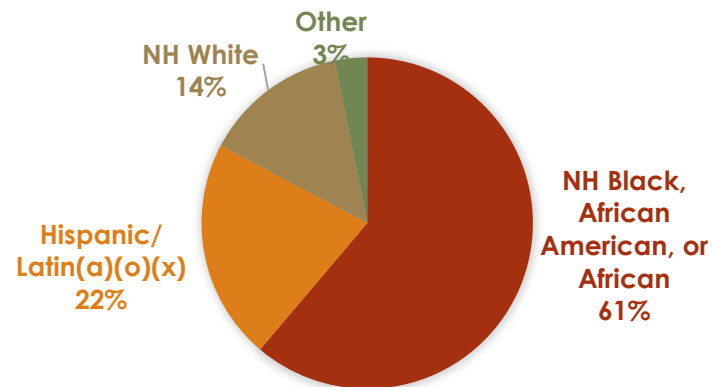
⁴¹ OLO 2018-10 Report, pp. 49

⁴² OLO 2018-10 Report, pp. 33

⁴³ Calculated using *HMIS DHHS Shelter FY23* data sent by HMIS. The report consisted of 1,764 total individuals entering a county shelter, but only 1,738 reported a primary race and/or ethnicity.

group. The gap presents clear racial disparities in County residents who experience homelessness. The disproportionate rates among Black and White residents entering County shelters indicate another critical reason to implement long-term intentional eviction strategies that target vulnerable BIPOC residents.

Figure 5. Race and Ethnicity of Individuals Entering County Shelters in FY23



Source: Homeless Management Information System, DHHS, 2023

Best Practices for Inclusive Eviction Diversion

Most eviction studies before and after the pandemic emphasize the importance of diversion strategies such as pre-filing requirements, tenant awareness, and legal representation before and during court proceedings. In Maryland, the 2021 enacted HB 18 established these protections for tenants. However, generally, eviction prevention practices that apply a focused racial lens are limited and more recent.

When researching best practices, the intention was to look for research that integrated lessons learned during the pandemic.

Key sources for best practices summarized in this section include the Urban Institute, the U.S. Department of the Treasury, the American Bar Association (ABA), and Harvard University. Two common and critical themes emerged from the literature on how to successfully engage BIPOC renters in eviction diversion programs.

1. Meet Tenants Where They Live

One common recommendation for ERA-funded programs was to center strategies on communities that face higher rates of evictions. Throughout the pandemic, state and local governments that received federal ERA funding identified methods to reach communities who were disproportionately impacted by COVID-19. This included targeted outreach in neighborhoods with higher levels of unemployment, low-income, or housing instability.

For example, San Antonio, Texas worked with community organizations to conduct safe in-person outreach targeting at-risk communities.⁴⁴ North

⁴⁴ U.S. Department of the Treasury, available at <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/outreach>

Carolina partnered with predominantly African American faith-based organizations and the school system to identify and serve families in need of financial assistance.⁴⁵ Other jurisdictions across the country conducted workshops at public libraries to ensure online access; posted fliers in small grocery stores, consulates, and laundromats; hosted rental assistance fairs in partnership with energy providers; and went door to door in targeted neighborhoods.⁴⁶

The research notes that although community-specific outreach requires more staff, planning, and time for community building, programs can be more cost-effective if they are narrowly targeted to the most vulnerable households.⁴⁷

2. Conduct Culturally and Linguistically Competent Approaches

Community-specific outreach entails understanding the audience's needs and background. A set of national guidelines include best practices for program web sites, online application instructions and navigation, and fact-specific proxies, all considering language accessibility, reader-friendly word choice, and concise and clear information.⁴⁸

**"Diversion programs must be culturally appropriate and respond to unique community needs. ... Programs must also meet the needs of geographically hard-to-serve communities such as families in remote rural areas."
- Tenant Advocate**

Source: ABA and Harvard

The information shared should be delivered through clear and simplified messaging to increase comprehension. The messages should also be inclusive, which often requires translation services for residents speaking

⁴⁵ U.S. Department of the Treasury, available at <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/outreach>.

⁴⁶ Ibid.

