

CIVIL LEGAL COUNSEL PROJECTS PROGRAM (CLCPP) EVALUATION

2022 Annual Evaluation Report

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INTRODUCTION

The DC Bar Foundation (DCBF) exists to support and strengthen civil legal services in the District of Columbia (DC) to ensure that these critical services remain accessible and effective for those who need them. In addition to being the largest funder of civil legal service organizations in DC, DCBF also endeavors to strengthen and evolve the broader field of civil legal aid by fostering, and in some cases leading, system-level initiatives. Under DCBF’s watch, the Civil Legal Counsel Projects Program, initially a conventional grant program, has become a network initiative with broader system impact for DC residents with low income who are at risk of eviction.

CLCPP STATUTE

The Civil Legal Counsel Projects Program (CLCPP) is a grant program established by the Expanding Access to Justice Amendment Act (DC Act 22-130) enacted by the Council of the District of Columbia in July 2017. Grants are administered by DCBF and awarded to legal services organizations in the District of Columbia to provide legal assistance to DC residents who are facing eviction proceedings or the loss of a housing subsidy.¹ Under the statute, covered proceedings include any “actual or reasonably anticipated administrative or judicial proceeding in the District of Columbia to evict an eligible individual or group.” Through September 2021, individuals were considered eligible if their household income was not more than 200% of the federal poverty guidelines (FPG).² In July 2022, the statute was updated again to make all tenants with “low income” eligible for CLCPP services.

CLCPP NETWORK

Since the program’s inception, DCBF has administered CLCPP grants to 6 legal services organizations:

- Bread for the City
- DC Bar Pro Bono Center
- Legal Aid Society of the District of Columbia
- Legal Counsel for the Elderly
- Neighborhood Legal Services Program
- Rising for Justice

¹ Most often, the subsidy at issue is a Housing Choice Voucher, which is a tenant-based Section 8 program that allows tenants to transfer their subsidy to a different rental property if they move. This voucher-based subsidy contrasts with building-based subsidies that are not transferrable if the tenant is evicted.

² Income is defined by the Federal Poverty Guidelines (FPG) published by the U.S. Department of Health and Human Services, available at: <https://aspe.hhs.gov/poverty-guidelines>. As of October 1, 2021, CLCPP eligibility criteria were expanded to households with incomes up to 250% of the FPG.

During this time, these organizations have evolved from being 6 independent grantees working in the same field with some limited collaboration to being a well-integrated eviction defense network. United behind the goal of improving legal services for tenants with low income, especially as the tenant protections enacted during the COVID-19 public emergency expired, these partners communicate and share information regularly, coordinate their organizations' activities, and collaborate on efforts to effect broader changes to the system. One such effort is the Landlord Tenant Legal Assistance Network (LTLAN), a coordinated intake and referral program discussed in detail later in this report.

CURRENT PROGRAM CONTEXT

Impact of COVID-19 Pandemic

In March 2020, when the COVID-19 pandemic began, the Landlord and Tenant (L & T) Branch of the DC Superior Court (the Court) and legal services providers experienced a significant shift in their operational contexts, including a shutdown of the court, a moratorium on eviction filings, and paused pending evictions. This shift decreased the number of tenants presenting for CLCPP services and changed the type of service that tenants needed (i.e., more legal advice, less representation). Another operational shift arose due to the availability of rental assistance funds, which provided tenants facing eviction with the means to remain housed.

The eviction moratorium ended in January 2022, although new legislation not tied to the public health emergency period enacted tenant protections, including restrictions on when landlords could seek an eviction, strengthened notice requirements, and more time for the tenant to respond to the eviction or vacate the rental unit. Rental assistance was still available to tenants during the first half of 2022 and CLCPP attorneys continued to utilize these funds to keep tenants housed.

Snapshot of Rental Costs in the District of Columbia

In the past several years, DC has seen a surge in development and, with it, rising housing costs and widespread gentrification that is displacing many residents with low income. In its 2022 publication of the annual *Out of Reach* report,³ the National Low Income Housing Coalition (NLIHC) ranked the District of Columbia as the fifth most expensive jurisdiction (compared to states) in the nation with regard to rental housing wages. In 2022, the Fair Market Rent for a 2-bedroom apartment in DC was \$1,785 per month. For a household to afford a 2-bedroom apartment at Fair Market Rent and not spend more than 30% of their monthly income on housing,⁴ the household must earn \$71,400 annually

³ https://nlihc.org/sites/default/files/oor/DC_2022_OOR.pdf

⁴ The U.S. Department of Housing and Urban Development (HUD) states that households experience “rental cost burden” if monthly housing costs exceed 30% of monthly income, and “severe rental cost burden” if housing costs exceed 50% of income.

(or \$5,950 monthly). To achieve that salary, working a 40-hour work week for 52 weeks per year, a person would have to earn \$34.33 per hour. DC's current minimum wage is \$16.10 per hour.

The high rental rates disproportionately impact DC residents of color, because DC's Black residents are more likely to be renters and less likely to own their homes, compared to their White neighbors. The 2021 American Community Survey⁵ found that, among the 132,936 owner-occupied housing units in DC, 50% were owned by White people, while just 35% were owned by Black people (8% of people were multi-racial, 4% were owned by Asian people and 3% by people of another race). In contrast, among the 186,629 renter-occupied housing units, 46% were rented by Black residents and 36% were rented by White people (9% of people were multi-racial, 5% were rented by Asian tenants and 4% by people of another race).

CLCPP EVALUATION

The CLCPP statute mandates an evaluation of the program, which DCBF hired NPC Research to design and conduct. The main goals of the evaluation include the collection and analysis of data to meet the requirements of the legislation, address key questions among program partners, and, most importantly, inform program improvements over time to strengthen services for DC tenants.

Main Evaluation Questions

The primary study questions include:

- **Who is served by the CLCPP?** This question involves an examination of tenants' demographic characteristics (e.g., gender, age, race, ethnicity), factors indicating certain vulnerabilities if evicted (e.g., minors in the home, self-identification of a disability or chronic health condition), DC Ward of residence, and income level. Whether tenants had a housing subsidy, whether they had an eviction complaint filed against them in court, and whether they faced a landlord with an attorney are also examined.
- **What type of services are provided to tenants?** This question involves standardizing a set of service types across the service providers (i.e., legal information, legal advice, brief services, limited scope representation, full representation) and examining which services are provided to which tenants. The analysis also includes an investigation of how tenants are referred to the CLCPP service providers.
- **What happens for tenants as a result of CLCPP services? What case outcomes are achieved?** To address this question, the evaluation assesses how CLCPP cases are resolved (e.g., dismissal, settlement, trial), as well as key case outcomes such as which party is entitled to possession of the property, whether any party is ordered to pay money and how much they must pay,

⁵ <https://data.census.gov/cedsci/table?q=United%20States&text=housing%20by%20race&g=0500000US11001&tid=ACSST1Y2021.S2502>

whether the tenant retains their housing subsidy, and other settlement terms. Case outcomes are known for the subset of cases that the attorney helped to resolve, most often the cases that received full representation.

Because data on CLCPP clients and services have been collected consistently since August 2019, and because the COVID-19 pandemic has so directly affected eviction and eviction risk, the CLCPP evaluation has additionally focused on examining how the pandemic has impacted the CLCPP partners, clients, services, and case outcomes over time.

Evaluation Methods

Since it began, the CLCPP evaluation has incorporated mixed research methods and gathered different types of data from multiple sources. In the past grant year, the primary study activities have centered around collecting CLCPP Service Data, recording CLCPP partners' activities beyond direct legal services, and collecting, analyzing, and summarizing data from the LTLAN customer survey study. These methods are described in more detail below.

CLCPP Service Data (Direct Legal Services for Tenants Provided by CLCPP Partners)

When the evaluation began in 2019, in consultation with DCBF and CLCPP partners, NPC developed a customized survey instrument to collect data about CLCPP clients and services. This “*CLCPP Service Data*” instrument standardized the data elements collected by grantees to ensure that data could be aggregated across organizations.⁶

The CLCPP Service Data instrument that was initially developed in August 2019 was piloted to collect statutorily required data elements and some basic data on case outcomes. Grantees used this version to develop their internal data collection protocols and integrate them into their routine program operations. In January 2020, once the grantees had developed internal workflows for data collection, the CLCPP Service Data instrument was expanded to collect more comprehensive data about clients, services, and case outcomes to support the full evaluation. The onset of the COVID-19 pandemic required the instrument to again be reduced to the piloted shorter version; however, in January 2021, as service environments settled into virtual spaces, the CLCPP Service Data instrument was again expanded to include the fuller list of data elements.

The full version of the CLCPP Service Data instrument has been used since January 2021 and includes information about referral sources, case status at intake, opposing party representation, amount of

⁶ Data aggregation required the ability to identify when the same client received services multiple times or from more than one provider. Prior to the CLCPP evaluation, each partner organization collected and reported their own data independently, and there was no way to identify tenants who were served by more than one partner. As part of the CLCPP Service Data, partners collaborated on a system to assign ID numbers to clients and cases that would be replicated across organizations, thereby making it possible for a unique client to be assigned the same ID number by different organizations without sharing the person's name or any other identifying information. This unique ID generation and the standardized data collection through the CLCPP Service Data instrument created a system that enables an unduplicated count of the total number of individuals served by the CLCPP network.

rent owed, and a broad range of case outcomes, court orders, and settlement terms. During the past grant year, the instrument went through minor adjustments to better capture cases where the tenant comes to the CLCPP with a pending lockout and imminent threat to their housing stability.

NPC continues to generate and distribute monthly “Data Monitoring Reports” for each partner that display the data for their specific organization, allowing supervising attorneys to review data trends and identify issues that seem incorrect or inconsistent with their on-the-ground perspectives. These reports include lists of cases with missing data or potentially inaccurate values so that legal services staff can correct any issues before they compound. This monthly protocol helps to ensure that the data are correct and complete, minimizes the amount of missing information, and reduces duplicated counts of clients across organizations.

Record of Non-Direct Services Work Done by CLCPP Partners

Though the CLCPP network is focused on providing direct legal service to DC tenants with low income, the partners also collaborate on other important work to impact the broader system. Throughout the grant year, the evaluation team had monthly conference calls with CLCPP partner organizations to discuss the CLCPP Service Data, which reflect the direct legal services and any other activities undertaken by the CLCPP network partners. Twice during the year, partners compiled a list of non-direct service activities and submitted it to NPC for summarizing and inclusion in reports.

LTLAN Customer Survey Study

In June 2020, the CLCPP providers launched the **Landlord Tenant Legal Assistance Network (LTLAN)**, a telephone-based coordinated intake and referral process (described in detail in the 2021 annual report). The LTLAN offers a single phone line and an online intake platform for litigants with low income to connect with an attorney from a CLCPP partner. During the past grant year, the CLCPP partners successfully advocated for the LTLAN contact information to be publicized in mailed documents about upcoming hearings and during remote hearings, as well as included on eviction notices and complaints sent by a landlord to a tenant. The LTLAN continues to be an accessible point of entry for DC residents, and CLCPP partners continue to connect with hundreds of tenants via these hotline calls.

From July 2021 through December 2022, NPC worked with the DC Bar Pro Bono Center, which oversees the LTLAN intake staff, to administer an online customer survey for tenants who used the LTLAN to connect with CLCPP services. This survey was designed to gather customer feedback about their experience with the LTLAN intake and referral process, with the goal of helping the CLCPP partners refine and improve the intake system, identify best practices, and ensure that clients are being connected to attorneys in an efficient way. As part of this effort, NPC created the survey instrument; hosted the online survey platform; monitored the progress of data collection; distributed incentives to LTLAN customers who completed the survey; and aggregated, cleaned, and analyzed the survey data. Key results from the LTLAN customer survey are summarized later in this report.

THIS REPORT

This report presents the results of the evaluation activities conducted over the course of the past grant year (October 2021 through September 2022). In the first section, selected program accomplishments are described. The next section shows the aggregated results of the CLCPP Service Data collection, which reflects the clients served, services provided, and outcomes achieved by the full CLCPP network. The numbers and characteristics of CLCPP clients and cases are shown over the 3 years of the evaluation, from August 2019 through September 2022. Data are shown by quarter, enabling the reader to discern changes in these trajectories due to the pandemic. A more detailed examination of case outcomes is shown in the following section, which utilizes data for cases closed during 2022 and for which more comprehensive service data are available. The next section summarizes the results of the LTLAN customer survey study. Lastly, the report summarizes study results to date, offers a few recommendations for program improvement, and lists the next steps for the evaluation.

PROGRAM ACCOMPLISHMENTS, BEYOND DIRECT LEGAL SERVICES

In addition to providing direct legal services to tenants, the CLCPP network partners undertook several important activities to strengthen the program and navigate the end of the moratorium on new eviction filings. Selected examples of program activities, done between October 2021 and September 2022, are described below.

