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State of Rental Housing in Salt Lake County during COVID-19

January 2021



FOREWARD

On March 27, 2020, Governor Herbert signed a directive, some call it an encouragement, to stay at home. Renters and homeowners who have a place to call home tried their best to keep themselves, their families and their communities safe during the pandemic. Our homes became our offices, as we relied on technology to conduct our work, socialize with colleagues over online webinars and meetings, and earn our paychecks. Teachers adapted to reach their students. Parents juggled working from home and schooling their children. The family doctor or therapist met us virtually for our medical visits. We reduced our trips to the grocery store and depended more on online food delivery services. We received our packages and orders at our doorsteps brought by postal workers, Amazon delivery drivers and Dashers. We binge-watched Netflix, listened to podcasts and practiced yoga through online classes. The Internet and Zoom became essential.

Yet, while some of us had access to the above, there were those who made all this possible but did not have access to necessities like food or the internet. These workers, healthcare workers, cooks, cashiers, grocery stockers, delivery personnel and many more, essential to our community. These families already struggled to make ends meet before the pandemic. During the pandemic, they are expected to work with little to no safety net. These essential workers continued to leave their homes to go to work and make sure we had access to all that we needed to make it through difficult times. These are the very people who are struggling to keep a roof over their heads.

There are also thousands of people who completely lost their income due to job loss or reduced hours. Our bartenders, restaurant workers, Uber and Lyft drivers, 'non-essential' business workers and countless others. In 2019, 138,360 workers from the tourism, restaurant, and retail industry made between \$9.46 to \$11.45 per hour. According to the National Low Income Housing Coalition (NLIHC), a household needs to earn \$22.62 an hour to afford a two-bedroom apartment in Salt Lake County. Having to balance all their expenses while paying over 50% of their income on housing is debilitating for most low-wage earners

Housing has become more important now than ever. Housing is shelter. Housing is safety. Housing is health care. Housing is education. Housing is stability. Housing is a right. Housing is opportunity.

Opportunity Starts and Ends at Home



EXECUTIVE SUMMARY

In conjunction with Salt Lake County, Utah Housing Coalition (UHC) has worked to better understand the impact that the COVID-19 pandemic has had on housing needs and how the city, county, state and federal funds were used to keep people housed in a time of illness and economic hardship. Additionally, an exploration of the financial toll that eviction proceedings will have on families during the pandemic was done, and finally, a brief analysis of the cost burden of eviction to the county and the state in the form of emergency shelter, health care, emergency services and other state-funded resources for unhoused individuals and families was conducted.

Methods

Several steps were taken before to gather appropriate information and identify needs and assistance prior to drafting the report. Interviews with agencies and service providers were conducted, and space for presentation was given on existing housing coordination meetings to discuss data gathering methods. The research team met with people in the county and state to clarify the funding and resources available, the distribution mechanisms, and systems identifying county and state needs.

With input from Community Action Partnerships of Utah (CAP Utah) and Utah Community Action (UCA), a survey was developed and distributed to applicants who had applied for rental assistance from the Housing Assistance Program. A second survey was developed with input from emergency shelter providers to collect data on people staying in emergency shelters in Salt Lake County.

To assess the landscape of evictions, a randomized sample was pulled from 1,500 eviction cases in Salt Lake County between April 2020 and November 2020. Data was recorded on 242 cases, including the reason for eviction proceedings, the amount owed in the final judgment, fees, overdue rent, future rent, treble damages, plaintiff attorney fees, court fees and interest rates. This data was cleaned and analyzed using a combination of Excel and Stata.

Key Findings

Rental Assistance

- **5,869 households** statewide received housing assistance through Utah's nine community action agencies
- **2,402 households** received housing assistance through UCA alone; UCA is still analyzing how many of those were in Salt Lake County or Tooele County
- **45% of households** who respond to the survey reported they had not utilized CAP services in the prior two years, meaning there were many new users
- **46% of respondents** reported only needing assistance between July and December 2020, indicating that the financial need was most significant in this period of the pandemic
- A **vast majority of respondents** reported staying in their homes after receiving assistance
- Only **30% of respondents** reported an improved financial situation since needing assistance in the form of a new job, return to work, increased hours, etc.

Emergency Shelters

- **60% of respondents** in an emergency shelter who reported being evicted before entering the shelter received three-day pay or vacate notices for failure to pay
- Despite an eviction moratorium, **people are still reporting receiving eviction notices.**

Eviction Cases

- For people, whose eviction cases went through the courts, the **median judgment is \$4375.50.**
- On average, **treble damages make up 52% of the total judgment** regardless of the reason the judgment was filed
- While down this year relative to other years, **evictions were at or above that of expected levels for August**, the longest period without an eviction moratorium.

Summary

The Housing Assistance Program (HAP) funds did work to keep people in their homes. The Landlord Housing Assistance Program (LHAP) funding was also helpful, although the details on exactly how many households were helped are still being examined. There are many households whose financial situations have not improved since they first requested assistance and will likely require longer-term interventions to stay in their homes. People who were negatively impacted by the pandemic utilized services for the first time, and job loss, reduced hours, illness, quarantine requirements, or caring for a loved one with an illness were listed among the reasons.

People are being evicted and entering emergency shelters for failure to pay rent despite the eviction moratorium. Further exploration is needed to understand the extent to which this is happening, as most people left their homes after receiving pay or vacate notices, which are not trackable. People who reported applying for and being denied housing assistance most often were denied because there were no more funds available in the specific program.

Finally, evictions with judgments are happening less frequently than they did in the previous two years. However, 99% of judgments include treble damages for people staying past the vacate order most likely due to the pandemic and having no place to go. Treble damages create untenable debt for the tenant and are often accompanied by fees owed to the landlord for debts incurred. Evictions on record, coupled with wage garnishments to pay off judgments, make finding new housing difficult or impossible, which increases the financial burden on cities and the county.

Considerations

Continued funding for HAP will reduce the county's financial burden, both immediately and down the road, by preventing evictions that lead to more and more families utilizing shelters and other emergency services.

Freezing treble damages for tenants evicted for failure to pay during the pandemic would mitigate some of the long-term financial burdens while still making landlords whole. Sealing court files on evictions for failure to pay during the pandemic will also help people find and keep housing while adjusting to new financial situations.

Sustained and increased investment in primary interventions, such as keeping families housed, ensures long-term stability for Utah households.

PART ONE: HOUSING IN UTAH DURING COVID-19

Between 2014 and 2018, Salt Lake County renters represented 33.5% of its population. Over 77,000, or 65%, of the county's renters were low-income residents, and a majority of them were cost-burdened, meaning they paid more than 30% of their income on rent. Half of the renters making less than 50% of the Area Median Income (AMI) were severely cost-burdened, meaning they paid more than 50% of their income on rent.

COVID-19 has exacerbated a long-standing housing problem within the state of Utah. Sickness, quarantine, lockdowns, and a weak economy coincided with a very low vacancy rate of available units. Increasing rent costs cause many Utahns to be cost-burdened. In addition, the population of people experiencing housing insecurity and homelessness has grown, leaving emergency housing providers struggling to keep up. These factors have required the city, county and state to mobilize and partner with community-based organizations to meet this immense and unique need.

