



---

# THE COVID-19 EVICTION CRISIS

AN INITIAL ANALYSIS BY THE COVID-  
19 EVICTION DEFENSE PROJECT

APRIL 13, 2020

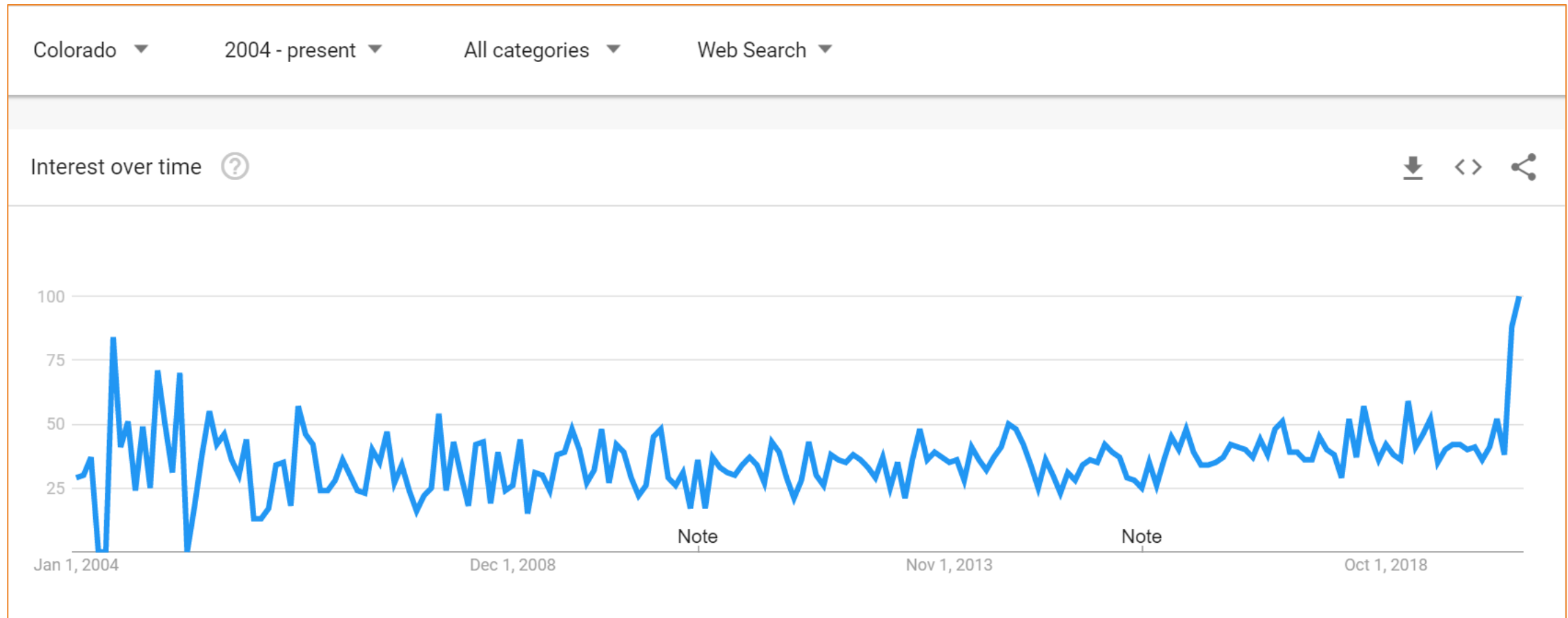


**EVICTIION MORATORIA PROTECT MOST TENANTS IN COLORADO;  
THERE WILL BE AN EVICTION CRISIS WHEN THEY EXPIRE**

## EXECUTIVE SUMMARY

- Since mid-March, over 100,000 Coloradans have been laid off, furloughed, or subject to an hours reduction as a result of the COVID-19 crisis
- Despite the presence of expanded unemployment insurance, forthcoming stimulus support, and other forms of state and federal assistance, **many Coloradans will be unable to pay bills and rent in the months ahead** as COVID-19 continues to impact the economy
- Various overlapping eviction protections have been implemented by the federal government, some cities, and Colorado district courts; however, **these are scheduled to expire beginning in April**
- When these eviction moratoria expire, Colorado landlords will be able to immediately undertake eviction proceedings against tenants while also pursuing them for unpaid rent, late fees (in some cases), and other potential damages
- Our **initial analysis suggests that almost 500,000 Coloradans will face eviction risk in the months ahead**, with further increases anticipated as unemployment increases and stay at home orders are extended

