THE INDIANAPOLIS FOUNDATION
A CICF AFFILIATE

Prosperity INDIANA

Evicted in Indiana Part Two: Landlord/Tenant Relationships Before and During COVID-19

Greater Indianapolis
Multi-Faith Alliance

Strengthening our communities.

HOUSEKEEPING

- 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 will be available on the Housing4Hoosier's Evicted in Indiana page

WELCOME

Jessica Love, Executive Director

PROSPERITY INDIANA

Strengthening our communities.

Prosperity INDIANA

SNAPSHOT

- 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

Evicted In Indiana

Between 248,000-313,000 Hoosier households are currently at risk of eviction due to COVID-19.

- **Next Webinar (1-2 PM ET)**
  - December 7, 2020
- **Visit for more information:**
  https://housing4hoosiers.org/evicted-in-indiana/

Hoosier Housing Needs Coalition

Housing 4 Hoosiers
Your Key To Affordable Housing

Prosperity
INDIANA

PRESENTATION

Amy Nelson
Executive Director,
Fair Housing Center of Central Indiana

Fair Housing and Evictions

Prosperity Indiana

November 16, 2020

FAIR HOUSING CENTER of CENTRAL INDIANA

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Presenter Info

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Fair Housing Center of Central Indiana

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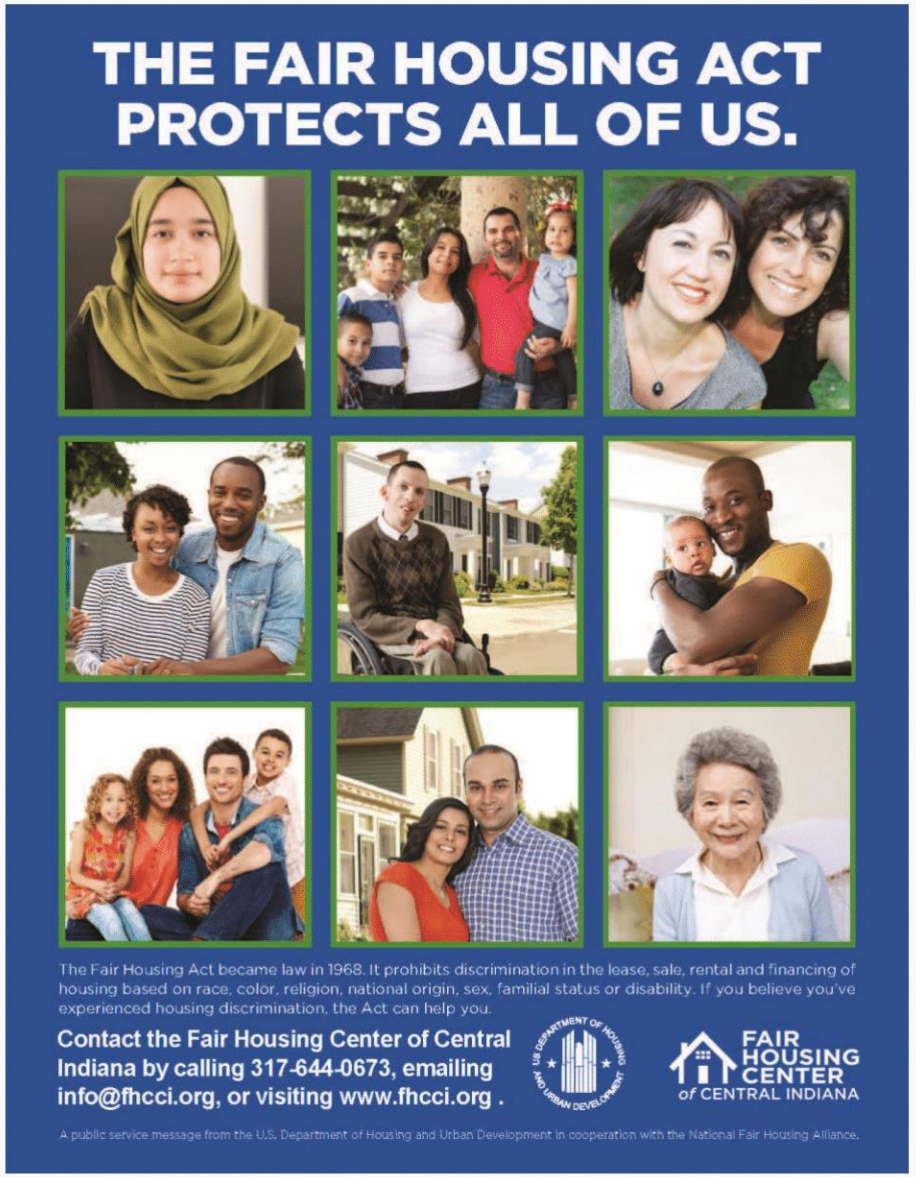
Find us on Facebook, Twitter, LinkedIn, and follow us on YouTube!



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The information today is not legal advice. For legal advice, please consult an attorney.

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Fair Housing Center of Central Indiana (FHCCI)

- The mission of the Fair Housing Center of Central Indiana (FHCCI) is to ensure equal housing opportunities by eliminating housing discrimination through advocacy, enforcement, education, and outreach.
- Based in Indianapolis – service area of 24 Central Indiana counties, although we will go outside this area, if resources allow, due to lack of other nonprofit fair housing organizations in Indiana
- Have 4 main programs to advance fair housing: Advocacy, Education, Inclusive Communities, and Public Policy
- Do not have attorneys on staff and don't cover issues solely related to landlord/tenant law

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Federal Fair Housing Act

- Federal Fair Housing Act passed in 1968 as part of Civil Rights Act (Title VIII) – Made it unlawful to discriminate in housing transactions due to race, color, national origin, and religion
- In 1974, Act amended to protect due to gender
- In 1988, Act amended to protect families with children and people with disabilities
- Court cases have confirmed that zoning and housing related services (insurance, etc.) are also covered

