



Memorandum

TO: COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE

FROM: Jacky Morales-Ferrand

SUBJECT: SEE BELOW

DATE: February 17, 2023

Approved

Date

2/17/2023

COUNCIL DISTRICT: CITYWIDE

**SUBJECT: CITY INITIATIVES ROADMAP: HOUSING STABILIZATION –
EVICITION PREVENTION AND HOUSING STABILITY STATUS
UPDATE**

RECOMMENDATION

Accept the status report on Housing Stabilization – Eviction Prevention and Housing Stability efforts.

SUMMARY

The Housing Stabilization – Eviction Prevention and Housing Stability update covers eviction prevention efforts during Fiscal Year 2021-2022. These efforts include the Eviction Prevention Help Center programs, rent relief funds, and the Eviction Diversion and Settlement Program.

BACKGROUND

During the COVID-19 pandemic, the Housing Department (Department) engaged in several strategies to manage the housing stability of tenants. Shortly after the shutdown in March 2020, the City passed a temporary eviction moratorium and a rent increase moratorium as urgency ordinances. During the two subsequent years, the State enacted four temporary eviction protection and rent relief laws. See Attachment A for more details. The Department's efforts since summer 2021 include:

1. Providing tenants and property owners access to federal rent relief funds;
2. Establishing Eviction Prevention Help Centers to connect residents to legal and financial resources;

3. Establishing a presence in Santa Clara Superior Court to assist tenants and landlords with getting access to rental assistance to avoid forced evictions; and
4. Creating, securing funding for, and implementing the Department's Eviction Diversion and Settlement Program to intervene and pay COVID-19-related rent arrearages when the State rent relief program ended on March 31, 2022.

Rent Relief Program

In January 2021, as part of COVID-19 recovery efforts, the State enacted the COVID-19 Tenant Relief Act (SB 91) which extended statewide eviction protections. The City of San José received two rounds of emergency rental assistance funds (ERA1 and ERA2) totaling up to \$124 million through the U.S. Department of Treasury. The first round of emergency relief funds provided rental assistance to households most vulnerable to eviction and possible homelessness in the City of San José and Santa Clara County.

On February 9, 2021,¹ City Council approved a “hybrid” program funded through ERA1 funds. The City, County of Santa Clara, Sacred Heart Community Service, and Destination: Home partnered together to allocate funding for landlords and tenants (an additional \$33 million) through the California COVID-19 Rent Relief program. The City established a partnership for administering ERA1 funding between the City, the County of Santa Clara, and the Homelessness Prevention System co-led by Sacred Heart Community Service and Destination: Home. This local program provides specialized services like rental assistance, utility assistance, outreach, and case management.²

On October 5, 2021, City Council adopted staff's recommendation to end the Homelessness Prevention System COVID-19 Program (HPS-CV) for the City of San José. The State continued to administer all the City's ERA2 funds for San José's residents. The HPS-CV countywide partners remained in place to finalize the processing of HPS-CV applications and focus on assisting residents with their applications to the State. The abrupt shift from a hybrid rent relief program model to a single State-run program required extensive outreach, education, and coordination with community partners and residents.

Eviction Prevention Help Centers

In August 2021, the City launched two Eviction Prevention Help Centers (Help Centers) to assist tenants and landlords with emergency rental assistance applications. The Help Centers were

¹ See February 9, 2021 staff report: <https://sanjose.legistar.com/View.ashx?M=F&ID=9161966&GUID=041DCE11-F956-4E5B-BF9E-27385005E9AD%20%20>

² For 2021 in Santa Clara County 30% of the Area Median Income for a family of 4 was a household earning less than \$49,700 annually <https://covid19.sccgov.org/sites/g/files/exjcpb766/files/Documents/santa-clara-county-2021-area-median-income-ami-chart.pdf> For 2021 in Santa Clara County 30% of the Area Median Income for a family of four was a household earning less than \$49,700 annually <https://covid19.sccgov.org/sites/g/files/exjcpb766/files/Documents/santa-clara-county-2021-area-median-income-ami-chart.pdf>

initially located at the City of San José City Hall 12th Floor and the Franklin McKinley School District. Rental assistance navigators helped tenants submit rental assistance applications in multiple languages such as English, Spanish, Vietnamese, and Mandarin. The Help Centers have also offered access to legal services with staff from the Law Foundation of Silicon Valley and Bay Area Legal Aid Silicon Valley available on-site and virtually Monday through Friday. In November 2022, a Help Center site opened at Lion Plaza, 1818 Tully Road, replacing the Franklin McKinley School District location.