CLCPP partners continued to improve the Landlord Tenant Legal Assistance Network (LTLAN). The LTLAN operates a single phone line for litigants to call, Monday–Friday from 9 a.m.–5 p.m., which is staffed by an intake specialist from the DC Bar Pro Bono Center. Intake specialists collect basic eligibility information, and—if a client is eligible for CLCPP services⁷—the information is entered into the shared database for triage and referral. An attorney from one of the CLCPP partners then contacts the caller to conduct a more thorough case assessment and provide legal assistance.

The Pro Bono Center has continued to work with NPC Research to survey LTLAN customers to gather feedback about their experience. Additionally, the DC Bar Pro Bono Center has worked to identify an IT contractor to help increase the efficiency and functionality of the LTLAN platform. The thrust of this effort is to design a system that allows the LTLAN call center and the case management system to seamlessly communicate, directly message clients, and allow for a more automated process.

The CLCPP partners successfully advocated for the LTLAN phone number to appear on eviction notices and court summonses sent to tenants. All pre-court eviction notices that landlords send to tenants must now include the LTLAN phone number as a resource. The Court also includes the LTLAN number on notices it sends to tenants.

CLCPP organizations collaborated to train pro bono attorneys. In November and December 2021, the DC Bar Pro Bono Center, with support from the other CLCPP partners, hosted a 5-part training series on handling eviction cases, with 130 attorneys in attendance. Additionally, in November 2021, the CLCPP partners hosted a 4-part housing law training series for pro bono law firm partners that served 51 attorneys. Finally, in May 2022, the CLCPP partners hosted a 4-part training series on handling eviction cases, with 73 attorneys in attendance. Additionally, between January and June 2022, the partners provided three virtual courthouse tours, which included court observations and meetings with attorneys for short discussion and training. A total of 164 attorneys signed up to join these courthouse tours.

⁷ If a caller does not meet the eligibility criteria for CLCPP, they may be referred for other services. For example, through alternate resources, the DC Bar Pro Bono Center can assist landlords with low income and some tenants who do not income qualify for CLCPP services.

CLCPP partners sustained the rapid response plan to prevent scheduled evictions. During this grant year, the CLCPP partners coordinated with community-based organizations to quickly assist tenants facing a scheduled eviction, by creating a centralized process for conducting intensive outreach, offering legal services, and providing access to rental assistance. These efforts featured the following:

- *Data sharing:* CLCPP organizations partnered with the Court and the U.S. Marshals Service to receive regular data reports and track all scheduled evictions in real time, with tenant names, addresses, and contact information.
- *CLCPP outreach:* The partners conducted phone and mail outreach to tenants facing eviction.
- *Canvassing:* CLCPP partners worked with community-based organizations that conducted coordinated in-person outreach. Canvassers visited the address of every unrepresented tenant with a scheduled eviction. When canvassers spoke with tenants, they connected them to legal services. When they could not talk to tenants, they left flyers directing them to the LTLAN.
- *Connection to legal and non-legal services and supports:* CLCPP partners routed tenants who were facing a scheduled eviction to the LTLAN. Cases with imminent evictions were triaged to a separate emergency protocol that provided immediate legal services and prioritized payment of rental assistance funds.
- *Partnership with Emergency Rental Assistance Program (ERAP) providers:* CLCPP partners established procedures to expedite referrals to and from ERAP providers for tenants facing imminent evictions for nonpayment. Under these protocols, unrepresented tenants who received rental assistance were seamlessly connected to CLCPP partners for legal services, and tenants with a CLCPP lawyer who needed rental assistance were personally connected to a rental assistance provider.
- *Ongoing collaboration and formalized partnerships:* Leadership personnel at the CLCPP organizations and the canvassing organizations have prioritized communication and collaboration to identify solutions to challenges that arise in the future for renters with low income. To ensure that this work continues, the CLCPP has formally partnered with 5 community-based organizations to sustain canvassing and outreach efforts.

The CLCPP partners independently tracked outcomes of these efforts and reported that this approach stopped evictions for nonpayment of rent in over 70% of the cases where the partners provided services. The organizations have not achieved this level of success before, underscoring the value of the collaboration between the CLCPP and community organizations and of accessible rental assistance.

CLCPP partners continued to participate in other community training and outreach initiatives. CLCPP partners participated in training and outreach events with other community organizations, including Housing Counseling Services (HCS), the District's leading rental assistance provider, and the Latino Economic Development Center (LEDC). As part of these efforts, CLCPP partners gave several presentations for individual apartment buildings.

Senior and supervising attorneys also served as trainers in the Washington Council of Lawyers' regular eviction defense cohort trainings for new staff attorneys. Trainings in January, March, and June focused on educating attorneys about new legislative protections for tenants facing eviction, issues faced by tenants in subsidized housing, and other recent updates in DC law.

CLCPP staff attorneys continued to attend court hearings. CLCPP partners continued to work together to ensure that they had a presence at all initial court hearings to make direct connections with unrepresented tenants and offer legal services. This effort also involved a sustained partnership with Housing Counseling Services (HCS) to ensure that an HCS staff member attended court hearings to help eligible tenants apply for emergency rental assistance. CLCPP partners provided weekly updates to HCS with information about the tenants whose cases were in court, including available contact information.

CLCPP grantees played a critical role in advocating for permanent tenant protections. The CLCPP partners engaged with the DC Council to ensure that the tenant protections put in place as part of the emergency and temporary bills enacted in October and December 2021 would be included in permanent legislation. This effort helped revise and strengthen the legislation passed in May 2022, which includes new requirements for landlords filing eviction cases, allows the Court to seal eviction case records, and introduces guidelines for landlords considering prospective tenants for rental units.

CLCPP partners continued to participate in the Landlord Tenant Working Group. The Landlord Tenant Working Group meets every 3 weeks to discuss updates and provide recommendations to the Court on process improvements and other topics. The CLCPP partners regularly attend this group and collaborate on proposed agenda items for the Court, provide joint recommendations on issues, and share updates across the CLCPP network. The Court has also revived the Landlord Tenant Rules committee, and attorneys from four of the CLCPP partner agencies have been invited to participate. This committee is working on revising the court rules to incorporate the new legislative changes.

CLCPP partners implemented a new eviction diversion initiative. The CLCPP partners dedicated significant time to adapt their system to meet the steady increase in new eviction cases that began as the public health emergency ended and the eviction moratorium was phased out. As part of this effort, the CLCPP network has:

- Tracked new case filings in real time and made this information available to community-based organizations that participate in ongoing canvassing, outreach, and education efforts.
- Participated in ongoing discussions that followed up on two White House eviction diversion summits held in summer 2021. These conversations have helped develop an eviction diversion and prevention framework in DC that involves collaboration with legal services and rental assistance providers, relevant government agencies, and DC Superior Court, with input drawn from community-based organizations, landlords, and the DC Council.
- Brought together community organizations to create and implement a plan for new funding made available to the DC Bar Foundation to distribute in support of eviction diversion. This collaboration with community partners created a plan to prevent evictions and displacement

through early, comprehensive, and intensive intervention with tenants at risk of eviction. As part of this effort, the CLCPP partners submitted a joint application on behalf of the CLCPP partners and six community-based organizations.

- Worked with the Superior Court on plans for post-pandemic operations.
- Continued to provide training to pro bono attorneys and CLCPP partner staff to prepare for the ongoing increases in new case filings and a return to normal Court operations.

DIRECT LEGAL SERVICES OVER TIME

NUMBER OF CASES CLOSED

Exhibit 1 shows the number of cases closed⁸ during the 2022 grant year (Oct. 2021 – Sep. 2022) and the cumulative total from August 2019, when data collection began, through September 2022. Nearly all (97% of total cases) were eviction cases in the L & T Branch while a small number (3%) were administrative cases related to the potential termination of a Housing Choice Voucher (subsidy).

Exhibit 1. Total Number of Tenants Served and Cases Closed, August 2019 to September 2022

Across all 6 CLCPP partners, total number of...	Oct. 2021 – Sept. 2022	Total
Tenants served	1,998	5,661
Total cases closed	2,403	6,777
Eviction cases	2,364 (98%)	6,593 (97%)
Voucher cases	39 (2%)	221 (3%)

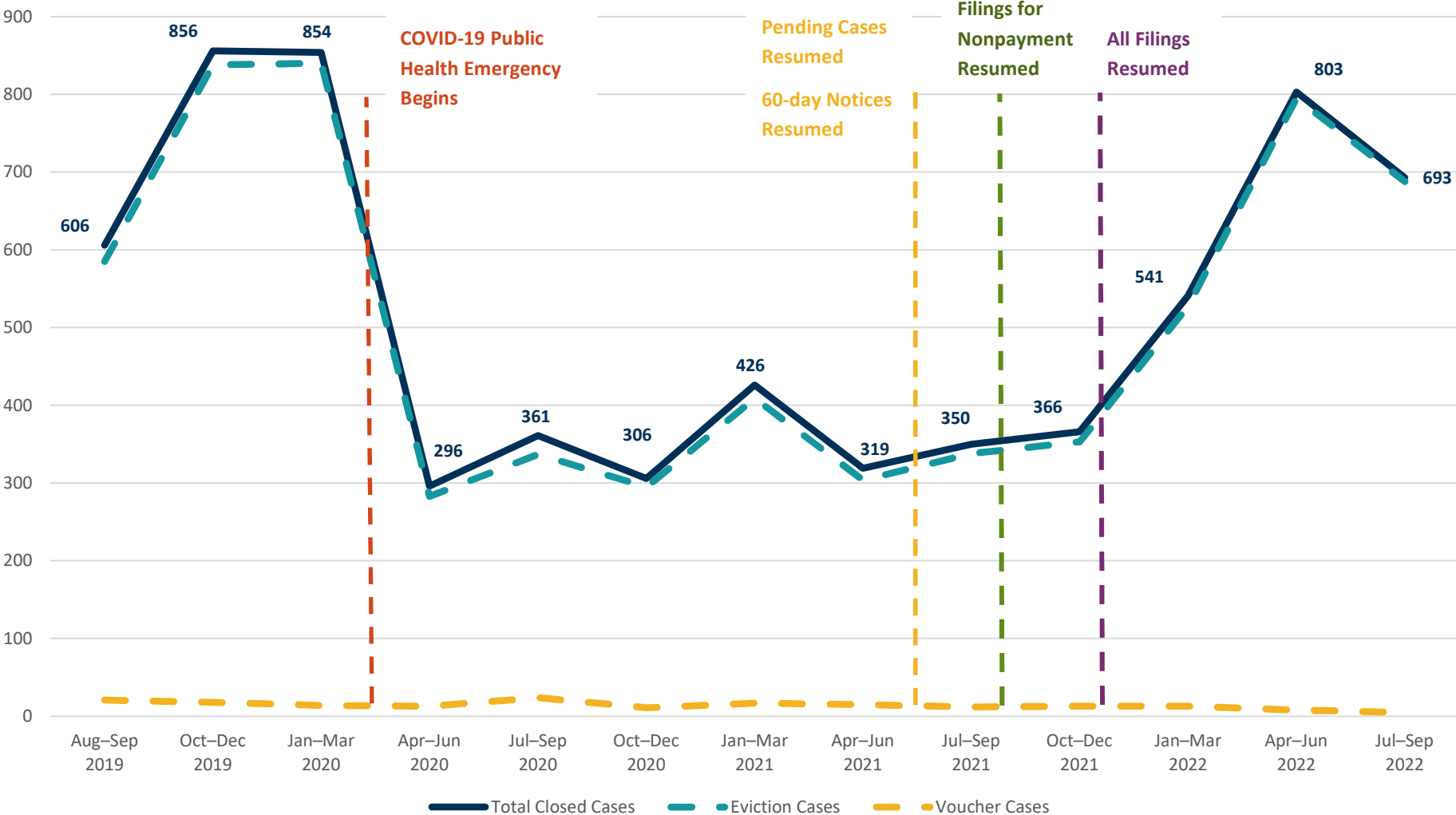
Note. CLCPP partners can assist tenants with more than 1 case.

Exhibit 2 on the following page shows the number of cases closed by CLCPP partners each quarter from August 2019 through September 2022. Exhibit 2 indicates the following periods that were impacted by various stages of the COVID-19 pandemic:

- **Pre-Pandemic Period:** The pre-pandemic period ranged from August 2019 to the middle of March 2020. During this period, the CLCPP partners closed approximately 301 cases per month.
- **Public Health Emergency Period:** From the middle of March 2020 to July 2021, the eviction moratorium was in effect and landlords could not file new cases or proceed with scheduled lockouts. During this period, the CLCPP partners closed approximately 115 cases per month.
- **Moratorium Phase Out Period:** From the end of July 2021 through early October 2021, landlords were permitted to give tenants notice of unpaid rent but not file new eviction cases, and previously scheduled lockouts were able to proceed. During this period, the CLCPP partners closed approximately 152 cases per month.
- **End of Moratorium on New Nonpayment of Rent Eviction Filings:** Starting in early October 2021, landlords were permitted to file new nonpayment of rent eviction cases. During this period, the CLCPP partners closed approximately 89 cases per month.
- **End of Moratorium for All New Eviction Filings:** Starting in January 2022, landlords were permitted to file new eviction cases for any reason. During this period, the CLCPP partners closed approximately 219 cases per month.