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Fair Housing and Evictions

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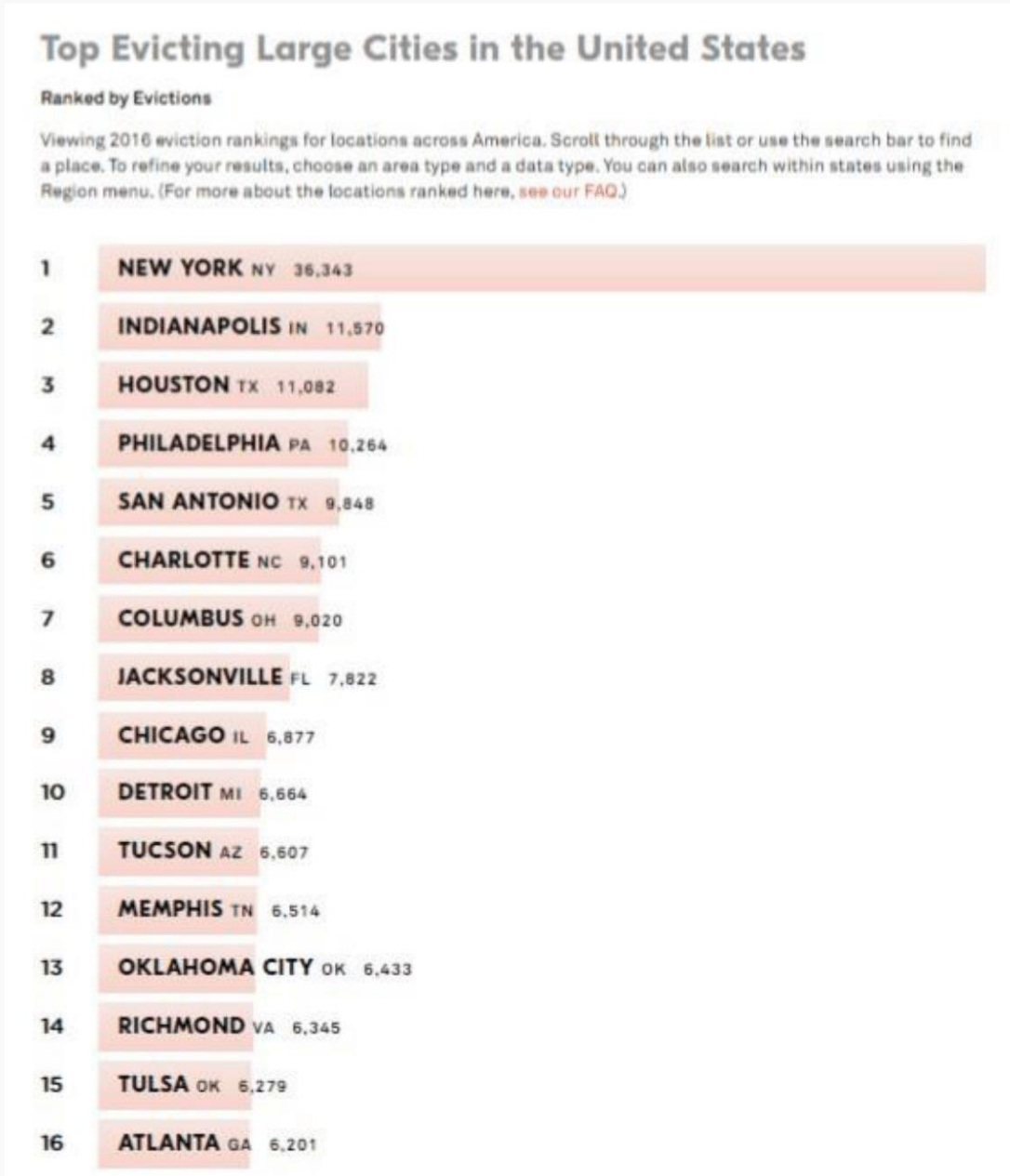
Housing is Stability

- Indianapolis was 2nd only to New York City in the number of *court* ordered evictions based on 2016 data.
- Indy was ranked 14th highest of largest cities in its eviction rate of 7.27%.
- Indiana has 6 cities in the top Mid-Size 100 Cities.
- Indiana has 4 cities in the Small & Rural Areas.



Top Evicting Large Cities in the United States

Ranked by Evictions

Viewing 2016 eviction rankings for locations across America. Scroll through the list or use the search bar to find a place. To refine your results, choose an area type and a data type. You can also search within states using the Region menu. (For more about the locations ranked here, see our FAQ.)

1	NEW YORK NY	36,343
2	INDIANAPOLIS IN	11,570
3	HOUSTON TX	11,082
4	PHILADELPHIA PA	10,264
5	SAN ANTONIO TX	9,848
6	CHARLOTTE NC	9,101
7	COLUMBUS OH	9,020
8	JACKSONVILLE FL	7,822
9	CHICAGO IL	6,877
10	DETROIT MI	6,664
11	TUCSON AZ	6,607
12	MEMPHIS TN	6,514
13	OKLAHOMA CITY OK	6,433
14	RICHMOND VA	6,345
15	TULSA OK	6,279
16	ATLANTA GA	6,201

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Based upon 2016 eviction data from courts

Eviction Lab – Largest 50 Cities

- Fort Wayne (#13)
- Indianapolis (#14)
- South Bend (#18)

Eviction Lab – Mid-Size 100 Cities

- Marion (#30)
- Elkhart (#31)
- Kokomo (#38)
- Lawrence (#41)
- Lafayette (#58)
- Gary (#69)

Eviction Lab – Small & Rural Areas

- Waterloo (#9)
- Grabill (#60)
- New Chicago (#61)
- Bryant (#81)

