



2022 Eviction Prevention and Rental Assistance Services Annual Report

City of Boulder, Housing and Human Services

Eviction Prevention and Rental Assistance Services

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Tenant Advisory Committee Statement

The Tenant Advisory Committee (TAC) would like to take this opportunity to state our deep pride and honor in serving the Eviction Prevention and Rental Assistance Services (EPRAS) program and the tenants it protects and safeguards. The implementation of the No Eviction Without Representation ballot measure into an actual existing program has been due to the competent and dedicated labor of city staff in the Department of Housing and Human Services. In the past few years, eviction has menaced many of the working-class residents of our city, threatening their continued housing and basic wellbeing. Since its inception, EPRAS has kept hundreds of our neighbors housed and provided education and resources to a number of tenants previously unaware of their rights. This is good! We believe EPRAS to be an excellent program and one of Boulder's shining jewels!

Alarming, the city's ability to protect this jewel is in jeopardy this year. Evictions have been on the rise and external sources of rental assistance are withering, putting unexpected pressure on EPRAS, its staff, and the residents it serves. As the following report states, the continued and sustainable use of rental assistance to keep tenants housed is threatened by the dramatically increased need for these funds by city tenants. TAC sees the major obstacle for EPRAS in 2023 to simply be budget constraints relative to the demands we've seen so far in 2022. Therefore, we support efforts to sustain and expand access to rental assistance for even more community members in need. With an increased rate of evictions as the new normal in our community, EPRAS will be a necessary city service to keep our city safe and our neighbors housed.

*Eviction Prevention and Rental Assistance Services Tenant Advisory Committee:
Mark Velez, Austin Bennett, Miriam De Santiago, Lisa Guinther and RJ Boyle*

Summary

By the close of 2022, the [Eviction Prevention and Rental Assistance Services](#) (EPRAS) program had firmly established processes and policies and was operating at full capacity. In its second year, as community awareness of the program grew, there was a dramatic increase in the number of tenants served and rental assistance distributed. The demand for eviction prevention services and rental assistance has continued to increase due to the wind down of other federal pandemic-related assistance programs and rising inflation.

The EPRAS program is part of the City of Boulder's Housing and Human Services (HHS) department which provides resources and community connection so everyone can experience Boulder as a just, inclusive and equitable community. The program supports the HHS mission to help diverse households afford to live and thrive in Boulder.

The program receives input and guidance from a [Tenant Advisory Committee](#), a five-person committee providing lived experience as renters in the City of Boulder. The committee meets quarterly to advise on the implementation of ERPAS.

2022 EPRAS Snapshot

- EPRAS served 534 tenants, a 77% increase over 2021.
- Distributed \$456,237 in rental assistance to 82 households, a fourfold increase over 2021.
- Distributed \$394,720 to EFAA to support rental assistance.
- 124 tenants received legal services through EPRAS.
- Evictions were prevented in nearly 70% of cases at eviction court, up from 50% compared to pre-EPRAS.
- The Tenant Advisory Committee met quarterly to advise on program implementation and attended community outreach events.
- The EPRAS team added additional staff.