With State rental relief funds ending, the Help Centers focused primarily on connecting tenants with the community and legal resources to deal with threatened or impending eviction. When the COVID-19 eviction protections ended on June 30, 2022, the caseload counts skyrocketed. For tenants facing eviction based on non-payment, it is rare legal assistance helps to prevent that eviction. However, ensuring the tenant is engaged in the process and connected with available resources allows the tenant to participate in the outcome, like negotiating for more time.

Many of the tenants who visited or contacted the Help Centers still have not recovered from the economic impact of the pandemic and find themselves struggling to cover expenses even though they have resumed receiving regular income.

Weekly Eviction Prevention Courthouse Clinic

Due to the end of State eviction protections, Help Center staff were redirected to assist tenants and property owners before their unlawful detainer Court hearings. It was not uncommon for tenants and property owners to not be aware of the status of relief applications and to have missed communications from the State. Help Center staff often assisted clients avoid eviction for unpaid rent and assisted property owners with securing rent relief funds.

This service evolved into a comprehensive weekly, Eviction Prevention Courthouse clinic (Court Clinic) in partnership with Santa Clara County Superior Court and the Sacred Heart Community Services. The weekly Court Clinic is open to everyone and offers a broad spectrum of resources to tenants and property owners involved in unlawful detainer actions. The Court Clinic strives to provide as many opportunities as possible to help parties resolve their disputes and, ideally, avoid evictions.³ The Court Clinic is not intended to be a temporary program. The partners aim to make the weekly Court Clinic a permanent program at the court. This may lead to a significant decrease in eviction judgments and tenant displacement.

Eviction Diversion and Settlement Program

The Department targeted residents most at risk of displacement after June 30, 2022. A primary effort was the launch of the Eviction Diversion and Settlement Program (Diversion Program).⁴

³ https://www.scscourt.org/self_help/civil/ud/ud_home.shtml

⁴ The other two primary efforts were proactive outreach to tenants and increasing staff presence at the Santa Clara County Superior Court.

The Diversion Program mitigated the delays in rent relief application processing for tenants at risk of imminent eviction. The Diversion Program was funded by a mix of ERA 1, ERA 2, grants, and Measure E funds for Homeless Prevention and Rental Assistance.⁵

The current phase of the Diversion Program operates as follows:

- To be eligible, a tenant household must: 1) be at imminent risk of eviction due to unpaid rent, 2) have sustained some impact beyond their control⁶ which led to the rental arrearage, 3) earn less than 80% of the area median income,⁷ and 4) be in a financial position to pay the rent going forward or otherwise remain stably housed.
- Landlords must agree to dismiss the unlawful detainer action within two weeks (or not proceed with an unlawful detainer action, where applicable) once they receive payment from the Diversion Program.
- Both landlord and tenant agree to provide all documentation necessary to the Diversion Program to process the application and agree to return any duplicates.
- When necessary, tenants and landlords work with the day-of-court mediators and/or landlord and tenant attorneys to enter into a stipulated settlement agreement that is presented and approved by the judge assigned to the unlawful detainer calendar.
- Sacred Heart Community Services also supports participants in the Program when further financial or other resources are needed to resolve the case
- The Program will prioritize tenant households earning less than 50% of the area median income⁸ and households earning more than 50% but less than 80% of the area median income where there are special circumstances, e.g., minor children, elderly, or disabled individuals in the household.

Candidates for the Diversion Program are sought out primarily during the unlawful detainer calendars at Santa Clara Superior Court Wednesday and Thursday mornings when tenants and landlords are appearing. When clients are determined to be eligible and agree to participate, a mediator assists them with entering into a stipulated settlement agreement. At the current funding levels, the current phase of the Diversion Program expects to assist roughly 150 households with an average of \$15,000 being paid out for each case.

⁵ Sacred Heart Community Services held the remaining ERA1 funds directly allocated to the City pursuant to the contract to administer HPS-CV, which ran from May 2021 to September 2021.

⁶ For cases funded with ERA2 funds, the impact will have to be directly or indirectly related to the COVID-19 pandemic to comply with U.S. Department Treasury Guidance.

⁷ 80% of area median income, which is considered Low Income, in Santa Clara County in 2022 for a household of four is \$134,800.

⁸ 50% of area median income, which is considered Very Low Income, in Santa Clara County in 2022 for a household of four is \$84,250

ANALYSIS

As emergency tenant protections expired last summer, eviction filings soared to pre-pandemic levels. In Santa Clara County, the rate of eviction cases is at one filing for every 195 households.⁹ During the past 18 months, the Department and Help Center quickly pivoted to respond to the dynamic environment of eviction protections and rent relief. Since the Help Center's inception, staff focused on assisting the City's most vulnerable residents to avoid displacement. Many are families including individuals with limited English proficiency.

