TEXAS HOUSERS
TEXAS LOW INCOME HOUSING INFORMATION SERVICE

# Emergency Rental Assistance in Texas: How it went and what happens now

Erin Hahn
Texas Housers
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1800 W 6th St.
Austin, TX 78703
www.texashousers.org

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# Executive Summary

With the Emergency Rental Assistance (ERA) program, the U.S. Department of the Treasury appropriated historic sums of federal funding to state and local governments across the nation to keep low-income renter communities safely housed during the COVID-19 pandemic. An eviction is a traumatic and life-altering event for a family to endure at any time, but posed an amplified threat during a global public health crisis. By fall 2022, the majority of state and local grantees had delivered their ERA funds to eligible households and closed down their programs. Now, as funding and protections are waning or have ended, it is critical to assess the successes and failures of ERA.

This report investigates local contexts for ERA successes and challenges in Texas by analyzing programmatic and interview data that we collected from 10 local ERA programs across the state. Its release marks the close of the statewide ERA program monitoring and data tracking that Texas Housers engaged in over the course of the pandemic. 37 local jurisdictions[1] in Texas operated ERA programs under vastly different political, cultural, and geographical contexts. These programs ranged from among the most to least successful in the nation, which makes Texas a unique and useful case study for exploring factors that led to some ERA programs excelling and others struggling.

This report finds that:

- **Pre-existing experience, capacity, and infrastructure at the local level was a primary determinant of a jurisdiction's success in distributing ERA**, including the degree to which a local infrastructure for administering rental assistance was already established, access to community-based organizations with the capacity to assist program operations, and the willingness of local elected officials to facilitate effective eviction prevention work.
- **Successful jurisdictions utilized strategies that promoted efficiency and equity**, such as monitoring impact and making mid-course corrections, reducing barriers for marginalized households, and coupling ERA efforts with additional eviction prevention measures.
- **Some jurisdictions experienced unique challenges as a result of regional and cultural characteristics**, like gaining the trust of low-income people in the Texas-Mexico border region, many of whom exhibited low trust in government.

- **In some areas where multiple jurisdictions were administering ERA, a lack of coordination across programs caused administrative challenges and confusion amongst tenants.**
- **The Treasury's flexible ERA guidelines privileged the jurisdictions that had established systems for rental assistance distribution**, but did not meet the needs of those without the pre-existing conditions that were necessary for success.
- **Disparities in ERA performance across jurisdictions inevitably arose.** The federal government devolved the responsibility of keeping low-income renters housed through the COVID-19 crisis to local governments, but did not account for the fact that only some were in a position to excel in this task.

Our report concludes with recommended actions that must be taken at both the local and federal level to ensure that all jurisdictions are prepared to stabilize renters through the next global crisis, as well as the ongoing eviction crisis. During the pandemic, local governments made a commitment to stabilizing low-income renters and minimizing needless and preventable evictions. Now, they must carry the momentum into the post-pandemic future.

Local governments must:

- **Preserve the infrastructur**e that was developed to distribute ERA.
- **Assess and document new local capacities and relationships** that were gained during ERA operations.
- **Strengthen and solidify community and non-profit relationships and networks**.
- **Develop a plan for emergency rental stabilization** in the future ***and*** **act on a plan for holistic eviction prevention** in the present.

The federal government must:

- **Allocate more funding** for rental assistance and emergency rental assistance to state and local governments.
- **For future programs similar to ERA:**
    - **Provide flexible guidelines and offer additional, hands-on guidance** to jurisdictions with limited experience or additional challenges.
    - **Have a plan for uncooperative local governments**.
    - **Set requirements or strongly recommended guidelines for programmatic relationships** between overlapping city and county governments.

# Background

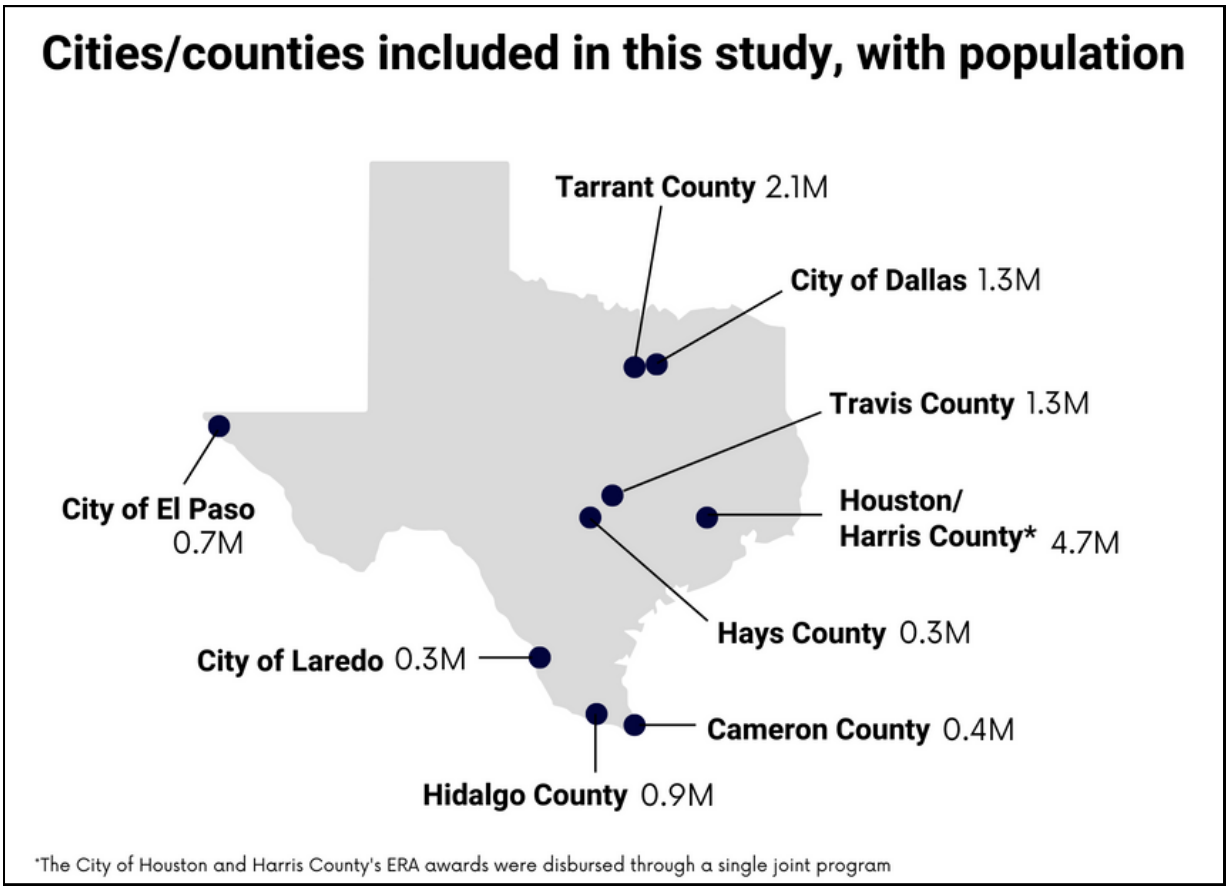
The nation's ongoing housing crisis was exacerbated by the COVID-19 pandemic that began in 2020 and continues to impact low-income households today, particularly households of color. In an effort to keep low-income Americans housed through the crisis, the U.S. Department of the Treasury introduced the federal Emergency Rental Assistance (ERA) program, which provides financial assistance to households struggling to pay their rent. In December of 2020, the Consolidated Appropriations Act provided $25 billion to state and local governments for the creation and administration of state and local ERA programs (ERA1). In March 2021, the American Rescue Plan Act appropriated an additional $22 billion for ERA to state and local grantees (ERA2). Of Texas' nearly $3.4 billion total allocation, $2.4 billion went to the State's Texas Rent Relief program. The remaining $983 million was distributed amongst 37 Texas cities and counties for the operation of local ERA programs.

This monumental investment of federal dollars for eviction prevention was wholly unprecedented. Many of the local Texas governments who received ERA funding had never administered rental assistance or anything like it before. Over the past two years, governments in Texas have spent enormous amounts of time, money, and resources creating a safety net for low-income renters in the form of ERA. Now, most of them have depleted their federal funds and are beginning to ask, "what's next?" There is much to be learned from Texas' experience with ERA regarding what worked and what did not. Where did it work and where did it not? What lessons from Texas can we learn as we consider future housing stability policy in the state and country? We believe the state of Texas, with 37 local jurisdictions administering ERA across vastly different geographical, political, and cultural contexts, offers a unique and valuable lens for exploring these questions.

# Methods

Over the course of the COVID-19 pandemic, Texas Housers tracked the progress of the 38 ERA programs (one state and 37 local programs) that operated in Texas. Every quarter, we submitted a public information request to each of the jurisdictions administering ERA. We collected expenditure rates and income and demographic information about ERA recipients in order to monitor if programs were disbursing funds efficiently and delivering assistance equitably to the households most in need. We published these data as an online dashboard, where advocates, reporters, and members of the public could track the progress of their local ERA program and compare it to others in the state.[2] Our data collection found stark geographical disparities – some ERA programs in Texas quickly disbursed their funds to low-income renter households and received millions in additional reallocated funding. Others struggled to get money out the door to those in need and lost millions to recapture by the federal government.

In order to understand the reasons for the cross-jurisdiction disparities in ERA performance that were revealed in our data analysis, we interviewed administrators from a sample of the 37 local ERA programs in Texas. We selected programs from different regions of the state, in jurisdictions with differing political and cultural contexts. We conducted semi-structured interviews with nine program administrators between September 2021 and June 2022. We also gathered and included in the analysis secondary data including media reports, publicly available reports and documentation, and meetings that were witnessed by the investigators. Through the use of these supplementary data, we included one additional jurisdiction in the analysis. In an appendix at the conclusion of this report, we synthesize the programmatic data (expenditure rates and recipient income and demographic information through June 2022) of the 10 ERA programs included in our analysis. Limitations in our research include the fact that we did not speak to every administrator that was involved in the 10 selected programs, our sampling method was not entirely random, and administrators from other jurisdictions may have had experiences that diverge from those of the 10 administrators we interviewed.




## Local ERA program distribution outcomes

A comparison of the programmatic data that was collected from the 10 programs reveals stark disparities across jurisdictions of different sizes. Full distribution outcome analysis is included in this report as an appendix on page 21. ERA programs in large urban areas, including Dallas, Houston and Harris County, and Travis County (which overlaps with the City of Austin) expended ERA1 and ERA2 funds significantly more quickly than the programs in other areas. Collectively, these three programs received more than $32 million in additional funding from the Treasury's reallocation process as of June 2022. Programs in other areas, such as those that are less urban and have smaller and more conservative governments, expended their funds more slowly. Cameron County, Hays County, Hidalgo County, and the City of Laredo lost over $17 million to recapture by the federal government as a result of missed spending deadlines. The following section examines the factors that contributed to these disparities.