⁴⁷ OLO 2018-10 Report, pp. 48

⁴⁸ U.S. Department of the Treasury, available at <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/service-design/program-web-sites>.

languages other than English.⁴⁹ Translating messages from property owners, not just from rental assistance programs, is another important component.⁵⁰ This requires landlords and property managers to know their audience needs and invest in translation services. Programs that provide legal representation should also be trained in assisting tenants who speak other languages. Finally, strong partnerships with community organizations are important as organizations are often most knowledgeable about linguistic and cultural characteristics of a neighborhood.⁵¹

Moreover, during the distribution of federal funds, the US Department of the Treasury published a set of guidelines that jurisdictions could follow to ensure financial assistance was reaching household most in need.⁵² The four steps and questions offered for consideration were:

1. Assess geographic and cultural landscape of the community to determine needs.

- a. *Where are ERA applications coming from?*
- b. *Is there a plan to support individuals with limited English proficiency?*

2. Identify the targets.

- a. *Have trusted community-based organizations with high levels of cultural and linguistic competencies been identified?*
- b. *Is there a partnership with local government departments?*
- c. *Have landlord associations been contacted?*



⁴⁹ Urban Institute, *Preventing and Mitigating Evictions After the COVID-19 Crisis*, February 2023, pp. 12.

⁵⁰ Ibid, pp. 11.

⁵¹ Ibid, pp. 12.

⁵² U.S. Department of the Treasury, available at <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/outreach>.

3. Create a strategy.

- a. Is the ERA application accessible through different venues and accessible to individuals who are not tech savvy?*
- b. Are there diverse marketing strategies to advertise ERA programs? (e.g., social media, radio, newspaper)*

4. Outreach to identified targets according to the developed strategy.

- a. Do events target landlords to increase their awareness on resources available?*
- b. Are resources advertised in places where renters frequently visit?*

Expanding on the Treasury's guidelines, a key argument under Step 4 is the need to engage rental-unit owners and property managers⁵³ in the solution practices and the need to strengthen relationships between owners and tenants. A report surveying 70 property owners found that over 70 percent prefer to resolve tenant-non-payment issues outside of court.⁵⁴

This approach requires landlords to partake in education workshops to raise awareness on the resources available. This also requires property management staff interact with tenants to build constant communication; ensure information is being delivered in a timely and culturally appropriate manner; and assist tenants at the first sign of delayed payments.⁵⁵ The research notes that a barrier to this practice is that property management staff are often overwhelmed by the number of residents under their care, resulting in high staff turnover.⁵⁶

⁵³ Property owners, property managers, and landlords are used interchangeably.

⁵⁴ Deanna Pantin Parrish, *Designing for Housing Stability: Best Practices for Court-Based and Court-adjacent Eviction Prevention and/or Diversion Programs*, ABA and Harvard, 2021.

⁵⁵ Urban Institute, *Preventing and Mitigating Evictions After the COVID-19 Crisis*, February 2023, pp. 11.

⁵⁶ *Ibid*, pp. 10

Recommendations

Diversion strategies at the beginning phases of the eviction process are critical. Although the County expanded eviction programs during the pandemic to include nontraditional methods, the infrastructure established cannot end along with federal funds and moratoria. The County must systematically implement long-term diversion strategies centered on the needs of BIPOC communities that continue to face unprecedented rental arrears. County-wide and cross-agency relationships are needed, as well as routine involvement from community partners who have established rapport with BIPOC communities.

Integrating the two key concepts of *meeting tenants where they live* and *conducting culturally and linguistically competent outreach*, this report provides three recommendations to the County.

1. Host community fairs in five eviction hot spots.

DHHS, DHCA, and community organizations should cohost community fairs in garden-style apartment buildings located in the five eviction hot spots. The events should focus on educating residents on prevention resources and connecting them to case management services.

Representatives from property management offices should be present to also learn about the resources and to initiate a conversation on the application process. Representatives from County and non-County agencies should include staff who can communicate with tenants in other languages and who have similar racial and ethnic backgrounds. The County can begin by conducting one community fair in Silver Spring 20906, the area with the highest eviction cases, and request feedback from residents on what additional services they need before completing

fairs elsewhere. When planning the community fair, the location should be bus accessible, and, if possible, childcare or activities for children should be made available to eliminate barriers.

2. Partner with Montgomery County Public Schools to reach at-risk families.

Considering the upcoming statewide expansion of Community Schools⁵⁷ and commitment to *Be Well 365*,⁵⁸ DHHS and DHCA can strengthen their partnership with Montgomery County Public Schools (MCPS) and its contractors to better reach at-risk families. The County can consult with school counselors, Pupil Personnel Workers, Parent Community Coordinators, and staff from service providers like Linkages to Learning and Wellness Centers to identify specific families. Due to virtual learning, the opportunity for a strong partnership with MCPS was limited during the beginning of ERAP, but the County can now reach more families where they are located by taking advantage of in-person school interactions.