This report will examine:

1. Who these community partners are,
2. Who these community partners are helping,
3. What funds are being used to help them, and
4. What we can expect to see as the pandemic continues to impact families and communities financially.

Who Are the Partners on the Frontline for Our State?

- Utah Department of Housing & Community Development (State)
- Salt Lake County Government (SLCO)
- Salt Lake City (SLC)
- Utah Community Action (UCA): Rental Assistance and Mediation
- People's Legal Aid (PLA)
- United Way 211 (211)

While this report addresses Salt Lake County, it is important to understand the statewide Community Action Network and CAP Utah, the umbrella agency for the network. The state appropriated funds to the following Community Action Agencies:

Network:

Bear River Association of Governments (BRAG)

serving Box Elder, Cache and Rich Counties

Ogden-Weber Community Action Partnership (OWCAP)

serving Weber County

Open Doors (OPEN DOORS)

serving Davis and Morgan Counties

Utah Community Action (UCA)

serving Salt Lake and Tooele Counties

Community Action Services and Food Bank (CASFB)

serving Summit, Utah and Wasatch Counties

Uintah Basin Association of Governments (UBAOG)

serving Daggett, Duchesne and Uintah Counties

Southeastern Utah Association of Local Governments (SEUALG)

serving Carbon, Emery, Grand and San Juan Counties

Six County Association of Governments (SCAOG)

serving Juab, Millard, Sanpete, Sevier, Piute and Wayne Counties

Five County Association of Governments (FCAOG)

serving Beaver, Iron, Washington, Garfield and Kane Counties

211, Information and Referral & Utah Community Action Mediation

Data from 211, a free and confidential helpline that connects individuals with community resources, reported triple the number of calls for rental assistance relative to the same period from 2019 (**Figure 1**).

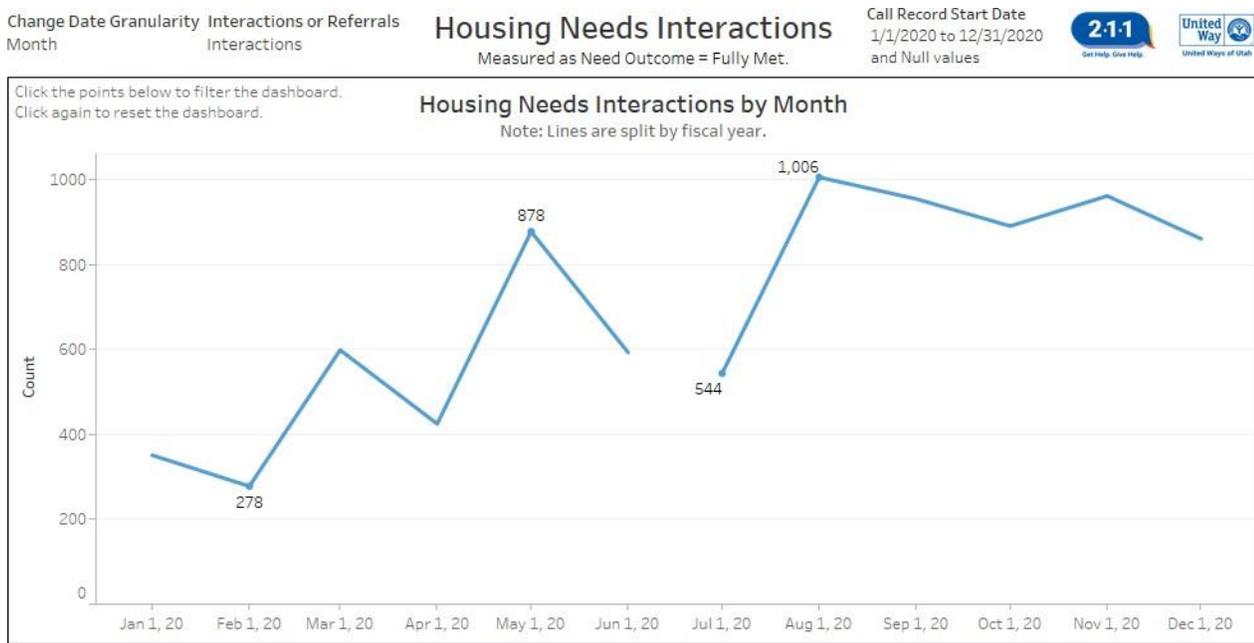


Figure 1. Housing Needs Interactions

The Landlord/Tenant Mediator housed at UCA actively assisted renters through mediation and accessed emergency rental assistance on their behalf in negotiations with landlords (**Figure 2**).

Data from CAP Utah also shows a drastic increase in the need for housing assistance, as seen in **Figure 3**. While the need is definitively great in Salt Lake County, it is essential to note that across all CAP agencies, the need had increased dramatically between July and December 2020, when this data was aggregated.

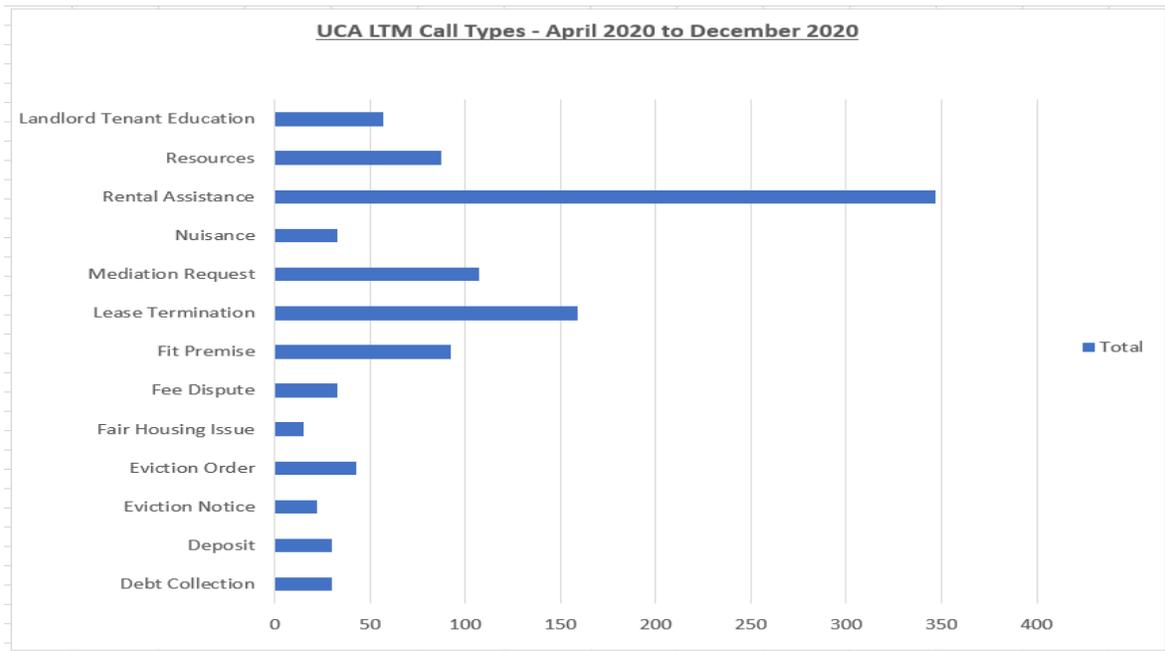


Figure 2. Calls to Mediation, April-December 2020

Agency	April 1 - July 14	April - October 26	April 1 - December 31
BRAG	656	1,203	1,558
OWCAP	418	3,554	6,737
OPEN DOORS	446	2,802	6,128
UCA*	6,059	15,354	19,548
CASFB	980	2,879	5,884
UBAOG	188	502	789
SEUALG	50	442	749
SCAOG	61	242	401
FCAOG	150	718	836
Total	9,008	27,696	42,630

