

The Honorable Kim Reynolds  
Governor of Iowa  
Iowa State Capitol  
1007 E Grand Avenue, #101  
Des Moines, IA 50319

November 6, 2020

Dear Governor Reynolds:

The 54 undersigned civil rights organizations and community service providers appreciate the eviction moratorium you put in place earlier this year and the \$22 million dollar Eviction and Foreclosure Prevention Program<sup>1</sup> you established providing up to four months of rental payments to landlords on behalf of households struggling to pay rent due to the COVID-19 pandemic. We also applaud the additional funding recently added to the eviction prevention fund and the announcement of a new state program designed to help Iowans avoid utility shutoff.<sup>2</sup>

As the devastating consequences of the pandemic continue, we write with an urgent request for you to act swiftly to build upon these efforts. The additional \$9 million to the eviction relief fund is insufficient to address a growing need for assistance. Consider that the fund was quickly depleted before many households drained their savings and prior to the expiration of enhanced emergency unemployment benefits received by some individuals. The U.S. Census Bureau Household Pulse Survey from July found that 33% of all renter households and 43% of renter households with children had slight or no confidence they could even pay August rent on time.<sup>3</sup> Our state eviction moratorium expired on May 27, 2020 and the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC), being legally challenged and ignored by many Iowa landlords, is set to expire December 31, 2020.

Communities of color, including many immigrant and low-income families who cannot access public benefits continue to be disproportionately harmed. COVID-19 infection rates are increasing and 41,967 Iowans have filed continuing unemployment claims for the week ending October 10, 2020, compared to 12,359 continuing claims filed at the same time last year.<sup>4</sup>

The negative impact of evictions on mental and physical health is profound and can become crippling should families become homeless. And as all renters understand, especially survivors of domestic and sexual violence, the impact of a legal eviction on their records erects a major barrier to finding safe housing or employment in the future.

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<sup>1</sup> Iowa Eviction and Foreclosure Prevention Program; <https://www.iowafinance.com/covid-19-iowa-eviction-and-foreclosure-prevention-program/>

<sup>2</sup> *Des Moines Register*; "New State Program will Help Low-income Iowans affected by pandemic to cover unpaid utility bill"; <https://www.desmoinesregister.com/story/news/politics/2020/10/09/gov-kim-reynolds-launches-program-help-iowans-pay-utility-bills/5937998002/>

<sup>3</sup> US Census Bureau Household Pulse Survey (Week 12); <https://www.census.gov/data/tables/2020/demo/hhp/hhp12.html>

<sup>4</sup> LSA Fiscal Update Article, *Unemployment Insurance Claims – October 22, 2020*; <https://www.legis.iowa.gov/docs/publications/BL/1155709.pdf>

Things are getting worse for too many Iowans. Many Iowa households are suffering growing COVID-related losses as each month passes and family resources dwindle. In addition to the unfathomable public health impacts, many families have lost jobs and/or wages and exhausted financial resources and options to pay rent, let alone late fees for back rent and unpaid bills. Without your continued leadership, Iowans will continue to suffer and suffer more from what analysts collectively predict could be the most severe housing crisis in U.S. history.<sup>5</sup>

The personal and public costs of eviction are far reaching but implementing a range of policy interventions can prevent many of these damaging outcomes. We request you take immediate steps to mitigate a looming eviction crisis by adding significantly more resources to Iowa's eviction prevention fund and commit to sustained efforts to prevent eviction, housing instability, and homelessness.

### **COVID-19 Compounded a Severe Affordable Housing Crisis in Iowa and in the United States**

Long before the COVID-19 pandemic, Iowa and the United States were experiencing growing housing instability, dramatic affordable housing shortages, harmful levels of eviction, and persistent homelessness. Low-income renters routinely sacrificed necessities like food and health care to pay rent and were often just one unexpected expense away from facing eviction. One-third of all Iowa households rent their homes,<sup>6</sup> and pre-COVID, 28% of Iowa renter households were extremely low-income (earning \$25,100 or less for family of 4) with a majority of these households spending more than half their income on housing costs.<sup>7</sup>

Housing instability has worsened as the global pandemic continues to inflict damaging health and economic consequences. Researchers have analyzed the effect of COVID-related health and economic hardship on the ability to pay rent during the pandemic and the predictions are grim: with staggering un/underemployment, food insecurity, and climbing medical costs as a backdrop, researchers estimate 14-31% of renter households in Iowa are at risk of eviction in the next several months if conditions remain unchanged.<sup>8</sup>