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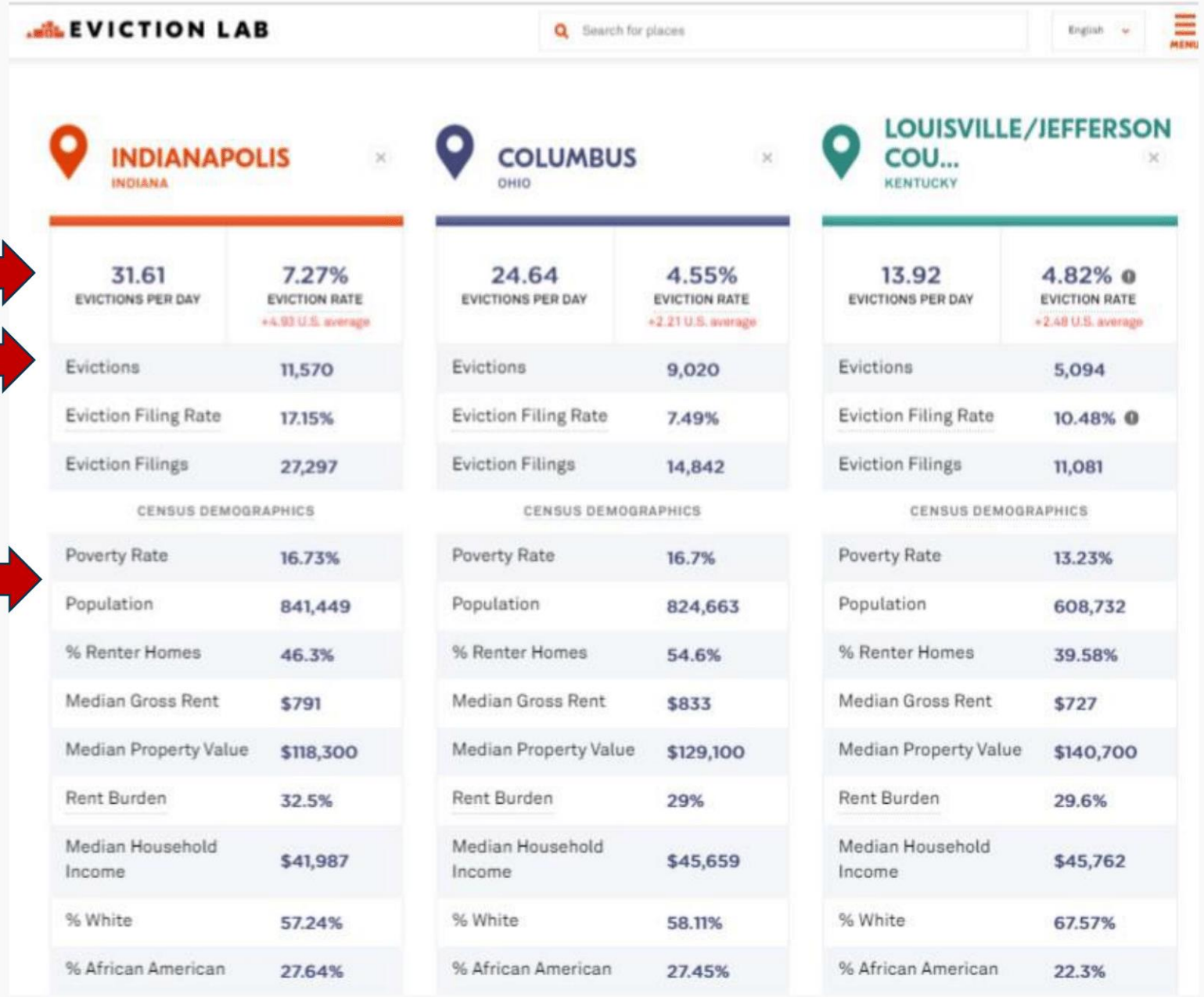

In a comparison to cities of a similar size, and with similar poverty rates, Indianapolis has almost double their eviction rates.

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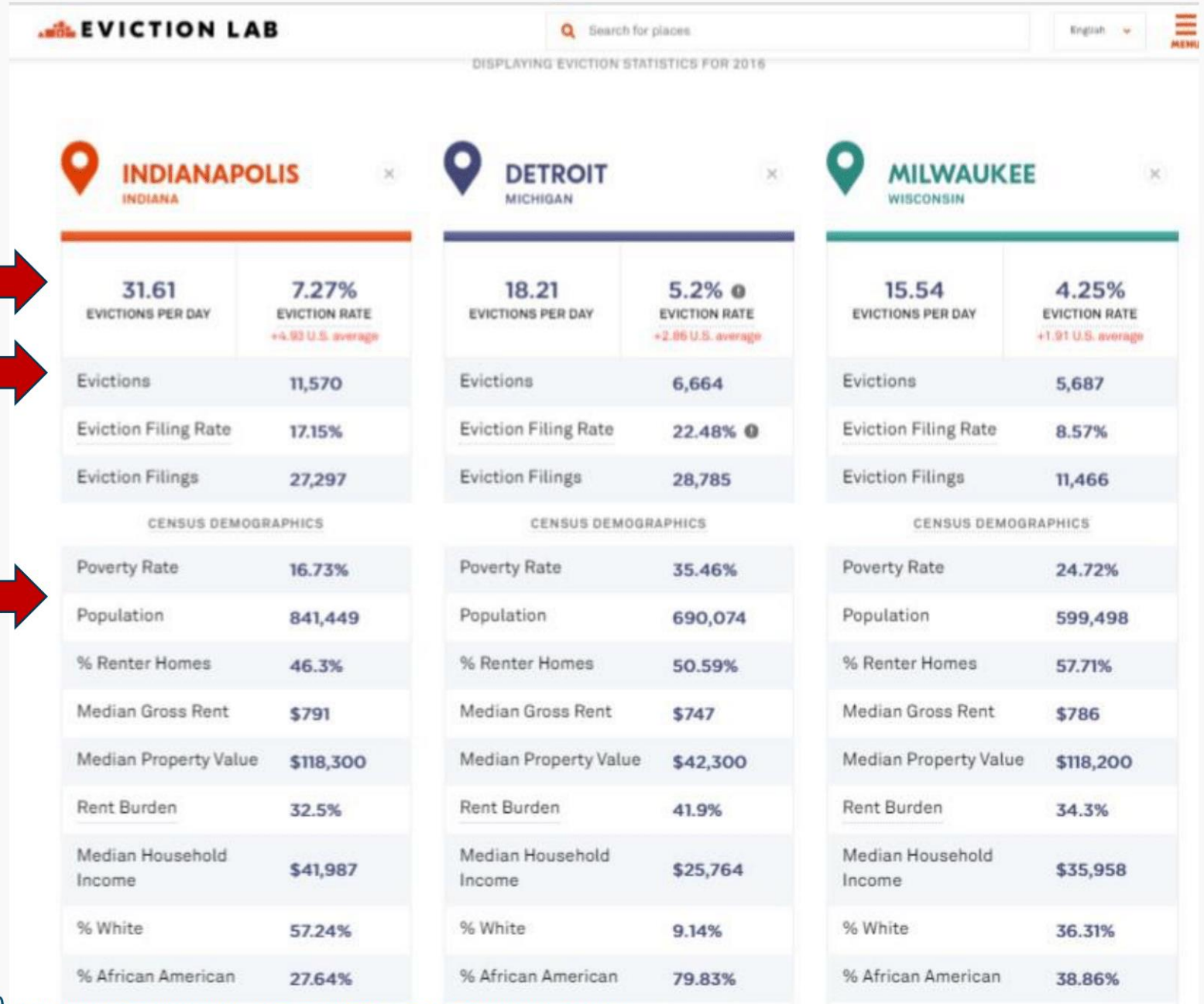
It is the FHCCI's position that Indiana's very landlord friendly Landlord/Tenant Law is impacting these discrepancies.