⁸ Legal services staff enter data when they have completed providing services for a case. In some instances, services end when the case is closed. In other instances, services are provided for a limited period of time and services may end before the case has resolved.

Exhibit 2. Number of Cases Closed by Quarter, August 2019 Through September 2022



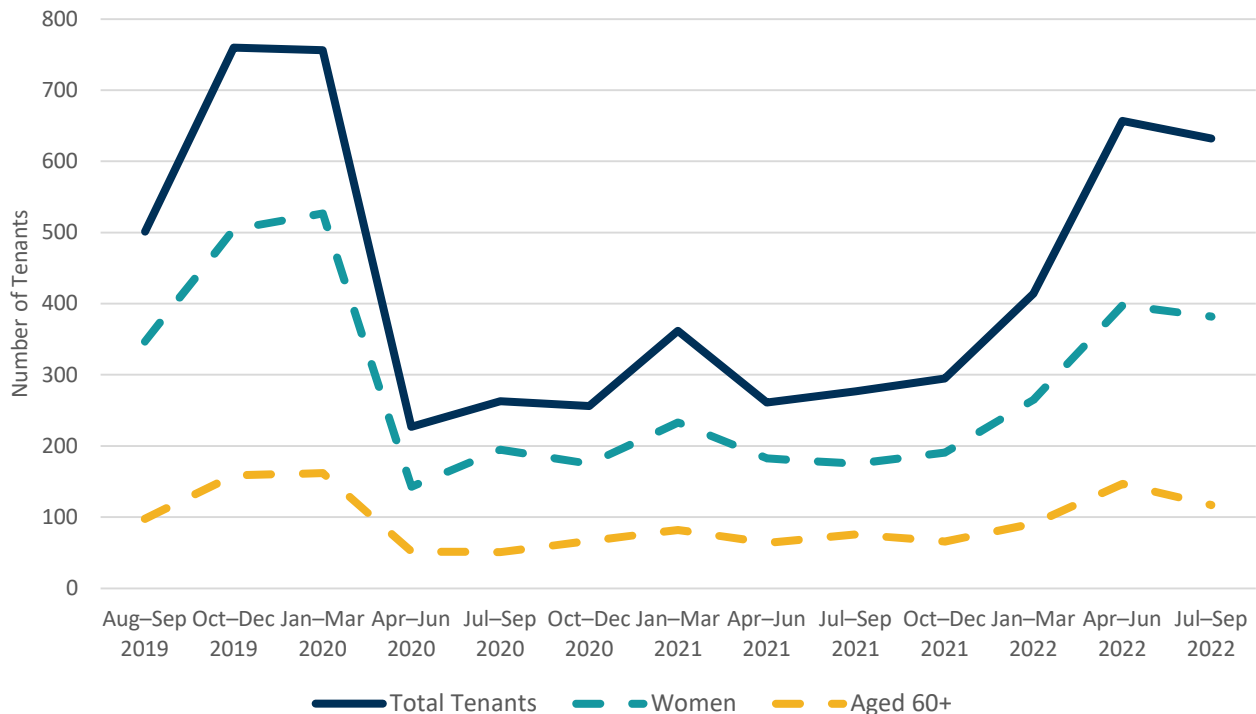
Note. Due to data availability, the first time period in this chart reflects 2 months, not 3.

TENANTS WHO RECEIVED CLCPP SERVICES

Tenant gender and age. Despite the changing numbers of cases closed over time, the demographic characteristics of tenants seeking legal assistance remained largely consistent. In Exhibit 3, the total number of tenants served by the CLCPP is shown by the dark blue line. As it is tied to case numbers, it rises and falls with the changes in the pandemic and court conditions. The light blue dashed line shows the number of CLCPP clients who identified as women. This line follows the same trajectory as the dark blue line—that is, regardless of the changing caseload, roughly two-thirds of CLCPP clients were women. Women of color made up 58% of clients, highlighting the challenges faced by a population who tend to experience low income and face eviction at higher rates of than other demographic groups. The yellow dashed line in the exhibit shows the number of CLCPP clients who were at least 60 years old. This line also tends to follow the contour of the dark blue line, showing that about 1 of 5 CLCPP clients were consistently older adults.

The demographic characteristics of all CLCPP clients are shown in Exhibit 5 on page 16. Indeed, of the 5,661 tenants served by the CLCPP since August 2019, 66% were women and 22% were 60 years old or older. For context, 2021 American Community Survey data indicate that 52% of DC’s population is female and 18% are over the age of 60.

Exhibit 3. Number of Total Tenants Served, Women Tenants, and Tenants Aged 60+ Years



Tenant race and ethnicity. In Exhibit 4, the dark blue line illustrates the total number of tenants served by the CLCPP. The light blue dashed line in this exhibit shows the number of CLCPP clients who identified as Black or African American. This line matches the trajectory of the dark blue line—that is, regardless of the changing caseload, just over 80% of CLCPP clients since August 2019 were Black. The yellow dashed line in the exhibit shows the number of CLCPP clients who identified as Hispanic or Latinx, and this line shows less variability over time.

As shown in Exhibit 4, there is a racial bias in the tenants who face an eviction in Washington, DC, as the percentage of CLCPP clients remains overwhelmingly and disproportionately Black. This was true before and during the pandemic and was again the case in the 2022 grant year. This result is further demonstrated in Exhibit 5 (next page), which shows that, of the 5,661 tenants served by CLCPP, 81% identified as Black or African American, while the 2021 American Community Survey indicates that 47% of DC’s population is Black.

Exhibit 4. Number of Total Tenants, Tenants who Identify as Black, and Tenants who Identify as Hispanic or Latinx

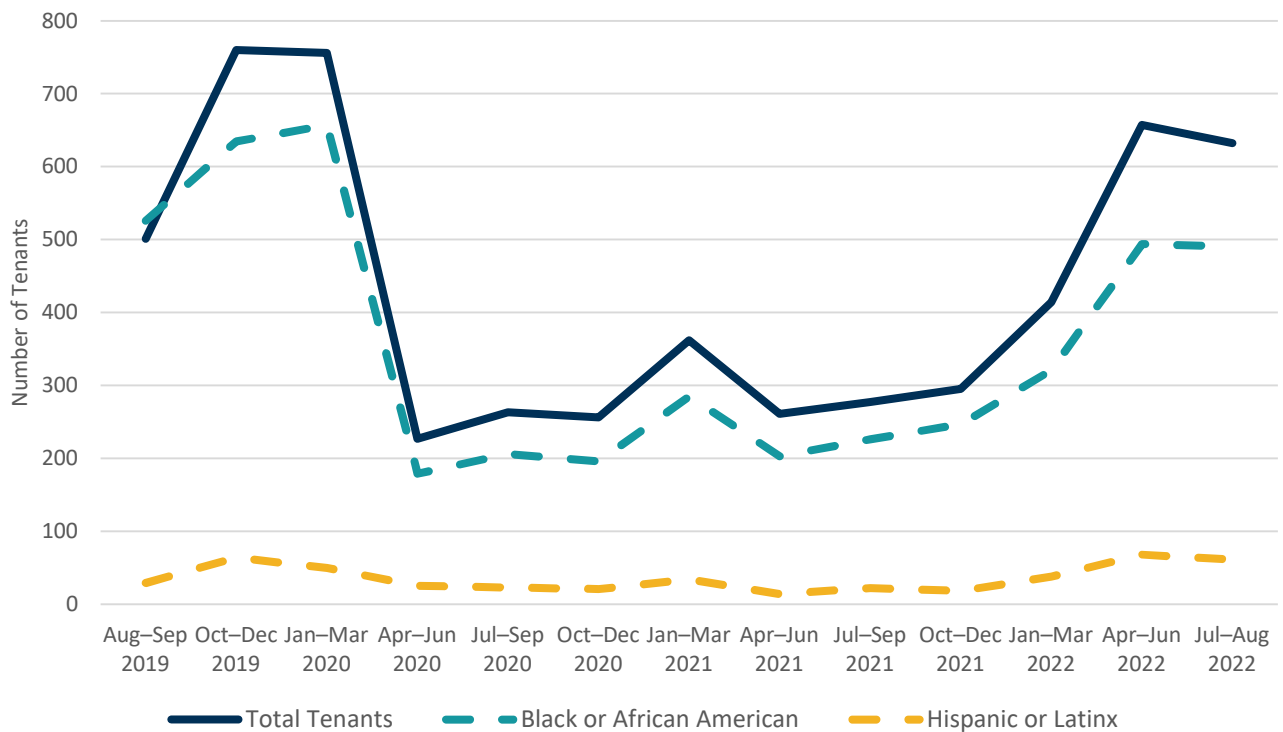


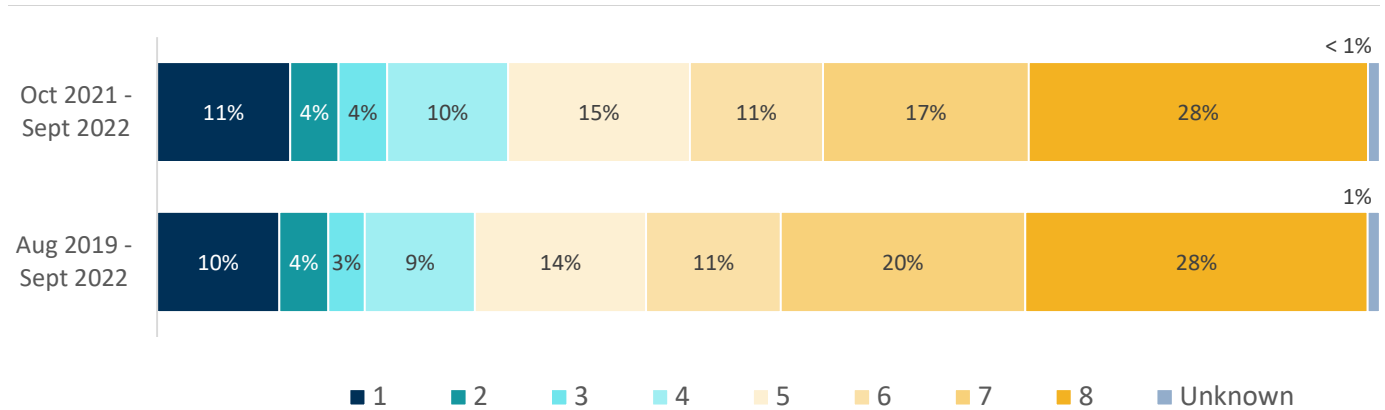
Exhibit 5. Demographic Characteristics of Total Tenants Served, August 2019 to September 2022

Across all 6 CLCPP partners, total number of...	Total # (%)
Tenants served	5,661 (100%)
Gender	
Women	3,719 (66%)
Men	1,835 (32%)
Transgender or gender non-binary	31 (< 1%)
Prefer not to say/unknown	76 (2%)
Age	
Younger than 18 years old	1 (< 1%)
18 to 35 years old	1,657 (29%)
36 to 59 years old	2,722 (48%)
60 years old and older	1,232 (22%)
Unknown	49 (1%)
Race	
Black or African American	4,566 (81%)
White	345 (6%)
Asian American	17 (< 1%)
Native American or Alaska Native	44 (1%)
Native Hawaiian or Pacific Islander	3 (< 1%)
Another race or Multiracial	248 (4%)
Prefer not to say/unknown	438 (8%)
Ethnicity	
Hispanic or Latinx	467 (8%)
Not Hispanic or Latinx	4,588 (81%)
Prefer not to say/unknown	606 (12%)

Note. Total column reflects the total number of tenants with that characteristic served by CLCPP between August 2019 and September 2022.

Ward of residence. CLCPP services reached tenants living in every District Ward. Exhibit 6 shows the percentages of CLCPP clients from each Ward served in the 2022 grant year (top bar) and since data collection began (bottom bar). As shown in Exhibit 6, almost half (45%) of the CLCPP clients in this reporting period lived in Wards 7 and 8. This distribution reflects the historical pattern.

