Evicted in Indiana Part One: Indiana’s Rental Housing Eviction Landscape
• All lines are muted.

• Feel free to ask questions by typing your question in the Q&A box.

• If you lose your Internet connection, reconnect using the link e-mailed to you.

• The presentation and recording are available on the Prosperity Indiana COVID-19 Hub.
• Founded in 1986 as the Indiana Association for Community Economic Development

• “Prosperity Indiana builds a better future for our communities by providing advocacy, leveraging resources, and engaging an empowered network of members to create inclusive opportunities that build assets and improve lives.”

• RESOURCES, ENGAGEMENT, ADVOCACY, and PROGRAMS
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Eviction and Housing Stability in Indiana

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Center for Research on Inclusion and Social Policy (CRISP)
Housing Instability

Eviction does not occur in a vacuum.

Primary Prevention
Reduces risk of homelessness through improving protective factors and addressing environmental factors
Population: General public

Secondary Prevention
Reduces risk of homelessness for targeted individuals/families based on risk-factors
Population: Individuals at imminent risk of homelessness

Tertiary Prevention
Relapse prevention for individuals exiting homelessness into stable housing
Population: Individuals at risk of chronic homelessness or future episodes without support
Predictors of Housing Instability
Policy Issues and Legislative Decisions

- Federal and state Fair Housing Policy
- History of racism in housing policy
- Lack of certain discrimination protections
- Local ordinances vs. state
- Can facilitate eviction-related decisions
Lack of Affordable Housing Supply

- **Person perspective (Can I afford to live here?):**
  - HUD defines as housing that costs no more than 30% of a household’s income
  - Varies by city, state
  - Lack of federal, local support; private developers
  - Nearly half of Hoosiers pay more than 30 percent of their income on rent.

- **Median Household Income:**
  - Indiana: $54,325
  - Marion County: $46,692

- **Renter Median Income:**
  - Indiana: $33,505
  - Marion County: $32,363
Income and Income Disparities

Median Household Income, by Race/Ethnicity

Marion County
- Overall: $50,458
- Black: $36,546
- Hispanic/Latino: $46,007
- White: $59,527
- 30% AMI: $24,600

Indiana
- Overall: $57,603
- Black: $36,323
- Hispanic/Latino: $48,310
- White: $61,559
- 30% AMI: $21,885
Administrative Burdens and Wraparound Supports

Accessing housing supports can be complicated, especially for the most vulnerable.

- Very few individuals receive housing assistance, especially in Marion County
- Households navigate support networks
- Local policies and procedures
Additional Factors

- Credit History ↔ Renting
- Underemployment
- Households with Children
- Disabilities
- Criminal History
The Cycle: Eviction History

Individuals with a prior eviction are more likely to be evicted or prevented from renting a unit. They are also more likely to be Black or Latinx.

Eviction Rate, by State

- Indiana: 4.1
- Ohio: 3.5
- Illinois: 1.6
- Wisconsin: 1.9
- Michigan: 3.3
- Minnesota: 0.6
- Kentucky: 2.9

Source: Eviction Lab
Considerations

- Cannot fully address eviction without addressing numerous primary prevention issues
- Persistence of racial disparity in eviction and prevention areas
- Need for better data access and linkage, especially in Indiana
- Building on existing partnerships, collaborations
Questions?

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Evicted in Indiana

BRANDON E. BEELEER
DIRECTOR, HOUSING LAW CENTER
INDIANA LEGAL SERVICES, INC.
Overview

• State of Evictions in Indiana
• The CDC Eviction Moratorium
• Tenant Resources
Eviction in Indiana: Landscape

- Indiana Legal Services, Inc.
- Prior to COVID-19 Indiana was already in an eviction crisis
- The eviction crisis is getting worse throughout COVID-19
  - Predictions
  - What ILS is seeing
Eviction in Indiana: Consequences of Eviction

• Housing instability
  – The filing of an eviction action can have devastating consequences
    • Even if a tenant wins his/her/their case

• Health Consequences
  – Causes mental and physical health issues (and exacerbates preexisting conditions)
  – Especially during COVID-19

• Debt and Financial Burdens
  – Generally, after a tenant is evicted the landlord seeks damages from tenant

