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December 8, 2020

Governor Greg Abbott  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

Chief Justice Nathan L. Hecht and Justices  
Supreme Court of Texas  
PO Box 12248  
Austin, Texas 78711

RE: Call for Urgent Action on Texas Eviction Diversion Program

We write to urge that you take immediate action to ensure the success of the Texas Eviction Diversion Program (EDP). The Centers for Disease Control moratorium, which has prevented hundreds of thousands of evictions in Texas during the pandemic, will expire at the end of the year. On that date, we ask that Governor Abbott and the Texas Supreme Court temporarily suspend evictions until March 1st, 2021 or until such time as the Eviction Diversion Program achieves fully effective statewide coverage.

The Supreme Court of Texas has [announced](#) that the diversion program will begin to roll out statewide on January 1st, 2021. Based on administrative issues with the pilot programs launched in October, it is apparent that the Eviction Diversion Program is not prepared to serve the unprecedented number of renter households who will be subject to eviction. Launching statewide will be no easy task. Allowing evictions to go forward in January would mean never giving the statewide program a chance to succeed.

To be effective, the program will require training for Justices of the Peace and educational efforts directed at landlords and tenants across Texas. Currently, there is a widespread lack of knowledge as to how the program will work, as well as the role of the administering agencies, the courts, landlords and tenants. Non-entitlement communities must also share in the benefits through new regional providers. Evictions should not go forward until EDP is fully functional.

Without a temporary moratorium, thousands of Texans will be placed at risk of eviction when the CDC moratorium expires. Tenants who filed CDC orders post-appeal but before the execution of writs of possession will face almost immediate removal from their homes. Courts are likely to be overwhelmed by cases. Most courts are dealing with current dockets and are not ready to deal with the upcoming crisis.

Statewide rollout also represents an opportunity to make improvements over the pilot program. Tenants should be able to access the diversion funds to relocate to another property if their landlords decline to participate. Landlords and tenants should also be encouraged to use eviction diversion funds to resolve their issues pre-filing. Additionally, tenants should be allowed to pay the funds into the court registry during an eviction appeal. These measures would ensure that the program prevents as many evictions as possible.

We are in the final months of the COVID-19 crisis. With a vaccine on the way, we need to do what we can to keep Texans housed until our economy can return to normal. [Recent research](#) confirms the link between evictions and viral spread, and [one study](#) indicates that the sixteen weeks in Texas without an eviction moratorium resulted in 148,530 excess COVID cases. Evicting Texans in January would be like fumbling the ball one yard from the goal line. Urgent action is needed.

Yours sincerely,

### **Organizational Signatories**

Texas Housers  
Interfaith Community Action Network  
The Metropolitan Organization, Houston  
Dallas Area Interfaith  
Central Texas Interfaith  
Valley Interfaith  
CDCB Come Dream. Come Build., Brownsville  
Family Eldercare, Central Texas  
Texas Tenants Union, Dallas  
West Street Recovery, Houston  
St. Philip's School and Community Center, Dallas  
Coalition of Community Organizations (COCO), Houston  
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