

Addressing Evictions in Richmond

Scope of the Problem

Evictions have a monumental impact, not just on families being evicted, but also the entire community. An eviction is a stain on a renter's history and makes new rental opportunities near impossible to find. Landlords routinely reject tenants with an eviction on their record, forcing families to hastily rent substandard housing in worse neighborhoods. Families with children are evicted at twice the rate of families without children. Schools in high eviction rate neighborhoods have high absenteeism and are more likely to be unaccredited.

Among large U.S. cities, Richmond has the 2nd highest eviction rate in the country at 11.44%. This is three to four times the national average, and has remained steady over the past 16 years. A total of 30.9% of all Richmond renters receive a notice of eviction in any given year.

Court eviction affects about 40,000 people in Richmond who are subject to the 17,981 eviction lawsuits filed annually in the City (2017 statistics).

For a month in the summer of 2018, Central Virginia Legal Aid Society surveyed all evictions that appeared at the John Marshall Court Building for their first court hearing following an unlawful detainer. We found that in cases where a judgment or default judgment was for the landlord, the average back rent owed was \$1008. The average court cost was \$56, the average attorney fees (when awarded) were \$196, and the average late fees (when awarded) were \$142.

Eviction Diversion Pilot Program

The New York Times 2018 article featuring Richmond's high eviction rate sparked a discussion between city officials, Central Virginia Legal Aid (CVLAS) and Housing Opportunities Made Equal (HOME) about establishing a program that would reduce evictions in the city. The City of Richmond wishes to pilot this program to stop that spiral for tenants for whom their current housing is sustainable with a one-time assist. Tenants would get the benefit of a clean slate and financial literacy education, and landlords would get the rent owed and avoid the expense of the eviction and locating a new tenant.

The goal would be to stop the eviction proceeding for about 500 Richmond City residents in the first year of operation and is modeled on programs currently operating in Lansing, Michigan and Durham, North Carolina.

Key elements of the program include:

The use of pro bono attorneys as in-court mediators to negotiate agreements between tenants and landlords.

Financial Literacy education as a requirement for tenants in the program. Access to other supportive services would be available as well.

Financial assistance for tenants who meet program qualifications.

A payment plan agreement to ensure due rent is received on time.

Central Virginia Legal Aid is a non-profit law firm which provides free legal assistance to low income people in civil cases and preventative legal education in our community. CVLAS would work with the region's legal community to recruit and train pro bono attorneys to serve as third party neutral mediators to have tenants and landlords come to a binding agreement on the rent owed, resources that can come from the fund, and a payment plan going forward.

Housing Opportunities Made Equal of Virginia is Virginia's private fair housing organization and the largest provider of housing counseling and education in the region. For purposes of this program HOME would provide financial literacy education to tenants receiving assistance and serve as the financial administrator of the fund.



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