Whether MCPS staff or contractors, school stakeholders who frequently work with at-risk families tend to be linguistically competent and understand the importance of nontraditional engagement strategies. Hence, the County must look for culturally competent ways to share resource information at events like cultural coffee or tea times or drop off and pick up time, instead of through traditional engagements like Parent-Teacher Association meetings.

⁵⁷ More information on MCPS Community Schools available at <https://marylandpublicschools.org/about/Pages/DSFSS/Community-Schools/Index.aspx>.

⁵⁸ More information on MCPS *Be Well 365* available at <https://www2.montgomeryschoolsmd.org/departments/student-services/wellbeing/index-new>.

3. Collaborate with the District Court and Sheriff's Office to raise awareness on tenant's rights.

Maryland HB 18 is an achievement for renters statewide, but to be successful, renters must be aware of the legal protections and resources available as their rights as tenants. DHHS, DHCA, and community partners must work closely with the District Court and Sheriff's Office to ensure that renters are accessing free legal counsel. A cross-agency partnership is needed for linguistic and cultural competency because some BIPOC renters might face additional barriers, including translation needs during legal procedures and distrust of the legal system. Hence, continuous community building is needed to create a system where individuals facing an eviction case feel comfortable and safe with free legal representation by their side.

One way to raise awareness on HB 18 is through door-to-door conversations, either for households already involved in an eviction case or for households located in the eviction hot spots. If tenants are hesitant to open their doors, multilingual fliers can be left under the doors. Additionally, outreach should be conducted during evening and weekend hours to reach households who work nontraditional jobs. Property managers can also assist by posting multilingual resource fliers in building entrances. All fliers should include QR codes and tear-off tabs to obtain more information.

When the District Court and Sheriff's Office receives a pre-filing notice or official eviction filing, County and community stakeholders should contact the tenants involved within one to three days. Additionally, the District Court and Sheriff's Office should communicate with County staff when eviction court hearings will be held to ensure that legal counsel is

available, especially if tenants have remained hesitant to reach out until that day.

Conclusion

Montgomery County implemented several best practices during the COVID-19 rent relief initiatives and worked alongside important community partners to reach BIPOC renters in the five eviction hot spots. Although the ERAP has ended, the County continues to witness high rental arrears and a steady rise in eviction filings. Therefore, there should be long-term eviction strategies that target at-risk residents such as community fairs, stronger partnerships with MCPS schools, and closer collaboration with the District Court and Sheriff's Office.

References

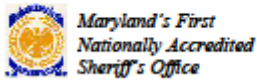
- Bryant, Stephanie, Natalia Carrizosa, and Kelli Robinson. 2018. *Evictions in Montgomery County*. Office of Legislative Oversight Report 2018-10. October 2, 2018.
https://www.montgomerycountymd.gov/OLO/Resources/Files/2018%20Reports/2018_10EvictionsMontgomeryCounty.pdf
- Bryant, Stephanie, Natalia Carrizosa, and Leslie Rubin. 2023. *Rent Regulations and the Montgomery County Rental Housing Market*. Office of Legislative Oversight Report 2023-5. June 13, 2023.
https://www.montgomerycountymd.gov/OLO/Resources/Files/2023_reports/OLORreport2023-5.pdf
- "Culturally and Linguistically Competent Outreach | U.S. Department of the Treasury." n.d. Accessed July 19, 2023. <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/outreach>.
- "Culturally and Linguistically Competent Outreach." 2023. U.S. Department of the Treasury. June 27, 2023. <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices/outreach>.
- Daley, Cynthia Witman. 2020. *Achieving Housing Stability with Eviction Diversion Programs: A Guide to Best Practices during COVID and Beyond*. November.
<https://rhls.org/wp-content/uploads/Achieving-Housing-Stability-with-Eviction-Diversion-Programs-during-COVID-and-Beyond.pdf>.
- "DP1 Profile of General Population and Housing Characteristics." United States Census Bureau.
https://data.census.gov/table?q=Gaithersburg+city,+Maryland&t=Race+and+Ethnicity&g=160XX00US2432025,2472450_860XX00US20874,20878,20904,20906,20910&d=DEC+Demographic+Profile.
- "FACT SHEET: White House Summit on Building Lasting Eviction Prevention Reform | The White House." 2022. August 2, 2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/02/fact-sheet-white-house-summit-on-building-lasting-eviction-prevention-reform/>.
- Flanagan, Neil, Kimberly Bender. 2022. *Four Black men developed a Montgomery County suburb to provide a better life for some in their community. They received something very different in return*. Greater Greater Washington. July 28, 2022.
<https://ggwash.org/view/86099/four-black-men-developed-a-montgomery-county-suburb-to-provide-a-better-life-for-some-in-their-community-they-received-something-very-different-in-return>