Exhibit 6. Percentage of CLCPP Clients Living in Each Ward



Household income. To be eligible for CLCPP services, the original statute required that tenants have household incomes not more than 200% of the FPG. In October 2021, eligibility was expanded to 250% of FPG.⁹ In July 2022, the eligibility requirement changed to “low income,” and some CLCPP partners now accept tenants with household incomes not more than 80% of Median Family Income (MFI).¹⁰

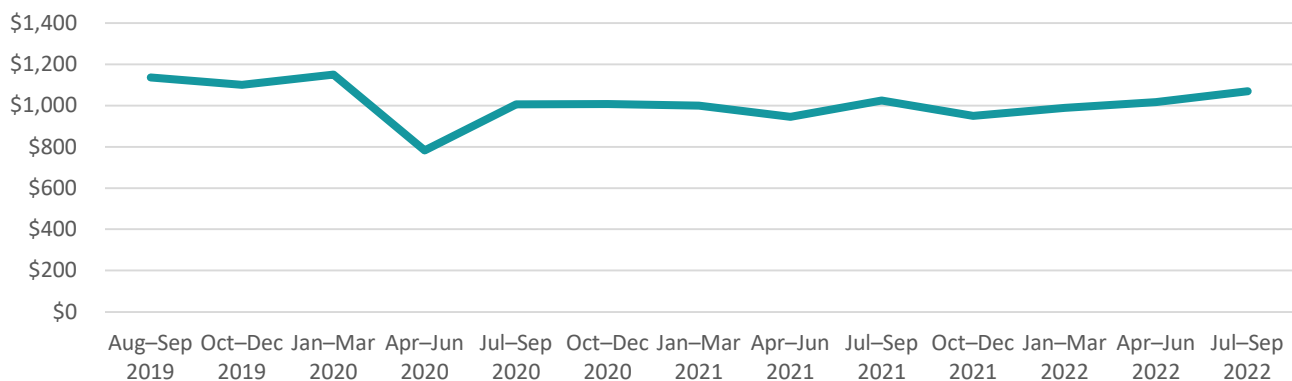
Exhibit 7 shows the median household income for tenants served over time. In most quarters, the median amount falls between \$1,000 and \$1,200 per month. After a decrease in CLCPP client income during the pandemic, there was a steady increase during the 2022 grant year as the median income began to approach the pre-pandemic level. Despite the upward trend, CLCPP clients were still rent burdened. As noted in the introduction section, the NLIHC ranked the District of Columbia as the fifth most expensive jurisdiction in the nation regarding rental housing wages.¹¹ The Fair Market Rent for a 2-bedroom apartment in DC was \$1,785, and monthly income necessary to afford this rent without experiencing rental cost burden was \$5,950.

⁹ The Federal Poverty Guidelines (FPG) are published by the U.S. Department of Health and Human Services, available at: <https://aspe.hhs.gov/poverty-guidelines>. In 2022, a family of 4 was at 250% of FPG with an income of not more than \$69,375.

¹⁰ The Median Family Income (formerly called Area Median Income) guidelines are published by the U.S. Department of Housing and Urban Development (HUD), available at: <https://dhcd.dc.gov/publication/2022-2023-inclusionary-zoning-maximum-income-rent-and-purchase-price-schedule>. In 2022, a family of 4 was at 80% of MFI with an income of not more than \$113,850.

¹¹ https://nlihc.org/sites/default/files/oor/DC_2022_OOR.pdf

Exhibit 7. Median Monthly Household Income of Tenants Served



Risk factors. Eviction often puts renters at risk of unstable housing or homelessness, which can be particularly dangerous for children and vulnerable adults. Across all tenants served, 40% had at least one minor child living in the household. In addition, 32% of tenants identified as having a disability or chronic health condition severe enough that it prevented them from working or performing day-to-day tasks, and 8% reported that another household member had such a condition. In addition, 48% of CLCPP clients resided in subsidized housing. Being evicted from subsidized housing presents substantial risks for tenants who, if evicted, will lose their home and their subsidy. Waiting lists for most subsidy programs are many years long, so losing a subsidy often means that the tenant will not regain one.

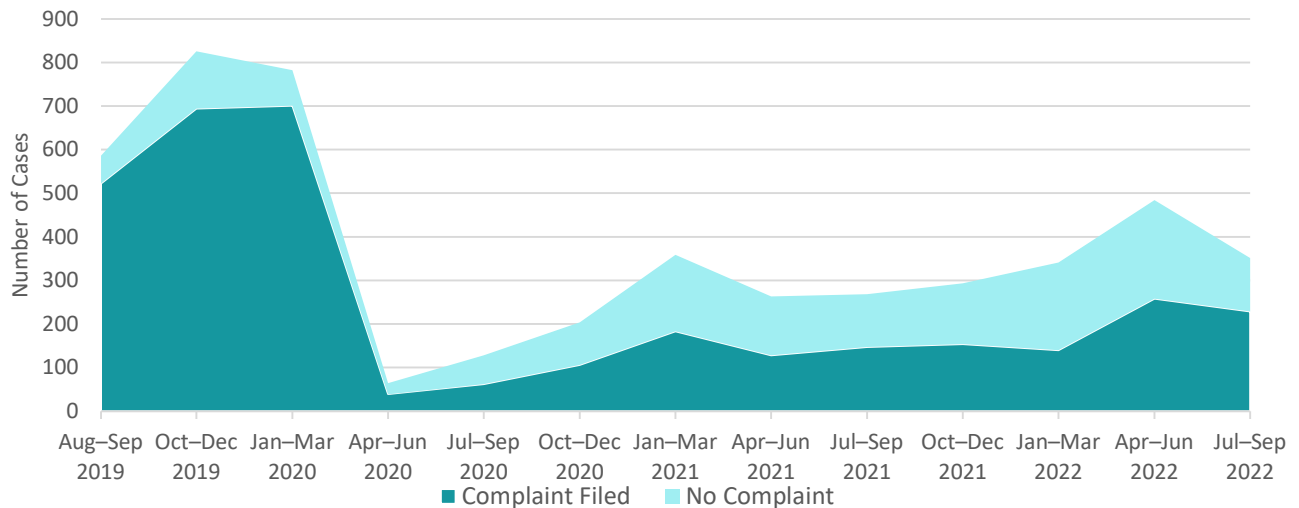
STATUS OF EVICTION CASES AT CLCPP INTAKE

When a tenant presents for CLCPP services, the status of their case can impact the service they receive. For instance, when a tenant presents for service after their landlord has filed an eviction *complaint* with the court, there is an active lawsuit for the attorney to assist with. In contrast, when a tenant presents for service before their landlord files a complaint, there is no active lawsuit, presenting a different situation for the CLCPP attorney. Of the 6,777 cases served by the CLCPP providers, 4,943 (73%) received services beyond the initial intake with the LTLAN and had information about the status of the case available at intake. Of those 4,943, 68% had a complaint filed and 32% did not. This percentage suggests that most clients come to the CLCPP when they are facing an active eviction lawsuit; however, this has not been the case during, and after, the pandemic-era public health emergency and eviction moratorium.

Exhibit 8 on the following page displays the status of the eviction case at the time of CLCPP intake for the cases for which those data were available, showing the proportion of the cases that had a complaint filed (the dark teal area) and that did not (the light teal area). Before COVID-19, 88% of clients came to the CLCPP with an active eviction case. However, as shown in Exhibit 8, this dynamic changed during the pandemic and the proportion of cases with and without a complaint filed were close to equal. This trend continued during the past grant year as 54% of clients who presented for

services faced an active court case and 46% did not. Exhibit 8 shows that this proportion was largely affected by the first three quarters of the grant year (Oct. 2021 – Jun. 2022) when 49% of tenants faced an active case and 51% did not. During this time, the pandemic-era tenant protections were still either in place or gradually phasing out in stages. Tenants who presented for services during this transition phase did not face an active complaint but were still in need of advice or counsel to help them navigate the shift in the legal landscape. During the final quarter of the grant year (Jul. – Sep. 2022), the proportion of clients with an active case began to grow as eviction filings began to increase, and the CLCPP partners prioritized tenants who had been served a complaint. Consequently, during this period, 65% of CLCPP clients had an active case, while 35% did not.

Exhibit 8. Number of Eviction Cases With and Without a Complaint Filed



Note. Exhibit 8 displays the cases closed by the CLCPP that received services beyond the LTLAN intake screening and had information about the status of the eviction case available at intake.

LEGAL SERVICES PROVIDED

With grant funds, CLCPP partners provide multiple levels of legal services, from legal information to full representation. Each service type is defined below.

Landlord Tenant Legal Assistance Network (LTLAN) intake screening – brief intake with individuals calling the LTLAN hotline to assess their eligibility and refer them to a CLCPP partner for further assessment and legal assistance

Legal information – general guidance regarding legal rights and responsibilities or explanation of options

Advice and counsel – legal information and a recommendation for a course of action for the specific case, but no action on behalf of the tenant

Brief services – brief action on behalf of the tenant, such as drafting a letter or making a phone call; typically not more than 2 hours of time; no court appearance

Limited scope representation – more involved action on behalf of the tenant, but less than full representation; typically more than 2 hours of time; may include court appearance

Full representation – committing to represent the tenant for the duration of the case; may involve negotiation, litigation, administrative representation, or other advocacy; becoming attorney of record

The CLCPP partner network provides the full spectrum of legal services to tenants, ranging from legal information to full representation. Whereas a couple of partners aim to provide full representation to all of their clients, most engage their own internal protocol for case assessment and triage for the appropriate level of service based on the facts of the case, merit, and tenant vulnerability. This process results in a diversity of services being provided to tenants who present for assistance with a potential eviction.

Exhibits 9 and 10 on the following pages show the percentage of eviction cases served by the CLCPP that received each level of service.¹² Exhibit 9 shows the service provision among cases that did not have a complaint filed at the time the client presented for services and Exhibit 10 displays the services received by clients who faced an active eviction case when they contacted the CLCPP.¹³

As shown in Exhibit 9, before the pandemic, the most common service for these clients was advice and counsel (yellow line), but a high percentage still received some higher level of service such as brief services (aqua), or either full (teal) or limited scope (red) representation. At the onset of the COVID-19 pandemic, between March and April 2020, the eviction moratorium halted new eviction case filings, and an increasing majority of clients who were not served with a complaint received advice and

¹² Each case is counted once, under the highest level of service received. If a tenant received multiple services for the same case—such as legal advice from one partner and then limited representation from another—that case is counted only once, as the most intensive level of service received (in the example, the case would be counted as “limited representation”).

¹³ Exhibits 9 and 10 show percentages of cases, not the number of cases. The number of cases varies in each quarter. Percentages are based on closed cases and do not reflect cases that had been referred by the LTLAN to a partner but had not closed yet.

counsel. This shift towards advice and counsel might be because these clients likely did not face a pending or imminent eviction filing (a possibility before the moratorium) and contacted the CLCPP with concern about whether they could be evicted for missing rent payments and general confusion about renters’ rights under the emergency legislation.

Exhibit 9. Percentage of Eviction Cases With No Complaint Filed Receiving Each Level of Legal Service

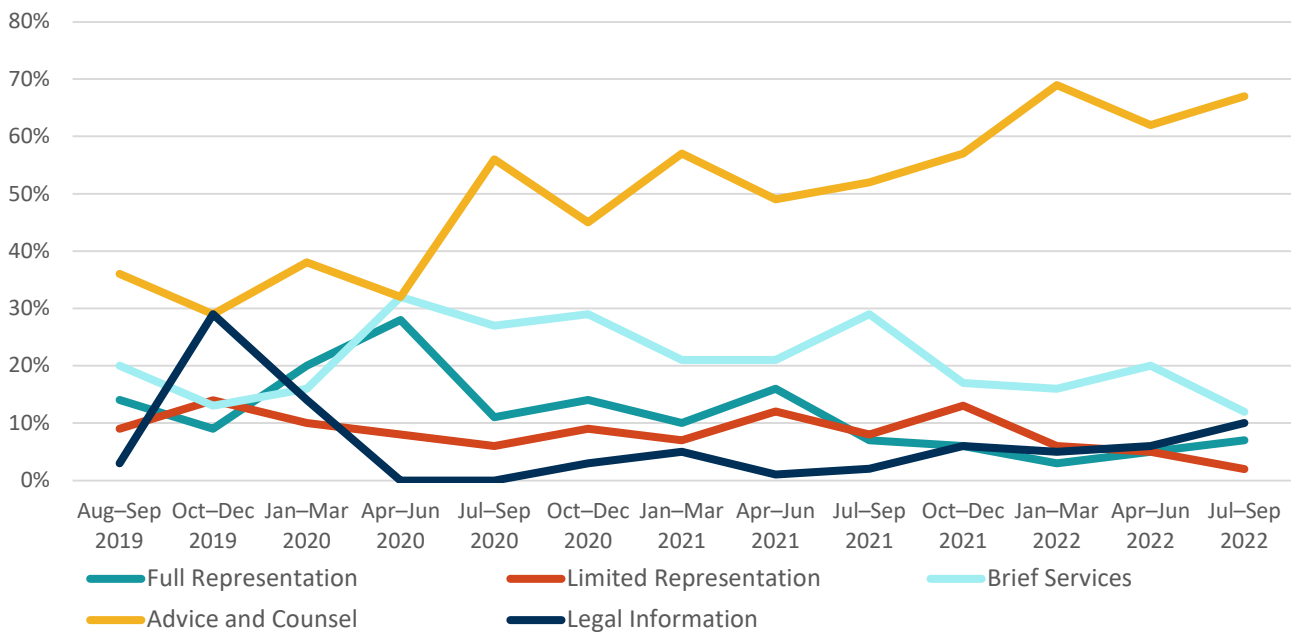


Exhibit 10 on the following page shows that clients who had been served with an eviction complaint generally received representation services. Prior to the pandemic, the most common form of representation was limited scope, largely because a high percentage of clients presented for services in person at the courthouse and received same-day representation from a CLCPP attorney. During the pandemic, most clients with a complaint received full representation. Because the filing moratorium decreased caseloads, CLCPP attorneys had more time to fully represent clients who were eligible.