Figure 3. CAP Housing Assistance Calls *UCA restructured its call center on August 1, 2020. Actual calls may be higher

In the early months of the pandemic, while people were receiving stimulus checks and augmented weekly unemployment benefits, they were less likely to qualify for program funds. Additionally, in September 2020, the state allocated \$1 million for marketing and advertising the rental assistance program and designed <https://rentrelief.utah.gov/> for outreach purposes.

Between April and December 2020, there was an over 860% increase in households served in Salt Lake and Tooele Counties alone (**Figure 4**), with significant increases in all other areas, including rural counties. There were three eviction moratoriums (**Attachment 1**) that protected renters from being evicted if they were affected by COVID-19.

Rental Assistance Programs

The Rental Assistance Program (RAP) was funded by the CARES Act with funds that were specifically designated for existing federal housing programs that provide rental assistance. [ESG, HOME, CDBG, and CSBG dollars](#). It was designed to assist Utah renters whose ability to pay rent had been negatively impacted by COVID-19 but whose needs were not being met by other programs. This funding primarily assisted those who were not eligible for unemployment benefits. Because of federal guidelines and requirements, additional paperwork for landlords and tenants this funding was not as easily distributable, which made timely access difficult.

During the April Utah Legislature Special Session, state lawmakers allocated \$20 million from their unrestricted CARES Act money. This originally was meant to be available August 1, but due to the difficulties in RAP, it was moved up to July 1, 2020. The funds were made available through the **Housing Assistance Program (HAP)** and were distributed to the nine CAP agencies across the state. HAP funds were more flexible in their criteria for eligibility than RAP. For example, the income level cap was 100% AMI and up to \$2,000 was eligible per application for rent, utilities, or deposit. There was no limit to how many times an applicant could be approved within the window of time the program operated. Applicants had to reapply monthly.

Additionally, Salt Lake County and Salt Lake City provided their own unrestricted CARES Act funds for housing services. Since July 1, 2020, HAP was the primary fund accessed for emergency rental assistance, as it had a previous deadline for expenditure for December 30, 2020. In late December 2020, Congress passed the next relief bill and allowed any leftover CARES Act money to be spent in 2021.

The origin and distribution of funds that were earmarked explicitly for housing assistance throughout the pandemic are shown in **Table 1**. While various programs were able to distribute HAP funds, most of Salt Lake County funds were distributed through Utah Community Action (UCA) Further detail is available through [Utah.gov](#), including the rules and regulations governing the distribution of funds through CAP as designed by the Department of Workforce Services.¹ To qualify for HAP funding, the applicant must show a loss of income directly due to the COVID-19 pandemic and be at or below 100% AMI.

Funding was distributed on a first-come, first-served basis. While the community-based organizations are still tallying up counts for applicants and households served, there are soft estimates on how many applicants sought funding and were denied, how many sought funding and received it, and the average dollar amount per household (**Figure 4**).

Landlord Housing Assistance Program (LHAP):

During the August Legislature Special Session, the \$20 million CARES Act funding that was allocated to HAP was also made available to landlords (LHAP) seeking to assist tenants with payments. Landlords could apply for this program on behalf of their tenants through web grants.

To qualify for funding, the applicant had to show that the tenant/household made 100% or less of AMI and had been financially impacted by

COVID-19. Additionally, the tenant could not have received any other housing assistance through local, state or federal programs. Statewide, as of December 16, 2020, there were 4,223 different landlord applications. Some applicants filled out one application for multiple tenants. That information still needs to

be disaggregated to get the whole picture of how many individual households were impacted by this program. A total of \$8,725,111.11 has been spent statewide through LHAP as of December 16, 2020.

COVID-19 Rental and Mortgage Assistance Salt Lake County, UT \$9,215,196				
Government Entity	Grant Program	Grantee	Activity	Amount
Federal	Emergency Food & Shelter Program	Asian Association of Utah (AAU)	HAP	\$90,000
State	Community Service Block Grant	Utah Community Action (UCAP)	RAP	\$337,000
State	COVID-19 Relief Funds	Utah Community Action (UCAP)	HAP	\$4,384,739
State	FY19 The HOME (IPP)	Utah Community Action (UCAP)	RAP	\$337,000
SLC	General Funds or SLC Housing Trust	Catholic Community Service CCS	HAP	\$250,000
SLC	General Funds	Asian Association of Utah (AAU)	HAP	\$250,000
SLC	General Funds	Utah Community Action (UCAP)	HAP	\$250,000
SLCo	CDBG/ESG 1st Round	SLC Housing Authority	Barrier Relief	\$50,000
SLCo	COVID-19 Relief Funds	Utah Community Action (UCAP)	HAP	\$1,470,000
SLCo	HOME	Housing Connect	RAP	\$489,457
SLCo	HOME	Utah Community Action (UCAP)	RAP	\$257,000
			Total Allocated	\$8,165,196
SLCo	CDBG/ESG 1st Round	Utah Community Action (UCAP)	Capacity for State HAP	\$550,000
Mortgage				
SLC	General Funds	Community Development Corporation of Utah	Mortgage	\$250,000
SLC	General Funds	NeighborWorks Salt Lake	Mortgage	\$250,000
			Total Mortgage	\$500,000