The primary purpose of the Help Center's efforts is to address disparities in legal representation and renter rights education. Thus, the Help Center's purpose and mission are aligned with the federal government's acknowledgment of the impacts of the COVID-19 pandemic on housing security. In January 2023, the White House released the Renters Bill of Rights, as a framework to promote policies and programs that increase housing stability for renters¹⁰. Within the bill of rights, five principles include:

1. Access to Safe, Quality, Accessible, and Affordable Housing
2. Clear and Fair Leases
3. Education, Enforcement, and Enhancement of Rights
4. The Right to Organize
5. Eviction Prevention, Diversion, and Relief

Of these principles, Education and Eviction Diversion have been a key principle to the Help Centers' efforts. The American Civil Liberties Union found nationally, 82% of landlords come to court with an attorney, while only 2% of tenants had legal representation.¹¹ The Help Center worked with landlords, tenants, and attorneys through the diversion program to cover rental arrears and stop pending eviction proceedings. The partnership between the Help Centers and attorneys has been recognized as an influential component in keeping renters housed.¹² Detailed below are the results of that work since program inception to date.

⁹ Ethan Varian. 2023. [Evictions eclipsed pre-pandemic levels in these Bay Area counties as tenant protections expired](https://www.mercurynews.com/2023/02/12/evictions-eclipsed-pre-pandemic-levels-in-these-bay-area-counties-as-tenant-protections-expired/). *San Jose Mercury News*; <https://www.mercurynews.com/2023/02/12/evictions-eclipsed-pre-pandemic-levels-in-these-bay-area-counties-as-tenant-protections-expired/>

¹⁰ Domestic Policy Council and National Economic Council. 2023. [The White House Blueprint for a Renters Bill of Rights](https://www.whitehouse.gov/wp-content/uploads/2023/01/White-House-Blueprint-for-a-Renters-Bill-of-Rights.pdf); <https://www.whitehouse.gov/wp-content/uploads/2023/01/White-House-Blueprint-for-a-Renters-Bill-of-Rights.pdf>

¹¹ American Civil Liberties Union. 2022. No Eviction without Representation: Evictions' Disproportionate Harms and the Promise of Right to Counsel; https://www.aclu.org/sites/default/files/field_document/no_eviction_without_representation_research_brief_0.pdf

¹² Ethan Varian. 2023. [Evictions eclipsed pre-pandemic levels in these Bay Area counties as tenant protections expired](https://www.mercurynews.com/2023/02/12/evictions-eclipsed-pre-pandemic-levels-in-these-bay-area-counties-as-tenant-protections-expired/). *San Jose Mercury News*; <https://www.mercurynews.com/2023/02/12/evictions-eclipsed-pre-pandemic-levels-in-these-bay-area-counties-as-tenant-protections-expired/>

Rent Relief Funds Distributed by State and Locally Run Programs

Table 1 shows the breakdown of ERA1 and ERA2 funds allocated to the City of San José by the U.S. Department of Treasury through direct and high-needs allocation to the City and as reserved portions of amounts received by the State:

Table 1: ERA1 and ERA2 Allocation of Funds San José

Allocation to San José	
ERA1 Direct	\$30,380,000
ERA1 State Reservation	\$30,100,000
ERA2 State Reservation	\$24,590,000
ERA2 High-Needs and Direct	\$36,280,000
Total:	\$121,350,000

The County of Santa Clara received direct, high-needs, and reserved allocations from ERA1 and ERA2 totaling \$108.16 million. These rent relief funds allocated to the County could also be used to assist City residents and property owners.

The ERA1 direct allocations to the County of Santa Clara and the City of San José were distributed through the HPS-CV program described above. Table 2 details the total amount distributed on behalf of tenant households in the City and where most of those households live. Figure 1 details the demographics of those households.

The HPS-CV program ran from May 2021-September 2021, during these five months 2,769 households were assisted with an average payment of \$10,647.31.

Table 2: Distribution of ERA1 direct allocations through the HPS-CV Program to San José¹³

No. of San José Households Assisted	Average Amount of Assistance	Zip Codes with Highest No. of Recipients
2,769	\$10,647.31	95112, 95122, 95116, 95111

The HPS-CV Program partnership with 46 community and grassroots organizations reached residents across San José from a variety of racial groups, providing up to 15 months of financial assistance. As shown in Figure 1, of the 2,769 households assisted by the HPS-CV program 97% of applicants were extremely low income, and over half identified as Hispanic/Latinx.

