



THE RIGHT TO COUNSEL FOR TENANTS FACING EVICTION: ENACTED LEGISLATION

Even before COVID-19, there were over [3.6 million evictions filed every year](#), demonstrating the system has been in crisis for some time. And the stakes are severe because tenants who have been evicted don't just lose their immediate housing: they also face losses of mental and physical health, child custody, employment, educational attainment, and physical property. Those made homeless by eviction risk incarceration and criminal prosecution, and during COVID-19, evicted tenants faced increased [exposure to the virus](#). In addition, [even a filing of eviction](#), regardless of the outcome, reduces housing opportunities and can remain on a tenant's record for years. These consequences are not experienced equally: Black female renters face eviction [twice as often](#) as white tenants. Yet when facing an eviction, on average [only 3% of tenants are represented, compared to 81% of landlords](#).

Tenant representation decreases the likelihood and overall impact of these consequences. **Here's just a sampling of what we know about the effectiveness of right to counsel (sources available on our [website](#)):**

- **New York City:** 84% of represented tenants have remained in their homes, while the filing rate and default rate have decreased by 30%.
- **San Francisco:** 59% of represented tenants have remained in their homes, and of the 30% who did not remain in their unit, 70% received a favorable settlement.
- **Cleveland:** 93% of clients avoided an eviction judgment or an involuntary move. 83% of clients who desired rental assistance were able to obtain it, and of the 21% of clients who were unaware of rental assistance at the time they contacted Legal Aid, approximately 98% wanted rental assistance and Legal Aid helped 81% of those clients obtain it.
- **Boulder:** 63% of represented cases avoided eviction, which was a 26% increase.
- **Kansas City:** The pre-RTC eviction rate was 99% and in the first 3 months of RTC it was less than 20%. Most recently, of all the resolved cases, 91.5% of tenants have avoided eviction, compared to the 99% of tenants who were evicted before RTC.
- **Toledo:** Nearly 88% of tenants in closed cases avoided eviction.
- **Connecticut:** Of the 82% of clients that wanted to prevent an involuntary move, 71% achieved that goal.
- **WA State:** Tenants remained in their homes in more than 50% of closed cases where the result is known.

And here is a sampling of additional data on tenant representation effectiveness:

- **Oklahoma:** A [research brief](#) from Open Justice Oklahoma found tenant legal representation increased the odds of unit retention by 75%.
- **Massachusetts:** For a recent statewide COVID eviction legal help project providing full representation to low-income tenants, 90% of cases resulted in positive outcomes, with 70% of tenants remaining in their homes and 20% of tenants having more time to find a place to live.
- **California:** A [study](#) found that fully represented tenants stayed in their units three times as often as those receiving limited or no legal assistance. When tenants did have to move, fully represented tenants were given twice as long to do so.
- **Minnesota:** A [study](#) out of Hennepin County found that represented tenants were twice as likely to stay in their homes, received twice as long to move if necessary, and were four times less likely to use a homeless shelter than those without counsel. 78% of represented tenants left with a clean eviction record, compared to 6% of unrepresented tenants.
- **Denver, CO:** A [study](#) found that represented tenants remained in their homes 70-100% of the time, compared to 32% of unrepresented tenants. For unrepresented tenants, the dispossession rate was 43% (Denver Housing Authority cases) and 68% (private housing cases).

- **Overall:** Stout LLC, a financial analysis company that has [produced extensive right to counsel reports for numerous cities](#), has consistently found that a right to counsel leads to more than 90% of tenants avoiding disruptive displacement.

In recognition of the interests at stake, effectiveness of counsel, power imbalance between landlords and tenants, race equity considerations, and cost savings, **17 cities, 5 states, and 1 county** have enacted a right to counsel for tenants facing eviction in just the past four years, and the movement is still growing. The movement's success has a great deal to do with the commitment and efforts of community organizers around the country. We at the [National Coalition for a Civil Right to Counsel \(NCCRC\)](#) support the efforts of organizers, legal services organizations, policymakers, and other stakeholders by providing technical support, campaign guidance, research resources, and supportive testimony.

EVICTION RIGHT TO COUNSEL JURISDICTIONS

**NOTE: the links below will take you to a full summary for each jurisdiction, which includes a link to the actual law.
To see a summary of parameters for all the jurisdictions, continue to page 4.**

CITIES

New York City (2017)	Denver (2021)
San Francisco (2018)	Toledo (2021)
Newark (2018)	Minneapolis (2021)
Cleveland (2019)	Kansas City (2021)
Philadelphia (2019)	New Orleans (2022)
Boulder (2020)	Detroit (2022)
Baltimore (2020)	Jersey City (2023)
Seattle (2021)	St. Louis (2023)
Louisville (2021)	

COUNTIES

[Westchester County](#) (2023)

STATES

[Washington](#) (2021)
[Maryland](#) (2021)
[Connecticut](#) (2021)
[Minnesota](#) (2023)
[Nebraska](#) (2024)


The information provided herein is not legal advice.