-
- "Guidelines for Program Web Sites." 2023. U.S. Department of the Treasury. June 27, 2023. <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/service-design/program-web-sites>.
- "H10: TENURE BY RACE OF HOUSEHOLDER - Census Bureau Table." United States Census Bureau. <https://data.census.gov/table?q=160XX00US2431175,2432025,2472450&d=DEC+Demographic+and+Housing+Characteristics&tid=DECENNIALDHC2020.H10>.
- Hepburn, Olivia Jin, Joe Fish, Emily Lemmerman, Anne Kat Alexander, and Matthew Desmond. 2022. "Preliminary Analysis: Eviction Filing Patterns in 2021." Eviction Lab. March. <https://evictionlab.org/us-eviction-filing-patterns-2021/>.
- Hepburn, Peter, Renee Louis, and Matthew Desmond. 2020. "Racial and Gender Disparities among Evicted Americans." December. <https://evictionlab.org/demographics-of-eviction/>.
- "Landlord & Tenant Eviction Dashboard." n.d. Maryland Department of Housing and Community Development. Accessed July 19, 2023. <https://app.powerbigov.us/view?r=eyJrljojYWV1Yzg0YjYtNDFlkZS00MDUyLTlmdCtYmE1ZjY5MG10MWJhliwidCI6IjdkM2I4ZDAwLWY5YmUtNDZlNy05NDYwLTRlZjJkOGY3MzE0O SJ9&pageName=ReportSection>.
- "Maryland HB18 | 2021 | Regular Session." 2021. LegiScan. October 2021. <https://legiscan.com/MD/text/HB18/id/2416664>.
- Montgomery County Council. 2022. *Council Staff Report, COVID Rent Assistance and Evictions, February 8, 2022*.
- Montgomery County DHHS, *DHHS Pulse Report – May 17, 2023*. May 2023. <https://www.montgomerycountymd.gov/covid19/Resources/Files/pulse/DHHS-Pulse-230517.pdf>
- National Coalition for a Civil Right to Counsel. 2023. Public Justice Center. <http://civilrighttocounsel.org/map>.
- Oliver, Melvin L., Thomas M. Shapiro. 2019. *Disrupting the Racial Wealth Gap*. American Sociological Review. March 7, 2019. <https://journals.sagepub.com/doi/10.1177/1536504219830672>.
- Pantín Parrish, Deanna. 2021. *Designing for Housing Stability: Best Practices for Court-Based and Court-adjacent Eviction Prevention and/or Diversion Programs*. ABA and Harvard.

Reynolds, Kathryn, Katie Fallon, Andrew Jakabovics, Eleanor Noble, Abby Boshart, and Lee Evans. 2023. "Preventing and Mitigating Evictions after the COVID-19 Crisis." February. <https://www.urban.org/sites/default/files/2023-01/Preventing%20and%20Mitigating%20Evictions%20after%20the%20COVID-19%20Crisis.pdf>

Sheriff's Office, Montgomery County, Maryland. Eviction Section. 2023. <https://www.montgomerycountymd.gov/sheriff/sections/eviction-section.html#:~:text=If%20the%20landlord%20orders%20a,for%20possession%20shall%20be%20stricken%20>

Appendix A



50 Maryland Avenue
Rockville, Md. 20850
240-777-7000
240-777-7148 Fax

SHERIFF MAXWELL C. UY
Montgomery County, Maryland
Evictions

CY 2023				
Month	Writs Received	Writs Returned to Court	Evictions Scheduled	Evictions Conducted
January	554	347	391	62
February	557	438	380	74
March	811	988	521	117
April	462	232	255	91
May	729	362	308	120

CY 2022				
Month	Writs Received	Writs Returned to Court	Evictions Scheduled	Evictions Conducted
January	53	178	134	37
February	25	52	35	10
March	43	27	32	12
April	88	29	32	10
May	85	64	85	22
June	190	93	135	50
July	201	103	112	20
August	200	179	190	50
September	338	136	169	48
October	431	253	288	79
November	321	264	334	71
December	582	258	325	86

Additional Data			
	Writs Received	Evictions Scheduled	Evictions Conducted
FY 2019	11930	8605	938
FY 2020*	7985	4820	592
FY 2021*	2573	908	254

*: COVID-19 Pandemic