Evictions negatively impact Iowa's economy in numerous ways. Significant loss of rental income creates financial hardship for local communities and property owners, including landlords. Without rental income many landlords struggle to pay mortgages and communities lose property tax revenue and resources for public services, local government, schools, and infrastructure. The *Des Moines Register* reported COVID-19 resulted in an \$11 million loss to the city of Des Moines' budget that could delay infrastructure improvement timelines and noted a budget meeting about the impact of property tax losses is slated for February.<sup>9</sup>

However, the immediate and long-term negative impact of eviction on individuals and families is far greater. Evictions means a family loses their home and oftentimes their belongings. Families may need to leave their community and children may need to switch schools. Evictions make it harder to stay in a job and harder to find a new job.

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<sup>5</sup> *The COVID-19 Eviction Crisis: An Estimated 30-40 million People in America are at Risk*; [https://nlihc.org/sites/default/files/The\\_Eviction\\_Crisis\\_080720.pdf](https://nlihc.org/sites/default/files/The_Eviction_Crisis_080720.pdf)

<sup>6</sup> National Low Income Housing Coalition, *Out of Reach 2019: Iowa*, <https://reports.nlihc.org/oor>

<sup>7</sup> National Low Income Housing Coalition, *Housing Needs by State, Iowa*, <https://nlihc.org/housing-needs-by-state/iowa>

<sup>8</sup> *The COVID-19 Eviction Crisis: An estimated 30-40 million People in American are at Risk*; [https://nlihc.org/sites/default/files/The\\_Eviction\\_Crisis\\_080720.pdf](https://nlihc.org/sites/default/files/The_Eviction_Crisis_080720.pdf)

<sup>9</sup> *Des Moines Register*, "COVID-19 Knocks \$11 million from Des Moines Budget"; <https://www.desmoinesregister.com/story/news/2020/10/21/covid-19-losses-knock-11-million-current-des-moines-budget/5984232002/>; October 21, 2020

## Evictions Disproportionately Harm Communities of Color- Particularly Women of Color

Mirroring COVID-19's unequal impact, communities of color are disproportionately rent burdened with low-income women of color, domestic violence victims, and families with children most at risk for eviction<sup>10</sup>, and LGBTQ people continue to experience homelessness at disproportionate rates.<sup>11</sup>

As noted in our April 30, 2020 letter to you, national eviction data provided by the Eviction Lab at Princeton University and analyzed by the ACLU's Data Analytics team, found that prior to the pandemic, Black renters had evictions filed against them by landlords at nearly twice the rate of white renters.<sup>12</sup> Women of color, and particularly Black women, bear the burden of eviction.<sup>13</sup> The harmful impact of eviction is further compounded by other racial, gender, and socioeconomic barriers- such as wealth gaps, pay disparities, and inequities in our healthcare system.

ACLU's Data Analytics team also found that Black women were more likely to have a prior eviction filing that ultimately resulted in dismissal. In Massachusetts, nearly 300 in 10,000 Black women had evictions filed against them that were dismissed --- as compared to less than 100 in 10,000 white renters. In other words, Black women are more likely to be denied housing due to prior eviction filings, even when they won.<sup>14</sup>

Critically, the aftermath of an eviction persists for decades, as tenants with prior eviction records face major obstacles to accessing future housing opportunities. Landlords routinely employ screening policies that deny housing to any renter previously named in an eviction case, regardless of whether the case was dismissed, occurred many years ago, or was filed on unlawful grounds.<sup>15</sup> As a result, eviction often exacerbates and reproduces conditions of economic insecurity for low-income women and communities of color. And for victims of domestic and sexual violence who are often evicted for the actions of an abusive partner, an eviction record further challenges their ability to find safe housing.

These stark racial and gender disparities in eviction are even more alarming in Iowa. Iowa is among states where disproportionate harm on women and Black renters is highest.<sup>16</sup> On average, between 2012 and 2016, Black renters in Iowa were 4.8 times more likely than white renters to have evictions filed against them. Additionally, Black women renters were 5.5 times more likely to have evictions filed against them than white renters.<sup>17</sup>

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<sup>10</sup> Eviction Lab; <https://evictionlab.org/why-eviction-matters/#who-is-at-risk>

<sup>11</sup> *LGBTQ+ Homelessness: A Review of the Literature*; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6695950/>

<sup>12</sup> Sophie Beiers et al., Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color (Jan. 10, 2020), <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color/>.