• Homelessness
CDC Eviction Moratorium

• Published on September 4, 2020
• Issued pursuant to the CDC’s authority to take actions necessary to prevent the spread of infectious and communicable disease
• Extends through December 31, 2020
  – Active dates: September 4, 2020 – December 31, 2020
• Applies to every U.S. state and territory with reported cases of COVID-19 and with no eviction moratorium in place
CDC Eviction Moratorium

• Prevents evictions of “covered persons” for nonpayment of rent
• “Covered person”
  – (1) a tenant,
  – (2) who provides a required declaration, sworn under penalty of perjury, to the landlord
• Affirmative duty on the tenant to provide declaration to the landlord
• Covers both private and federally subsidized housing
CDC Eviction Moratorium

• Permits eviction for other material lease violations (other than nonpayment of rent)

• Tenant income qualifications (contained in the declaration):
  – Tenant expects to earn no more than $99,000 in annual income in 2020 (or, if joint return, no more than $198,000);
  – Tenant was not required to report any income in 2019 to the IRS; or
  – Tenant received an Economic Impact Payment (stimulus check)

• CDC order prevents eviction for “covered persons”

• Criminal penalties enforced by the Department of Justice
Resources for Tenants: Rental Assistance

- Rental Assistance Programs
  - IHCDA: statewide rental assistance program (except for Marion County)
    - www.indianahousingnow.org
  - Marion County Rental Assistance Program (for Marion County only)
    - www.indyrent.org
  - Private sources of rental assistance
    - Community groups and non-profits
    - Faith groups
    - Township trustees
Resources for Tenants: Tenant Programs Around the State

• Marion County
  – Tenant Legal Assistance Program (“TLAP”)
    • For all Marion County tenants
    • Hotline **every Thursday** from 11:00 a.m. – 1:00 p.m.
    • (317) 973-1673
  – City of Indianapolis Tenant Information Hotline
    • For all Marion County tenants
    • Open every weekday during business hours
    • (317) 327-2228
      – General tenant legal information; feeds referrals to TLAP and Eviction Avoidance Project
Resources for Tenants: Tenant Programs Around the State

• Allen County
  – Fort Wayne Tenant Assistance Legal Clinic
  – (260) 424-9155

• Clark and Floyd Counties
  – There was a weekly tenant hotline on Friday (similar to TLAP); hopefully coming back soon, so look for updates
Resources for Tenants

- Indiana Supreme Court Landlord Tenant Taskforce
  - Information about the moratoria (regularly updated)
  - Information about court hearings
  - Sample template forms and resources
    - Including downloadable CDC tenant declaration forms

- Online CDC Declaration Form
  - *New Tool* created by Neighborhood Christian Legal Clinic and City of Indy
  - www.indyrenterhelp.org
Resources for Tenants

• Landlord and Tenant Settlement Conference Program
  – Developed by the Landlord Tenant Taskforce
  – Free for all participants, but both must agree
  – Can be initiated by either party; does not require a court case to be filed
    • Balance of interests:
      – Landlords: to get paid, even partially, and have security in a repayment plan to recover accrued rent
      – Tenants: to feel secure in their rental housing and proactively address tenant issues
Resources for Tenants: Legal Help

• Indiana Legal Services
  – Live intake Monday – Friday from 10:00 a.m. – 2:00 p.m. EST
  – 1-844-243-8570
  – Can also apply online at: www.indianalegalservices.org
    • Note: website also has a number of COVID-19 resources

• Neighborhood Christian Legal Clinic

• Local Legal Aid Providers

• Bar Association Lawyer Referral Services
  – Look for hotlines and ask a lawyer events
Thank you!

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Indiana Legal Services, Inc.
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Mike Chapuran
Executive Director,
Family Promise of Greater Indianapolis
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Questions?
Evicted In Indiana
Between 248,000-313,000 Hoosier households are currently at risk of eviction due to COVID-19.

• **Webinar Dates (All are 1-2 PM ET)**
  • November 16, 2020
  • December 7, 2020

• **Visit for more information:**
  https://housing4hoosiers.org/evicted-in-indiana/
njames@prosperityindiana.org