Exhibit 10. Percentage of Eviction Cases With a Complaint Filed Receiving Each Level of Legal Service

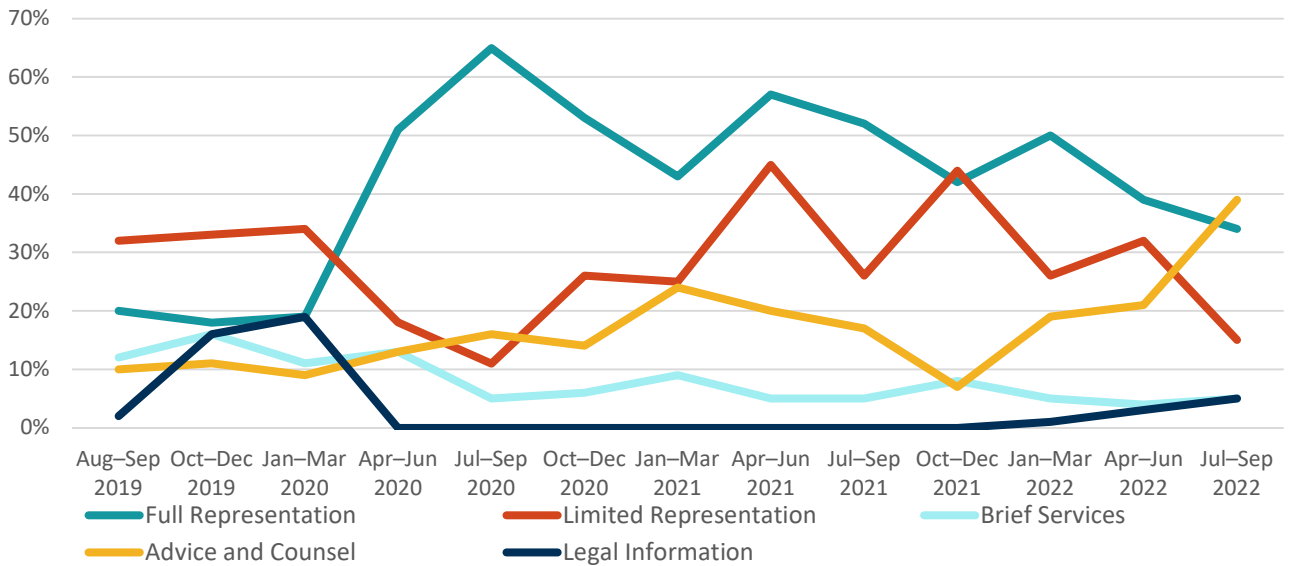


Exhibit 10 also shows that, during the past year, an increasing number of clients who had been served with an eviction complaint received advice and counsel. It is possible that this trend is due to the increase in the notice period between the time that the complaint was filed and the time that a hearing was scheduled. As part of the permanent legislative changes that went into effect as the moratorium phased out, the statutory notice period increased to 30 days. Therefore, these clients who were served with a complaint had the time to connect with the CLCPP before an imminent court hearing, at which point they received advice and counsel.

Taken together, Exhibits 9 and 10 show that legislation that changes the procedure for filing and responding to eviction complaints affects service provision, and that the CLCPP providers have been able to adapt their service approach to meet the evolving needs of the communities they serve.

OUTCOMES OF CASES CLOSED

OCTOBER 2021 – SEPTEMBER 2022

This section presents data on services and outcomes for cases closed between October 2021 through September 2022. These data reflect the service context during the phased end of the pandemic-era eviction moratorium and adjustment to the post-pandemic legal environment. Early in the grant year, the phased end of the moratorium continued to restrict the number of eviction cases filed, and there was still a high percentage of tenants who contacted the CLCPP without having an eviction complaint filed against them. As the year progressed, landlords could file eviction complaints again, leading to more tenants coming to the CLCPP after they had been served with a complaint.

EVICTION CASES AND SERVICES PROVIDED

Eviction cases. CLCPP partners entered a total of 2,403 cases into the database between October 2021 and September 2022. Of these cases, 888 (38%) were LTLAN referrals that were still in progress at the time of this report,¹⁴ 39 (2%) were voucher termination cases, and 7 (< 1%) were referred to a pro bono attorney. This leaves 1,469 eviction cases with data on CLCPP services. Of these cases, 688 (46%) involved tenants who contacted the CLCPP before a complaint was filed. The remaining 781 (54%) involved tenants who had a complaint filed against them.

Amount demanded on the complaint. Among the 781 cases with a complaint filed, 598 had information about the amount of money demanded by landlords on the complaint. The amount demanded varied from \$129 to \$61,632. The median amount demanded was \$5,672, while the average (mean) was \$9,270.¹⁵

These debt amounts are best understood in the context of the monthly rent amounts paid by tenants. Of these 598 cases with information about the amount demanded on the complaint, tenants in 104 had some type of housing subsidy and, as a result, the median rent amount for which they were responsible was \$226 per month. In contrast, among tenants in the 494 cases without a subsidy, the median rental amount was \$1,119 per month. Across all 598 cases, the median monthly rent was \$1,017, meaning that, on average, landlords demanded more than 5 months of rent from tenants.

¹⁴ LTLAN staff had conducted an intake and had referred the case to a CLCPP partner, but the partner had not yet closed the case.

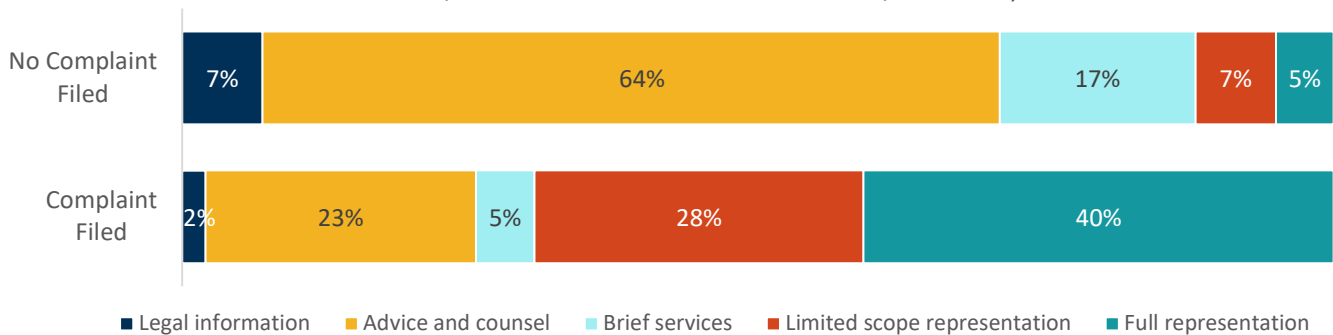
¹⁵ Median refers to the middle value (the 50th percentile marker) when the records are ordered from least to greatest in value. Mean refers to the average value, calculated by adding all values and dividing by the total number of records. Means are prone to over- and under-estimation when there are very high or very low values in the dataset. Medians are more stable.

Service provision. As shown in Exhibit 11, tenants required a different level of service based on whether an eviction complaint had been filed with the court. Most tenants who contacted the CLCPP partners without a complaint (top bar of Exhibit 11) received advice and counsel (64%) or brief services (17%), while only 12% of tenants without an active eviction case received some form of representation. These data align with the trend that emerged during the pandemic: clients without active cases come to the CLCPP with questions or issues that require advice or counsel and some brief services, but not representation.

As shown in the bottom bar of Exhibit 11, cases with an active complaint required a different approach. Of the 781 cases with a complaint and available data, comparably fewer received advice and counsel (23%) or brief services (5%). These cases required that the CLCPP attorneys provide either limited scope (28%) or full scope (40%) representation to resolve the eviction issue. As discussed above, the percentage of clients who presented with an active case increased during the final quarter of 2022.

Exhibit 11. CLCPP Services Provided for Eviction Cases (October 2021 – September 2022)

(Total cases: 688 cases without a complaint filed and 781 cases with a complaint filed)



TENANTS’ RESPONSE TO EVICTION COMPLAINTS

Responses filed by tenants. Tenants in cases with a complaint have the opportunity to file a formal response to the complaint (e.g., answer, motion to dismiss) and to raise defenses against the landlord’s claims (e.g., landlord gave defective notice, landlord breached the warranty of habitability due to poor housing conditions). Exhibit 12 on the following page shows the types of responses filed by tenants in the 781 cases with data about the complaint. As shown in Exhibit 12, tenants in 355 cases (46%) either did not file a response or did not file a response immediately but reserved the right to do so later. Among the cases in which tenants filed a response, the most common responses were an answer (16%), jury demand (15%), or dispositive motion (15%).

Exhibit 12. Tenant Response to Eviction Complaint (October 2021 – September 2022)

Type of Response Filed	Total # (%)
Nothing ever filed	257 (33%)
Nothing filed, but right to file answer/response reserved	98 (13%)
Answer	124 (16%)
Jury demand	115 (15%)
Dispositive motion (motion to dismiss, motion for judgment on the pleading, motion for summary judgment, etc.)	116 (15%)
Counterclaim: require landlord to make repairs	45 (6%)
Recoupment of overpaid rent	48 (6%)
Set off for expenses paid	30 (4%)
Counterclaim: recovery of overpaid rent	28 (4%)
Plea of Title	1 (< 1%)
Other	21 (3%)
Unknown or missing data	184 (24%)

Note. Table shows data from the 781 cases with information about the complaint. Percentages do not sum to 100% because tenants can file more than one response.

Defenses raised by tenants. Tenants submitted a legal defense in 272 (35%) of the cases that had a complaint.¹⁶ Most commonly, tenants asserted procedural defenses that alleged that there were defects in the notice to quit (12% of cases) or the complaint (11%). Tenants also alleged improper service of the notice to quit (8%) or the complaint (7%). The frequent use of procedural defenses during the past grant year might reflect the landlords adjusting to the new legislative requirements for filing lawful notices and complaints.

Tenants also asserted substantive defenses that alleged that the landlord breached the lease agreement by failing to keep the rental unit in good condition (11%), that the eviction was a retaliatory action (6%), and that the tenant denied the conduct alleged by the landlord (5%).

¹⁶ Most often, tenants will raise defenses as part of the responses they file to the complaint. However, tenants are able to raise defenses later in the case, too. Therefore, it is possible to have 272 clients raise a defense when only 242 filed a response.

CASE RESOLUTION

Attorneys are asked to include information about case outcomes when entering CLCPP Service Data; however, there are two inherent limitations to consider when interpreting these data. First, only cases with a complaint filed have known outcomes, which narrows this analysis to 781 cases. Second, the data skews towards cases that received some form of representation because attorneys only know the outcomes of the cases that they help to resolve. Therefore, while these outcome data are important to assess, they should be interpreted with caution, because they are biased toward certain types of service (e.g., cases that receive full representation) or certain types of cases (e.g., those that are able to resolve quickly), and may not adequately represent the full population of eviction cases.

Between October 2021 and September 2022, attorneys entered outcome data for a total of 502 eviction cases (64% of the total cases that had a complaint filed). Most of the cases with outcome data had received some form of representation from a CLCPP attorney: 57% received full representation, 29% received limited representation, and the 12% received advice or brief services. Exhibit 13 shows how eviction cases were resolved, that is, the manner by which the case outcomes were reached, for the past grant year and for the evaluation to date (August 2019 – September 2022).