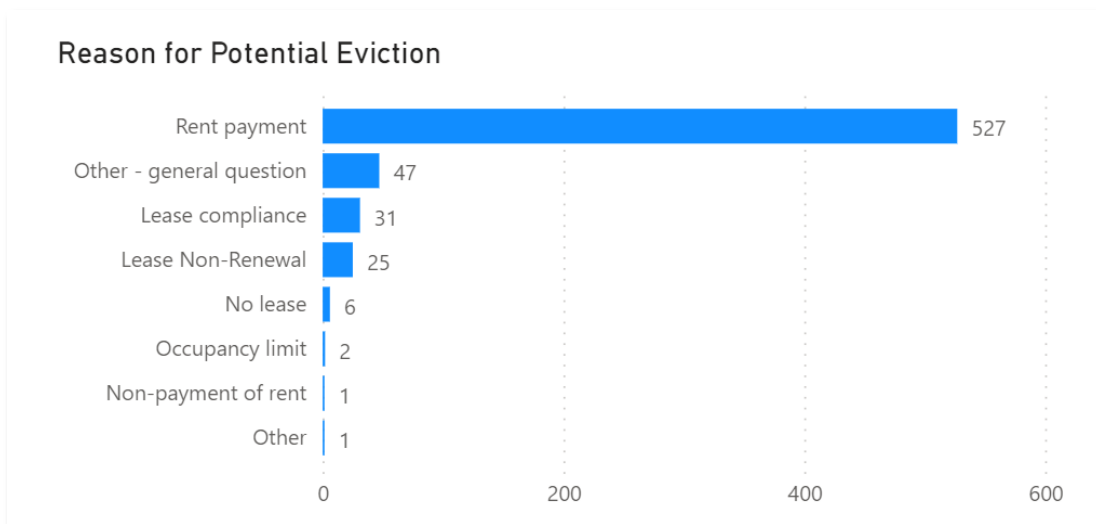
EPRAS Services Overview

EPRAS is funded through an excise tax of \$75 per unit paid by landlords on each property operating with a rental license. EPRAS staff, mediators from the City of Boulder’s [Community Mediation Services](#) and attorneys from Bridge to Justice support tenants at all stages of the eviction process. EPRAS staff assess each tenant’s situation to determine which combination of services (mediation, legal or rental assistance) may best assist the tenant. In many instances, a combination of services is the most effective approach.

In 90% of cases, the reason for the potential eviction involves rent payment (see chart below) and in many circumstances rental assistance is sufficient to resolve the situation. In other cases, tenants need legal guidance at court to fully understand their options.

Who Received EPRAS Services

- 534 households received services.
- 311 had received eviction paperwork (typically a 10-day demand notice).
- 66% have been living in their current rental for 1 year or more.
- Just over half of those reporting had one or more children in the household.

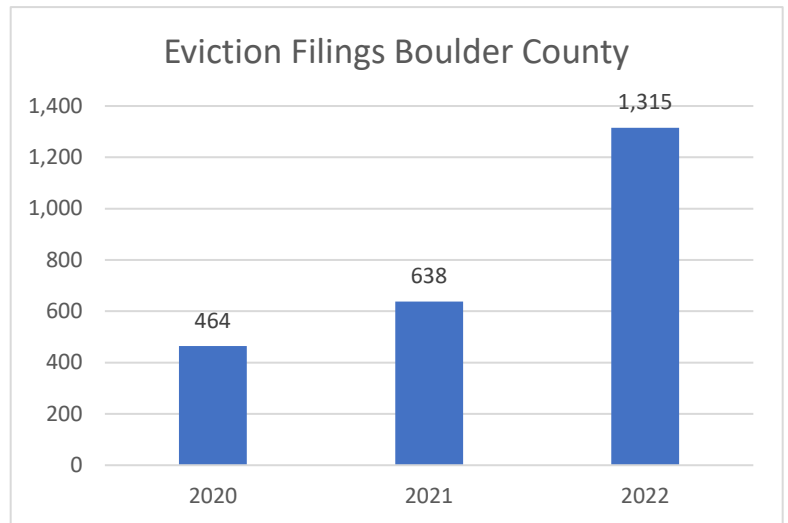


Visit the EPRAS dashboard at bouldercolorado.gov/epras for more information on client demographics and program outcomes.

Eviction Trends

The financial supports and eviction moratoriums in effect during the pandemic, which lowered eviction rates in communities across the country, have expired and eviction rates have been consistently on the rise. 2022 saw a return to pre-pandemic eviction filing levels.

It is important to note that an eviction filing, when the suit is filed and the tenant is notified of the hearing, is not the same as eviction judgments, when a tenant must forcibly leave the property. In the window of time between the filing and a potential judgment, the EPRAS program supports tenants with a range of services with the goal of preventing an eviction judgment.