¹³ <https://preventhomelessness.org/dashboard/>

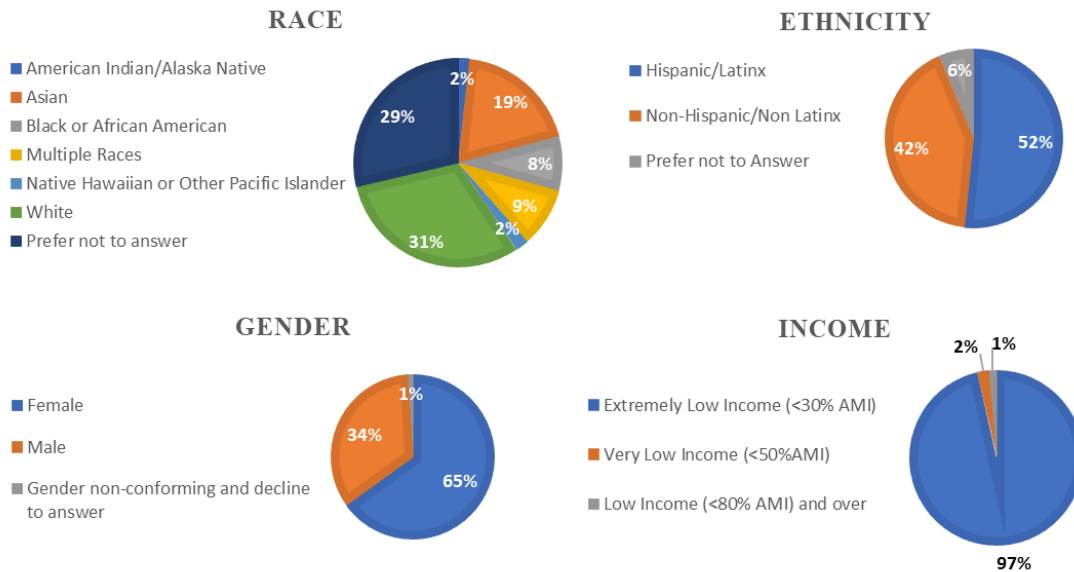


Figure 1: Demographics of San José Households served by HPS-CV Program

Where HPS-CV utilized only ERA1 funds, a combination of ER1 and ERA2 was used by the state for the California (CA) COVID-19 Rent Relief Program, allowing tenants to receive up to 18 months of financial assistance. The average award for the state is comparable to the amount issued by the City’s local HPS-CV program which was capped at awarding up to 15 months of assistance.

Table 3: Distribution of ERA1 and ERA2 funds to San José residents by the CA COVID-19 Rent Relief Program¹⁴

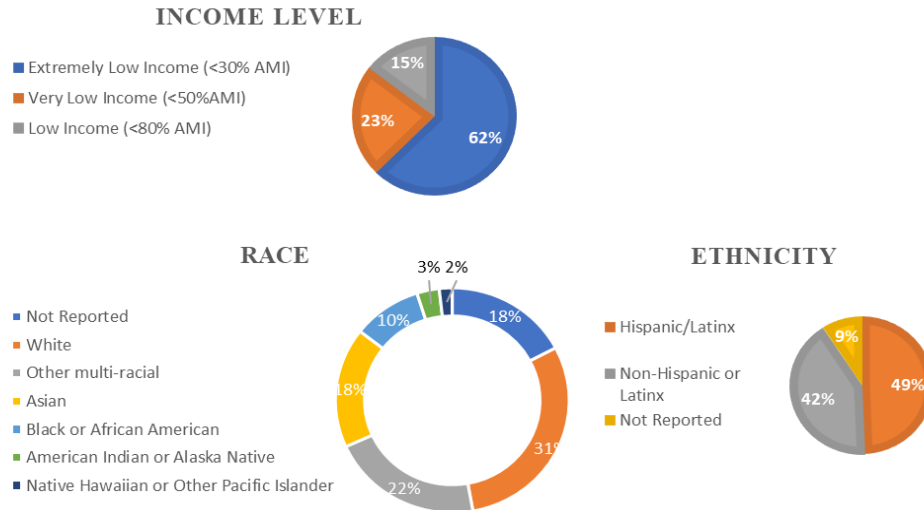
No. of San José Households Assisted	Average Amount of Assistance	Total Funds Distributed
10,801	\$11,963.21	\$129,214,674*

*This number exceeds the total in Table 1, however, ERA1 and ERA2 funds allocated to Santa Clara County directly and through State reservation were also available to San José households

During the first few months of the HPS-CV program, the target population was households above 30% Area Median Income (AMI). However, with the closing of the local HPS-CV program in September 2021, all further applicants were referred to the CA COVID-19 Rent Relief program. Altogether, 62% of the population served by the CA COVID-19 Rent Relief program were extremely low-income.