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NEWS > CALL 6 INVESTIGATES

NEWS > WORKING FOR Y

Jill Glavan
@jillglavan

An attorney who helped a resident at Addison Creek apts win her eviction case says he's worried about what it means for other tenants. She faced eviction after the health dept took her landlords to court for failing to make repairs.

Latest #CBS4ProblemSolvers @CBS4Indy at 6

Jennie Runevitch
@JennieWTHR

Residents at this east side Indianapolis apartment complex say they're frustrated and fed up — sick of living in filth. We're taking a look at the problem that's gone on for months here. @WTHRcom

Impact of a Notice of Eviction

- Tenant screening companies are being used with increasing frequency to determine tenant acceptance for rental.
- It is the FHCCI's belief that these companies do not differentiate between the *serving* of an eviction (where no determination is made of its validity) and a *court ordered eviction* (where cause is found).
- ***In other words, you may been served an eviction that was retaliatory, discriminatory, or unjustified, but be denied housing in the future for simply having had that notice filed against you.***

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The Long Term Impact

- Any housing court filing, or any debt to a past landlord, will stain a renter's record and could lock him or her out of housing options for years, if not decades.
- Housing court records, which arise from disputes and debts—or mere misunderstandings—are particularly problematic because they are devoid of detail.
- Background screeners often scoop up only what they can scrape from free court indexes: the names of the landlord and tenant and the address of the property. **They often don't even include the resolution of the case.**

The Markup

Big Tech Is Watching You. We're Watching Big Tech.

Locked Out

Data Brokers May Report COVID-19–Related Evictions for Years

Scant rules around tenant background screenings mean money woes during the pandemic's economic slowdown will haunt some tenants, even if they pay up

By Lauren Kirchner

August 4, 2020 08:00 ET

Updated August 7, 2020 13:54 ET

J. Lawler Duggan for The Washington Post via Getty Images

At peak busy times, about 60 people facing evictions used to ask the Legal Aid Society of Milwaukee for help every week. Since the COVID-19 moratorium lifted, the group says it's been getting that many calls to its

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Data Shortage

- Real-time data on which cities, counties, and neighborhoods are seeing the highest eviction rates could help municipal leaders direct rent assistance funds, lobby for additional federal and state funds for hard-hit cities and counties, and prioritize whose doors to knock on to get the word out about assistance programs.
- Local data on how much back rent tenants owe would allow Congress to determine with specificity the amount of assistance renters in each state would need. **But nothing close to that level of data is available.**

METROPOLIS

There's a Looming Eviction Crisis, and We Have No Idea How Bad It Will Be

By YULIYA PANFIL

SEPT 28, 2020 • 5:45 AM

How many of these will happen? We don't know. Joe_Potato/iStock/Getty Images Plus

On September 2, the Centers for Disease Control and Prevention delivered some unexpected relief to renters across the country. Arguing that "housing stability helps protect public

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Fair Housing Impact

- While unjust screening policies affect all tenants, Black women are most likely to be blacklisted.
- In King County, Washington, research showed that African-American tenants are nearly four times more likely to have an eviction case filed against them compared to white tenants.
- The disparity is even starker for African-American women: They are more than five times as likely to have a filing against them compared to households headed by white men.

Unfair Eviction Screening Policies Are Disproportionately Blacklisting Black Women

By Sandra Park, Senior Staff Attorney, ACLU Women's Rights Project
MARCH 30, 2017 | 1:15 PM

TAGS: Housing Policy and Local Ordinances, Violence Against Women, Women's Rights

Five years ago, Nikita Smith's landlord filed an eviction case against her. They worked it out, and Ms. Smith was never evicted. Little did she know that years later, the eviction filing would continue to haunt her. When she applied for another apartment in Renton, Washington, just outside Seattle, the property's management company shut her out from the chance to move into a new home.

Across the country, landlords routinely use screening policies that deny housing whenever an applicant