Eviction Court

Boulder County eviction court takes place weekly on Friday mornings at two locations – one in Boulder and one in Longmont. Although an eviction can be filed at either location, regardless of where the property is located within the county, most eviction cases are held at the Boulder courthouse at 6th and



Canyon (90%) and a smaller percentage are held at the Longmont location. However, cases involving a property in the City of Boulder represent a smaller percentage of the total cases brought to eviction court. The EPRAS team is present each week at the Boulder location to support community members facing evictions.

2022: Boulder courthouse: 904 Cases	
Boulder tenants	28% (248 cases)
Longmont tenants	42% (378 cases)
Other Boulder county	31% (275 cases)

All tenants receive information about available eviction prevention services with their summons for eviction court. In 2022, 56 of the 248 Boulder tenants scheduled for an eviction hearing reached out to the program prior to their court date to access eviction prevention services. EPRAS staff attempts to contact all other tenants scheduled for eviction court to discuss their options and to urge tenants to come to court to avoid a default eviction. Tenants who show up at court typically enter into stipulated agreements or have their case dismissed and only rarely receive eviction judgments. For this reason, the EPRAS team prioritizes outreach to tenants on the eviction docket which can be difficult with limited contact information available. In order to increase outreach efforts, EPRAS coordinated with partnering agencies including Longmont Mediation Services, the Boulder Mediation Service, EFAA and the Boulder County Housing Helpline to make a comprehensive attempt each week to contact as many tenants as possible prior to court.

Legal Services Program

The City of Boulder has contracted with [Bridge to Justice](#) to provide legal services to tenants at all stages of an eviction process. Bridge to Justice relies on a small staff and four contract attorneys with extensive housing experience to interview, refer, advise, represent and negotiate for tenant clients.

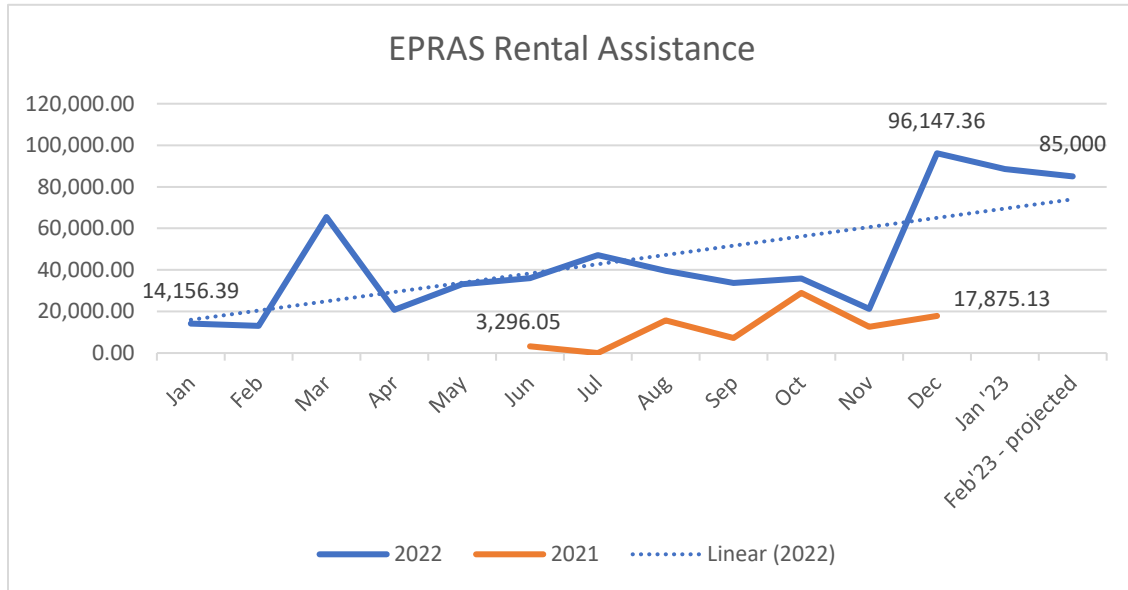
Tenants can contact the EPRAS program as soon as they have received a notice of compliance prior to any formal legal action but many tenants don't engage with services until they appear in eviction court. The Bridge to Justice legal team will consider the nature of the situation, reason for the eviction risk and stage in the process to determine how best to advocate for the tenant. In 2022, Bridge to Justice served 124 households facing a potential eviction.