Table 1: Funding entities, programs, and grantees for housing assistance

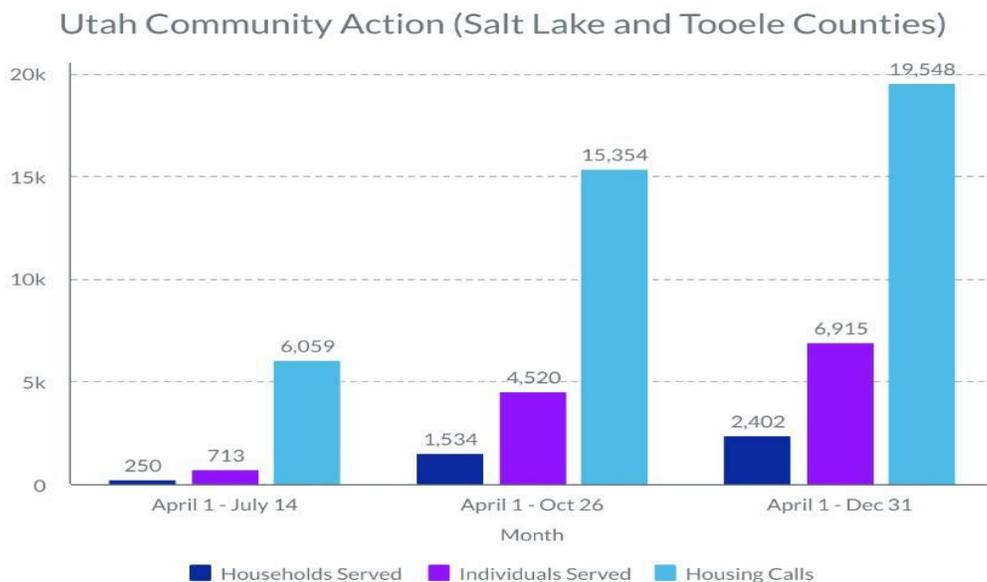


Figure 4. Households Served by Utah Community Action

Surveys

We wanted to know how renters were impacted by the rental assistance funds during the pandemic. These surveys were the first step in our quest of reaching out directly through a quantitative method. We plan in the future to do a follow-up and to look at the data from a qualitative perspective as well.

The surveys were designed to explore the HAP funds in a few different ways. Two surveys were developed and fielded: one study for the CAP fund applicants and one survey distributed at the emergency shelters. The information being assessed included:

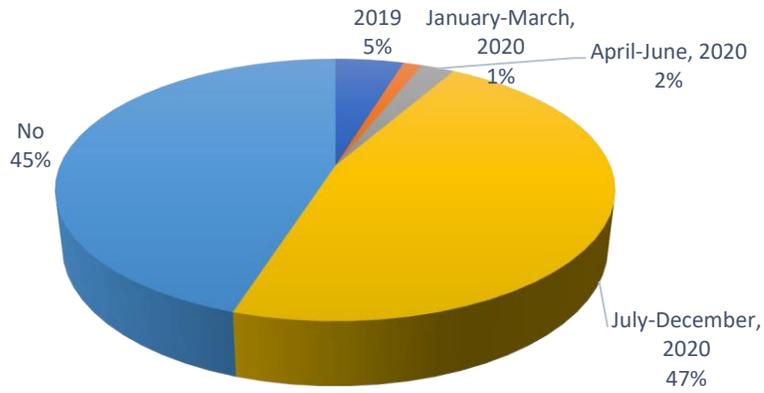
- Who needed the funding?
- What happened when they received it?
- Had their situation improved since applying for funding?
- Were they still in financially difficult situations that would require outside resources to stay in their homes?
- Were people being evicted and going to the shelter due to the inability to pay rent or qualify for assistance programs?

CAP Survey:

5,869	People statewide that received rental assistance
2,402	People served through Utah Community Action (Salt Lake and Tooele Counties)
597	People who took the survey
3	The average number of residents in a home
553	People were renters
268	Had not utilized services in the past two years
278	Only utilized services after July 2020
229	People whose financial situation has not improved since utilizing services

The survey was sent to every email address on file for people who applied for HAP funding in all nine CAP agencies. A total of 597 people responded, and of those, a large majority of people rented their homes (88%) and the remaining respondents either owned (8%) or lived with roommates and shared costs (4%). The average household size across all respondents was just under three people per household.

Respondents were asked whether they had accessed assistance through CAP in the past two years. A large proportion (45%) had not. This indicates that people applying for assistance are newly in need of financial help in relation to the pandemic and do not typically seek financial support through CAP (Figure 5). CAP Utah shared income data for those seeking assistance, showing a shift in 2020 to more people above the poverty line seeking assistance relative to previous years. This suggests that higher-income people are becoming unstable in their housing.



■ 2019 ■ January-March, 2020 ■ April-June, 2020 ■ July-December, 2020 ■ No

Figure 5. Percentage Accessing CAP in Past Two Years

Survey respondents were asked whether their financial situation had improved, and almost 70% had not. (Figure 6).

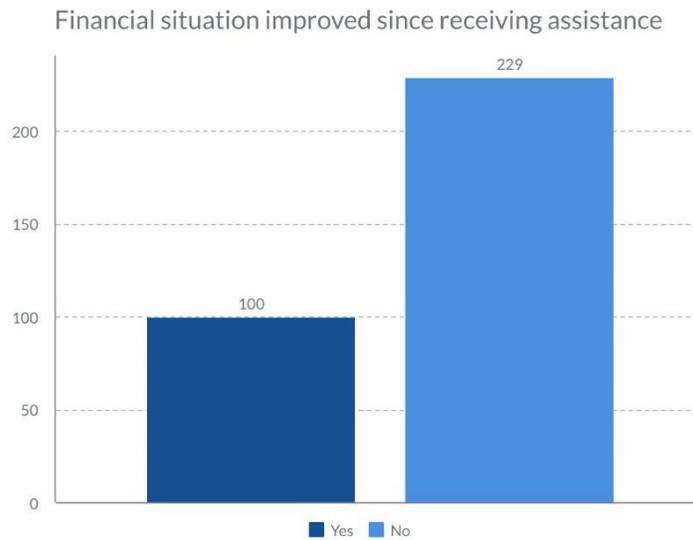


Figure 6. Financial Situation Improved

When it had improved, it was most frequently because of a new job, not because of increased pay or hours to pre-COVID-19 levels (Figure 7).

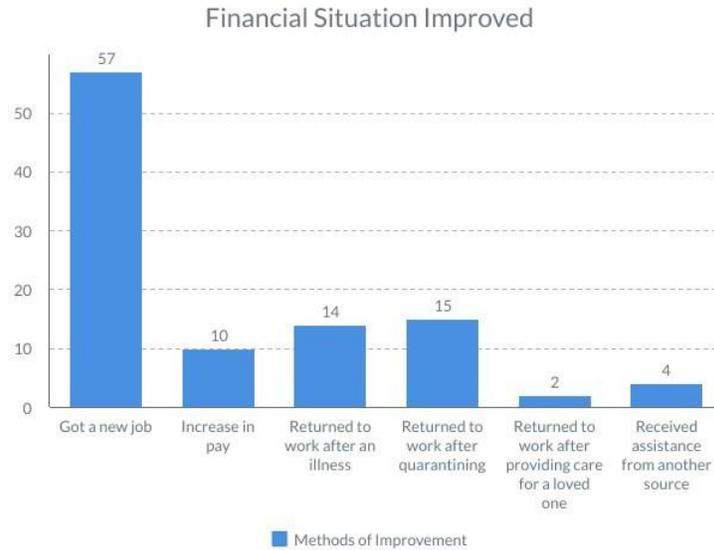


Figure 7. If Financial Situation Improved, How

Summary of CAP survey

What we can surmise from this survey is that people who have been relatively stable and able to make ends meet on their own before the pandemic are the ones who have needed the most help through the HAP program. We know that the program worked to keep families in their homes despite financial chaos. We can see that people who were able to get assistance to pay their rent between July and December 2020 will continue to struggle to pay rent for the coming months. A majority of respondents reported that their financial situation has not improved since they last sought assistance.