<sup>13</sup> Matthew Desmond, Poor Black Women Evicted at Alarming Rates, Setting Off a Chain of Hardship(Mar. 2014), <https://www.macfound.org/media/files/HHM - Poor Black Women Are Evicted at Alarming Rates.pdf>.

<sup>14</sup> ACLU, "Clearing the Record" <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color/>

<sup>15</sup> Sandra Park, Unfair Eviction Screening Policies Are Disproportionately Blacklisting Black Women(Mar. 30, 2017), <https://www.aclu.org/blog/womens-rights/violence-against-women/unfair-eviction-screening-policies-are-disproportionately>.

<sup>16</sup> Beiers et al., supra note 4.

<sup>17</sup> Data were drawn from Lexis Nexis eviction court records and compiled by the Eviction Lab of Princeton University. The ACLU Data Analytics Department performed the race and gender analysis of eviction court records from 2012 until 2016.

## Immediate and Sustained Interventions Needed to Avoid Suffering and a Long-term Housing and Economic Crisis

Given the significant personal and public cost of eviction, we urge you to implement the following policy interventions to provide much needed relief to renters, landlords, and communities in Iowa. In the short-term we urge you to:

- Add at least \$80 million to Iowa's eviction prevention fund to help families remain stably housed and help property owners avoid bankruptcy. An estimated 51,000 – 104,000 Iowa households are at risk of eviction.<sup>18</sup> Providing two (2) months of rental assistance at \$800/month to the low estimate of Iowa households at risk of eviction (51,000) requires at least \$80 million dollars.
- Prohibit assessment or collection of late fees or fines associated with late payment of rent.
- Prohibit retaliation against tenants seeking protection under eviction moratoria or applying for or receiving assistance through Iowa's eviction prevention fund.
- Make the housing subgroup a permanent working group to the Governor's Economic Recovery Advisory Board<sup>19</sup> to recommend housing stability and affordable housing policies to address this growing crisis and to be included in economic growth strategies.

As noted previously, COVID-19 did not cause Iowa's housing crisis; it exposed and deepened it. Iowa must commit to sustained policy interventions to address housing instability and the shortage of affordable housing in communities across the state. Key long-term policies include:

- Requiring landlords to negotiate payment plans with tenants prior to filing eviction cases.
- Incentivizing the creation of additional renters' relief funds to cover back rent.
- Establishing a right to free legal counsel to tenants facing eviction.
- Exploring creative strategies to reduce barriers to affordable housing and ensure tenants understand housing rights.

The Aspen Institute Financial Security Program released a research primer in January 2020 noting that "Housing is the foundation of the U.S. economy. And that foundation is cracked."<sup>20</sup> And then COVID-19 struck. Prioritizing immediate, sustained, and comprehensive government interventions to address the looming eviction crisis is essential to preventing additional health and economic suffering for Iowa families and communities.

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<sup>18</sup> *The COVID-19 Eviction Crisis: An Estimated 30-40 million People in America are at Risk*; [https://nlihc.org/sites/default/files/The\\_Eviction\\_Crisis\\_080720.pdf](https://nlihc.org/sites/default/files/The_Eviction_Crisis_080720.pdf)

<sup>19</sup> The Governor's Economic Recovery Advisory Board; <https://governor.iowa.gov/economic-recovery>

<sup>20</sup> The Aspen Institute Financial Security Program; *Strong Foundations: Financial Security Starts with Affordable, Stable Housing*; January 2020; <https://www.aspeninstitute.org/publications/financial-security-and-affordable-stable-housing/>

Healthy Iowans make the Iowa economy strong and stable, affordable housing helps Iowans be and remain healthy. Your early interventions to protect Iowans from evictions were important good first steps. We respectfully ask you again to act quickly to restore and sustain housing stability for Iowa families and communities. If you have questions or concerns contact Rita Bettis Austen, ACLU of Iowa Legal Director at [rita.bettis@aclu-ia.org](mailto:rita.bettis@aclu-ia.org) or Zebulon Beilke-McCallum, Iowa Coalition Against Domestic Violence Director of Housing and Economic Justice at [zebb@icadv.org](mailto:zebb@icadv.org).

Sincerely,

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**North Liberty Community Pantry**

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**Polk County Health Services**

Liz Cox  
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**Primary Health Care, Inc.**

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**Helping Services for Youth & Families, Postville**

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**Iowa Citizens for Community Improvement****Iowa Hunger Coalition**

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**One Iowa**

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