Virginia’s Eviction Crisis and the Eviction Legal Helpline

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Virginia’s Eviction Crisis
Sweeping Portrait of Eviction Bares Pervasive Pattern of Woe

By EMILY BADGER and QUOC TRUNG BUI

RICHMOND, Va. — Before the first hearings on the morning docket, the line starts to clog the lobby of the John Marshall Courthouse. No cellphones are allowed. Having carved out a sustained and ample lead in the polls, Mr. da Silva promised his followers that the Workers’ Party could once again wrest control of Brazil’s destiny, and prioritize policies to narrow the country’s stark inequality.

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### Virginia’s Eviction Crisis

#### Top Eviction Rates in US Cities

<table>
<thead>
<tr>
<th>Large Cities</th>
<th>Mid-Size Cities</th>
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<tbody>
<tr>
<td></td>
<td>20.66%</td>
</tr>
<tr>
<td>2. Richmond VA: 11.44%</td>
<td>2. Petersburg VA: 17.56%</td>
</tr>
<tr>
<td>3. Hampton VA: 10.49%</td>
<td>3. Florence SC: 16.65%</td>
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<tr>
<td>5. Jackson MS: 8.75%</td>
<td>5. Portsmouth VA: 15.07%</td>
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<td>6. Norfolk VA: 8.65%</td>
<td></td>
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<tr>
<td>7. Greensboro NC: 8.41%</td>
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<td>8. Columbia SC: 8.22%</td>
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<td>9. Warren MI: 8.08%</td>
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<tr>
<td>10. Chesapeake VA: 7.9%</td>
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</tbody>
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Source: Eviction Lab, Princeton University, 2016 data
What Does the Eviction Crisis Look Like?

Stories of actual Helpline clients. Stock photo: Haley Rivera, Unsplash
What Does the Eviction Crisis Look Like?

Senior citizen with mental health disability

Stories of actual Helpline clients. Stock photo: Alpay Tonga, Unsplash
What Does the Eviction Crisis Look Like?

A disabled veteran’s late Social Security check

Stories of actual Helpline clients. Stock photo: Fred Kearney, Unsplash
What Does the Eviction Crisis Look Like?

Mobile home illegally towed from park on Easter weekend

Stories of actual Helpline clients. Stock photo: Jhon David, Unsplash
Causes of the Eviction Crisis

Lack of affordable housing

Laws arguably favor landlords

Shortage of tenants’ representation

Illustrations: Vectors Point, Noun Project
Effects of Eviction

- Landlord’s attorney fees & court filing costs
- Loss of household possessions
- New deposit & first month’s rent
- Disruptions can cost tenant’s job
- Loss of public benefits (food stamps, Medicaid, etc.)
- Downward housing spiral

Stock photo: Ryan Quintal, Unsplash
Effects of Eviction

Stock photo: Thought Catalog, Unsplash
Evictions disproportionately affect African Americans
Responses to the Eviction Crisis

- Increased research attention to evictions
  - RVA Eviction Lab at VCU
- Some changes to landlord-tenant laws
- Eviction diversion pilot programs
- Funding for more legal aid attorneys for tenants
- Eviction Legal Helpline
- 2020 federal eviction moratorium* (CARES Act)
- Eviction freeze during Virginia judicial emergency
- Maybe more relief coming (fingers crossed)
The Eviction Legal Helpline
Purpose & Scope of the Helpline

- Free, accurate legal **information** & specific legal **advice** to tenants about their potential eviction
  - No legal **representation** (court, negotiating w/landlord, etc.)
- Referrals to legal aid & other resources
- **Bonus:** Data for VCU researchers
A New Model to Meet the Need
Eviction Legal Process Overview

1. Termination Notice
2. Summons for Unlawful Detainer
3. Court Date(s)
4. Judgment for Possession
5. Appeal Period
6. Writ of Eviction
7. Eviction Notice
8. Extended Redemption
9. Eviction by Sheriff
Basic Helpline Call/Case Life Cycle

1. Incoming Calls (tenant/client)
   - 1-833-NoEvict
   - Voicemail
   - Helpline Inbox

2. Intake (non-atty. vol.)
   - Voicemail
   - Interview
   - Court Records
   - Client Docs

3. Advice Callback (vol. atty.)
   - Review Case Record
   - Interview/Advice
   - Case Notes,
   - Follow-up Instructions

4. Follow Up (VPLC staff)
   - Review Case Record
   - Follow Up
   - Close Case
   - Refer to Legal Aid
Court clerk applied old law...
Case Intake Process
(What does an intake volunteer do?)
Purpose of the Intake Process

- Process to create a case record ready for a volunteer attorney to review and advise the client →
- Starts with call from a tenant
- Several steps to collect all the information

**PEOPLE**
Tenant ID & demogr.
Landlord ID

**SITUATION**
Description & facts
Court records
Client notices & docs

**ADMIN.**
Client consent
Non-Attorney Intake Procedures

1. Turn a new voicemail into a new case record
Non-Attorney Intake Procedures

2. Run conflicts screening procedure
Non-Attorney Intake Procedures

3. Callback & interview the tenant
4. Check court records online
5. Receive client notices & documents
Non-Attorney Intake Procedures

Finished → case record ready for atty. review
Training & Reference Materials

- Written step-by-step instructions

12. Make sure the tenant understands and accepts the scope of services the Helpline can provide.

"The Eviction Legal Helpline offers information, basic legal advice from an attorney, and referrals to other providers for additional services. Helpline attorneys will not represent tenants in court or in negotiating with landlords. Is that clear? (Yes or No)"

a. If the tenant agrees, select “Yes” for the field at the top of the case record titled Tenant agrees to scope of services. (This is a very important step.)

Appendix: Scripts for Relaying Legal Information

a. First, check the Urgent Intake folder, completing the steps below.
b. Then repeat the process for the messages both in the Std. Intake folder and in the main Inbox folder.
Staffing the Helpline

Photo: Marek Levak, Unsplash
Volunteer-Driven Service Model

- Unprecedented model for legal helpline service
  - Other legal helplines (various states) – hired staff
- We’re pioneering the service model together
- Goal: provide help at scale to tenants, so we can “move the needle” on the eviction crisis
The Volunteer Contribution

- Your finger on the pulse of Virginia’s eviction crisis
- Contribute to policy proposals to help address the crisis
- Make a real difference for our neighbors facing serious consequences
“I’ve seen how easily [eviction] can happen to people and how traumatic it can be. Also, how desperately people need ... a basic understanding of how the system works, so they can protect themselves and make good decisions.”

- Jayne, Helpline volunteer
Volunteer Commitment

- Shifts are 2-hour slots
  - Exact duration & timing can both be flexible
- VPLC support is available on-call (almost always)
  - Additional individual or small group training is also available
- 4+ month commitment
  - 2+ shifts per month
- Client confidentiality is essential
Getting Started—evictionhelpline.org

1. Read Volunteer Manual (vol. 1 & 2)
2. Sign Volunteer Agreement
3. Get HelplineCMS user account
4. View video tutorials
5. Sign up for a shift
Helpline Results

- Landlord shut off water, threatened to burn tenant’s vehicle, etc.

Stories of actual Helpline clients. Stock photo: Jonas Kakaroto, Unsplash
Follow Up or Questions

Contact Phil Storey with any questions
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415-388-0396 (cell)