The past grant year was defined by the transition away from the pandemic-era tenant protections, and the subsequent adjustment into the new eviction laws in place after the moratorium was lifted. The pressures facing tenants changed during this transition, and, as such, so did the nature of the cases that came to the CLCPP and how the cases were resolved. To illustrate the impact of these changes, Exhibit 13 divides the year into two periods. The phased end of the moratorium, which largely impacted the first half of the year (October 2021 to March 2022), saw a temporary increase in the number of tenants who came to the CLCPP when they were facing an imminent lockout because of a “live” writ of restitution, the legal order required to initiate a lockout, that was put on hold when the eviction moratorium began in March 2020. Exhibit 13 is further subdivided into Sections A and B to reflect these cases, and they are discussed separately below. The period of adjusting to the new laws surrounding eviction as the moratorium ended primarily affected the second half of the past grant year (April – September 2022) and featured an increase in the number of case dismissals either by the landlord or the court.

Eviction Case Resolution

The first two columns of Exhibit 13 show how the 502 cases closed in the past grant year with outcome data were resolved. During the first half of the year there were 210 cases closed with outcome data. Of these, 24% (50 cases) featured tenants who came to the CLCPP with a live writ of restitution at intake. These cases are discussed in detail in the section below. Among the 160 cases that did not have a live writ in the early part of the year, 50% were dismissed (26% by the court, 24% by the landlord), 24% ended with a settlement agreement between the two parties, and 13% were dismissed because the complaint was illegally filed during the eviction moratorium period.

Exhibit 13. Resolution of Eviction Cases

How eviction cases were resolved	First Half of Year (Oct 2021–Mar 2022) # (%)	Second Half of Year (Apr–Sep 2022) # (%)	Total (Aug 2019–Sep 2022) # (%)
Total number of cases with a complaint filed	294 (100%)	487 (100%)	3,363 (100%)
Number of cases with a complaint and outcome data	210 (71%)	292 (60%)	1,795 (50%)
(A) Number of cases with a complaint, outcome data, and an active case (no live writ at CLCPP intake)	160 (76%)	285 (98%)	1,674 (93%)
(B) Number of cases with a complaint, outcome data, and a live writ at the time of CLCPP intake	50 (24%)	7 (2%)	121 (7%)
(A) Of cases with a complaint, outcome data, and an active case, number that were resolved via...			
Notice withdrawn	0 (0%)	0 (0%)	1 (< 1%)
Court dismissal	42 (26%)	88 (31%)	225 (13%)
Landlord dismissal without terms	38 (24%)	112 (39%)	545 (33%)
Consent/confessed judgment	3 (2%)	1 (< 1%)	21 (1%)
Default judgment	1 (1%)	6 (2%)	27 (2%)
Settlement agreement	38 (24%)	58 (20%)	644 (38%)
Judgment at trial	2 (1%)	2 (1%)	16 (1%)
Court ruling (not through dismissal or trial)	3 (2%)	0 (0%)	18 (1%)
Landlord’s motion for judgment to terminate stay ^a granted	1 (1%)	3 (1%)	36 (2%)
Landlord’s motion for judgment to terminate stay ^a withdrawn	3 (2%)	3 (1%)	38 (2%)
Landlord’s motion for judgment to terminate stay ^a denied	2 (1%)	1 (< 1%)	7 (< 1%)
Court dismissal due to eviction filing during moratorium	20 (13%)	5 (2%)	30 (2%)
Other	7 (4%)	6 (2%)	64 (4%)
Unknown	0 (0%)	0 (0%)	2 (< 1%)
(B) Of cases with a complaint, outcome data, and a live writ at the time of intake, number that ended via...			
Tenant stayed in home; writ was not executed	36 (72%)	5 (71%)	73 (68%)
Tenant moved before writ was executed	6 (12%)	0 (0%)	14 (13%)
Tenant was evicted; writ was executed	4 (8%)	0 (0%)	14 (13%)
Other	1 (2%)	0 (0%)	6 (6%)
Unknown	3 (6%)	2 (29%)	14 (13%)

Grant Year = Oct. 2021 – Sep. 2022. Of 502 cases, 57% received full representation, 29% limited representation, and 12% advice or brief services.

Total = Aug. 2019 – Sep. 2022. Of 1,795 cases, 53% received full representation, 31% limited representation, and 15% advice or brief services.

^a Landlords file a motion to terminate the stay of eviction when there is an existing eviction judgment that is put on hold with a judicial stay order until the judge can decide if the eviction should proceed. In these cases, the landlord alleges the stay should be lifted to allow the eviction. If the motion is granted, the tenant is subject to eviction; if the motion is denied, the tenant can stay.

During the second half of the grant year, there were 292 cases closed with outcome data and the case resolution pattern shifted. Notably, only 2% (7 cases) featured a tenant facing a live writ. Among the remaining 285 cases, the percentage that were dismissed was 70% (31% by the court, 39% by the landlord). One in five cases (20%) in this period settled, which is lower than previous years. According to the CLCPP attorneys, this shift back towards dismissals in the second half of the grant year is likely due to landlords' unfamiliarity with new legislation that was designed to extend some tenant protections after the eviction moratorium ended. Landlords did not know these new procedural requirements and tended to file eviction complaints that did not satisfy the updated guidelines.

When a case is dismissed for a procedural reason, it is typically dismissed *without prejudice*, which means that the landlords in these cases had the opportunity to refile the case correctly. Although the CLCPP attorneys were able to protect tenants from legally insufficient filings and give them additional time to either correct the alleged lease violation or find a new place to live, it is important to note that many of the dismissals during the past year likely do not represent the final resolution of the dispute.

Resolution of Cases with Live Writs. In March 2020, all live writs of restitution were put on hold by the emergency tenant protection measures enacted during the pandemic. Starting in July 2021, these protections were phased out and landlords were permitted to execute the pending live writs, leaving many tenants on the verge of being unhoused if they could not pay the balance of their back rent. To stem the tide of lockouts, the CLCPP organizations coordinated with the Superior Court to identify tenants who were facing an active writ and collaborated with community organizations to employ a proactive outreach strategy that featured canvassers knocking on tenants' doors to connect them with an attorney. The CLCPP attorneys provided legal services to these tenants and helped them navigate the Emergency Rental Assistance Program (ERAP; STAY DC) so they could pay back rent and prevent the pending lockout. Section B of Exhibit 13 highlights two important points:

- The CLCPP partners' response strategy was largely successful as 41 (72%) of the 57 tenants with active writs who received CLCPP services during the past year redeemed the writ and remained housed. Of these 41, 40 (98%) either received or applied for ERAP funds to pay their back rent (not depicted). Ten tenants left the unit; 6 of them chose to move before the lockout occurred. Only 4 (7%) tenants who faced an active writ at the time they connected with the CLCPP experienced the trauma of a lockout.
- This increase in the number of live writ cases served by the CLCPP was a temporary event. Although prominent in the second half of 2021, this trend was not sustained into 2022.

The rapid response to this emergent threat to tenants underscores the strength and adaptability of the CLCPP action network and served to inform future efforts to keep DC tenants housed.

POSSESSION OF PROPERTY

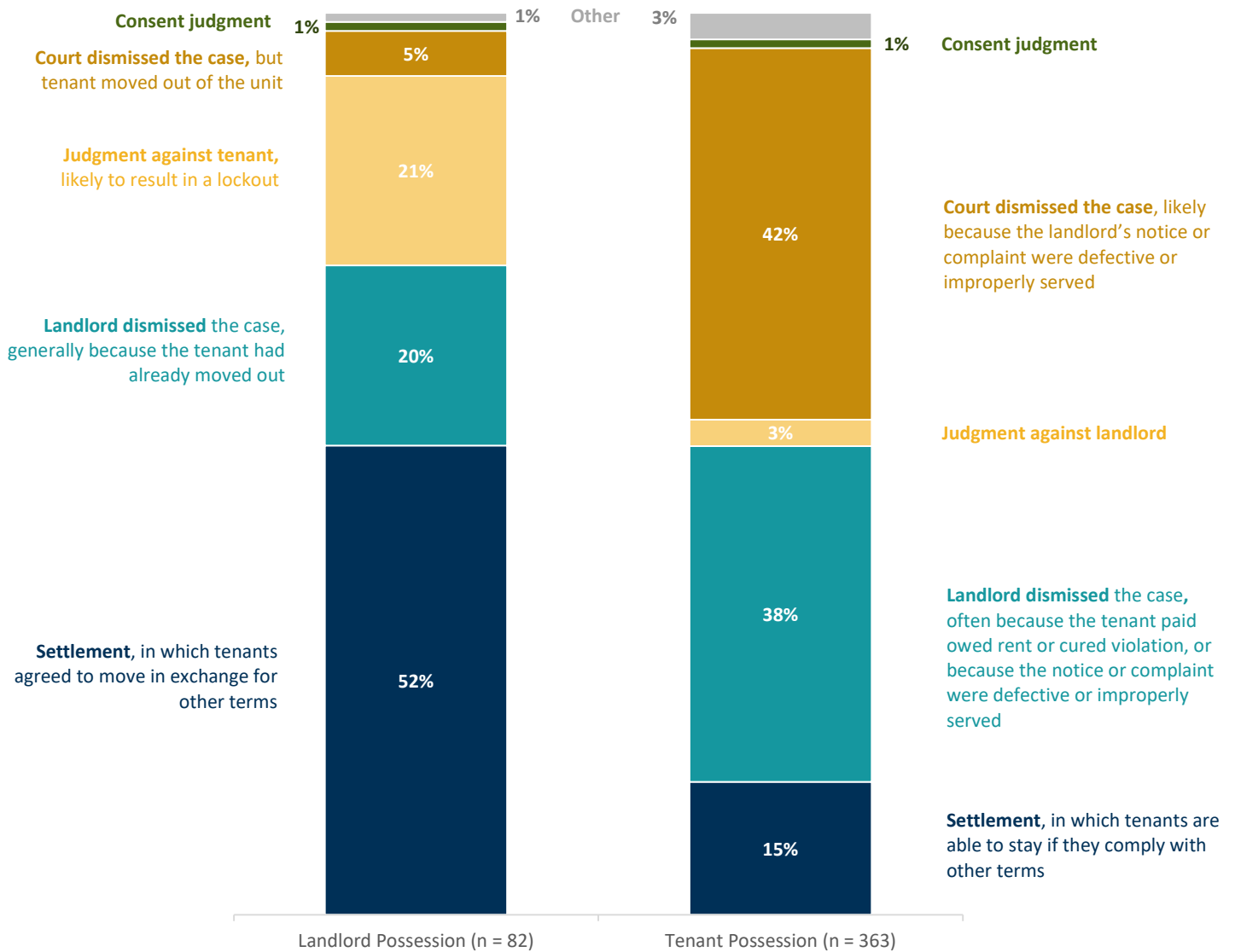
Of the 1,469 eviction cases served during this grant year, 445 cases had a complaint, but not a live writ at intake, and had outcome data. Of these 445 cases, 86% received some level of representation (60% full, 26% limited scope), while 9% received advice and counsel, and 4% received brief services. Tenants retained possession of the unit in 363 (82%) of these cases and possession reverted to the landlord in 82 (18%). Among the tenants who retained possession, 40% did so by accessing Emergency Rental Assistance Program (ERAP) funds to help pay the landlord and stay in the unit. While it is encouraging that most tenants for whom outcome data are available retained possession of their rental unit, it is important to contextualize possession by considering how the cases were resolved to get a complete picture of how tenants were impacted by the dispute that led to the eviction filing.

Case resolution and possession. Exhibit 14 on the following page shows the method of case resolution among the 82 cases in which the landlord regained possession and, separately, among the 363 cases in which the tenant retained possession. As shown in Exhibit 14, landlords often possessed the unit because of a settlement agreement (52% of landlord possessions) in which tenants may have agreed to move in exchange for other benefits such as reduced rental debt, or because the landlord dismissed the case after the tenant left or agreed to leave (20%). Only 21% of cases ending in landlord possession—4% of overall cases (not displayed)—were the result of an unfavorable ruling against the tenant, such as a default judgment or judgment after trial, that put them at risk for a lockout.

When tenants retained possession, they often did so outright due to the court dismissing the landlord's eviction filing (42% of tenant possessions). As discussed above, many of these dismissals were *without prejudice*, and often happened because the landlord's filing did not comply with the post-moratorium procedural requirements. Tenants also were likely to retain possession because the landlord dismissed the case (38%). Among these cases that were dismissed by the landlord, 40% were because the tenant paid all the rent owed, 34% were due to a technical defect with the notice or the complaint, and 7% were because the tenant corrected the alleged lease violations. Only 15% of all cases ending in tenant possession resolved under the terms of a negotiated settlement which allowed tenants to say if they complied with certain terms.

Taken together, these results highlight the impact of the transition away from the COVID-era protections for the tenants. As landlords adjusted to the new procedural requirements, a high percentage of cases were dismissed by the court or by the landlord because of technical deficiencies. As has been the case throughout the evaluation, only a small percentage of cases served by the CLCPP partners end with an unfavorable ruling against the tenant—that is, very few tenants had an eviction judgment entered against them. Even when possession of the property reverts to a landlord, there are frequently additional circumstances that, if not aligned with the tenant's desire to remain in the unit, soften the impact of being unhoused.