# Factors That impacted the Performance of ERA Programs in Texas

In our interviews with program administrators, we explored the factors that allowed some jurisdictions to operate effective ERA programs and the challenges that prevented others from doing so. Some administrators cited the specific program design and implementation practices they adopted to disburse aid efficiently and equitably, like simplifying the application process and using data to target their community's most vulnerable households. Others spoke of local context and factors outside of their control that affected program performance, such as the degree to which their jurisdiction already had infrastructure for administering rental assistance in place prior to ERA and the willingness of local elected officials to facilitate effective eviction prevention practices. We find there is as much to learn from programs that struggled and ultimately lost funds to recapture as the programs that quickly expended their ERA funds. Below, we describe factors that impacted the success of 10 ERA programs in Texas, according to the administrators who oversaw them.

## Existing capacity

### Pre-existing rental assistance infrastructure

Several ERA administrators cited previous experience administering rental assistance and the ability to recycle existing infrastructure in their jurisdiction as a reason for their success with ERA. Others suggested that a lack of experience administering assistance at the large scale that ERA demanded created challenges that impacted their ongoing success from the start.

An administrator in Harris County mentioned numerous emergency assistance programs that the county and its partners administered prior to ERA, from Hurricane Harvey relief in 2018 to CARES Act funding in 2020. When ERA funding became available in 2021, an infrastructure and network for disbursing rental assistance was already largely in place in Harris County. The County received feedback on the strengths and weaknesses of its CARES Act rental assistance program from a "housing stability task force" composed of local advocates and identified the course corrections that would allow for a more effective distribution of ERA. One lesson that Harris County and the City of Houston learned from previous distributions of rental

assistance was that operating separate county and city programs created confusion among tenants and landlords. Under ERA, the county and city opted to consolidate their awards and administer funds jointly through a single program. Harris County and Houston recycled existing rental assistance infrastructure – as well as its application pool. Individuals who applied for CARES funding but who did not receive it before funds ran out were given the opportunity to update their application and were prioritized in the distribution of ERA. According to the administrator, Harris County "got a lot of credit for a fast start, but it was lucky to be able to build on the infrastructure and lessons learned from the prior CARES Act program."

Although Travis County had previous experience administering rental assistance, an administrator commented that new requirements under ERA "completely changed how Travis County was able to do rental assistance" and required some system rebuilding. He suggested that the jurisdictions with the most efficient ERA operations were those which had previously administered rental assistance programs with requirements that aligned with ERA guidelines. These jurisdictions were able to utilize existing systems to disburse ERA and thus got off to a quicker start than the jurisdictions who were required to build or rebuild systems at the onset of ERA.

Administrators in both the City of Dallas and Hidalgo County described a lack of experience administering large scale rental assistance programs as the primary hurdle to their jurisdiction's success under ERA. According to the Hidalgo County administrator, Hidalgo County was "familiar with helping people with rent, mortgage, and utilities. What we weren't familiar with was the sheer volume of scope of the ERA program."

## Local government staff capacity

Several administrators pointed to local government staff capacity as a determinant of ERA program performance. The Travis County administrator explained the gulf in performance between smaller and larger counties in Texas as a result of disparities in local government capacity. He described Travis County's health and human services as a robust department that is accustomed to collecting and processing the documents that the ERA program requires. He suggested that the smaller cities and counties in Texas that disbursed ERA more slowly lacked staff capacity and experience.

When asked what the key to a successful ERA program is, the Harris County administrator said, “It's not a policy. It’s having full time dedicated staff whose entire job is the program and who are not pulled into multiple things.”

Hays County’s former administrator described a lack of staff capacity as a significant barrier to the ERA program’s success. Fewer than ten staffers were responsible for processing the thousands of applications that the county received, and some of these staffers were part-time college students. As a result of lacking program staff capacity, Hays County renters facing evictions waited months in an application backlog for their requests to be processed.

## Partnership with community-based organizations (and other non-government entities)

According to several administrators, partnerships with community-based organizations (CBOs) and other non-government entities were integral to an equitable distribution of ERA. Some programs, however, struggled to involve them in the process of outreaching to community and distributing assistance.

The Harris County administrator described the county’s ERA program as deeply collaborative, between county and city and a variety of community-based actors. The program partnered with two non-profits and assigned them responsibilities based on their organizational strengths. One took on website development and public relations. The second organization, which had an existing relationship with the landlord community, served as a point of contact for landlords and assisted with outreach. Policy decisions were made by a steering community composed of representatives from the city and county, the two non-profits, and a technology partner.

Over 20 local non-profit organizations were involved in the City of Dallas’ distribution of ERA, in addition to the Dallas Housing Authority. United Way of Metro Dallas served as a convener of many smaller non-profits, each of which specialized in targeting a particular subpopulation, such as immigrants or members of the LGBTQ community. According to the Dallas administrator, although the Housing Authority was better equipped to reach a large number of households quickly, a strength of the non-profit subcontractors was their ability to target the community’s most vulnerable

residents. The administrator did note, however, the administrative challenges that involving a large number of non-profit partners in distribution created for monitoring and reporting program expenditures.

Not all of the ERA programs that were interviewed were fortunate enough to have the help of community partners. In Hays County, local advocacy groups offered to assist the program in its operations after it failed to meet federal spending deadlines and the Treasury recaptured a portion of its funds but local officials did not permit their involvement.

The administrator in Hidalgo County spoke of failed attempts to involve community-based organizations in the county ERA program. He offered to contract local groups to assist with outreach and distribution, however they declined. “I was disappointed they didn’t accept.”

# Leadership and political climate

## Support from local elected officials

While some administrators benefitted from the support and flexibility of local elected officials, others found that a lack of support from local elected leaders hindered their ability to administer an effective ERA program.

The administrator in Hidalgo County praised the County Commissioners for allowing him to prioritize flexibility and limit documentation requirements in the ERA application process. “As soon as it was confirmed that a flexible practice was within federal guidelines, I adopted it”. He commended the involvement of the County Judge, who helped to organize pop-up events and spent hours providing information about the program to attendees himself. In terms of support from local officials, the Hidalgo County administrator said he had “complete support”.

Alternatively, the former Hays County administrator cited numerous examples of how the actions of local officials actively obstructed local ERA operations. Despite the 10% allowance for administrative expenses under ERA1, the County Judge and Commissioners failed to delegate enough staff and resources to the program’s administration and declined the help of local advocacy groups. The County Auditor

mandated burdensome documentation requirements not required by the Treasury. The administrator left his position in January 2022, due to a lack of support from local officials that prevented him from administering a successful program.

The administrator in Travis County explained Travis County's ERA expenditure, which lagged slightly behind that of the overlapping City of Austin program, by the fact that the county was more risk averse and was not as quick as the city to adopt flexible distribution practices.

## Willingness to course correct

Administrators spoke about the benefits of monitoring ERA program impact and implementing mid-course corrections, particularly as the state of the pandemic evolved and the Treasury issued rolling guidance that allowed programs to adopt flexible program practices over time.

The administrator in Harris County detailed how the county and its partners monitored ERA program impact and used data to target high-need households. Harris County partnered with a technology service agency to develop a proxy that estimated the level of need for rental assistance by census tract, based on the number of renters in the tract and its Social Vulnerability Index. The program monitored where it was over or under-awarding ERA relative to estimated need, and increased the number of community navigators and pop-up registration events in underserved neighborhoods. It monitored where evictions were occurring and increased outreach to neighborhoods where evictions were high and ERA applications low.

The Hidalgo County administrator described the evolution of their program as it adopted flexibilities that the Treasury permitted over time. "Self-attestations were an early on course correction that we made as soon as we got the go-ahead from Treasury." In response to landlords' resistance to participate in the program, Hidalgo County introduced the option for direct-to-tenant funding. He said that the small risk of fraud was a price that he was willing to pay in order to get money into the hands of tenants who need it but have a landlord that refuses to participate in the program. "If we're going to get one family evicted because of hesitating on risk of fraud, that's too many. We evolved into these flexibilities, but the minute we got the opportunity to

implement them we did so right way."

## Commitment to accessibility

Administrators described the strategies that they and their partners adopted to ensure ERA programs were accessible to the most vulnerable members of their communities who may not, for example, speak English or have access to the Internet.

In Harris County, a coalition of community advocates hosted in-person registration events that also offered vaccines and voter registration and had attendance rates as high as 500. The administrator in Harris County emphasized the impact of the County's partnership with Spanish-speaking television and radio stations, as well as a local Chinese community center and YMCA International's help with outreach to non-English speaking communities.

The City of Dallas administrator highlighted the role of community navigators, who provided in-person application help at registration events and supplied information about the program to tenants in eviction court. The United Way of Dallas created a "how to" book for advocacy groups interested in hosting their own registration events. At the time of the interview, the City of Dallas was in the process of employing "tenant navigators" in high-evictor apartment buildings to help their neighbors apply to the program, as well as placing navigators in schools to hold office hours and help families with applications.

## Holistic approach to eviction prevention

Several administrators described ERA as but one tool in a toolbox of eviction prevention measures in their jurisdictions, and one that was most impactful when coupled with additional renter stability initiatives.

Administrators from Harris County, the City of Dallas, and the City of El Paso spoke about their participation in task forces composed of local advocates or administrators from other jurisdictions where successful strategies for ERA

distribution, in addition to other housing policies and programs, were shared and discussed. For example, administrators from Harris County, Travis County, and Tarrant County mentioned either current or prospective right to counsel initiatives in their jurisdiction. They saw right to counsel as integral to the effectiveness of their local ERA programs, by ensuring that tenants with a pending application for assistance were informed of their rights and their eviction case was abated per a Supreme Court of Texas emergency order.[3]

## Regional and cultural barriers

Administrators on the Texas-Mexico border spoke of cultural challenges specific to the region. They described the strategies that they adopted to try to overcome the cultural challenges they faced.

The administrator in Hidalgo County described the difficulty of spreading word that the ERA program was safe from the perspective of immigrants. When building the program, he took into consideration the region's informal economy and the prevalence of informal living arrangements. "We are very flexible by allowing self-attestation in the place of formal documentation. But even with that, it was a hard sell." He described the task of building trust among the community, which took months without the help of community-based organizations. "The issue is that some folks are just afraid of coming forth. People are scared that their asking for help at this time will come back and get them at some point". At the time of interviewing, Hidalgo County was just short of a $10 million ERA1 expenditure. "It took us forever to get that first million out. A lot of that has to do with fear. We didn't require social security from the beginning, but it still took time to build trust."

An administrator in Cameron County spoke of similar challenges gaining the trust within the community. She said that people assumed that, because ERA was a government program, applying would require a social security number. Cameron County started distributing assistance very slowly, but has recently picked up the pace. She explained that "people talk," meaning that approved applicants told their family and friends that they were helped without a social security number or government ID. She said that as time went on and trust was built, Cameron County's expenditures accelerated.

# Inter-governmental relations

## Cross-jurisdiction coordination and collaboration

Between cities and counties

Some administrators commented that working collaboratively with other ERA jurisdictions made their operations more efficient, while others spoke of challenges that resulted from a lack of cross-jurisdiction coordination.