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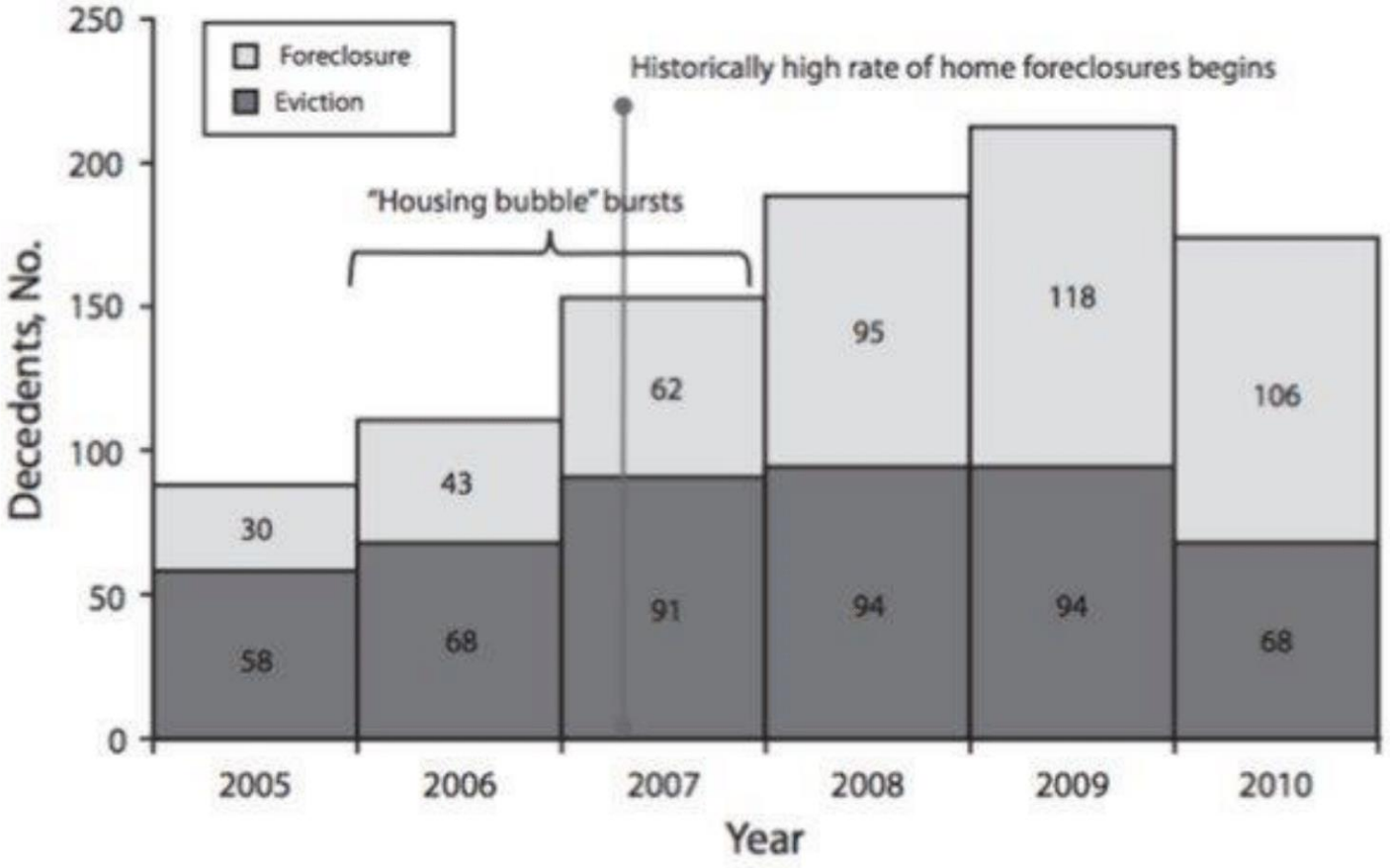
Housing is Life

- Evictions and Foreclosures result in higher suicide rates
- 37% of deaths happened within 2 weeks of an eviction notice or court hearing. 79% took place before the renters or owners actually lost their housing.



Note. The sample size was n = 929. There was a significant increase in eviction- or foreclosure-related suicides from 2006 to 2007 ($\chi^2 = 6.68$; $P = .01$), and from 2007 to 2008 ($\chi^2 = 3.79$; $P = .05$).
Source. Information about timing of the US housing crisis comes from *The Economist*.[10]

FIGURE 1—Frequency of suicides associated with eviction or foreclosure in context of the US housing crisis: National Violent Death Reporting System, United States, 2005–2010.

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Housing is Policy

- The Indiana General Assembly has passed a series of laws that the FHCCI alleges impact the ability for Hoosiers to secure safe, affordable housing free from discrimination including:
  - Legislation impacting the ability to conduct effective housing inspections to address substandard housing: **HB 1403**, **HB 1165**
  - Legislation limiting inclusionary zoning: **SB 558**
  - Legislation limiting fair housing laws or protections: **HB 1300**, **SB 240**
- In 2020, a bill nicknamed by media, The Landlord Rights bill, went all the way to only the 2nd veto of Governor Holcomb's Administration before it was stopped.
- In 2019, NPR identified Indiana as the state most welcoming to landlords. Legal services organizations articulate that Indiana's Landlord/Tenant Law is the 2nd WORST in the country for tenant fairness.