Rental Assistance

More rental assistance funds were distributed in 2022 as the EPRAS program became more established and community awareness of the services grew. Particularly towards the end of the year, the program experienced a spike in rental assistance requests as the federal rental assistance program, Emergency Rental Assistance Program, began to wind down. Without this major source of rental assistance available to tenants, other family resource centers throughout the region reported a similar increase in demand. This trend is continuing into early 2023 as seen on the chart on the next page.

In 2022, EPRAS Distributed:

- \$456,237 in direct rental assistance to 260 households
- An average of \$1,754 per household



The [Emergency Family Assistance Association](#) (EFAA) also received \$394,720 in EPRAS funding in 2022 to aid tenants at risk of eviction. This allows tenants to access EPRAS funds through either agency (EFAA or EPRAS directly, but not both) to facilitate easy access and eliminate barriers for tenants.

Mediation

In many cases, mediation is a useful tool to reach an agreement between the landlord and tenant in order to avoid an eviction. The parties might agree on a payment plan, how the tenant will address a lease violation, or develop a timeline for moveout that works for all parties. Mediators are available both prior to court and at court. In 2022, 60 eviction cases were referred for mediation.

Outcomes

At the time that tenants contact EPRAS, nearly 60% had received some eviction related paperwork, typically a 10-day demand notice. Most of these cases are resolved through EPRAS or other agency referrals, preventing the case from escalating to eviction court. For those tenants who do find themselves at eviction court, 70% of eviction court cases result in an outcome where the tenant avoids an eviction on their record; although the tenant may not

always be able to remain in the property. The remaining 30% of cases end with an eviction judgment.

These statistics represent an improvement over prior years before the existence of the EPRAS program, where approximately 50% of cases resulted in a default eviction judgment against the tenant. As mentioned earlier in this report, one of the key determinates to avoid the default evictions is for the tenant to simply show up at court to engage in services, negotiate a stipulated agreement or set the case for trial. Outreach efforts to contact tenants is critical and although there have been substantial improvements in this area, staff will continue to explore creative ways to communicate with tenants prior to court.

Additional outcomes can be found on the [EPRAS dashboard](#). Moving forward, staff will continue to refine data collection and analysis to determine the program's impact.

Recommendations and Next Steps

Looking ahead, the EPRAS team expects to see sustained high demand for rental assistance which will likely exceed the program's current budget. In this case, adjustments to funding criteria and program guidelines may occur to maximize available funds to help the most tenants.

Tenants at risk of eviction are often operating in a state crisis and some tenants may need assistance beyond the scope of the services available through EPRAS to be able to avoid an eviction. EPRAS is currently piloting a partnership with the [Crisis Intervention Response Team](#) (CIRT) to provide case management for tenants in need of deeper levels of support and staff will explore a longer-term plan for sustained case management.

Similarly, the team has identified a gap in services surrounding housing navigation for tenants who have no options to remain in their current property. In some cases, there may be significant financial or mental health challenges preventing these tenants from successfully securing stable housing on their own. While programs to support individuals in this situation exist in the county, there are many tenants who don't meet eligibility guidelines and may be at risk of homelessness without housing navigation support. The EPRAS team is continuing to explore options to address this gap in services.

In the coming year, the EPRAS program will continue to work closely with partnering agencies to assess and adapt to changing community needs.