For additional resources and information about the right to counsel in eviction cases, and other civil legal areas, please visit the National Coalition for a Civil Right to Counsel at www.civilrighttocounsel.org.


Tenant Right to Counsel – Quick Reference Guide

Jurisdiction	Eligibility Req's?	Type of Rep?	Housing Subsidy Terminations?	Public housing cases?	Affirmative Proceedings?	Notice to Tenant of Assistance	Timing/Duration of Assistance	Appeals?	Funding Source
New York City (2017)	Income (200% or less of FPL) or are a senior	Full rep for income-eligible tenants; brief assistance for others	No (but does cover NYCHA terminations)	Yes	No	Not specified	Begins no later than first scheduled or as soon thereafter as is practicable. Duration not specified.	Not specified	General revenue (\$166 million)
San Francisco (2018)	No, but if LL lives in same dwelling unit it's exempted.	Not specified	Yes	Possibly	No	Not specified	Begins 30 days after tenant served with eviction notice or upon service of unlawful detainer complaint, whichever is first. Lasts until judgment or case withdrawn or dismissed.	Not specified	General revenue (\$17 million)
Newark (2018)	Income (200% or less of FPL)	Ongoing legal rep and all legal advice, advocacy, and assistance associated w/such rep	Yes	Possibly	No	Not specified	Begins no later than first scheduled appearance or as soon thereafter as is practicable. Duration not specified.	No (except rent control bd decisions)	General revenue (\$750,000) + private funding (unknown amt)
Cleveland (2019)	Income (100% or less of FPL) + 1 child	Full rep unless infeasible to render	No	No	No	Not specified	Begins as soon as possible after initiation of proceeding, and no later than first scheduled appearance. Duration not specified.	Not specified	General revenue (\$1 million over 2 years) + federal (\$1 million ARPA) + private (\$3 million)
Philadelphia (2019)	Income (200% or less of FPL)	Full rep	Yes	Yes	Yes (specified proceedings)	Not specified	Begins ASAP after initiation of proceeding, notice of intent to initiate proceeding, or when Designated Organization determines it should be initiated, and no later than first scheduled appearance. Duration not specified.	Yes	General revenue (\$2.8 million/yr for 4 years) + other City revenue (\$1.5 million) + private (\$1.5 million over 3 yrs)


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Boulder (2020)	No	Full rep	Yes	No	Yes (to suppress eviction record from prior proceeding)	Notice of RTC must be provided along with notice to quit/termination of voucher or demand for compliance.	Begins as soon as tenant is “threatened with an action that may result in eviction” or notice of Section 8 termination. Lasts until matter withdrawn or dismissed, or receives final judgment.	Yes	Rental license excise tax raised to \$75
Baltimore (2020)	No (but low-income priority)	Ongoing legal rep all legal advice, advocacy, and assistance associated w/such rep. Includes filing of notice of appearance	Yes	Yes	Yes (specified proceedings)	Notice of RTC must be provided along with lease as well as upon serving of eviction complaint or Section 8 termination.	Begins as soon as practicable after initiation but no later than first appearance if possible. Duration not specified.	Yes	Federal (originally \$2.5 million CDBG-CV; now \$1 million ARPA, \$200k general revenue, \$400k from sheriff’s budget)
Seattle (2021)	Indigency (unable to pay counsel costs)	Not specified	No	No	No	Notice of RTC must be provided with any notices/summons given to tenant as part of eviction process, and failure to do so is defense to eviction.	Begins as soon as practicable after service of summons for unlawful detainer suit. Lasts at least until complaint is withdrawn, case is dismissed, or judgment is entered.	Not specified	General revenue (\$750,000)
Louisville (2021)	Income (125% or less of FPL)	Full rep unless infeasible to render	No	No	No	Not specified	Begins as soon as possible after initiation of proceeding, and no later first scheduled appearance. Duration not specified.	Not specified	Originally ERAP, now general revenue (\$500k)
Denver (2021)	Income (80% or less of AMI)	Full rep	Yes	Possibly	No	Notice of RTC must be given at time of	Begins as soon as practicable after initiation proceeding, but no later than first	Yes	Federal (\$2.7 million ARPA)