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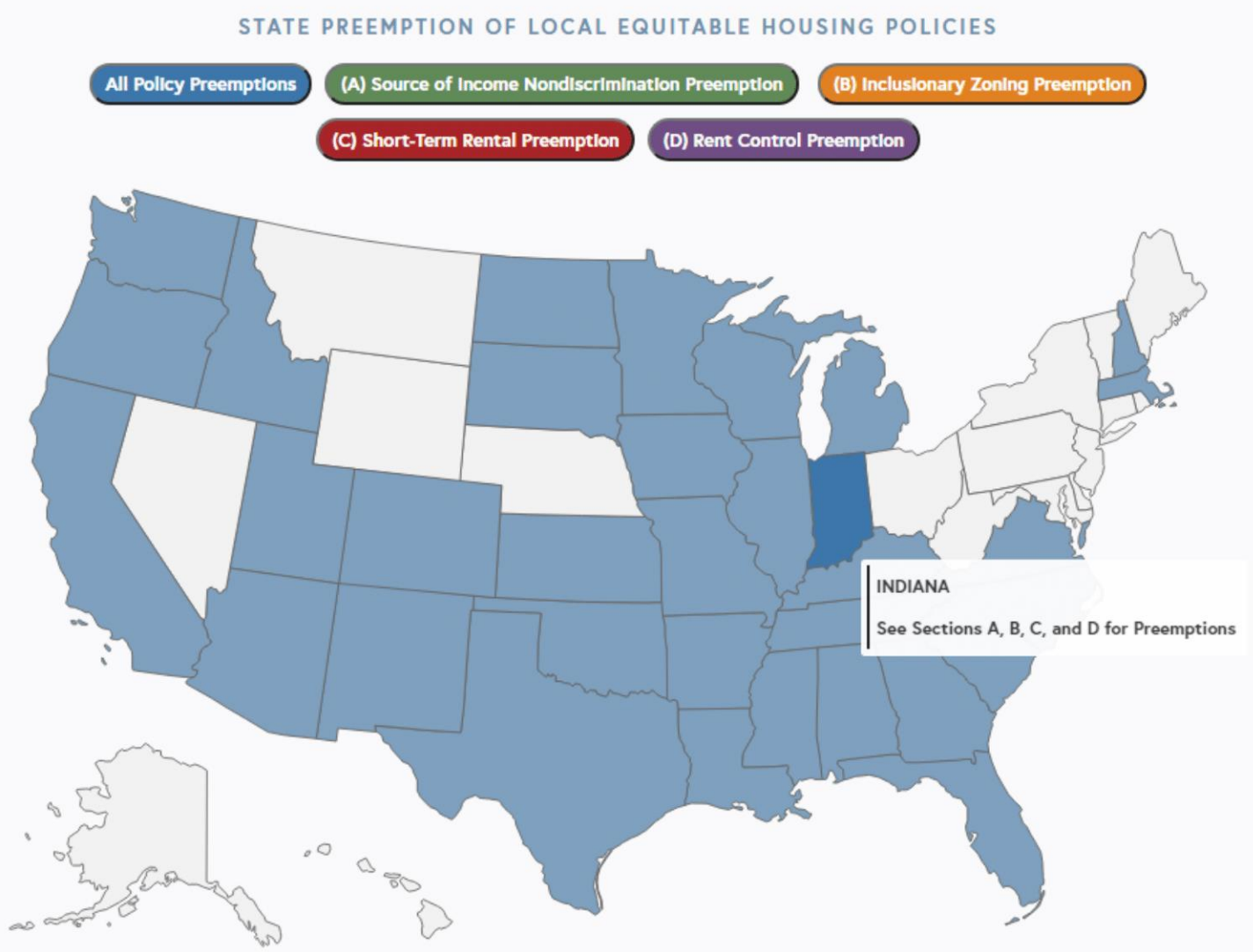
Housing is Policy

- A 2019 Report, *State Preemption of Local Equitable Housing Policies*, showed Indiana as the ONLY state in country with all 4 Equitable Housing preemptions.
- The report makes clear that local policies designed to foster communities of opportunity, equity, and inclusion are being compromised by preemption—state interference that is perpetuating inequality at a time of genuine crisis in affordable [and fair] housing.



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Resources

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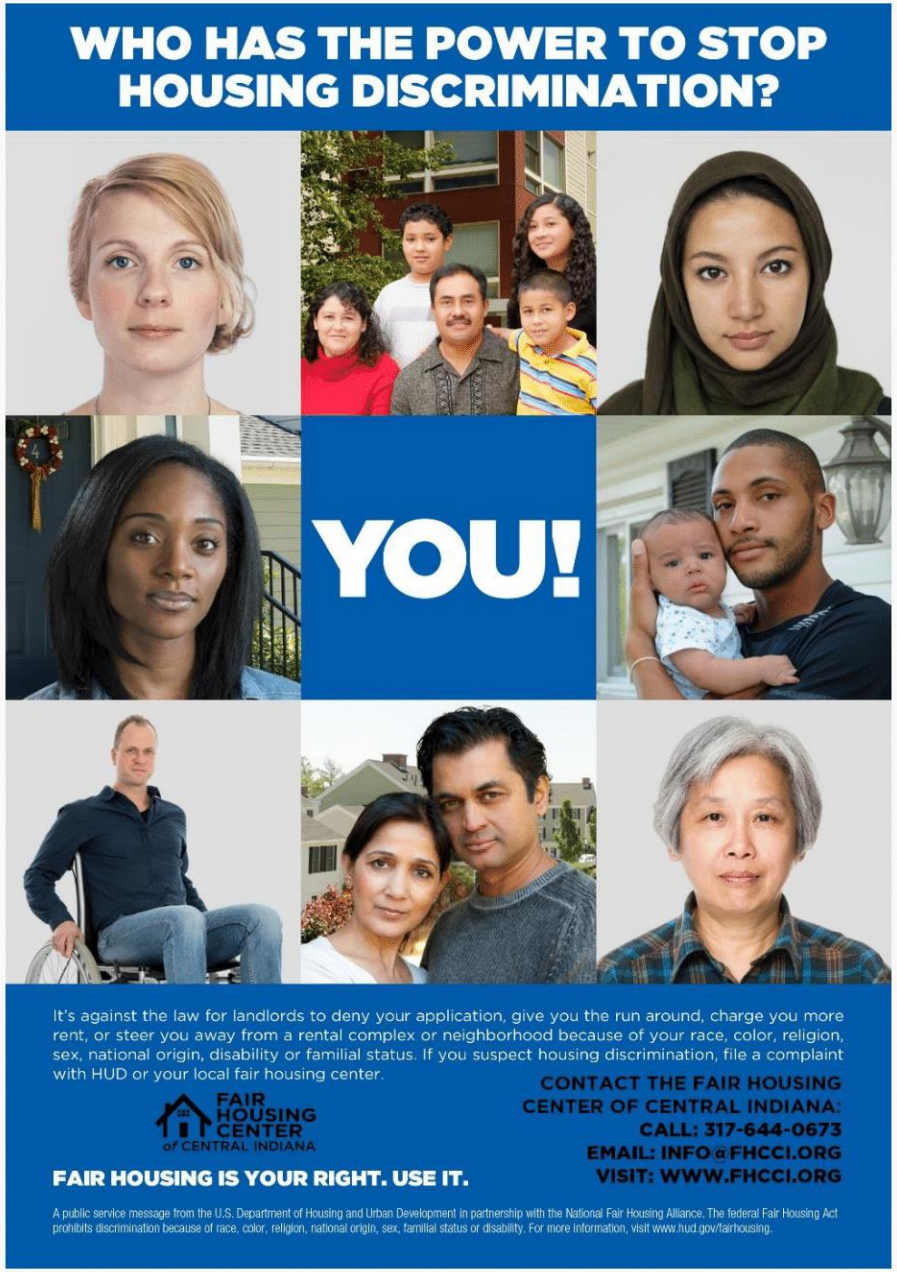
FHCCI Trainings