Emergency Shelter Survey:

The survey was distributed to emergency shelters in Salt Lake County. It was then administered to clients as they checked in and contains no identifying information. There was a total of 114 respondents. Of the 114 respondents, 50 reported that they were renting immediately before entering a shelter (Figure 8).

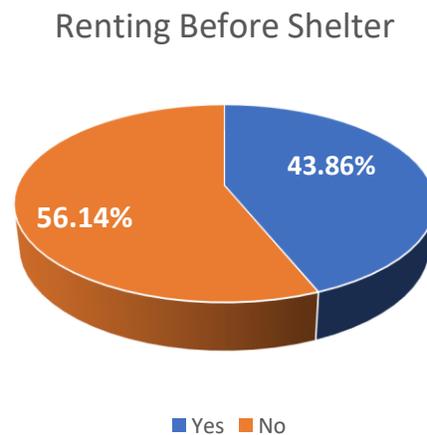


Figure 8. Renting Before Shelter

Of the 50 respondents who were renting immediately before entering a shelter, 27 of them received eviction notices, 16 of which were for non-payment or late payment (**Figure 9**). Twenty out of 50 renters applied for rental assistance; 12 received it and still reported getting an eviction notice.

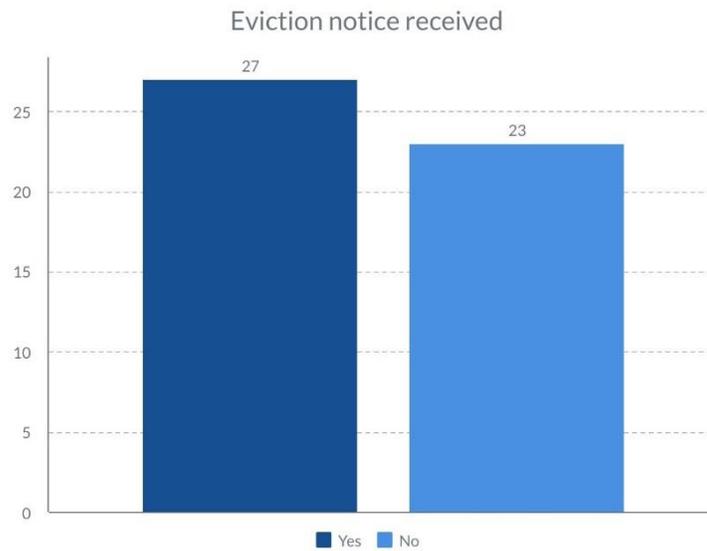


Figure 9. Eviction Notice Received

We can surmise from these responses that there is an increase in people coming into the shelter as a result of the pandemic. One of the most interesting findings of this survey is that people still were evicted for non-payment or late payment of rent despite the eviction moratorium. With 32% of respondents who were previously renting reporting that they were evicted for non- or late payment, there is concern that this problem is more widespread than what can be captured through this sample. Further research is required to understand what happens to those that receive eviction notices but did not end up in a shelter.

Conclusion

The HAP and LHAP programs were instrumental in keeping families in their homes until this point in the pandemic. As the crisis continues to cause lost wages due to lost hours, lost employment, lack of day care, sickness and quarantine, there remains a large swath of families that will continue to need assistance.

The federal, Salt Lake City and Salt Lake County governments invested over 9 million into these programs, and to discontinue them while families are still in need would create a scenario of landlords needs not being met, displacement and housing insecurity of families. Discontinuing programs would further lead to: landlords unable to pay their mortgages and maintain their property, crippling debt for renters, and a steep increase in evictions. Together, these negative factors can lead to an increase of financial investments to homelessness, health care, and mobility of students in our education system.

PART TWO: SALT LAKE COUNTY EVICTIONS IN 2020

COVID-19 has significantly altered the landscape of housing instability and eviction in Utah. All indicators have shown that the need for housing assistance has increased dramatically across all income levels. Evictions are, on average, down from where they were in 2019 and much of that can be attributed to two different interventions. First, the CARES Act funding and other funding that went towards the Housing Assistance and Landlord Housing Assistance Programs discussed in Part One, and second, the eviction moratoriums that were instituted by the Governor of Utah between April 1 and May 15, 2020, the 120-day CARES Act moratorium until July 24, 2020, and the CDC moratorium between September 4 and December 31, 2020 (this moratorium has been extended through March 31, 2021).

Evictions, on average, were down in 2020 relative to the three prior years. Evictions began to creep and then spike up to normal levels between July and September 2020 when there was no moratorium in effect (**Figure 10**).



Figure 10. Utah Eviction Comparison by Year, Utah Apartment Association

To understand the full financial impact that the average eviction case has on Utah families, we explored the public records of eviction cases filed in 2020 in Salt Lake County. At the time of this publication, there have been close to 1,500 eviction filings in the county between April 1 and November 30, 2020. Each filing has its own set of accompanying documents, including the reason for eviction, the fees incurred per lease agreement, the attorney fees, the total judgment (if awarded), treble damages, and interest collected on money owed.

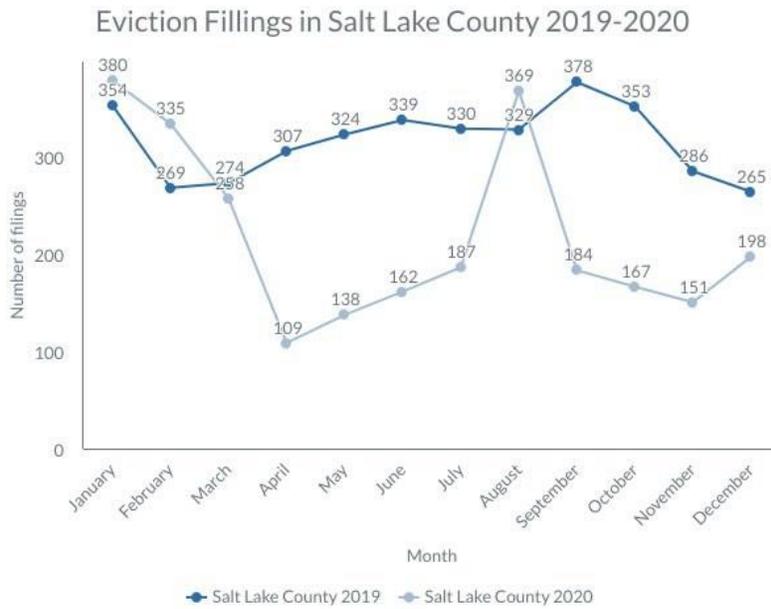


Figure 11. Eviction filings in Salt Lake County 2019 - 2020 comparison

For this report, a randomly selected sample of eviction cases was generated using all existing case numbers, pulling out a representative sample of 245 to investigate.

Forty-five percent (111) of the cases in the sample had a restitution order, meaning that the tenants were barred from entering the property. Cases that were for default in rent made up 64% (157) of the sample. The remaining 36% were for nuisance, non-renewal of a lease, or at-will lease terminations. August, the month with no eviction moratorium in place, saw the highest number of eviction cases filed, most of which were filed for non-payment of rent.