¹⁴ Data for CA COVID-19 Rent Relief Program received by the Housing Department through weekly reports sent by the state Housing and Community Development department

Figure 2 - Demographics of San José Households served by the CA COVID-19 Rent Relief Program



How and to Whom the Help Center Assisted with Obtaining Rent Relief Funds

Since August 2021, the Help Center assisted 2,337 households in obtaining access to approximately \$160 million in emergency rent relief funds paid out on behalf of San José tenant households through HPS-CV and the CA COVID-19 Rent Relief Programs. The two Help Centers assisted many residents and coordinated up to 160 outreach and pop-up events, and at Santa Clara Superior Court during the unlawful detainer calendars. Help Center staff also engaged in over 9,647 calls and callbacks between August 2021 and January 2023. Table 4 details information about the 2,337 households Help Center staff assisted with rent relief applications.

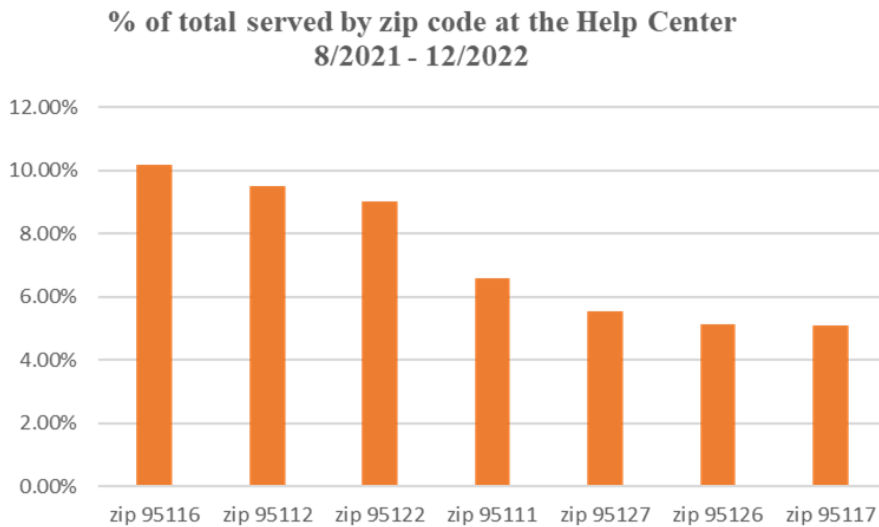
Table 4: Breakdown types of the 2,337 applicant households in the Help Center assisted and what language applicants were assisted in

Type of Applicant and Language Supported	Percent Assisted
Tenants	94%
Property Owners or Managers	3%
Other	3%
Assisted in Spanish	63.2%
Assisted in Vietnamese	3.1%
Assisted in Chinese	0.7%
Assisted in another language	0.4%

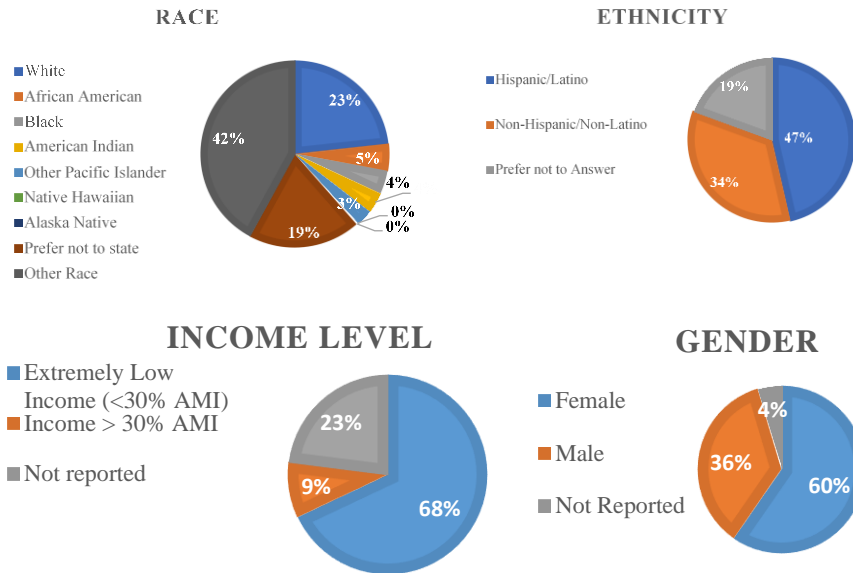
Department staff at the Help Centers reached and assisted many of the most vulnerable households. Figure 3 shows the zip codes with the highest number of households Department staff assisted. Zip codes 95111, 95127, 95122, and 95116 experienced the highest rates of COVID-19 in the City of San José and Santa Clara County.¹⁵ The demographics charts in Figure 3 also show that Help Center efforts connected more extremely low-income households to CA COVID-19 Rent Relief Program funds (greater than 68% of households served) than the total served by the state program (62%, as shown in Figure 2). Many extremely low-income households did not have access to digital communications including the internet or a computer other than their cell phone. Digital proficiency was essential to obtaining state rent relief funds because the CA COVID-19 Rent Relief Program application was web-based. Most households visited or called The Help Centers helped households navigate the application process by phone in multiple languages while providing cultural empathy.