According to the Harris County administrator, there were pre-existing working relationships between administrators in Harris County and the City of Houston and they were already accustomed to collaborating on housing issues. She said that they knew from previous experience that operating separate Harris County and Houston rental assistance programs with different application processes and requirements created confusion among tenants and landlords. “I knew we needed one application portal with one set of eligibility requirements and one set of terms and conditions.”

The City of Dallas administrator also suggested that having numerous distributors of ERA in a single metro area created confusion and established barriers for applicants. Within the Dallas area, the Dallas Housing Authority, a multitude of non-profits convened by the United Way of Dallas, and Dallas County all served as distributors of ERA. For the distribution of ERA2, the City of Dallas launched an application portal that would serve as the sole point of entry for receiving city funds. The administrator also mentioned that they worked with Dallas County to create a landing page for all Dallas-area residents seeking ERA.

Administrators in Hidalgo County and Cameron County described the challenge of avoiding duplicating benefits with programs operating in the same region. According to federal ERA guidelines, a household cannot receive assistance from multiple programs for the same months of rent.[4] ERA programs with service areas that overlap with one another are expected to share recipient data and recapture funds where assistance was duplicated. According to the Hidalgo County administrator, however, “to be expected to cross reference applicants between all of the programs that serve Hidalgo County residents [including the state program] is unrealistic. For future rounds of funding, there needs to be a better system."

Between cities/counties and the state

Numerous administrators expressed disappointment in a lack of collaboration between their jurisdiction and the state of Texas as both worked to disburse their ERA awards. One administrator recounted failed efforts to collaborate with the state when ERA funding first became available. She suggested developing a single landing page for Texans seeking assistance that would route applicants to their local ERA program first, but state administrators were not agreeable to the idea. Another administrator spoke of similar attempts to collaborate with the state, as he was concerned about a lack of local infrastructure to disburse assistance at the scale that ERA demanded and knew the state was highly equipped. “We could have worked more collaboratively.”

## Support and guidance from the Treasury

Some administrators commented that the Treasury’s increasingly flexible ERA guidelines advantaged their operations by allowing the use of existing rental assistance systems. Others described the Treasury’s flexibility as a source of ambiguity and spoke of challenges that arose from operating under uncertainty.

Administrators in Travis County and the City of Dallas recalled difficulty when pivoting previously run rental assistance programs to disburse ERA1 in 2021. New requirements under ERA1 required rebuilding CARES and other pre-ERA assistance programs. The Travis County administrator praised the flexibility of ERA2 guidelines, which he said offered optimal flexibility and allowed the county to continue operating the system it already had in place.

An administrator in Cameron County referred to flexible federal guidelines as a “double edged sword.” She described a lack of guidance from the federal government as a significant challenge to her county’s distribution of ERA. She noted the prevalence of informal leasing, banking, and working arrangements within the border community and described the difficulty of accommodating them within the ERA program. She described being uncertain as to whether federal guidelines allowed self-attestations in some of the situations they were confronted with and commented that clarification from the Treasury would have helped. When her staff reached out to the Treasury for assistance, it took months to hear back from them. Administrators in Hidalgo County and the City of Laredo cited similar challenges

receiving clarity from the Treasury. According to the Hidalgo County administrator, "better communication with the Treasury would save us sleepless nights worrying about whether we accidentally violated guidelines because we were trying to move money fast under difficult situations."

## The double-edged sword of devolution

The federal government provided historic levels of ERA funding but devolved the responsibility of efficient and equitable distribution to state and local governments. Some jurisdictions in Texas were in a position to excel in this task. They had pre-existing conditions working in their favor – a progressive political structure, an infrastructure for distributing assistance already built up, and an abundance of community partners who were willing and able to assist in operations. The flexibility that federal ERA guidelines offered advantaged these well-equipped jurisdictions. Others encountered regionally-specific challenges, like earning the trust of a community that has been targeted and mistreated by government in the past, and had to overcome their unique challenges without the support of local or federal officials.

Our analysis of programmatic data and interviews with administrators from 10 ERA programs in Texas revealed that devolution of ERA to local governments have both advantages and disadvantages. Flexible guidelines allowed experienced jurisdictions to continue utilizing the systems that they have already developed. However, they positioned the jurisdictions that lacked political alignment, staff capacity, and an established network of community partners to fail. They treated both types of jurisdictions the same, by giving them the same allowance for administrative costs and holding them to the same standards and deadlines. Disparities in performance across jurisdictions inevitably arose. There is perhaps no place where this is more on display than in Texas, a state with a political geography that is highly polarized between its progressive big cities and conservative small counties. Critically, the differences that advantaged some jurisdictions and challenged others were not an indication of local need. Evictions of low-income tenants still occurred in jurisdictions that struggled to distribute ERA.[5]

The act of being evicted from one's home has lasting impacts on the health and wellbeing of individuals, families, children, and the communities they live in.[6] A

household’s ability to access the help that will allow them to remain stably housed should not be dependent on the location in which they live and the nature of their local government.

## Recommendations for local and state governments

### 1. Preserve as much of the ERA infrastructure that was developed as possible.

When ERA funding became available in 2021, many states and localities were faced with the daunting task of creating an infrastructure for disbursing rental assistance entirely from scratch in the midst of an emergency situation. A lasting legacy of ERA is that these jurisdictions do not have to start from scratch ever again. States and local governments should identify ways to preserve as much of their ERA infrastructures as possible even as federal funds are depleted, so that they are prepared to meet the moment the next time emergency funding becomes available and can serve the ongoing needs of their low-income residents in the meantime.

### 2. Assess and document the new local capacities and relationships gained during ERA operations.

During the creation and administration of ERA programs, local governments formed relationships with community-based organizations and joined task forces of housing advocates. Jurisdictions must document these and other newly established capacities, both their own and those of their partners, so that they can inform and be integrated into future and ongoing programs and activities.

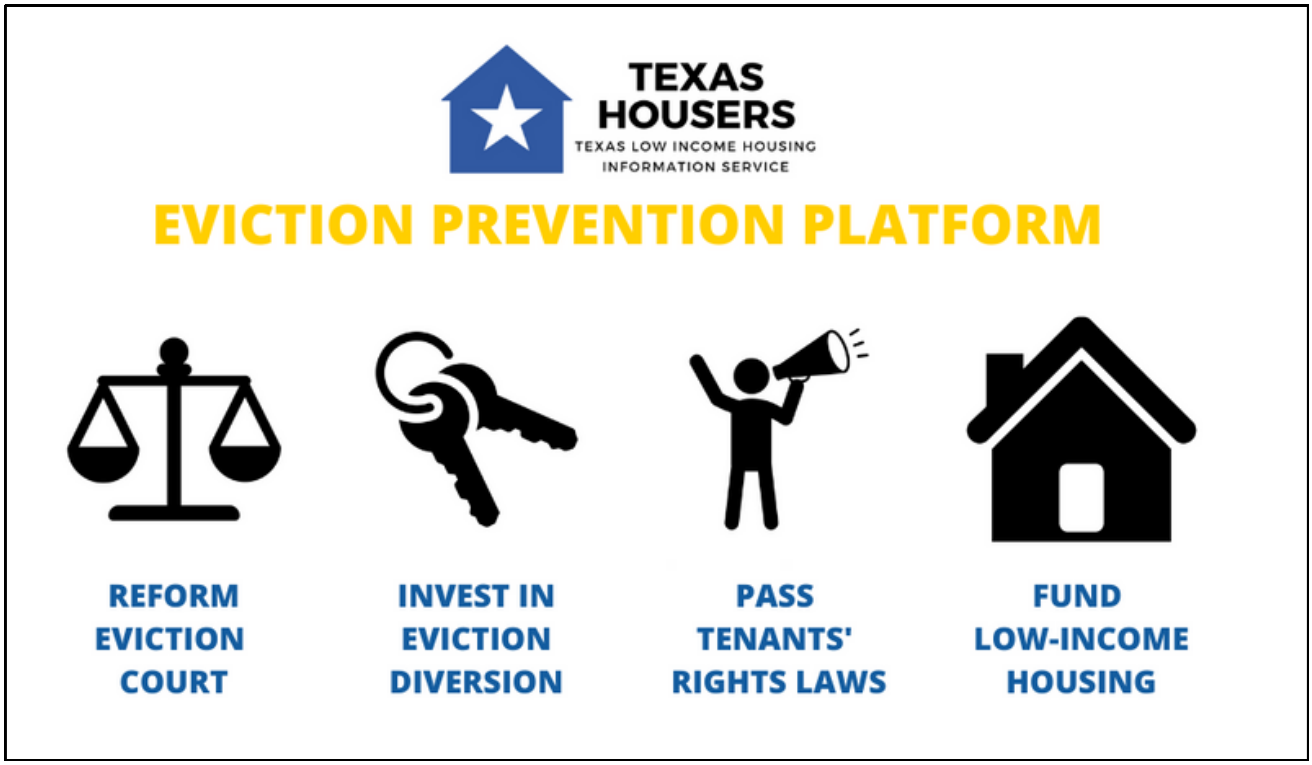
### 3. Strengthen and solidify community and non-profit relationships and networks.

ERA highlighted the important role that community-based organizations play in helping local governments operate efficient social programs that reach the most vulnerable. However, not all jurisdictions who sought CBOs' help with local ERA operations were able to obtain it. Many CBOs are understaffed and overworked, and in some places they simply do not exist. In order to ensure that CBOs are able to

coordinate and contribute effectively in future times of crisis and assist in the administration of social programs, local governments must support their coalition building and fundraising efforts in the present.

## 4. Develop a plan for emergency rental stabilization in the future and act on a plan for holistic eviction prevention in the present.

ERA proved to be a highly effective tool for stabilizing low-income renters through moments of crisis and diverting evictions, but the federal government never intended it as a measure for promoting long term housing stability. State and local governments must develop a plan for both stabilizing low-income renters through the next emergency crisis, and also develop and act on a plan for holistic eviction prevention in the present. Rents are skyrocketing in many places across Texas and evictions are once again on the rise. Jurisdictions must invest in measures that promote long term housing stability and justice, including eviction court reforms, strengthening tenants' rights, and the construction of new affordable housing.



# Recommendations for the federal government

## 1. Allocate more funding for rental assistance and emergency rental assistance to state and local governments.

With evictions on the rise in Texas and across the country, there is an undeniable need for additional rental assistance funding from the federal government. Local and state governments invested monumental amounts of time and money in the creation of rental assistance infrastructure under ERA. It would be a shameful waste of government resources to allow it to disappear now. There is real concern, however, that jurisdictions will be willing or able to preserve their ERA systems and capacities for very long without additional federal funding. The federal government must establish a permanent stream of rental assistance funding, such as that proposed in the Eviction Crisis Act.