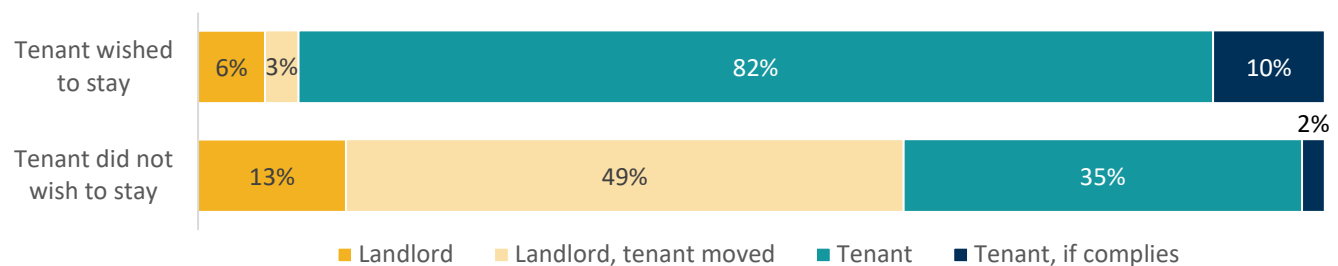
Exhibit 14. Method of Resolution by Party Entitled to Possession of Property (October 2021 – September 2022)



Possession of the property and tenant wishes. While keeping tenants housed is a desired outcome, it is not always a possible one, and it is not accurate to assume that the 18% of cases in which possession reverted to the landlord involved tenants who wanted to stay in the rental unit. Some tenants wished to leave, but still needed legal assistance to resolve their case under favorable terms, by reducing the financial burden of rent obligations or avoiding the ongoing challenges that an eviction judgment presents. To provide context for the possession outcomes, the following analysis incorporates the tenants’ desire to stay in the rental unit, reported at CLCPP intake. These data were available for 484 cases, of which 397 (82%) tenants wished to stay in the unit and 83 (17%) expressed a desire to leave.

As shown in Exhibit 15, tenant wishes often aligned with possession outcomes, with this trend particularly pronounced in cases where the tenant retained possession. Among the CLCPP tenants who received limited or full representation and whose cases had available outcome data, over 90% of those who wished to stay in the unit were able to do so, either with or without terms of compliance. While this alignment was not as high in cases where tenants did not wish to stay, it is worth noting that of the 62% of these cases in which possession reverted to the landlord, tenants in 49% moved to close the case. This result suggests that some tenants contacted the CLCPP to assist with another aspect of the eviction complaint, such as reducing rent owed or avoiding an eviction judgment. Of the cases closed between October 2021 and September 2022 in which landlords regained possession and tenant wishes were known, 60% of tenants wanted to move (not depicted).

Exhibit 15. Possession of Property by Tenant Wish to Stay (October 2021 – September 2022)



Possession and settlement terms. Cases resolved via settlement negotiations also tended to end with tenant possession, although naturally these more frequently required the tenant to comply with terms of an agreement. Of the 96 cases settled (Exhibit 13), landlords reclaimed possession in 43 (45%) cases, tenants retained outright possession in 16 (17%) cases, and the remaining 37 (38%) ended with an agreement that allowed the tenant to stay in the rental unit if they complied with terms. Exhibit 16 on the following page shows the frequency of various settlement terms among cases with different possession outcomes and highlights some key features of each type of outcome.

When tenants retained possession outright, landlords were the party more likely to be bound by the terms of the agreement, frequently agreeing to make repairs to the unit (50%) or to reduce/waive back rent that was due (25%). Tenants who stayed in the unit agreed to make rent payments according to an agreed upon plan (31%) or refrain from prohibited conduct (26%). Some of these settlements also involved consideration from the landlord either in the form of repairs (15%) or a reduction of the amount the tenant owed in back rent (10%) or other fees and charges (10%).

Finally, even the cases that granted possession to the landlord frequently involved settlement terms that helped tenants minimize the negative impact of an eviction. Landlords agreed to allow the tenant additional time to move in 72% of these settlements, provide a neutral rent reference in 37%, reduce or waive back rent due in 33%, and pay tenants some amount of money in 14%. These stipulations suggest that many of the tenants who ended up leaving the rental unit did so under conditions of a favorable settlement that reduced the legal and financial burden of an eviction filing.

Exhibit 16. Settlement Terms by Party Awarded Possession (October 2021 – September 2022)

Settlement Terms	Party Entitled to Possession		
	Landlord (n = 43)	Tenant (n = 22)	Tenant, if complies with terms (n = 26)
No additional terms ¹	6 (18%)	2 (13%)	4 (10%)
Additional time for tenant to move	31 (72%)	1 (6%)	1 (3%)
Payment plan or additional time for tenant to pay	2 (5%)	2 (13%)	12 (31%)
Financial-related terms			
Reduced or waive back rent due	14 (33%)	4 (25%)	4 (10%)
Reduced or waived other fees/charges	5 (12%)	2 (13%)	4 (10%)
Reduced rent going forward	2 (5%)	2 (13%)	1 (3%)
Landlord to refund overpaid rent	1 (2%)	0 (0%)	0 (0%)
Landlord to pay other amount to tenant	6 (14%)	2 (13%)	0 (0%)
Credit-related terms			
Landlord to provide neutral rent reference	16 (37%)	1 (6%)	1 (3%)
Eviction not reported to credit agencies	8 (19%)	0 (0%)	1 (3%)
Other terms			
Landlord to make repairs	0 (0%)	8 (50%)	6 (15%)
Landlord to perform other obligations	3 (7%)	1 (6%)	1 (3%)
Landlord to refrain from certain conduct	2 (5%)	0 (0%)	0 (0%)
Tenant to perform other obligations	5 (12%)	0 (0%)	2 (5%)
Tenant to refrain from certain conduct	2 (5%)	0 (0%)	10 (26%)
Other	9 (21%)	1 (6%)	4 (10%)

¹All settlement agreements included terms that required that the tenant resolve the issues identified by the landlord on the eviction complaint to remain in the rental unit (typically, the tenant agreed to pay the amount of rent demanded). In some cases, the agreements did not include additional terms.

HOUSING CHOICE VOUCHER TERMINATION CASES

There were 39 voucher termination cases (“administrative” cases) closed in the 2022 grant year, 22 of which had outcome data entered. Of those 22 cases with outcome data, 9 (41%) were settled through negotiation without litigation, 4 (18%) were settled with litigation, 3 (14%) were cases where the tenant recertified the housing voucher, 2 (10%) were resolved by a decision at a hearing or on appeal, and 3 (14%) were resolved through another method that did not require litigation. The status of the housing voucher at case resolution was favorable for tenants in 19 of these 22 cases (86%). Sixteen tenants had the voucher termination rescinded and three had the voucher termination delayed, provided that the tenants complied with terms of an agreement.

The tenants in these cases were at risk of losing their housing voucher, but in most instances, the case did not proceed to litigation because the landlords had not yet filed the termination request with the DC Housing Authority (DCHA). In these cases, the CLCPP attorney was able to intervene early and reach an agreement with the landlord, which allowed for a favorable resolution for the tenants, most of whom were able to keep their housing voucher.

LTLAN CUSTOMER SURVEY STUDY

In June 2020, the six partner legal services organizations funded by the Civil Legal Counsel Projects Program (CLCPP) collaborated to reduce barriers that DC tenants with low-income face when accessing legal services by organizing the Landlord Tenant Legal Assistance Network (LTLAN), a coordinated intake and referral system. The LTLAN was designed to simplify the process of finding free legal services by providing tenants with a centralized intake service that connects them to one of the six CLCPP organizations. Since its introduction in June 2020, the LTLAN has become the primary access point for tenants to connect with the partner organizations, with over 75% of clients who came to the CLCPP during late 2022 doing so through the LTLAN in.

NPC Research, in collaboration with the six CLCPP partners and the DC Bar Foundation (DCBF), designed the LTLAN Customer Survey Study to gather customer feedback to identify what was working and find ways to improve the service. As part of this study, LTLAN customers who were eligible for CLCPP services were offered the opportunity to complete a short survey or interview that asked several questions about their experience with the LTLAN. For example, customers were asked about the reason they called the LTLAN, how they learned about it, how satisfied they were with their intake process, how quickly they were connected to an attorney, whether they would recommend the LTLAN to others, and how the LTLAN could be improved.

KEY RESULTS

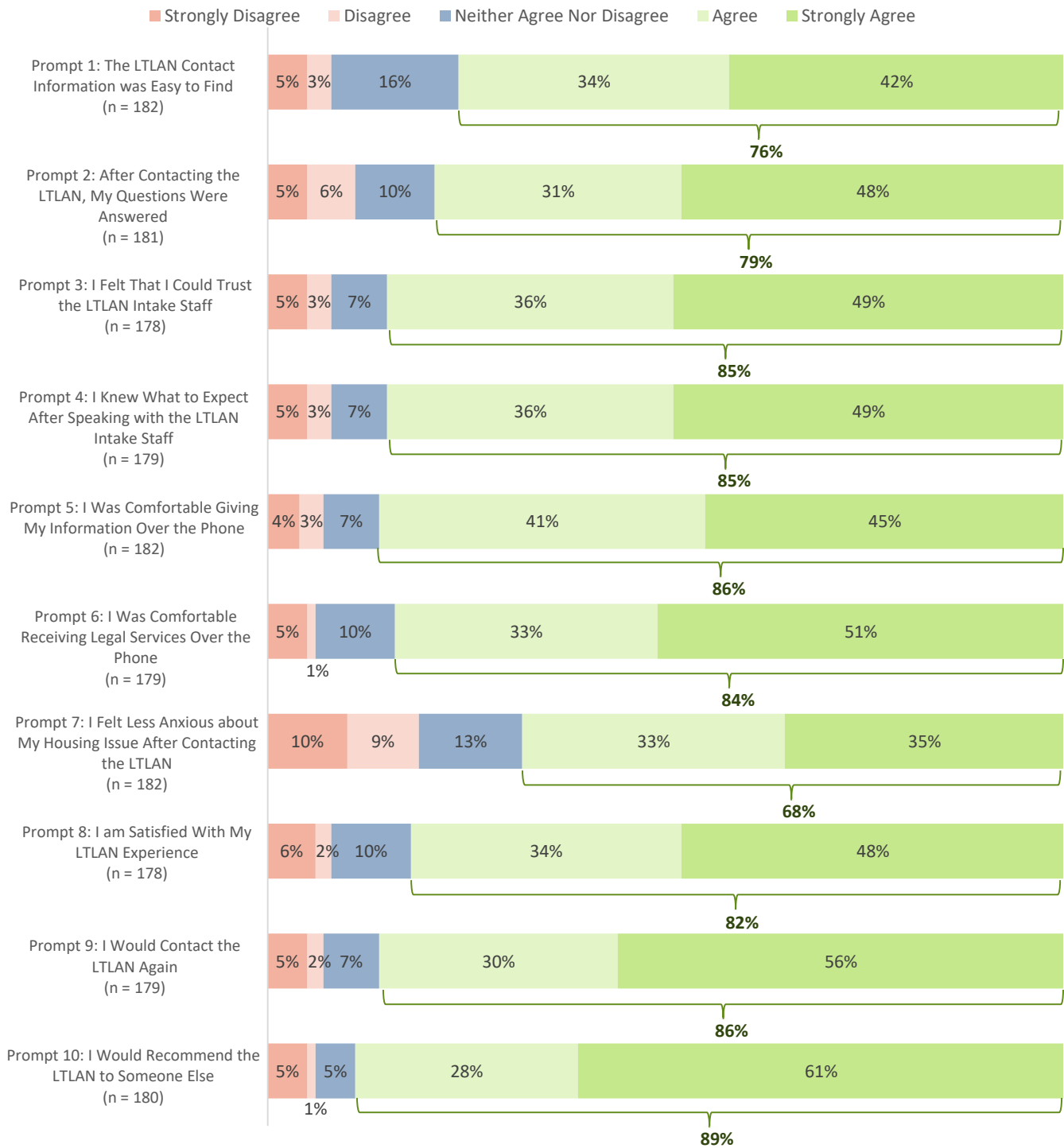
A total of 185 survey participants and 19 interviewees completed the study. The following key results summarize the lessons learned from LTLAN users who participated in the customer survey study:¹⁷

The LTLAN has emerged as a valuable community resource. Survey participants were asked to rate their experience with the LTLAN by indicating the extent to which they agreed or disagreed with 10 statements about the service. Responses were measured on a scale of 1 (Strongly Disagree) to 5 (Strongly Agree). Exhibit 17 on the following page displays the percentage of participants who agreed (green bars) and disagreed (red bars) with each prompt (numbered 1–10 and labeled) and the combined percentages of participants who expressed some level of agreement with the statement (i.e., those who selected either “Agree” or “Strongly Agree”).