- Offering a series of FREE virtual trainings through February – visit our Events Page to learn more: https://www.fhcci.org/events/
- FHCCI Annual Fair Housing Conference
- FHCCI Legal Seminar



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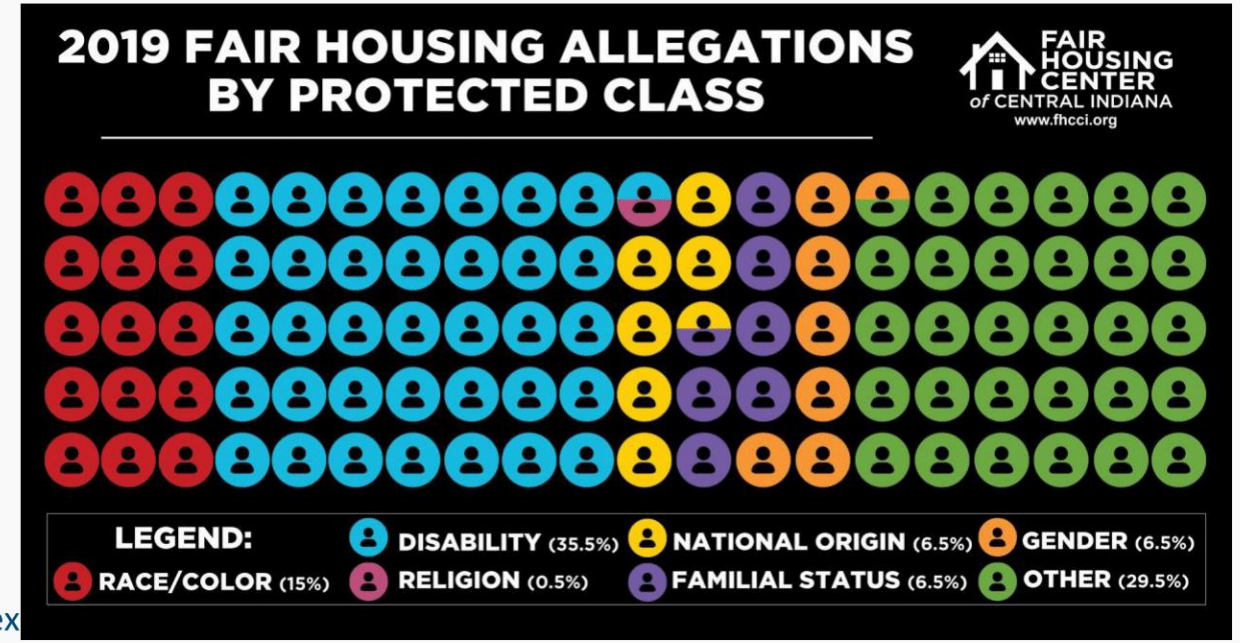
FHCCI on YouTube

- History of Redlining: +3,700 views. Includes Indy info
- Sarah's Housing Discrimination Story: Tells the story of a Hoosier discriminated against in housing due to her disability
- Lady Liberty: Spoken word performance on fair housing by local artist Manon Bullock
- Fair Housing Design & Construction Accessibility Requirements
- And more! Visit us at: https://www.youtube.com/channel/UCfrtv90iPAAXXqH78uAwlMA



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FHCCI Yard Signs – Available for Indianapolis Pick Up

Order at:
https://docs.google.com/forms/d/e/1FAIpQLSeg2O3EVfqyiSwqSksliFJ-M0OSs7yEVUPu5PYiox8H_jzhcg/viewform

Designed to promote inclusive communities and to show support for those commonly targeted by housing discrimination

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FHCCI Posters– Available for Free to Indiana Addresses

Order at:
https://forms.gle/7CHZVEhEpeHqwThS7

LOTS of other education materials on our Education page at www.fhcci.org

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Reminders & How You Can Help Fight Housing Discrimination!

- Report discrimination
- Visit our Education, Public Policy, or News Page at www.fhcci.org for more fair housing information
- Follow us on Twitter, Facebook, LinkedIn, or YouTube
- Sign up for our monthly e-newsletters (go to www.fhcci.org)
- Attend our trainings and/or conference – Events Page
- Testers! Help us uncover housing discrimination
- Donate! We are a 501c3 organization
- Contact us with questions!

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PRESENTATION

Serita Cabell
Executive Director,
Memorial Community Development Corporation

Eviction in Indiana-A Landlord's Perspective during a Pandemic

PROSPERITY INDIANA WEBINAR SERIES

SERITA CABELL, MEMORIAL COMMUNITY DEVELOPMENT CORPORATION

Memorial Community Development Corporation (MCDC)
Mission & Vision

- Memorial Community Development Corporation (MCDC) is a non-profit corporation, conceived from the Memorial Baptist Church and established to change the economical, social, cultural, educational, and physical course of the inner city of Evansville, Indiana and the surrounding communities, as well as the lives of the people who live there.
- Our efforts will make the center city of Evansville and the surrounding areas of the city a vibrant community, we can be proud to call home.