Of the 245 cases, 70 had a judgment awarded, 18 were dismissed, and 157 of them (58%) are still open as of date, meaning that while there are fees and other costs associated with the case, the final monies owed cannot be determined but can still be accruing in the way of treble damages if the party has not moved out of the property.

For the 70 cases that already include a judgment, the average total judgment is \$5,076. The judgment total contains rents owed, fees, utilities, court costs, attorneys fees, and treble damages.

Treble damages refer to a court's financial compensation to the prevailing plaintiff and are up to three times the actual or compensatory damages. They are uniquely employed in Utah, as only three other states in the country allow treble damages to be awarded to landlords in eviction cases. You can view [here](#) the comparison among states on treble damages. Put more plainly, treble damages are triple the damages fee on the lease agreement. Treble damages are similar to punitive damages and do not go to cover actual incurred costs. They are fees above and beyond what is necessary to make the landlord whole in eviction cases.

Average Total Judgement	\$5,077
Average Treble Damages	\$2,438

Evictions During and In-Between Moratorium Periods

Eviction moratoriums have been in place either by federal intervention or the governor's executive order for a majority of the pandemic, except for July 25 through September 4, 2020. Evictions for failure to pay rent went slightly above expected levels compared to the previous three years. During this period, there were 72 eviction cases opened. Over 90% of those cases filed were due to failure to pay rent.

Another significant data point concerns legal representation in court. A single attorney firm handled the vast majority of the evictions in August 2020 that were due to missed rents. The Law Offices of Kirk A. Cullimore handled 77% of all eviction cases that month, and most of those were evictions for failure to pay rent (**Figure 12**). Related to this, Cullimore’s firm handled over 50% of all eviction cases between April and November 2020, and out of all the evictions for failure to pay rent, the firm filed 85% of them in the months since the pandemic began (**Figure 13**).