As shown in Exhibit 17, impressions of the LTLAN were generally positive, with most participants agreeing with each of the statements about the LTLAN. Importantly, over 80% of participants reported feeling satisfied with the service, with close to 90% indicating that they would use the LTLAN again in the future and tell others in their community about the service.

¹⁷ The full summary of the LTLAN Customer Survey Study is available for download from the DCBF website: <https://www.dcbf.org/post/press-release-dcbf-releases-landlord-tenant-legal-assistance-network-customer-survey-study>

Exhibit 17. Participant Ratings of Their LTLAN Experience



Participants contacted the LTLAN looking for legal representation and information. While close to 60% of participants contacted the LTLAN because they faced an active eviction case, it is notable that over 40% reached out to the LTLAN even though they did not. These participants were looking for answers to questions such as whether they could be evicted or what to do when they had a problem with their landlord. While the moratorium on new eviction filings likely contributed to the percentage of LTLAN customers who did not face an active eviction case, this result nonetheless suggests that customers view the LTLAN as an access point to a variety of legal services, not just representation.

Efforts to promote the LTLAN have been successful and can expand. The study participants largely learned about LTLAN through court documents and outreach efforts by the CLCPP partners. When asked about how else to market the approach, tenants recommended that the LTLAN expand its outreach by establishing a social media presence, developing referral relationships with other social services providers, and posting short informational materials in community spaces. Efforts to introduce tenants to the LTLAN without making them search for it were successful among study participants and can continue to develop as the system grows.

A timely response is important to customer perceptions of the LTLAN. The CLCPP attorneys called 59% of LTLAN customers back within 24 hours and 80% back within 48 hours. This result has important implications because participants who received a call back from an attorney within 48 hours were more likely to feel positively about their LTLAN experience, report that they would use the service again, and indicate that they would recommend the LTLAN to others.

The LTLAN can serve as the primary access point for legal services. Seventy-five percent of participants indicated that they only contacted the LTLAN when they were looking for legal services, which suggests that customers felt comfortable with a centralized intake and referral service connecting them with an attorney who could help them. Among those who looked for legal help elsewhere, most reported that they did so because they were uncertain about the process of finding free legal services, so they called as many organizations as possible. Only 5% of study participants indicated that they called other legal services providers because they wanted to shop for an attorney on their own.

Participants felt that the LTLAN made it easier to connect with free legal help. Nearly two-thirds of participants with prior experience finding an attorney reported that they found the process of accessing legal services easier when they used the LTLAN when compared to how they looked for legal help in the past. This result suggests that the LTLAN is reducing barriers to accessing legal services and suggests that tenants will continue to gravitate to the service because it is easier for them to use.

Participant feedback focused on communication. When participants offered feedback for process improvements, better communication during the period between the intake interview and the attorney call back emerged as a key theme. Participants indicated that they would like it if the LTLAN gave a time range for when customers would receive the call back from an attorney, that the attorneys should not call from a private or blocked number, and that the service should consider using other communication mediums such as texting or an app.

SUMMARY AND RECOMMENDATIONS

Since the start of CLCPP funding, grantees have evolved from being 6 independent organizations working in the same field with some limited collaboration to being a well-integrated **eviction defense network**, united behind the goal of improving legal services for tenants with low income who are at risk of eviction. This transformation into an action network allowed the partners to adapt to the challenges presented by the COVID-19 pandemic, and to the shifting landscape brought about by the phased end of the pandemic-era tenant protections. During the 2022 grant year, the partners were able to rapidly adjust their service structure for tenants who faced an imminent lockout, adopt case strategies that enforced new legislative requirements around the process of filing an eviction notice and complaint, and prepare for the increase in eviction filings as landlords and the court adjusted to the post-pandemic legal environment.

SUMMARY OF CURRENT DATA

From August 2019 through September 2022, the CLCPP network partners have collectively provided legal assistance to 5,661 DC residents with low income, closing 6,777 eviction and voucher termination cases. During the 2022 grant year, the CLCPP partners served 1,998 tenants with 2,403 cases. Though tenants living in every DC Ward have accessed the CLCPP services, eviction risk continues to be disproportionately experienced by DC's Black residents, who account for 8 out of 10 CLCPP clients, and notably, by Black women, who account for more than half of the people served by the CLCPP network. The ability of the CLCPP partners to adapt their services and outreach to meet clients' evolving needs was critical in the 2022 grant year as the pandemic-era tenant protections came to an end, even as the social and economic impact of COVID-19 continued to affect the CLCPP client community.

During the pandemic, close to half of CLCPP clients did not face an active eviction case (from a filed complaint) but still needed information or advice, often because they could not pay rent and wanted to know if they could be evicted under the moratorium. In response to these tenants, the CLCPP partners adjusted their service provision to accommodate a growing demand for legal information and advice rather than more extensive representation. Although the moratorium ended during the 2022 grant year, this trend continued as 54% of clients served in 2022 faced an active court case and 46% did not. This proportion was largely affected by the first three quarters of the grant year (Oct. 2021 – Jun. 2022), when 49% of tenants faced an active case and 51% did not. During this time, the pandemic-era tenant protections were still either in place or gradually phasing out in stages. In the final quarter of the grant year (Jul. – Sep. 2022), when the moratorium was fully phased out, the proportion of clients with an active case began to grow as eviction filings began to increase. During this time, the CLCPP partners prioritized serving tenants who had been served a complaint, and as a result, 65% of CLCPP clients had an active case.

The early period of the 2022 grant year was defined by the CLCPP partners rapidly adjusting their service structure and leveraging their community partnerships to respond to the end of the moratorium on executing existing writs of restitution (i.e., the order issued by the Court that enables a landlord to enlist the U.S. Marshals to remove a tenant from the unit if they have not already left). In July 2021, writs that were put on hold in March 2020 were then allowed to proceed, which meant that many tenants were at risk of a lockout that had been pending since the start of the pandemic. The CLCPP partners worked with the court to identify tenants who faced a live writ and with community organizers to proactively contact these tenants to connect them with a CLCPP attorney. The attorneys then helped tenants apply for emergency rental assistance funds that allowed them to repay the landlord and retain possession of the unit. As a result of these efforts, over 70% of the tenants who connected with the CLCPP under these circumstances were able to remain housed, which shows how effective the CLCPP network can be in response to an emergent threat to tenant housing security.

Among cases closed in 2022, more than two thirds of clients who were not facing a live writ and had a complaint filed against them received either limited scope or full representation by a CLCPP attorney. Over 80% of tenants who received limited or full representation retained possession of their units, with nearly half of those clients accessing ERAP funds to help them stay housed. Of those who moved, most did so of their own accord or as part of an agreement—*notably, fewer than 5% of CLCPP clients with an active case had a judgment entered against them that put them at risk for an actual lockout.*

The percentage of tenants who retained possession of their unit in 2022 was strongly influenced by the availability of ERAP funds, which gave tenants the means to pay back rent that had accrued during the pandemic, and the ongoing tenant protections that were left in place even as the filing moratorium came to an end. Due in large part to advocacy by the CLCPP partners, the requirements for landlords to lawfully serve a notice and file a complaint were heightened after the moratorium expired. Landlords were slow to adjust to the new requirements, and, as a result, many of the CLCPP cases that ended with tenant possession were resolved by a dismissal, either by the court or the landlord, because the notice or complaint was either technically deficient or improperly served. These cases were dismissed without prejudice, which means that the underlying dispute was not resolved, and those tenants could potentially face another eviction filing if they are unable to pay rent.

CLCPP partners continued to earn outcomes that aligned with tenant wishes. Among the CLCPP tenants who received limited or full representation and whose cases had available outcome data, over 90% of those who wished to stay in their rental unit were able to, and 60% of those who had to move indicated that they wanted to. When tenants did move, having an attorney help negotiate the terms of their departure often paved the way for a smoother transition. Data on the variety of settlement terms add nuance to eviction outcomes and underscore the value of attorneys in cases where tenants do not stay in the unit, as many of the tenants who ended up leaving the rental unit did so under conditions of a favorable settlement that reduced the legal and financial burden of an eviction filing. The CLCPP partners were able to help these tenants weather the impact of an eviction filing with fewer legal and financial consequences.

The partners continued to support and expand the Landlord Tenant Legal Assistance Network (LTLAN), a coordinated intake and referral system that offers DC residents a single phone line to call to get connected to a CLCPP attorney. The LTLAN emerged as a primary access point to CLCPP services during the 2022 grant year, with 75% of clients connecting to the CLCPP attorneys through the LTLAN by the end of 2022. During the 2022 grant year, NPC, DCBF, and the CLCPP partners collaborated to conduct the LTLAN Customer Survey Study, which asked customers to describe and rate their experience with the service. Results found that the service has made it easier to find legal help, that customers were satisfied with the LTLAN, that they would use the service again in the future, and that they would tell others in their community to contact the LTLAN. The LTLAN represents a meaningful change to the DC legal system because it has reduced structural barriers to finding a free attorney and emerged as a resource for connecting DC tenants with legal services.

Other eviction prevention strategies built on work during the pandemic by focusing on outreach to make tenants aware of the CLCPP services, continuing notable advocacy efforts to ensure that the needs of tenants with low income are represented in policy decisions, and collaborating with other community partners to develop a more comprehensive approach to eviction protection services, which involves connecting with tenants before they face an eviction case. While not reflected in the counts of clients served, these activities will have profound impacts on DC's civil justice system.

Over the last year, through the network, CLCPP partner organizations have collaborated to provide direct legal services to hundreds of DC residents, refine the implementation of a coordinated intake system (LTLAN), expand their community outreach efforts to reach at-risk tenants, and navigate the end of the eviction moratorium. Through these efforts, the CLCPP network has created an accessible, responsive, and effective system that serves as a valuable resource to DC residents with low income and builds a foundation for eviction defense work in DC, which will support tenants' access to justice as the number of eviction filings continues to rise.

RECOMMENDATIONS

Based on the findings in this report, a few programmatic recommendations can be offered.

- **Prepare for changes as the L & T Branch resumes in-person proceedings.**

As the courthouse reopens and in-person proceedings resume, more tenants will need to connect to the CLCPP in person. The partners should anticipate how these changes will impact their service structure, including the LTLAN, which has exclusively operated remotely since its inception in June 2020.

- **Maintain the LTLAN as the number of eviction filings increases.**

The LTLAN has emerged as the tenants' main point of entry for eviction defense services, and it will likely maintain this role as the partners expand the service to accommodate in-person intake. Data collected from LTLAN customers suggests that tenants trust the service and are satisfied with their experience; however, user satisfaction is related to the LTLAN's ability to quickly connect litigants with

an attorney who can help them. The results of the litigant feedback survey have been encouraging, and the CLCPP partners should consider how to sustain the LTLAN as the court reopens and as the number of eviction filings continues to increase.

- **Prepare for the need to provide representation to a higher percentage of tenants.**

As the number of eviction filings increases, so will the percentage of tenants who come to the CLCPP with an active eviction complaint. While the CLCPP should continue to offer those tenants who do not need extensive services with easily accessible and trustworthy legal information and brief advice, meeting the needs of the community will require the CLCPP network to prepare for an increase in tenants who benefit from limited scope or full representation services.

- **Maintain tenant outreach, community partnerships, and advocacy efforts.**

As it did during the pandemic, the value of the CLCPP network to DC residents extended well beyond the direct legal services provided by lawyers. Community outreach and tenant education remain critical to ensuring that tenants know their rights, especially considering the permanent legislative changes that extended some tenant protections beyond the eviction moratorium. Partnering with trusted community-based organizations provides CLCPP organizations an effective access point to tenants who need eviction defense services but do not know how to connect with the CLCPP.

- **Continue to incorporate tenant wishes into legal service goals.**

In the current data, the alignment between the outcomes desired by tenants and the resultant possession of the property is encouraging and indicative of client-centered services. This approach should be emphasized during new and pro bono attorney training.

NEXT STEPS FOR THE EVALUATION

Below is a list of next steps for the evaluation, to be conducted as the context and resources allow:

- Collaborate with DCBF and the CLCPP partners to develop a study protocol to compare outcomes of cases that received different levels of CLCPP services, particularly full and limited scope representation.
- Continue to collect the expanded CLCPP Service Data to have timely access to comprehensive data on CLCPP clients, cases, and services.
- Track CLCPP Service Data over time as the number of eviction filings continues to rise, to illustrate the impact of the end of the moratorium period on tenants with low income, legal services providers, and the L & T Branch.