# OVER THE PAST WEEK, AN UNPRECEDENTED NUMBER OF COLORADOANS HAVE SEARCHED “EVICTION” ON GOOGLE



# AT THE SAME TIME, HUNDREDS OF COMMUNITY MEMBERS HAVE REACHED OUT, ASKING FOR HELP

## What we're hearing from clients...

*I was working with a contractor, but with the outbreak I was out of a job. Today the owner told us that rent is going to be as normal as it always has been and threatening to evict us.*

*Our lease ends May 1st and our landlord is trying to force us to resign now despite the fact that my fiancé is our sole provider and lost his job last month due to COVID 19. They're still planning on charging us late fees as well if rent isn't in by the 5th, which is impossible for our family right now. They're ignoring my emails to ask for leniency even though we have a 3 year old and they know we have another baby due in May.*

*I have become unemployed due to the pandemic. My landlord wants this to be "business as usual", but I pay the rent for my apartment and the money I will be getting from unemployment will only be covering a fraction of what I make.*

# WHILE EVICTION MORATORIA TEMPORARILY PROTECT TENANTS; THERE WILL BE AN EVICTION CRISIS WHEN THEY EXPIRE

## Currently, eviction moratoria:

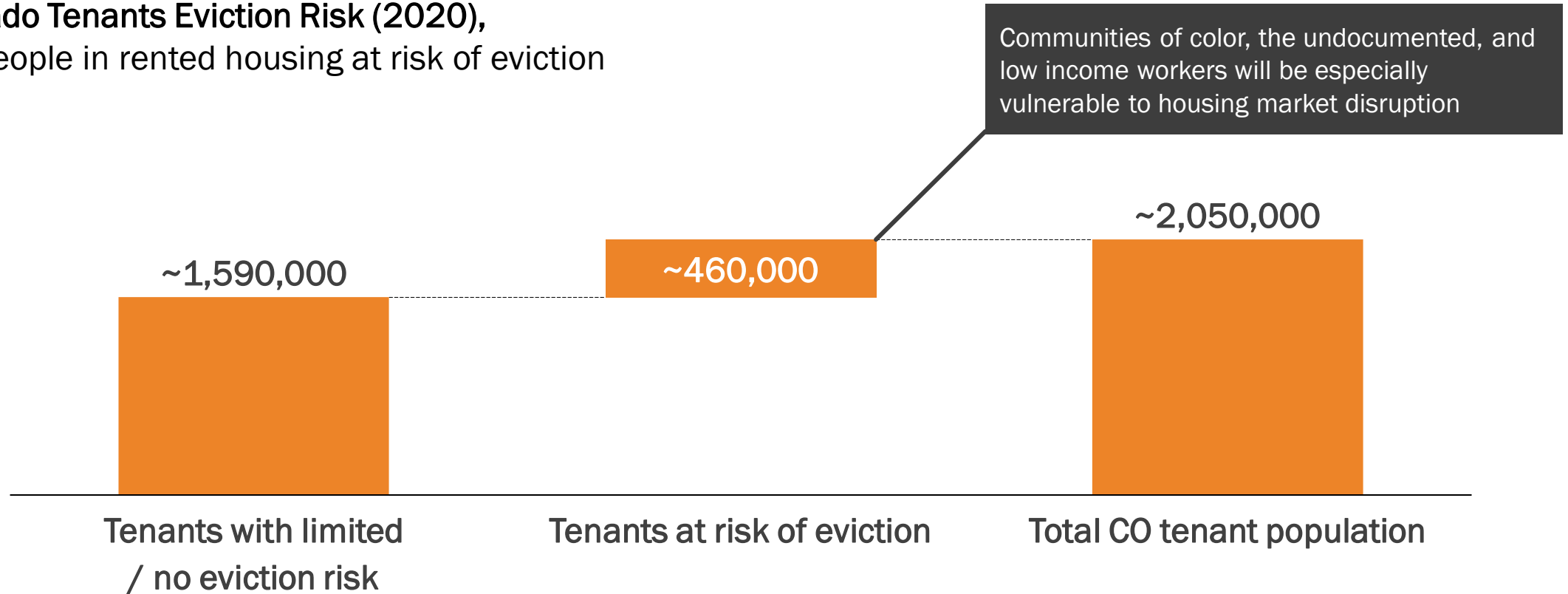
- ❑ Allow landlords to initiate eviction proceedings by placing demands on doors, creating anxiety and confusion
- ❑ Delay eviction proceedings in court by vacating and continuing appearances in these cases
- ❑ Stop sheriffs from removing tenants from their homes by enforcing writs of restitution
- ❑ Create incentives for landlords and tenants to negotiate payment agreements