MCDC General Housing Info

- Formed in 1994
- Housing a huge issue in our community
- 1997/98- 10 seniors; 2008- 87 units consisting of family and senior apartments
- 2020
  - 105 rental units consisting of family and senior apartments
  - 16 single family homes with 5 being rentals
  - Building 50 more apartments
  - Awaiting final funding to build 10 more single family homes

Before Covid-19 MCDC

- Operated at 97-99% vacancy
- Collected 75% of rent by the 5th (before late fees kick in)
- Collected 90% of rent by the 10th (INCLUDING LATE FEES)
- Collected 98% of rent by 30/31st of each month (Including late fees)
- Operated with tenants coming to the office, hosting some events at 2-4x per year, distributed letters via doorknob notices

Before Covid-19 Tenants

UNCOMPLICATED/EASY TENANTS

- Pay rent on time 90-100%
- Notify of issues immediately
- Abide by lease 99% of time
- Communicate regularly, easily, often even in crisis

COMPLICATED/DIFFICULT TENANTS

- Chronically late
- Rarely report issues
- Abide by lease 50% of time or less
- DO NOT COMMUNICATE well or often whether in crisis or not

Before Covid-19 as a Landlord

- Had mortgages
- Had insurance, utilities, and other operating costs
- Had maintenance issues
- Had staff to pay
- Responsibility to provide safe, decent, affordable housing to some of the most vulnerable populations
  - Seniors, Families, Homeless, Victims of Domestic Violence
  - Low-Moderate Income Persons (families of 4 earning ~53k or LESS annually)

During Covid-19 Tenants—NOT MUCH CHANGED

UNCOMPLICAT… TENANTS

- Pay rent on time 90-100%
- Notify of issues immediately
- Abide by lease 99% of time
- Communicate regularly, easily, often even in crisis

…ED/EASY TENANTS

- Chronically late
- Rarely report issues
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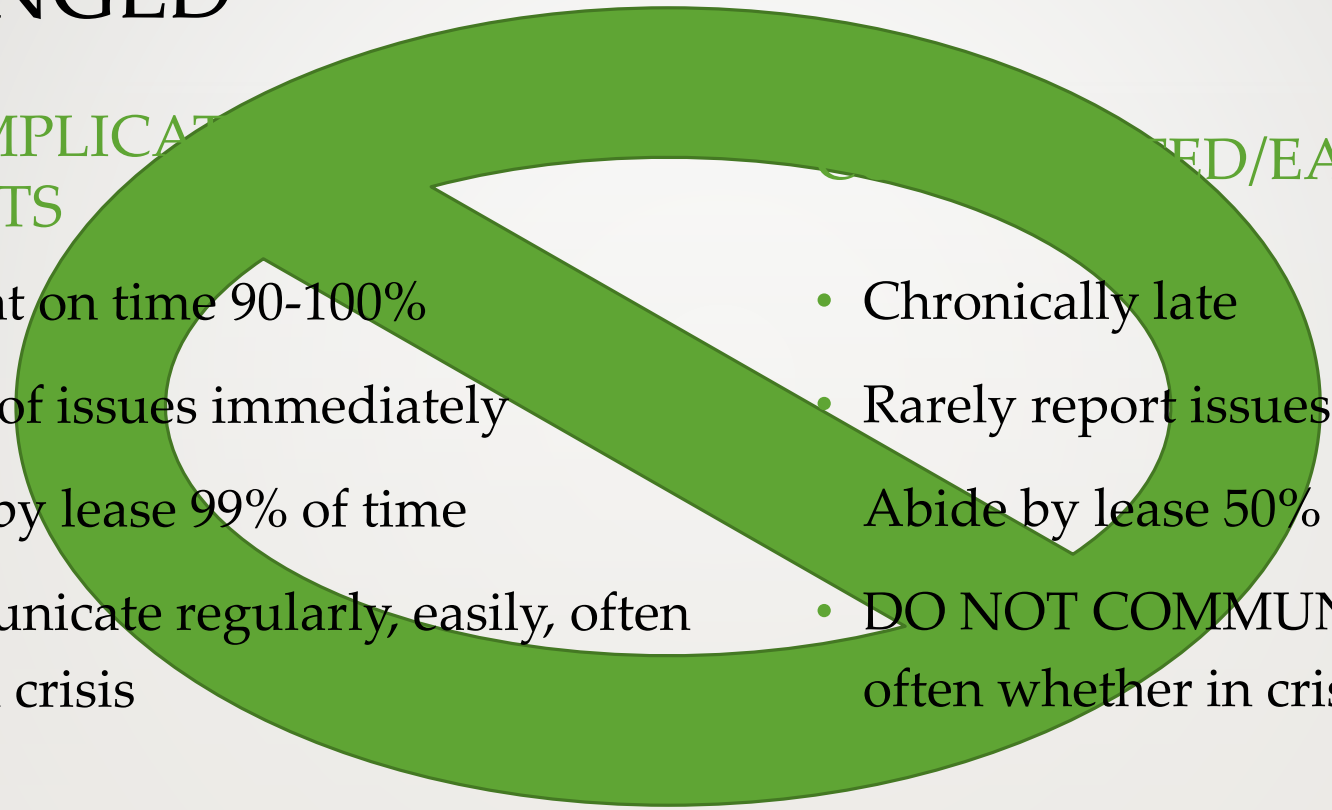
- DO NOT COMMUNICATE well or often whether in crisis or not



During Covid-19 as a Landlord

- STILL had mortgages
- STILL had insurance, utilities, and other operating costs
- STILL had maintenance issues
- STILL had staff to pay
- STILL HAD A responsibility to provide safe, decent, affordable housing to some of the most vulnerable populations
  - Seniors, Families, Homeless, Victims of Domestic Violence
  - Low-Moderate Income Persons (families of 4 earning ~53k or LESS annually)

During Covid-19 as Landlord

"Brought out the best in me as a landlord" —Owner and landlord of private company

"Standard of care didn't change, if anything it enhanced what and how we werre tentative to our tenants." —Memorial CDC Housing Staff

What DID change?

- More aggressive with trying to ensure tenants knew we were on their side
- Distributed all information in more ways & created health & wellness checks
- Educated tenants with the correct information
  - What the moratorium means?
  - What do they have to do to get help
- Continue to help "case manage" and direct/navigate through the system
  - Not just housing
  - Unemployment, utility assistance, job fairs etc.
- Provide relief as much as possible—waive late fees, accept partial payments

We believe

- That even though there was and is tension at times, that by doing it for the right reason things will work out
- Everyone deserves to be treated like a human being

- Because of that
  - No formal eviction since before April 2020
  - Most tenants have paid rent on time during the pandemic or made successful payment arrangements
  - We've been able to pay our bills as a landlord.

Questions??

Serita Cabell, MS

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Questions?

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THANK
YOU