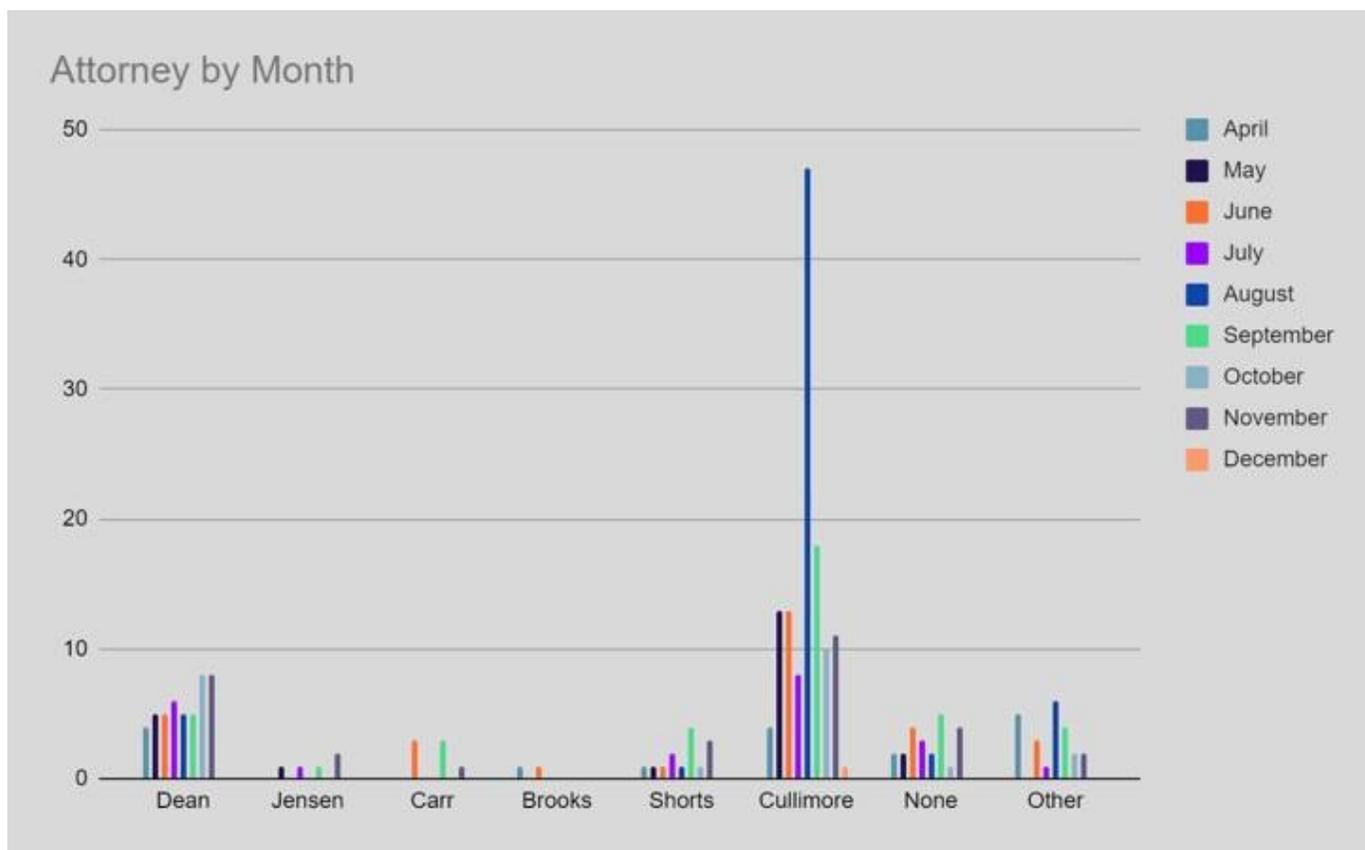


Figure 12. Attorney by Month

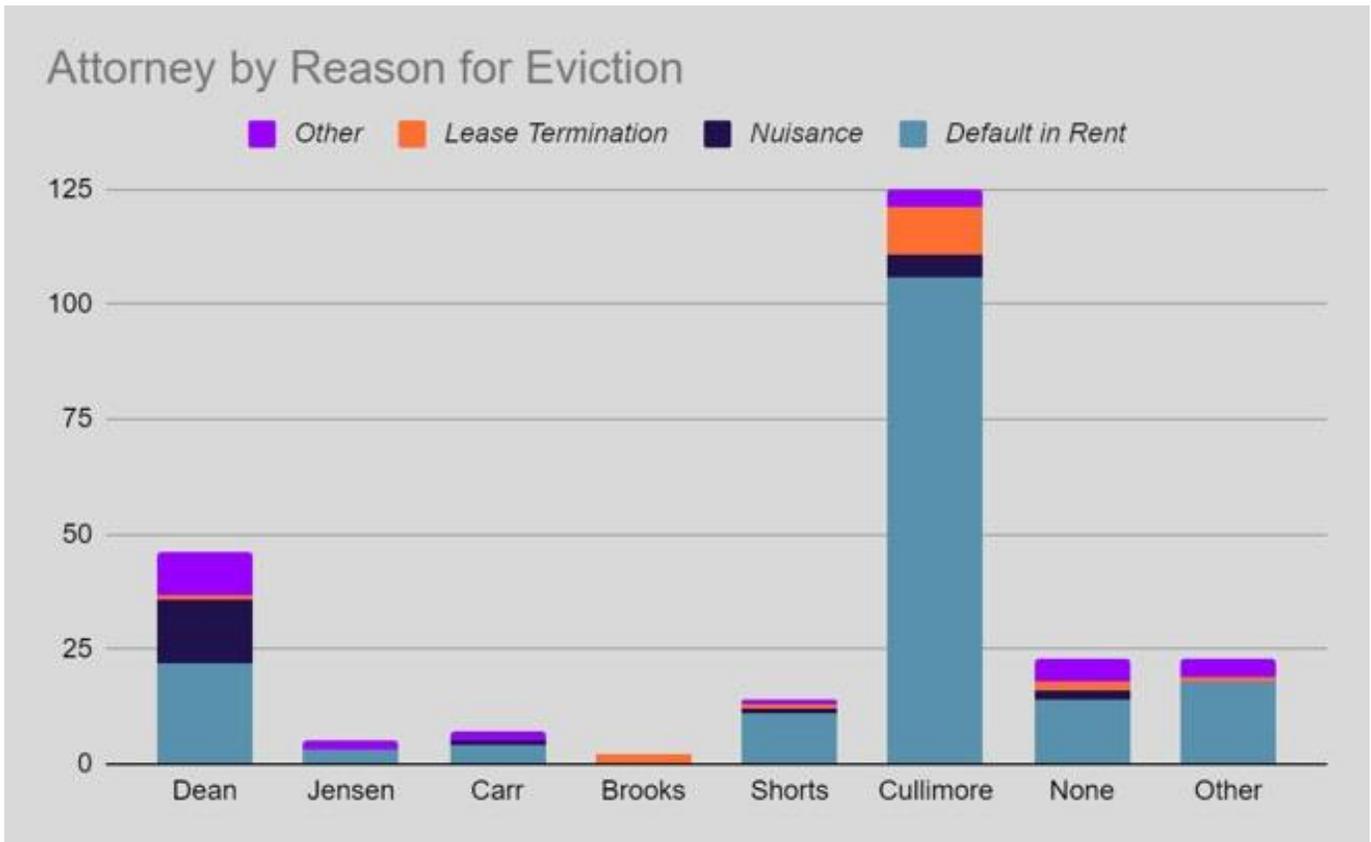


Figure 13.. Attorney by Reason for Eviction

In addition to treble damages and fees, there is interest added. Between 2% and 24% interest is listed on nearly 60% of judgments. Out of the 41 judgments with interest, 25 carry an interest rate of 10% to 24%. If the judgment goes to collection, there is an added interest rate collected of 40%. On average, treble damages make up over 50% of the total judgment in every case, including all attorney, court and late fees plus rent owed.

Case Study

The following is an example of an average eviction case. This particular case was filed on June 16, 2020. The original pay or vacate notice was for one month of missed rent, \$900 plus \$147.50 in fees. The total judgment that will follow the tenant on their record by way of eviction and through garnished wages and collection fees until it is paid off is \$4,517.79. This case has a 24% interest rate assigned in the judgment; this means the interest will apply until the debt is paid in full.

Additionally, the judgement will accrue an interest rate of 40% when it goes to collection.

Regardless of the original cause, a tenant who experiences eviction will have great difficulty securing a new unit to rent. This, coupled with the crippling judgment, makes exiting a financial crisis nearly impossible. Based on the information gathered by surveys and investigation in the emergency shelters, individuals who experience eviction are likely to need financial assistance through existing state and community-based organizations. This assistance will be needed for a more extended period than those who are not evicted and do not have exacerbated judgments being garnished from their wages.

Evictions are happening less frequently than they did in the previous two years. The decrease can partially be attributed to the Housing Assistance Program (HAP) and the Landlord Housing Assistance Program (LHAP), coupled with the various eviction moratoriums. However, the data shows a spike in evictions in August 2020, which is an indicator of what could happen when the moratorium is no longer in place. When evictions do happen, 99% of judgments include treble damages for people staying past the vacate order, most likely due to the pandemic and reduced housing availability. Treble damages create untenable debt for the tenant and are most often combined with fees owed to the landlord for debts incurred. Evictions on records and wage garnishments to pay off judgments make finding new housing difficult or impossible, increasing the burden on cities and the county.

Defendants [REDACTED] have failed to plead or otherwise defend in this action and default has been entered. IT IS HEREBY ORDERED that Plaintiff be awarded Judgment against Defendants in the amount of:

Previous Balance	\$0.00
Daily Rent 6/1/2020 - 6/11/2020	\$330.00
Future Rent from 07/08/2020 - 7/20/2020	\$390.00
Late Fees	\$200.00
Utilities	\$212.58
Insurance	\$25.00
Parking	\$30.00
Misc.	\$40.00
Service of Notice	\$50.00
Eviction Turn Over	\$50.00
Treble Damages 6/12/2020 - 7/7/2020	\$2340.00
Court Costs	\$129.00
Attorney Fees	\$727.50
Credit	-\$6.29
Payments	-\$0.00
TOTAL JUDGMENT	\$4517.79

Interest shall accrue on this judgment as provided by Utah Code Annotated §15-1-4, or by contract at the rate of 24% from the date of judgment until paid.

This Judgment may, by motion, be augmented in the amount of reasonable costs and attorney fees by court order.

CONCLUSION

The pandemic has provided an opportunity to focus directly on keeping families in their homes. Funds were quickly allocated, and community organizations mobilized to direct funding to those in need. As a result, we can understand some policy mechanisms that help reduce the economic burden for families. Housing assistance programs, landlord assistance programs and eviction moratoriums worked well to protect tenants and landlords during this challenging period.

The downstream impacts of eviction on individuals and families are far-reaching and long-lasting even outside of a worldwide crisis. The financial burden spreads from families to community organizations and ultimately to cities, counties and the state.

Policy Considerations:

Continued funding for the HAP and LHAP programs as well as continued eviction moratoriums while families financially recover are critical to mitigating long-term damage to both renters and landlords. When eviction is inevitable, policy levers can still be utilized to mitigate damage from large judgments and protect the future ability to rent.

During Pandemic

- Temporarily waive any treble damages on eviction cases without property damage
- Seal eviction records for any evictions for failure to pay rent from March 2020 through July 2021
- Temporarily freeze late fees between March 2020 and July 2021
- Temporarily freeze interest on awarded judgments for eviction cases related to failure to pay rent

Ongoing

- Eliminate treble damages except for egregious cases of property damage
- Increase access to mediation through community-based organizations, cities and counties
- Support tenant education and staff in cities and counties for consumer-facing resources
- Continue funding to housing assistance programs
- Implement standards that require a landlord to show just cause before starting an eviction proceeding
- Mandate the inclusion of truth in rent documentation on leases to ensure prospective tenants know precisely how much they will owe in monthly rent and late fees
- Provide free or subsidized legal representation to low-income tenants through the city or county

End Notes

1. Utah.gov rent relief program (<https://rentrelief.utah.gov/>)
2. Utah.gov LHAP Landlord Guidance (<https://jobs.utah.gov/covid19/lhaplandlordguidance.pdf>)
3. Treble damages .pdf source

Acknowledgements

Carrie Butler, UpStream Consulting

Mary Grace Huetes, Intern, UpStream Consulting

Angela McGuire, Assistant Director, Peoples Legal Aid

Tara Rollins, Executive Director, Utah Housing Coalition

Francisca Blanc, Advocacy and Outreach Coordinator, Utah Housing Coalition

Otelo Reggy-Beane, Fellow, Utah Housing Coalition

This report was made possible due to Salt Lake County Government's financial support.