## 2. For future programs similar to ERA:

- **Provide flexible guidelines and offer additional, hands-on guidance to jurisdictions with limited experience or additional challenges.**

ERA guidance was issued by the Treasury in the form of a generalized FAQ document. For jurisdictions that were already familiar with how to navigate a rental assistance program, this level of guidance was sufficient and the flexibility it offered was advantageous. Others that lacked experience and were creating a rental assistance infrastructure from scratch, however, were hesitant about operating under flexible guidelines. Rather, they needed an in-depth “how to” guide or, as several ERA administrators on the Texas-Mexico border suggested, an avenue for real time contact with the Treasury to ask questions that are too regionally-specific to be addressed in general guidance.

- **Have a plan for uncooperative local governments.**

Not all local government officials were inclined to allow program administrators to adopt the distribution practices that were necessary for an effective and equitable distribution of ERA, for reasons that may include ideological opposition to the initiative. In the future, the Treasury must be more direct in its communications if

conservative jurisdictions are to adopt progressive distribution practices that prioritize effective eviction prevention over all else.

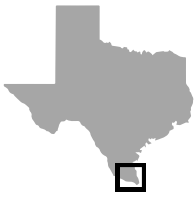
- **Set requirements or strongly recommended guidelines for programmatic relationships between jurisdictions with overlapping service areas.**

In areas of the state that were served by multiple ERA programs, including city, county, and state, a lack of cross-jurisdiction coordination caused inefficiencies. Tenants and landlords struggled to navigate the application process and programs were forced to spend time identifying and recapturing benefits that were duplicated across multiple programs. The federal government should encourage collaboration, communication, coordination, and (where possible) shared technology infrastructure between jurisdictions.

# Appendix: Programmatic Data

Below are line graphs depicting programs' monthly ERA1 and ERA2 expenditure rates as well as pie charts and bar graphs illustrating the income, racial, and ethnic makeups of their recipient pools as of June 2022. Expenditures are indicated on the line graphs as a percent of total funding, excluding the 10% allowance for administrative expenses under ERA1 and the 15% allowance for administrative expenses under ERA2. (In order words, a 100% ERA1 expenditure ratio as indicated on the below graphs equates to an actual expenditure of 90% of the jurisdiction's total ERA1 award and an 100% ERA2 expenditure ratio equates to an actual expenditure of 85% of its ERA2 award). A red vertical line on the line graphs marks the point at which a jurisdiction either lost a portion of its original funding or received additional funding in the Treasury's first two rounds of ERA1 reallocation. The results of the first round of reallocation were announced in January 2022 and the results of the second round were announced in March 2022.

# Cameron County

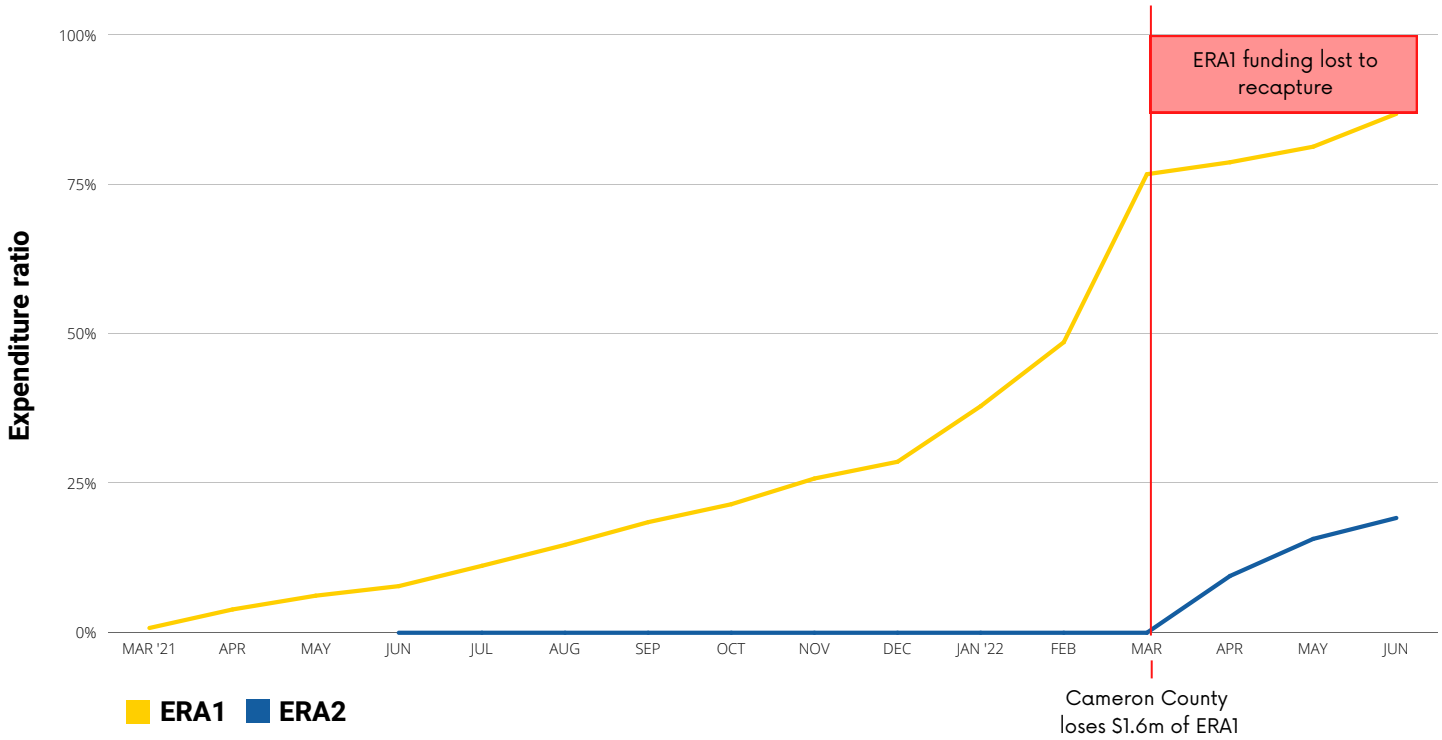


Total population:
**423,029**

ERA1 award:
**$12.8M**

ERA2 award:
**$13.3M**

## ERA Expenditures




Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

Income and demographic information about Cameron County's ERA recipients is missing from this report due to the county's failure to respond to our public information request. Local governments **must** be transparent and share data with researchers and the public so that the effectiveness of policies that impact low-income renters can be monitored and understood.