Seven hundred sixty (760) households received legal consultations from the Law Foundation of Silicon Valley and Bay Area Legal Aid during daily remote and in-person walk-in hours at the Help Centers. At least 76% of households receiving legal services had received an unlawful detainer lawsuit or eviction notice.

Figure 3: Demographics of the 2,337 applicant households at the Help Center assisted between August 2021 – December 2022



¹⁵<https://data.sccgov.org/COVID-19/COVID-19-cases-by-zip-code-of-residence/j2gj-bg6c>



Eviction Diversion Program Results

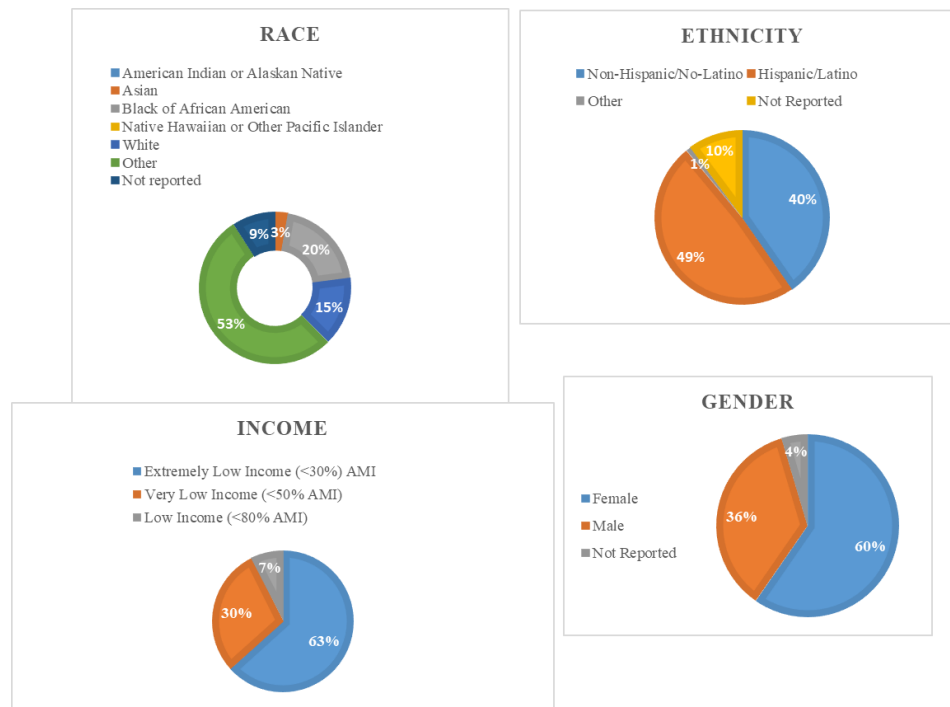
The initial phase of the Diversion Program successfully covered \$1,061,131 of unpaid rent for 65 households, preventing forced evictions and displacement of hundreds of San José residents. As of January 2023, an additional 44 households have been served. The Diversion Program continues to assist tenants throughout San José that are at imminent risk of eviction, and as the data shows below, a majority of those that are most vulnerable to eviction are from Latino/Hispanic backgrounds.

Table 5 demonstrates the impact of the Eviction Diversion Program. 109 tenants have been served by the Eviction Diversion Program. Help Center staff continuously receive referrals from the court, community partners, and walk-ins, as shown, 50 cases are in progress. Figure 4 shows that of those served 63% are extremely low-income but have demonstrated an ability to pay rent and are on the path to housing stability.

Table 5: Eviction Diversion Program results from June 2022-January 2023

Program Term	Households served	The average amount of assistance	Total paid	Cases in progress
Eviction Diversion Program Phase I (July 2022-September 2022)	65	\$16,843	\$1,061,132	N/A
Eviction Diversion Program Phase II (October 2022-Present)	44	\$18,846	\$829,203	50

Figure 4: Combined demographics of tenants served through the Eviction Diversion Program



Ongoing Challenges to Eviction Prevention

Since the end of the rent relief program and eviction protections on March 31, 2022¹⁶, unlawful detainer (eviction) filings with the court have increased dramatically. As of October 2022, the Department is regularly present at Superior Court during the unlawful detainer calendars. Department staff observed that the number of cases set for trial every week during the unlawful detainer calendars at Santa Clara County Superior Court has doubled or tripled since October 2022. Most of the unlawful detainers on the calendar are based on non-payment of rent and most of the properties involved are in San José.