Definitions

The **Community Services Block Grant (CSBG)** provides funds to alleviate the causes and conditions of poverty in communities.

The **Community Development Block Grant (CDBG)** Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

The purpose of the **Emergency Solutions Grants (ESG)** program is to assist individuals and families quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. ESG provides grants by formula to states, metropolitan cities, urban counties and U.S. territories to support homelessness prevention, emergency shelter and related services.

The **HOME Investment Partnerships Program** was authorized by the Cranston-Gonzalez National Affordable Housing Act of 1990 (P.L. 101-625). HOME is a federal block grant program that provides funding to states and localities to be used exclusively for affordable housing activities to benefit low-income households.

COVID-19 EVICTION MORATORIUM



CARES Act
Moratorium

Federal
Legislation

The CARES Act required landlords to provide a 30-day notice to tenants prior to eviction. This Act covered **only** properties supported by HUD, USDA, and Treasury (Low Income Housing Tax Credit), and properties with federally-backed mortgages (e.g., FHA, Fannie Mae, and Freddie Mac).



Governor
Herbert

Executive Order

Utah's Governor Herbert signed an executive order to prohibit any residential evictions for non-payment of rent for 45 days.



No Eviction
Moratorium

The only month during the pandemic where Utah's renters were not protected by neither federal or state eviction moratoriums. Although for the rest of the year, evictions were lower than the previous year, August hit higher rates of evictions than in 2019.



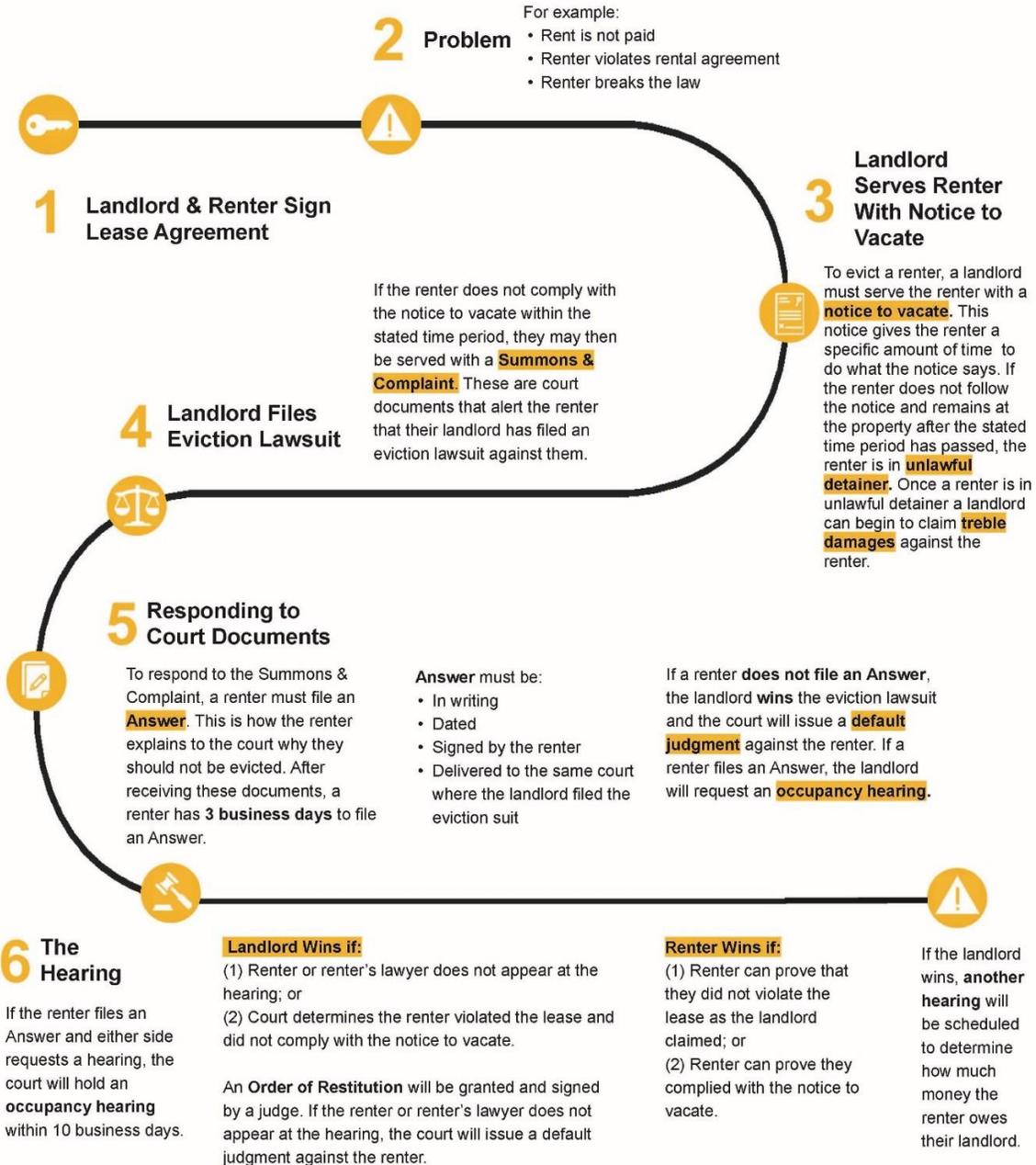
CDC Eviction
Moratorium

Federal Order

The CDC Order took effect on September 4, 2020 until December 31. In Late December Congress extended it until January 31, 2021. The new CDC Director extended the eviction moratorium until at least March 31. President Biden is asking the Congress to pass legislation and to extend it until September 30, 2021.

For more information please visit <https://www.utahhousing.org/cdc-eviction-moratorium.html>

The Eviction Process in Utah



Treble damages: Once a renter is in unlawful detainer, a landlord can begin to claim treble damages against the renter: three times the normal daily rent for every day the renter stayed on the premises after the notice to vacate expired.

Summons & complaint: The Complaint will tell the renter why the landlord wants to evict them. The Summons will tell the renter how long they have to respond to the eviction. The Answer is how a renter responds to these documents. The deadline for filing an Answer is 3 business days.

Default judgment: A renter "defaults" and the landlord automatically wins if the renter does not file an Answer OR if the renter or renter's lawyer does not appear at the occupancy hearing. The court issues an order to evict the renter and orders the renter to pay money due to the landlord.

Occupancy hearing: A hearing in court where a judge will determine who has a right to possess the property.

Order of restitution: When a court issues this order, it gives the landlord the right to take back the rental unit from the renter.