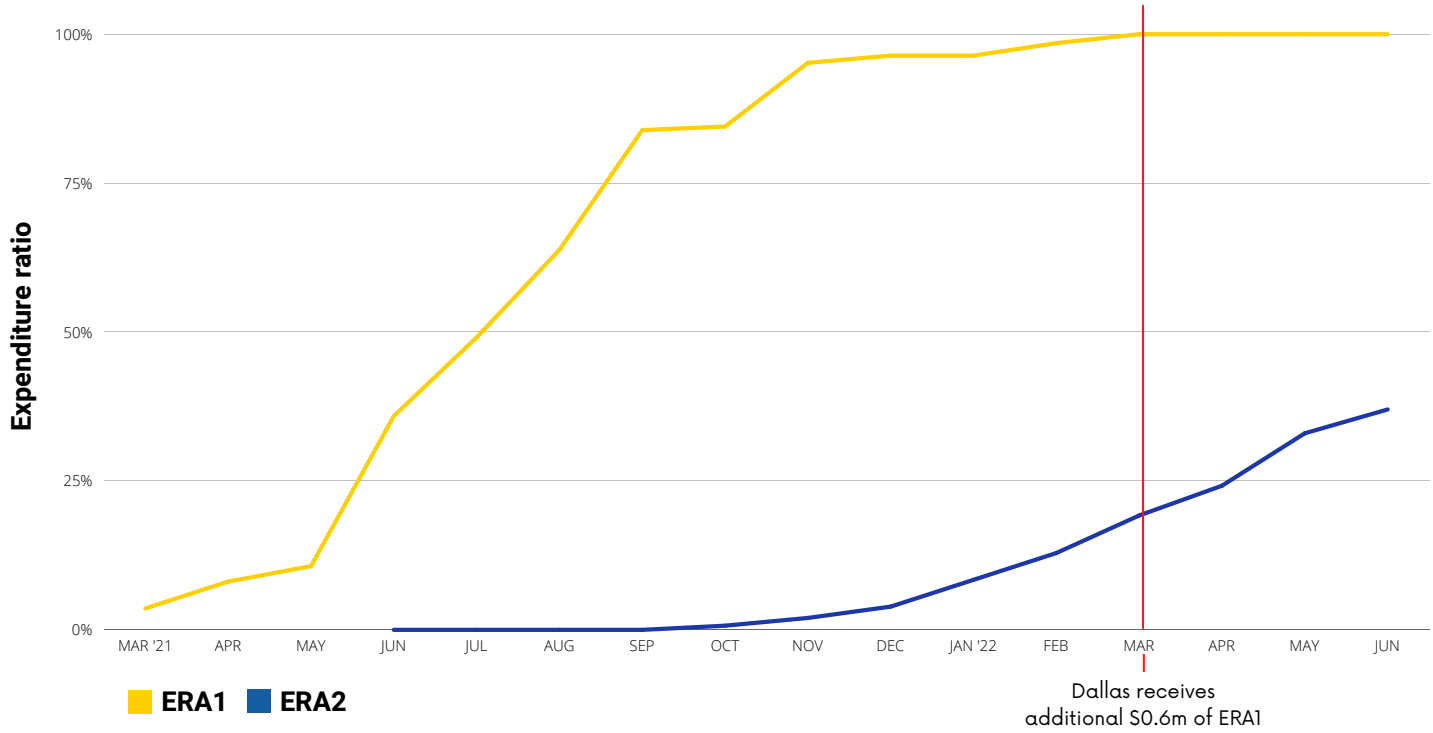
# City of Dallas

Total population:
**1.3 million**

ERA1 award:
**$40.6M**

ERA2 award:
**$50.2M**

## ERA Expenditures

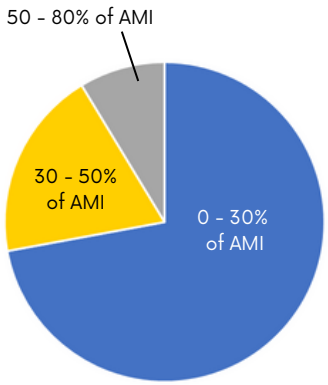



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

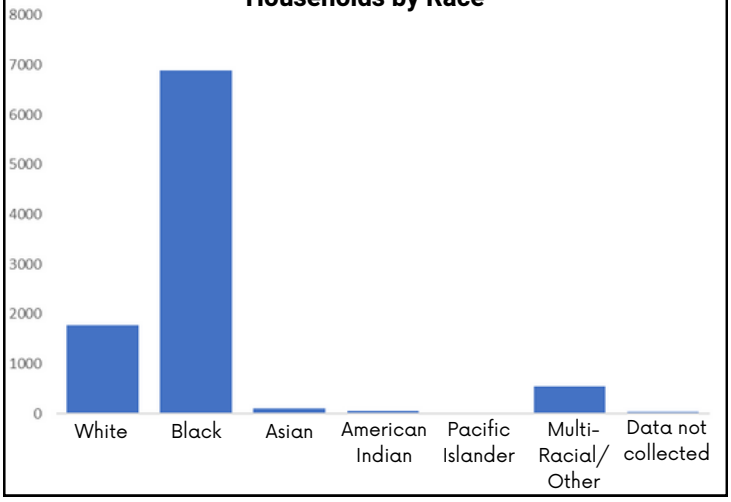
## Recipient Characteristics

Households assisted by June 2022: **9,422**

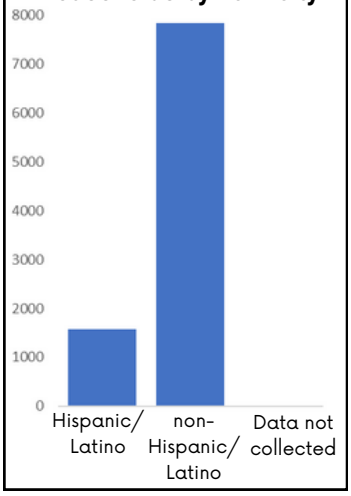
### Households by Income




### Households by Race

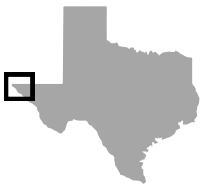



### Households by Ethnicity




Source: City of Dallas Office of Community Care

# City of El Paso

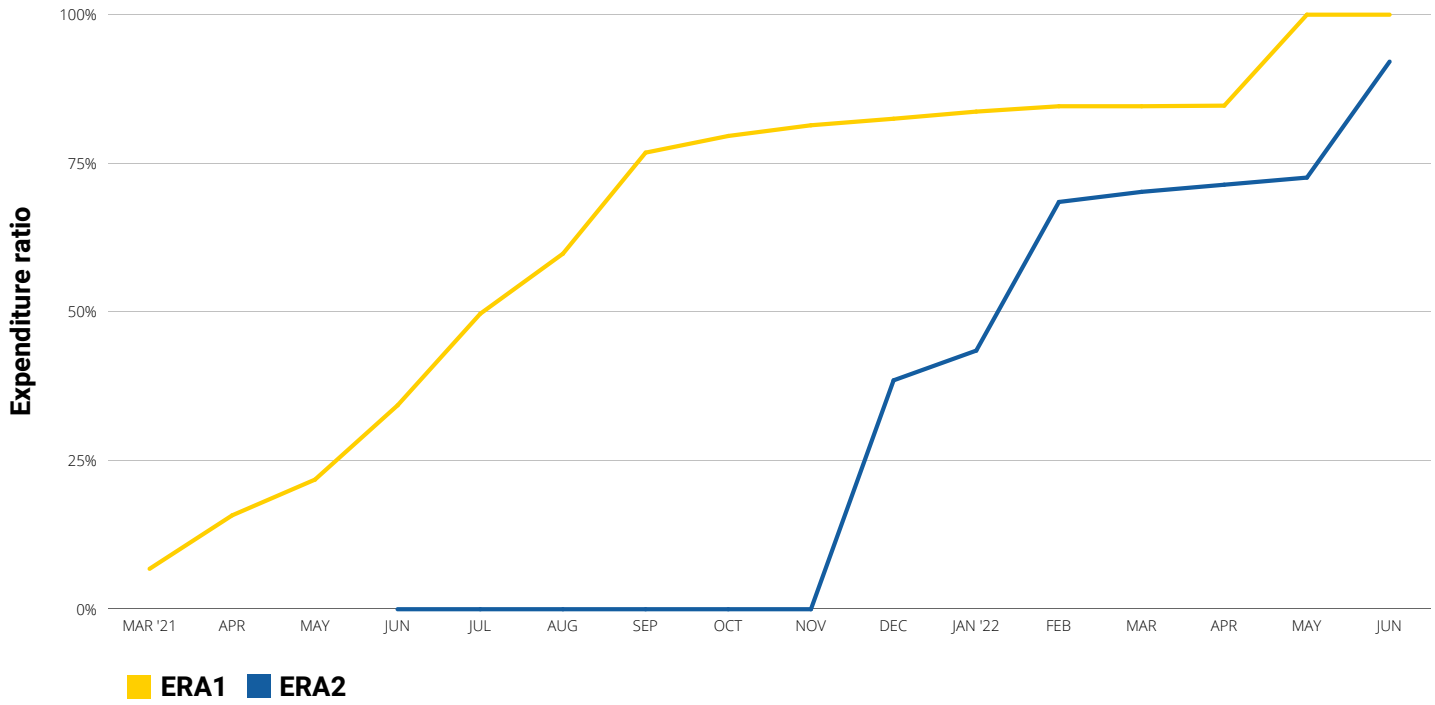


Total population:
**678,422**

ERA1 award:
**$20.6M**

ERA2 award:
**$16.3M**

## ERA Expenditures

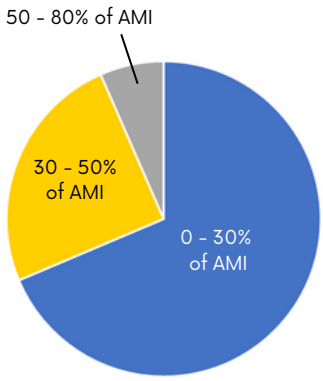



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

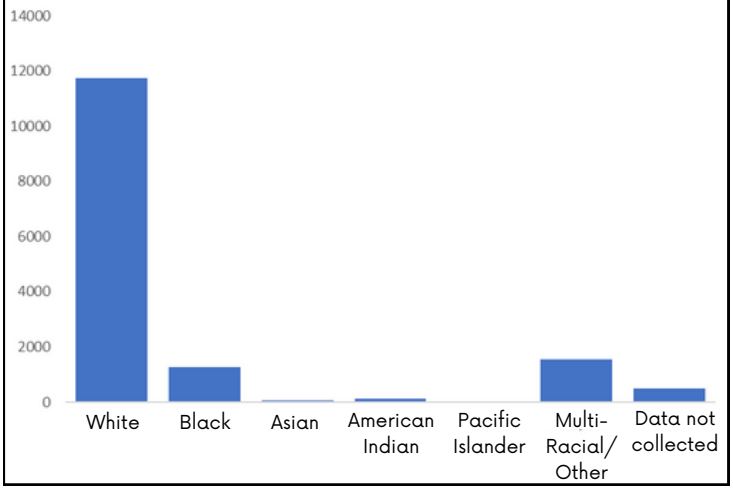
## Recipient Characteristics

households assisted by June 2022: **15,232**

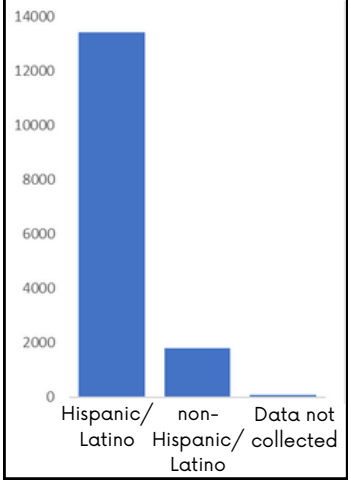
### Households by Income




### Households by Race




### Households by Ethnicity




Source: City of El Paso Office of the City Attorney

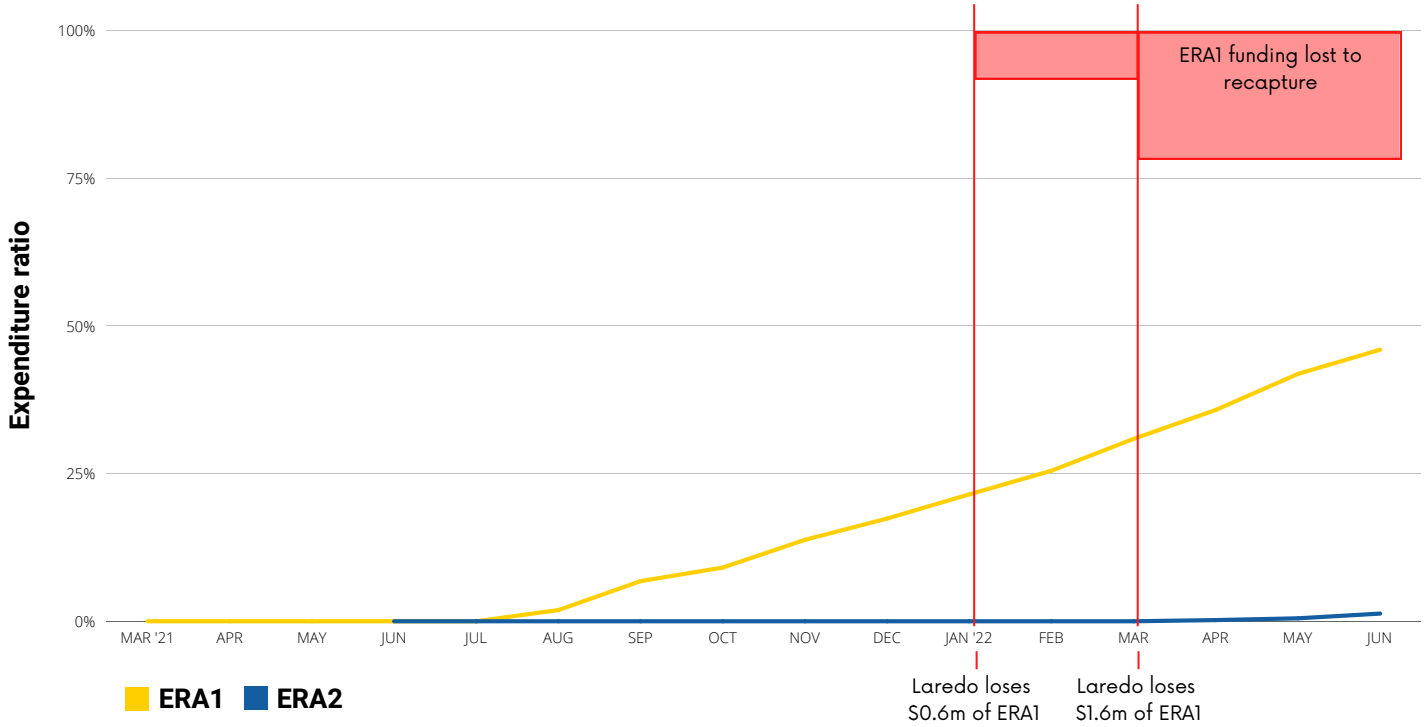
# City of Laredo

Total population:
**258,014**

ERA1 award:
**$7.9M**

ERA2 award:
**$8.3M**

## ERA Expenditures

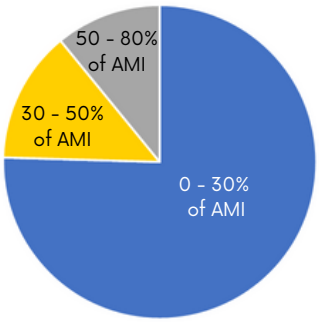



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

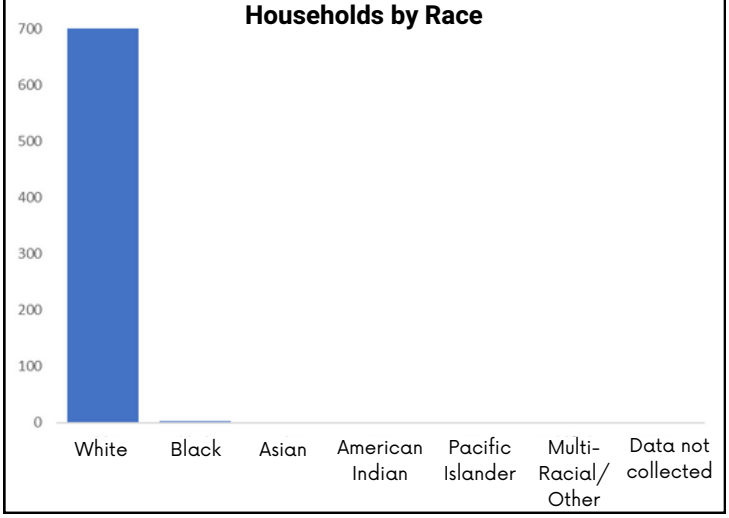
## Recipient Characteristics

Households assisted by June 2022: **705**

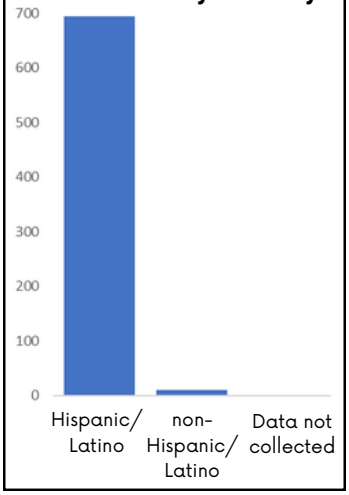
### Households by Income




### Households by Race




### Households by Ethnicity




Source: Laredo City Attorney's Office

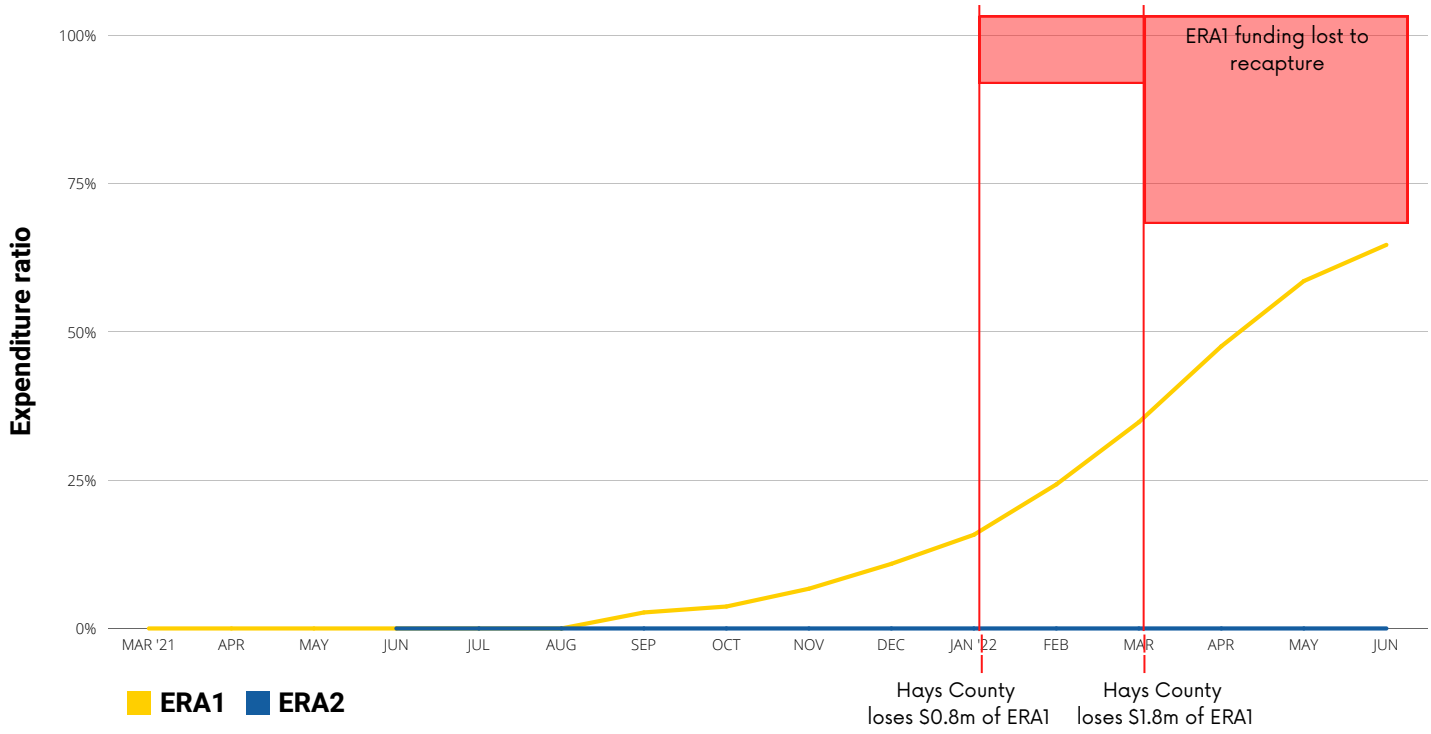
# Hays County

Total population:
**255,397**

ERA1 award:
**$7.0M**

ERA2 award:
**$7.6M**

## ERA Expenditures

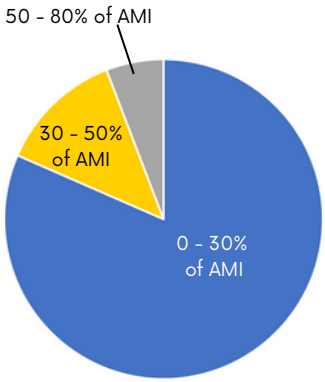



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

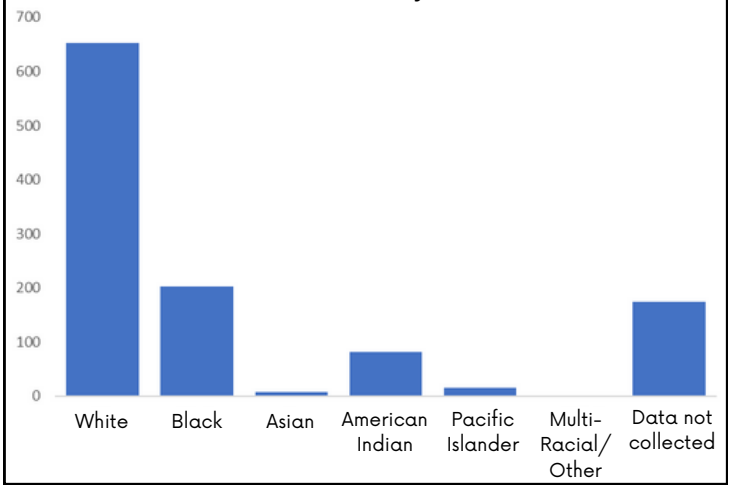
## Recipient Characteristics

Households assisted by June 2022: **1,134**

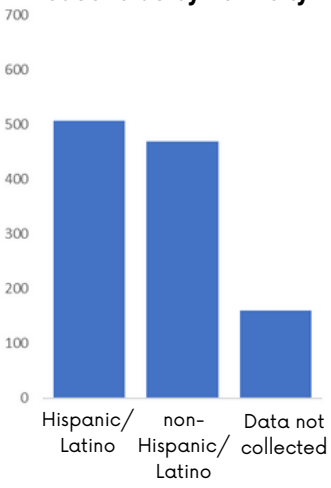
### Households by Income




### Households by Race




### Households by Ethnicity




Source: Hays County Office of General Counsel

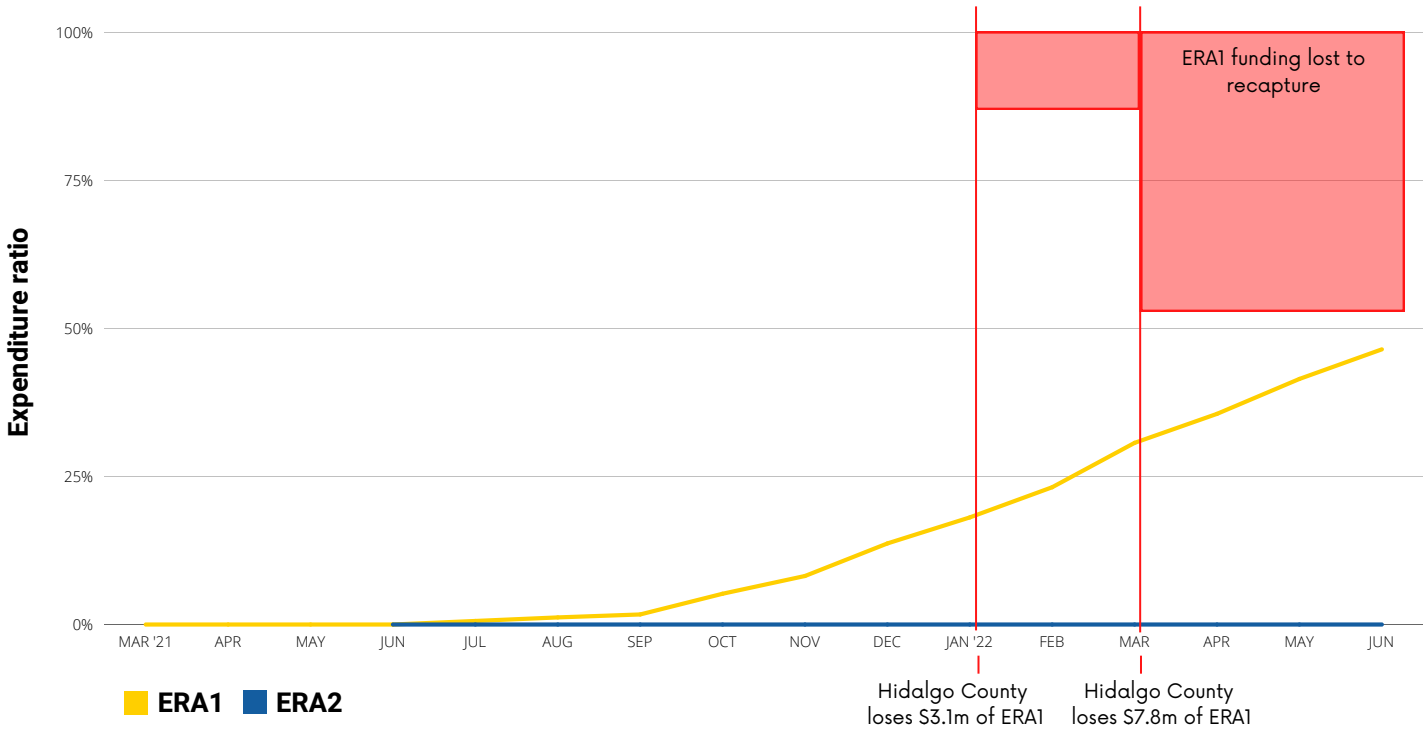
# Hidalgo County

Total population:
**880,356**

ERA1 award:
**$26.2M**

ERA2 award:
**$26.6M**

## ERA Expenditures

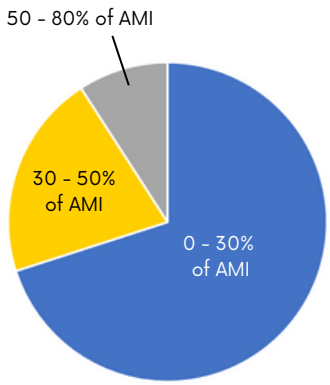



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

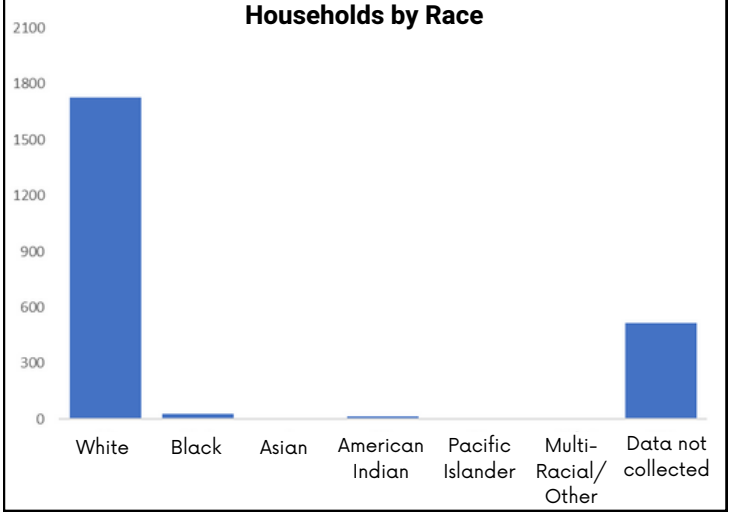
