

Table of Eviction Laws and Polices

Intervention	Level of government	Point of intervention	How it works	Potential for impact
Just Cause/Good Cause ordinance or law	Local and state	Tenancy stabilization	Protects tenants from arbitrary, retaliatory, and discriminatory evictions, no-cause evictions; outlines specific reasons for which landlords can evict tenants.	In a study of four treatment cities in California, Cuellar (2019) found a statistically significant negative difference between eviction rates and eviction filing rates before and after the passage of just cause eviction ordinances, compared with the difference in rates in the matched control cities.
Warranty of Habitability remedies for tenants	State	Housing conditions	Allow tenants to terminate the lease, withhold rent, or deduct repair costs from rent in cases where landlords have failed to address unsafe conditions requiring repair following notification and a set period of time. Protect tenants from retaliatory evictions for reporting unsafe conditions (Policy Surveillance Program, 2017)	RVA Eviction Lab has linked increases in affordable housing units in some census tracts in Richmond to a decline in the quality of those units. The neighborhoods with increases in affordable units also had significant concentrations of code violations in 2016 and 2017 (Howell, 2019).
Nuisance ordinance eviction prevention	Local and state	Disparate Impact	Protects tenants from eviction due to nuisance abatement ordinances, often in response to multiple emergency calls.	In Milwaukee in 2008 and 2009, nearly a third of all nuisance citations involved domestic violence, and in 83% of cases of nuisance citations involving domestic violence, property owners either evicted tenants or threatened eviction for future police calls (Desmond & Valdez, 2012). The study also found that nuisance-eligible properties in black neighborhoods were more likely to receive citations than nuisance-eligible properties in white and Hispanic neighborhoods.
Extreme weather eviction and utility shut-off bans	Local	Tenant protections	Protects tenants from eviction or utility shut-off during cold and extreme weather, reducing the severity of eviction.	Prevention of this type of eviction can prevent unsafe conditions of living in homelessness, which is particularly dangerous for vulnerable populations such as seniors, children and those with chronic illnesses.



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Extended pay-or-quit periods	State	Tenancy stabilization	Laws requiring longer pay-or-quit periods (e.g. 14 days instead of 3 or 5 days) allow tenants more time to receive another paycheck or other funds for payment of late rent.	<p>In Virginia, 87% of households earning less than 30% of the AMI (Extremely Low Income or ELI) and 80% of households earning 30-50% of the AMI (Very Low Income or VLI) are cost-burdened (pay more than 30% of income for housing). 72% of ELI households are extremely cost-burdened (pay more than 50% of income for housing). In Richmond, 87% of ELI households and 78% of VLI households are cost-burdened (Low Income Housing Coalition, 2016; Howell, 2019).</p> <p>In a survey of evictions in Seattle in 2017 conducted by the Seattle Women’s Commission and the Housing Justice Project of the King County Bar Association, the vast majority of respondents (74.3%) stated they were evicted because they fell behind on rent due to an emergency (Cookson et al., 2018).</p> <p>78% of American workers are living paycheck to paycheck (CareerBuilder, 2017) and 40% of Americans do not have the money to cover a \$400 emergency expense (Federal Reserve Board, 2018).</p>
Mandatory grace periods	State	Tenancy stabilization	Require landlords to include grace periods in leases that allow on-time rental payments without late fees or penalties between 1 and 30 days following the first day of the month.	
Late fee limitations or maximums	State	Tenancy stabilization	Protect tenants from arbitrary and excessive late fees that can contribute to insurmountable debt.	
Protections for senior renters	State and local	Tenant protections	Allow senior renters to terminate their lease without penalty if they are unable to live independently and/or are moving to senior housing.	
Reasonable accommodations for tenants with disabilities	Federal (Fair Housing Act), state, and local	Tenant protections	Allow an individual with a disability to ask for a reasonable accommodation in an eviction decision. If the tenant’s disability is found to be the cause of the lease violation, the landlord may be obligated to grant the reasonable accommodation request and would not be permitted to evict the individual.	<p>People with disabilities are disproportionately represented among all people experiencing homelessness; an estimated 24% of individuals experiencing homelessness in the United States are people with disabilities who are experiencing chronic homelessness (United States Interagency Council on Homelessness, 2018).</p>



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Right to counsel	Local	Tenancy stabilization		In the first year following passage of New York City’s Universal Access law in August of 2017, 84% of all tenants who were provided an attorney remained in their homes. 97% of those receiving legal services for NYCHA administrative termination of tenancy were able to remain in their homes (Office of Civil Justice, 2018).
Eviction records sealing and expungement	State	Disparate impact	Legislation that provides for sealing of eviction records within a certain time period, expungement of records for eviction cases dismissed or decided in favor of the tenant, and expedited record expungement. These measures eliminate barriers to housing access in the future.	Studies have found that black women, families with children, and domestic violence victims are evicted at disproportionately high rates (see for example Desmond, 2014). As a result, these populations are disproportionately impacted by eviction history tenant screenings.
Rental registry/ licensing program	Local	Housing conditions	Usually passed as an ordinance, rental registration requires landlords to register every unit or building they intend to rent. Registration requirements can include code enforcement and environmental standards, and landlords who fail to register can receive fines or have legal abilities (such as the ability to file unlawful detainers) withheld. Registries can enable localities to track the eviction rates of different landlords and property managers.	See warranty of habitability row above re: relationship between affordable housing and code violations.



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<p>Rent control/rent stabilization laws</p>	<p>Local and state</p>	<p>Tenancy stabilization</p>	<p>Limit the amount that a landlord can raise rents over a given period of time, typically annually.</p>	<p>In Virginia, a full-time worker needs to earn an hourly wage of \$23.13 (\$20.52 in Richmond MSA) to afford a two-bedroom rental unit at Fair Market Rent. Virginia’s minimum wage is \$7.25, and the state’s average renter wage is \$18.27 (\$17.20 in Richmond MSA) (National Low Income Housing Coalition, 2019).</p> <p>In Virginia, 87% of ELI households and 80% of VLI households are cost-burdened. In Richmond, 87% of ELI households and 78% of VLI households are cost-burdened (National Low Income Housing Coalition, 2016).</p>
<p>Rent control protections for seniors and individuals with disabilities</p>	<p>State and local</p>	<p>Tenant protections</p>	<p>Low-income senior and disabled tenants are exempted from or subject to lower rent increase rates and/or allowed continued residence in event property is removed from the rental market.</p>	
<p>Short-term emergency rental assistance and homeless prevention programs</p>	<p>State (via local nonprofit contractors/partners)</p>	<p>Tenancy stabilization</p>	<p>Rental assistance in the form of one-time cash grants (or loans in some cases) to households who need emergency assistance to avoid eviction or homeless.</p>	<p>In 2016, the median amount owed by tenants in Richmond’s eviction judgments was \$686 (Eviction Lab, 2016 in Badger & Bui, 2018). The median amount owed in a public housing eviction was \$328 (Eviction Lab, 2016 in Badger & Bui, 2018).</p> <p>Only one in four households in the United States who qualify for housing assistance receives it (National Low Income Housing Coalition, 2019).</p>



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