Providing further insight into the need for eviction prevention mitigation efforts, the City requires property owners to file with the City all notices of termination and unlawful detainer lawsuits for units covered under the Tenant Protection Ordinance. From the data for non-payment of rent notices, staff has seen an increased number of notices since the end of eviction protections and the March 31, 2022 cut-off of the CA COVID-19 Rent Relief program. Attachment C provides more detailed data on unlawful detainer lawsuits and nonpayment notices.

¹⁶ The ending dates of the CA COVID-19 Rent Relief Program and eviction protection are detailed on **Attachment A**

The increase in unlawful detainer filings against tenants results in an increased need for urgent legal aid services. When a tenant is involved in an unlawful detainer lawsuit, they must file a legal response in just five court days to avoid a default judgment. Most tenants need legal assistance with preparing a response. The Department oversees the City's current contracts with Law Foundation of Silicon Valley and Bay Area Legal Aid Silicon Valley to provide services at the Help Centers and remotely. Law Foundation of Silicon Valley provides legal consultations for walk-in tenants at the City's Help Centers. This includes assistance in drafting responses to unlawful detainer complaints. Like many employers, legal aid organizations are struggling with employee attrition which is impacting their ability to provide legal aid to the number of tenants in need of help. Unfortunately, the need for tenant legal services is higher than ever. As a result, only a fraction of tenants facing an unlawful detainer lawsuit and forced eviction can receive even limited representation.

Next Steps

The Eviction Prevention Help Center is funded through June 30, 2023. The data collected by the Department through the Apartment Rent Ordinance, Tenant Protection Ordinance, and Eviction Prevention Help Center programs indicate that housing stability is at risk for many tenant households.

CLIMATE SMART SAN JOSÉ

The recommendation in this memorandum aligns with one or more of Climate Smart San José's energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the February 27, 2023, Community and Economic Development Committee meeting.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

/s/

JACKY MORALES-FERRAND
Director, Department of Housing

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

February 17, 2023

Subject: **City Initiatives Roadmap: Housing Stabilization- Eviction Prevention & Housing Stability Status Update**

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The primary author of this memorandum is Emily Hislop, Division Manager. For questions, please contact Emily Hislop at Emily.Hislop@sanjoseca.gov.

ATTACHMENTS

Attachment A: Summary of State Legislative Action on COVID-19 Tenant Protections

Attachment B: Overview of Steps in the Eviction Process

Attachment C: Unlawful Detainers and Notices of Nonpayment

Attachment A

Summary of State Legislative Action on COVID-19 Tenant Protections

Table 1: Dates State legislative bills were signed into law, what they covered as to tenant protections and rent relief, and when the provisions expired.

BILL DATE	EXPIRATION	EVICITION PROTECTIONS
The Tenant, Homeowner, and Small Landlord Relief Act of 2020 (AB 3088)		
Aug. 30, 2020	Jan. 31, 2021	<ul style="list-style-type: none"> Just cause for eviction extended to all residential tenancies with some additional limitations If a tenant submits a hardship declaration and pays at least 25% of the rent due between September 1, 2021 and the expiration of protections, they can never be evicted for the unpaid rent from that period Tenants can never be evicted due to unpaid rent between March 1, 2020, and August 31, 2020
The COVID-19 Tenant Relief Act (SB91)		
Jan. 29, 2021	Jun. 30, 2021	<ul style="list-style-type: none"> Extended AB 3088 protections until June 30, 2021 Established the CA COVID-19 Rent Relief Program Applying for rent relief tied to eviction protections
The COVID-19 Rental Housing Recovery Act (AB 832)		
Jun. 28, 2021	Mar. 31, 2022	<ul style="list-style-type: none"> Just cause for eviction protections for all residential tenancies would sunset on September 30, 2021 Tenants with unpaid rent coming due after October 1, 2021 only protected if they apply for rent relief, and, the protection will end on March 31, 2022 unless the application was approved
COVID-19 relief: tenancy (AB 2179)		
Mar. 31, 2022	Jun. 30, 2022	<ul style="list-style-type: none"> CA COVID-19 Rent Relief Program closed to new applications on March 31, 2022, and would only cover rent through March 31, 2022 Protections for tenants with unpaid rent between March 1, 2020, and September 30, 2021 remain Tenants with pending rent relief applications for rent accrued after October 1, 2021, would be protected from eviction until June 30, 2022, <i>unless</i> a final decision denying the application was issued