## Recipient Characteristics

Households assisted by June 2022: **2,290**

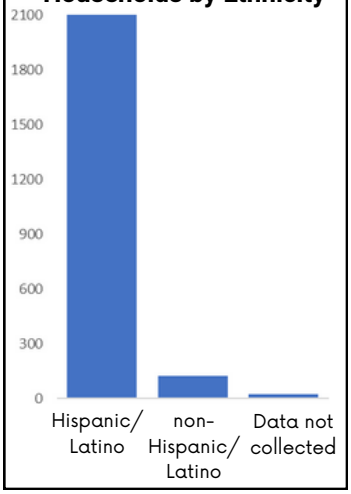
### Households by Income




### Households by Race




### Households by Ethnicity



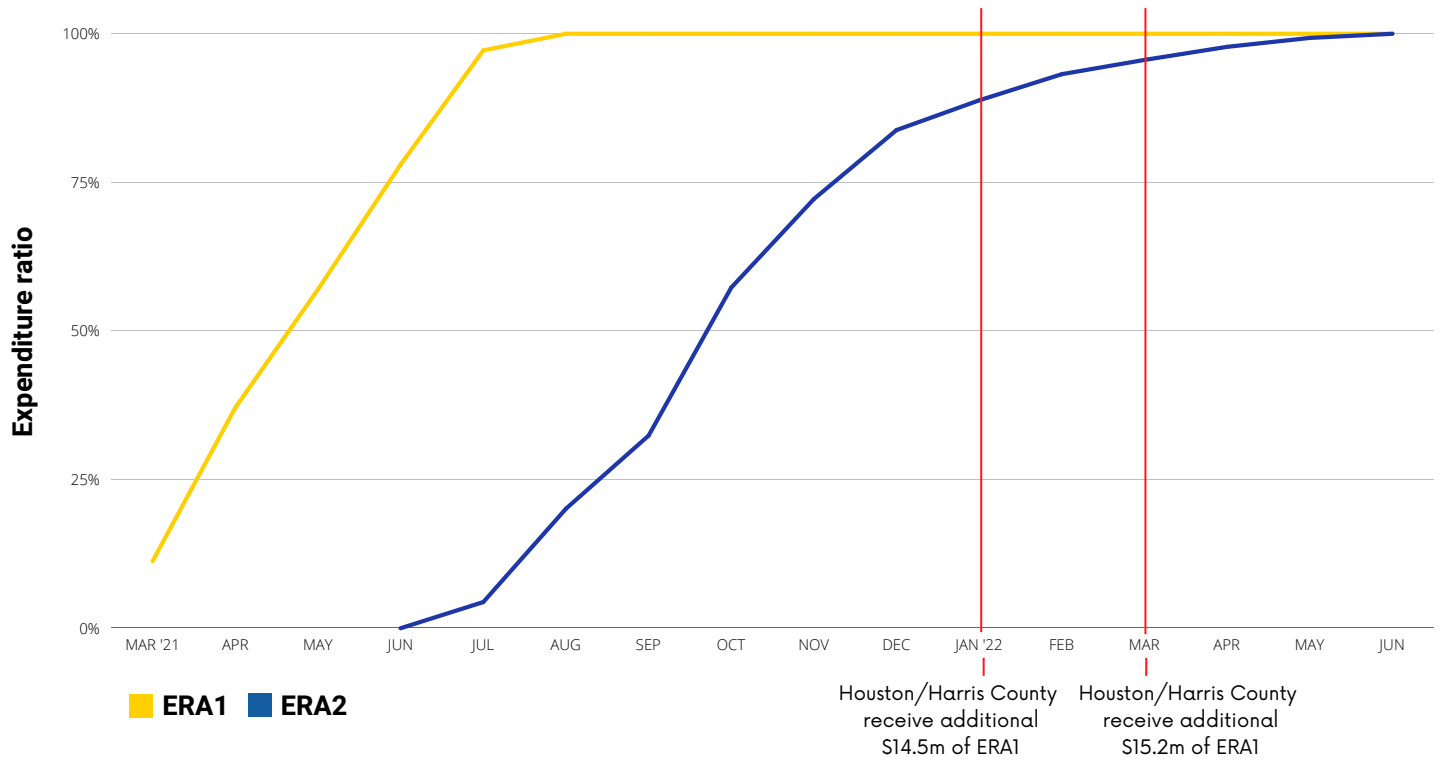

Source: Hidalgo County Executive Office

# Houston/ Harris County

Total population (County):
**4.7 million**

ERA1 award:
**$143.9M**

ERA2 award:
**$157.5M**

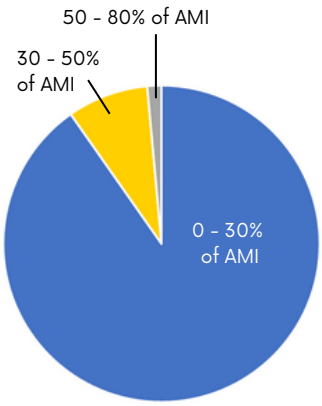



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

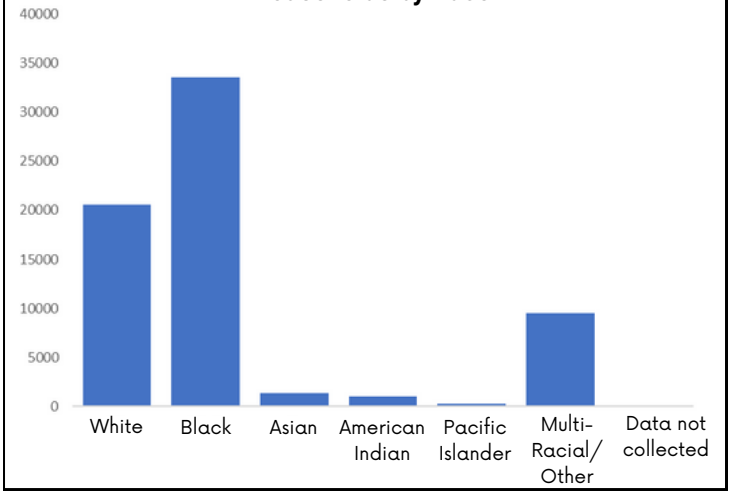
## Recipient Characteristics

Households assisted by June 2022: **66,551**

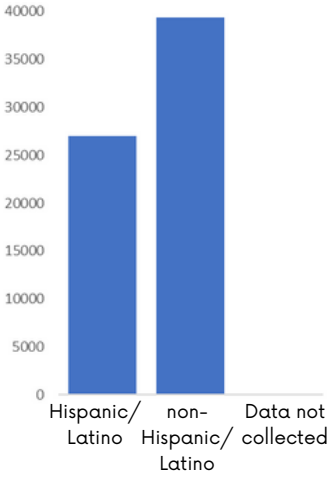
### Households by Income




### Households by Race




### Households by Ethnicity




Source: Harris County Office of Administration

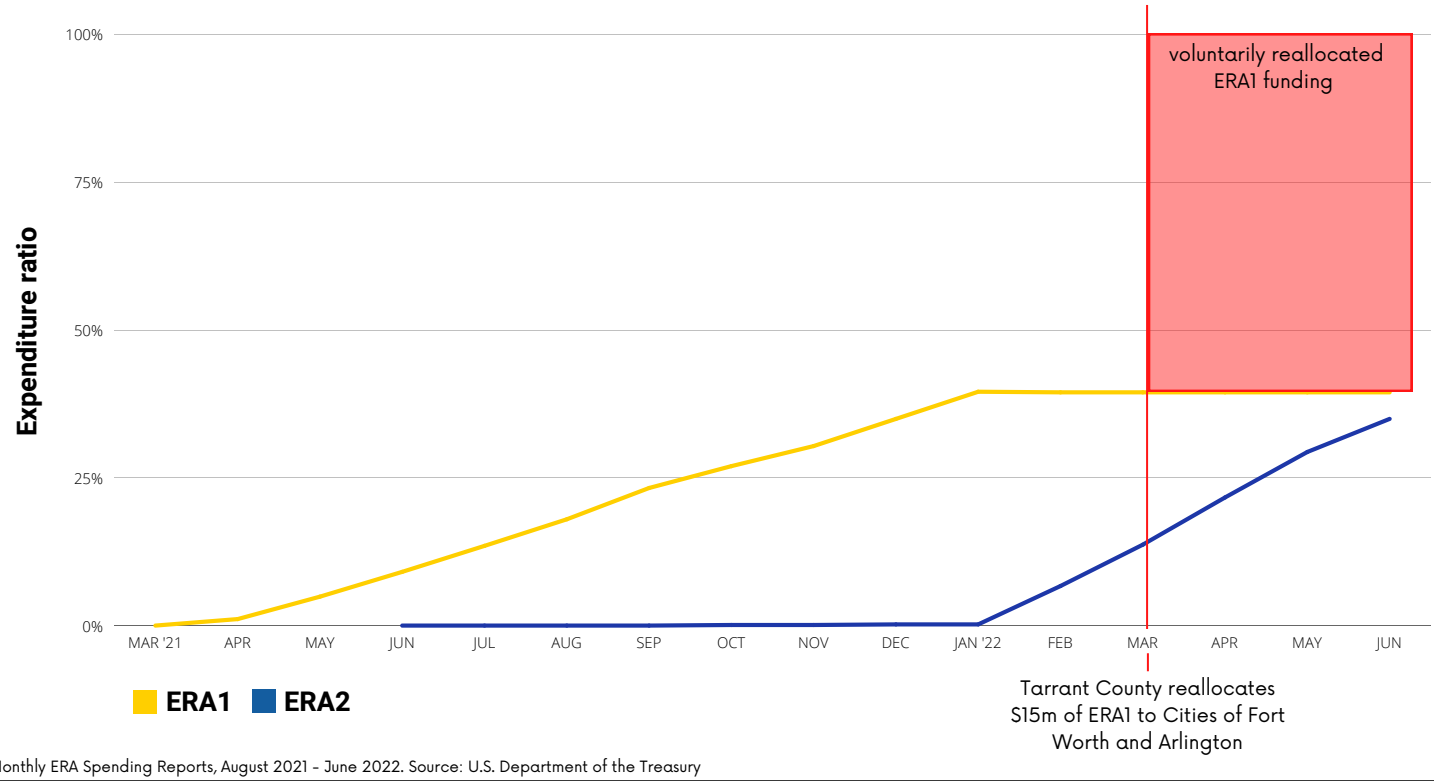
# Tarrant County

Total population:
**2.1 million**

ERA1 award:
**$24.3M**

ERA2 award:
**$26.4M**

## ERA Expenditures

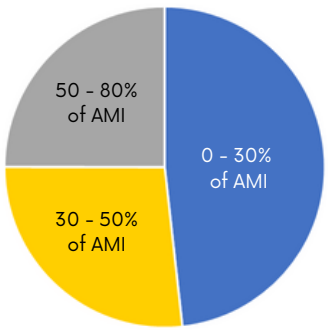



Monthly ERA Spending Reports, August 2021 - June 2022. Source: U.S. Department of the Treasury

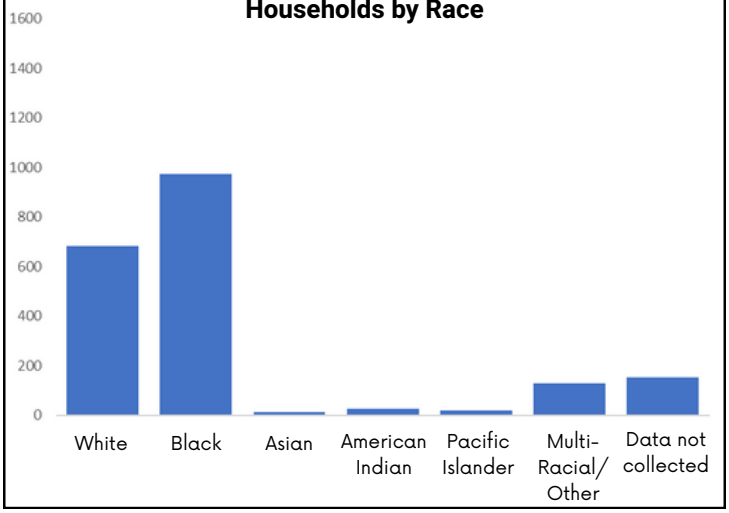
## Recipient Characteristics

Households assisted by June 2022: **1,996**

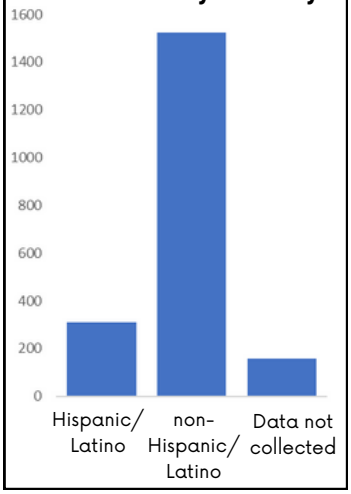