## When eviction moratoria expire:

- ❑ Landlords will be able to **immediately begin eviction proceedings** against tenants who have been unable to pay
- ❑ Landlords will be able to **sue tenants for unpaid rent** and, in some cases, late fees
- ❑ Tenants who have been unable to pay **will face displacement, debt, and severely damaged credit history**

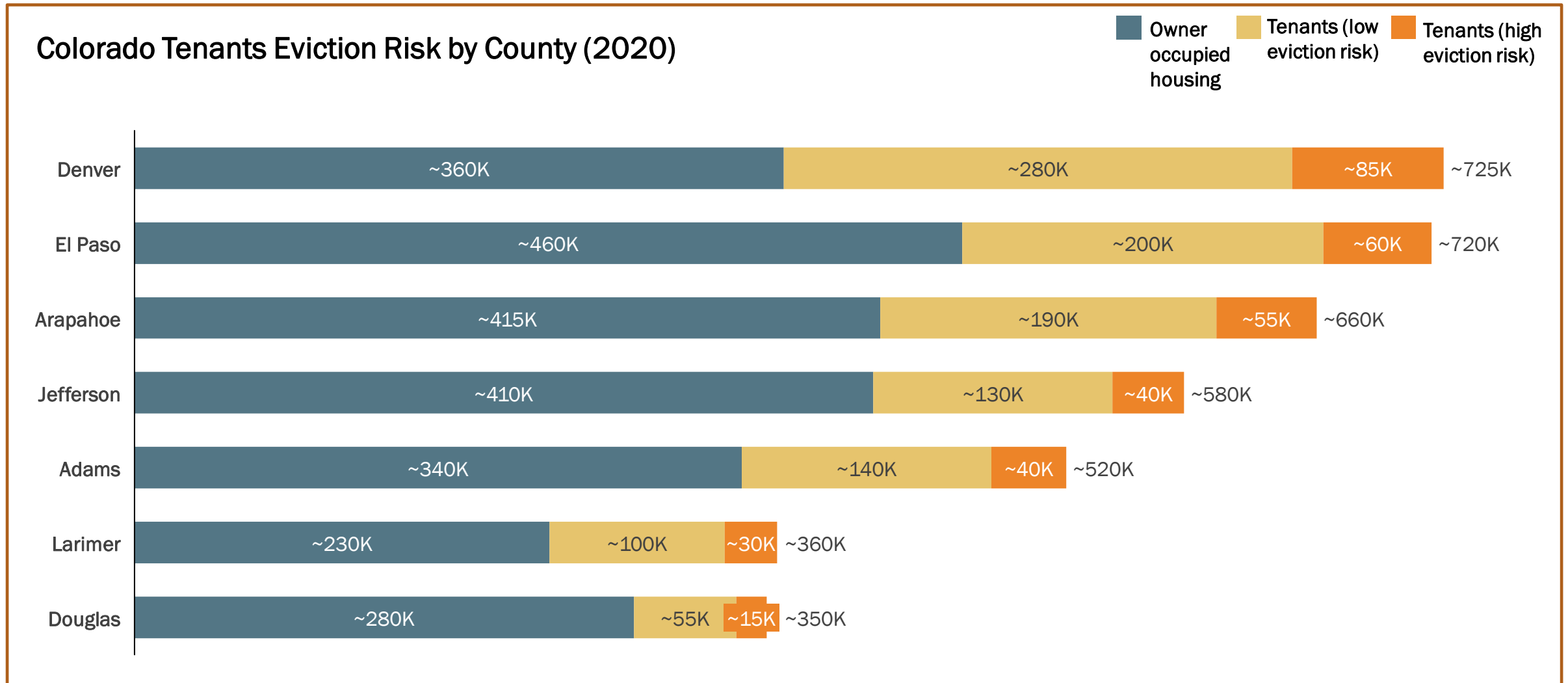
# INITIAL ANALYSIS SUGGESTS THAT ALMOST 500,000 COLORADOANS WILL FACE EVICTION RISK WHEN MORATORIA EXPIRE