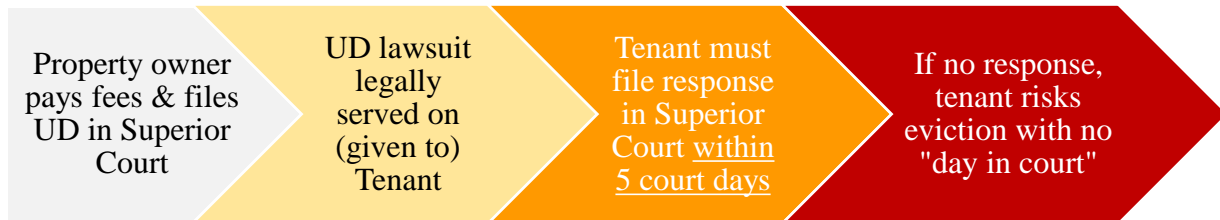
Attachment B

Eviction Process When Tenant Fails to Pay Rent

I. Steps before a property owner files an eviction lawsuit in court (unlawful detainer or “UD”):



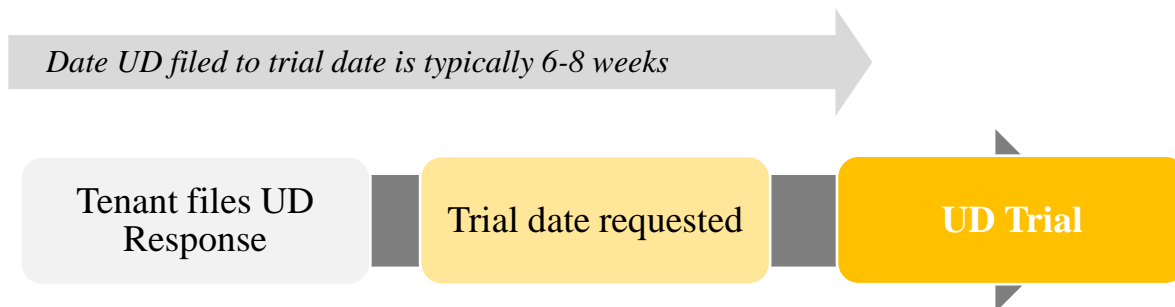
II. Steps when the property owner decides to legally evict a tenant (UD):



III. If the tenant DOES NOT file a response to UD in Superior Court within five court days:



IV. If the tenant DOES file a response with Superior Court within five (5) days:



Attachment C

Unlawful Detainers and Notices of Nonpayment

Pursuant to the Tenant Protection Ordinance (TPO), the Housing Department receives termination notices and unlawful detainer filings for properties covered by the TPO. Owners of units covered by the TPO must submit to the Housing Department copies of all termination notices and unlawful detainer lawsuits given to tenants. **Table 1** shows the monthly totals of unlawful detainers concerning TPO units received by the Department since protections ended on March 31, 2022. Also shown is the total number of residential unlawful detainers filed countywide with Santa Clara County Superior Court between April and October 2022. Please note that Housing Department staff was able to informally obtain unlawful detainer filing statistics from Santa Clara County Superior Court but due to the lack of required reporting by courts, getting these numbers is difficult.

Table 1: Unlawful Detainers Filed after COVID-19 Eviction Protections Ended March 31, 2022

	Unlawful Detainers Filed with Housing Department for TPO Units in San José	Unlawful Detainers Filed with Santa Clara County Superior Court (countywide)
April 2022	22	162
May 2022	128	128
June 2022	126	296
July 2022	77	318
August 2022	109	370
September 2022	139	346
October 2022	104	n/a
November 2022	295	n/a
December 2022	164	n/a
January 2023	152	n/a

In addition to the increase in filings with the Court, the Housing Department has also seen an increase in unlawful detainer filings submitted for units covered by the TPO. There can be a lag between when an unlawful detainer lawsuit is filed with the Court and when a copy is submitted to the Housing Department due to Court backlogs and because the unlawful detainer does not have to be submitted until after it is given to the resident. In contrast, the Housing Department receives copies of notices of nonpayment of rent for TPO units within a few days of when the notice was given to the resident. **Figure 1** shows the number of notices related to nonpayment of rent submitted to the Housing Department by month to show the trend.

Figure 1: Data Housing Department Received Regarding Nonpayment of Rent Notices and Unlawful Detainers Based in Whole or Part on Nonpayment of Rent, April 2022 – January 2023