### Households by Income




### Households by Race




### Households by Ethnicity




Source: Tarrant County District Attorney's Office

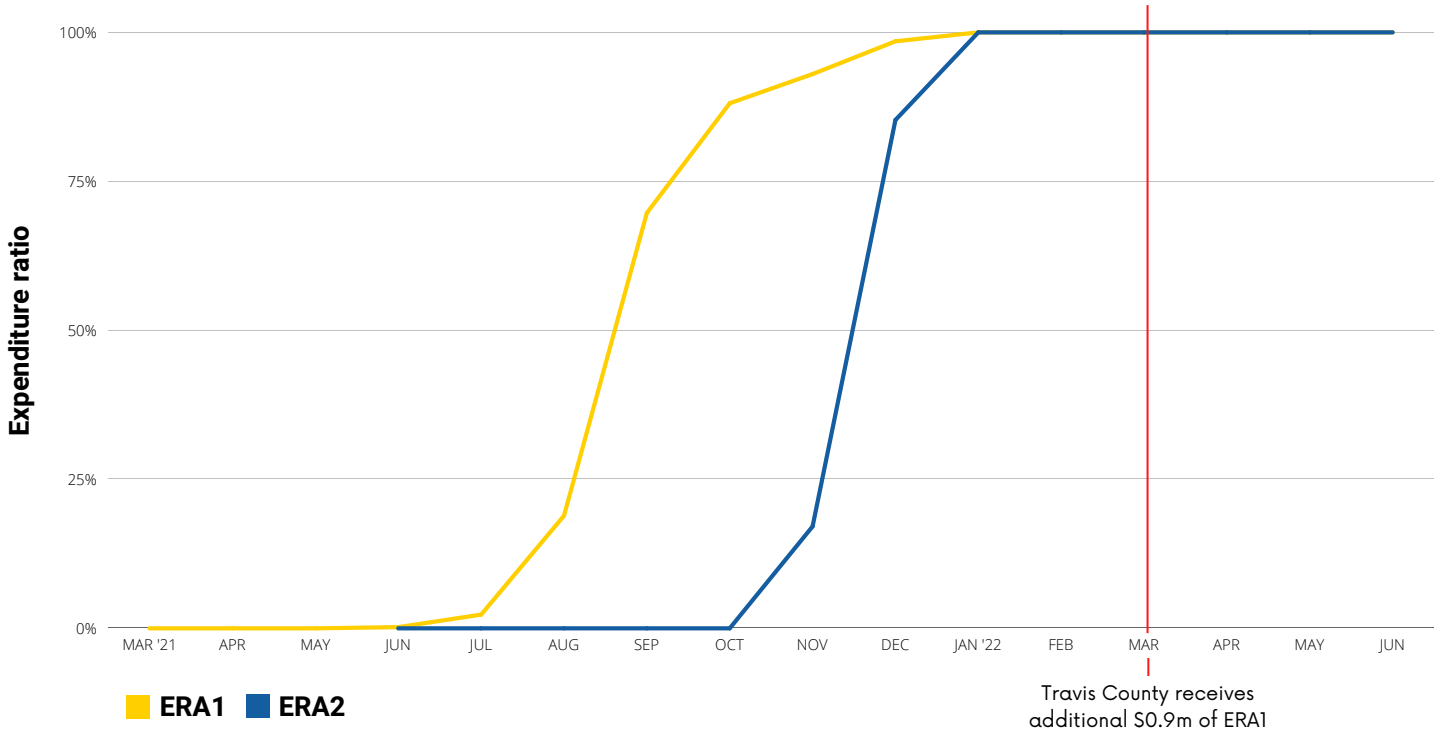
# Travis County

Total population:
**1.3 million**

ERA1 award:
**$10.6M**

ERA2 award:
**$8.4M**

## ERA Expenditures

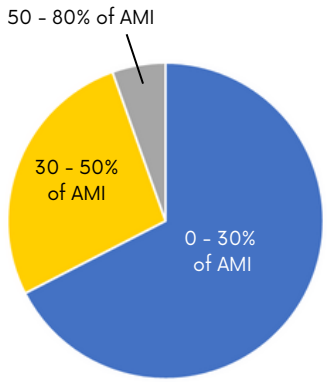



Monthly ERA Spending Reports, August 2021 – June 2022. Source: U.S. Department of the Treasury

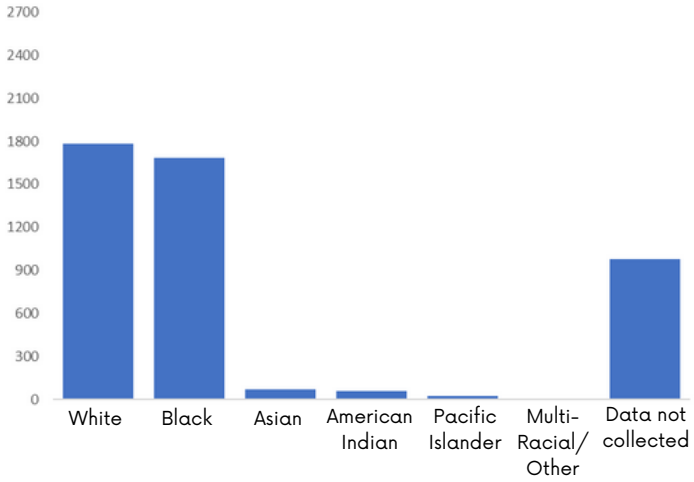
## Recipient Characteristics

Households assisted by June 2022: **4,600**

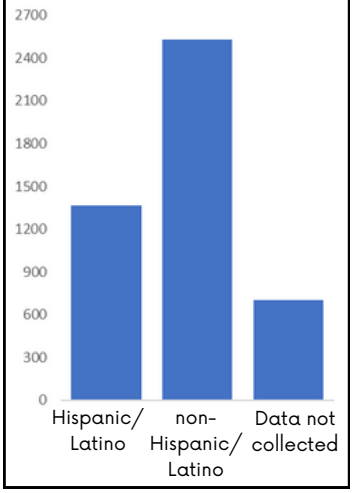
### Households by Income




### Households by Race




### Households by Ethnicity




Source: Travis County Auditor's Office

# Endnotes


1. Eviction diversion tracker. Texas Housers. (2022, October 12). https://texashousers.org/dashboard/#dashboard
2. See note 1
3. Fifty-Sixth Emergency Order Regarding the COVID-19 State of Disaster (Supreme Court of Texas October 31, 2022).
4. H.R.133 - Consolidated Appropriations Act, 2021 (2021). bill. https://www.congress.gov/bill/116th-congress/house-bill/133/text.
5. See note 1
6. Hoke, M. K., & Boen, C. E. (2021). The health impacts of eviction: Evidence from the national longitudinal study of adolescent to adult health. Social Science & Medicine, 273. https://doi.org/10.1016/j.socscimed.2021.113742