Colorado Tenants Eviction Risk (2020),  
# of people in rented housing at risk of eviction



Methodology: To build this analysis, we developed a relationship between unemployment and eviction filings; we assume a changing unemployment rate in 2020 that peaks between 25-30% in July of 2020 before gradually receding; we also assume no additional intervention from state, federal, and local government beyond existing remedies; Changes in unemployment figures and assistance would change this number; Data sources include BLS employment statistics, Eviction Lab Data for Colorado Eviction Filings, and other sources. Please reach out for a fuller description.

# EVICTIION RISK WILL BE DISTRIBUTED ACROSS THE STATE, WITH CONCENTRATION IN HIGH COST, HIGH POPULATION COUNTIES





# THE NUMBER OF POTENTIAL EVICTIONS THREATENS THE STABILITY OF THE HOUSING MARKET AND REQUIRES FEDERAL INTERVENTION

## Further financial support for tenants and landlords

- Provide **additional cash support** to both tenants and homeowners to extend ability to pay beyond reopening of the economy
- Provide additional lending to small and medium businesses with specific emphasis on landlords and property managers

## Protect tenant credit

- **Seal records of non-payment evictions filed in 2020** from credit agencies and landlords; this policy removes the “scarlet E” that makes re-housing very difficult for previously evicted tenants

## Property tax support for state and local governments

- **Build on CARES Act** to provide further cash support for state and local governments confronting significant declines in property taxes

# STATE AND LOCAL POLICYMAKERS CAN TAKE FIVE STEPS TO FORESTALL THE WORST CONSEQUENCES OF THE COMING EVICTION CRISIS

## Short-term action

- 1 Create an enforceable statewide eviction moratorium**
  - The State of Colorado does not have an *enforceable*, statewide moratorium in place
  - Creating a statewide eviction moratorium lasting 30- 60 days after the end of the state of emergency would give tenants time to both recover financially and work with landlords to reach payment agreements
- 2 Ban placement of demands on doors**
  - Tenants are currently receiving demands for compliance or possession on their doors
  - Revising relevant health and public safety orders to explicitly prohibit the placement of demands on doors would limit community exposure to COVID-19 and address confusion and anxiety among tenants
- 3 Extend cure period**
  - Extending the existing cure period would give tenants who receive demands more time to earn money, negotiate with their landlords, and make other efforts to remain in their homes
  - A longer cure period may also reduce the burden on Colorado courts to process eviction cases
- 4 Regulate late fees**
  - Regulating late fees would lessen the financial impact of non-payment and allow more tenants to catch up on money owed to their landlords
- 5 Increase penalties for illegal lockouts**
  - Increase penalties for landlords who illegally lock out tenants or make premises unlivable during moratoria with oversight and monitoring by the Colorado Attorney General's Office

# ACKNOWLEDGEMENTS

This research was developed by Zach Neumann and Sam Gilman at **The COVID-19 Eviction Defense Project**. Critical inputs were provided by Manasi Desphande at the University of Chicago, Dan Emanuel at The National Low Income Housing Coalition, and David Seligman at Towards Justice. The analysis contained in the prior pages is an initial diagnosis of eviction risk in Colorado and will be updated as more information becomes available. If you have questions, criticisms, or would like to better understand our methodology, please reach out at [Covid.eviction.defense@gmail.com](mailto:Covid.eviction.defense@gmail.com)

---

## ABOUT US

**The COVID-19 Eviction Defense Project** is a collaborative, community legal project. Our mission is to provide Coloradoans who are unable to pay their rent during the COVID-19 crisis with information and support. We are working to pair volunteer lawyers with tenants who need advice or legal representation, provide tenants with guidance on how to navigate challenging situations, and evaluate the potential impact of the emerging housing crisis.