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						executing lease, at all times of rent demands, or upon notice to terminate subsidy.	scheduled appearance. Duration not specified.		
Toledo (2021)	Income (200% or less of FPL)	Full rep unless infeasible to render	No	No	No	Not specified	Begins as soon as possible after initiation of proceeding and no later than second scheduled appearance in the proceeding. Duration not specified.	Yes	General revenue (\$1.25 million over 5 years)
Minneapolis (2021)	No (program director can change)	Ongoing legal rep and all legal advice, advocacy, and assistance associated w/such rep, but can be modified by Program Director	No	Possibly	No	Not specified	Begins prior to first scheduled appearance in covered proceeding. Lasts "thereafter at all covered proceedings."	Yes (pgm dir. can change)	Was federal (\$1 million ERAP) and general revenue (\$250k), but now \$750k in general revenue
Kansas City (2021)	No	Full rep	No	No	No	Notice of RTC must be provided to all current tenants and to new tenants prior to lease execution.	Begins immediately after suit is filed. Lasts at least until case is dismissed or final judgment entered.	Yes (atty can file for de novo trial where appropriate)	General revenue (\$1.6 million) + federal (\$1.8 million ERAP)
New Orleans (2022)	No	Not defined	Yes	Yes	Yes (seeking injunctive relief for illegal eviction)	Notice of RTC must be provided when eviction proceeding commenced, when notice of	Begins upon receipt of notice of eviction, termination of tenancy, or lease non-renewal. Duration not specified.	Yes (where appropriate)	Federal (\$2 million ERAP)

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						subsidy termination is issued, and by the court when rule for possession is served.			
Detroit (2022)	Income (200% or less of FPL)	Full rep	Yes	Yes	No	Not specified	Begins no later than first scheduled appearance or as soon thereafter as is practicable and as scheduled by the court. Lasts through any post-judgment process.	Yes	State (\$2.5 million general revenue) + federal (\$6 million ARPA per year for 3 years) + private (\$12 million over 3 years)
Westchester County (2023)	Income (below 300% of FPL or below 60% of AMI for full rep)	Full rep for income-eligible individuals; brief legal assistance for all others	Yes	Yes	Yes (improper rent increases, restoring tenant to occupancy, restoration or maintenance of essential services)	Not specified	Begins as soon as practicable. Duration not specified.	Yes	General revenue (\$250k)
Jersey City (2023)	No, although current funding only covers those at 80% or below of AMI	Full rep	Yes	Yes	Yes (violations of rent control or building maintenance laws)	Owners must provide notice of RTC at time of executing lease, upon any rent demand, and at time of service of notice of eviction.	Begins "as early as immediately after service of eviction/ejectment notice or service of unlawful detainer complaint", and no later than 1 week prior to first appearance in court. Duration not specified.	Yes (subject to discretion)	Developer fees (anticipated \$4 million)
St. Louis (2023)	No	Full rep	Yes	Yes	No	Owners must provide notice of RTC at same time as serving notice to terminate tenancy.	Begins as soon as LL provides notice to terminate or not renew a tenancy, or as soon thereafter as is practicable. Duration not specified.	Yes (if designated org deems meritorious)	Federal (\$685k FRF)

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Jurisdiction	Eligibility Req's?	Type of Rep?	Housing Subsidy Terminations?	Public housing cases?	Affirmative Proceedings?	Notice to Tenant of Assistance	Timing/Duration of Assistance	Appeals?	Funding Source
Washington State (2021)	Indigency (200% or less of FPL or receiving public assistance)	Not specified	No	No	No	Notice of RTC must be provided along with notice to quit and with summons / complaint.	Begins when the eviction lawsuit is commenced by either service of an eviction summons or filing of the case, and continues as long as the right to possession remains the primary issue, including appeals.	Yes	General revenue (\$11.4 million)
Maryland (2021)	Income (50% or less of state's area median income)	All rep beyond brief legal advice and is not limited to the formal entry of appearance in court	Yes	Yes	Yes (constructive evictions)	Notice of RTC provided by sheriff at time of serving of summons/complaint.	Begins as soon as possible after serving of notice to terminate, initiation of eviction, or when designated org determines it must initiate filing related to constructive eviction. Duration not specified.	Yes if designated org deems meritorious)	Abandoned property fund (\$11.8 million) and general revenue (\$3.5 million)
Connecticut (2021)	Income (80% or less of state's area median income, or receiving one of the listed kinds of public assistance)	Rep in covered matter and all legal advice, advocacy and assistance associated w/such rep	Yes	Yes	No	Notice of RTC must be served with notice to quit, summons / complaint, lease termination notice, and notice to terminate subsidy.	Receipt of notice to quit is included in definition of "covered matter", so it begins that early.	Not specified	Federal (\$20 million FRF)
Minnesota (2023)	Public housing tenants facing breach of lease	Not specified	No	Yes	No	Notice of RTC must be in complaint.	Counsel appointed at initial hearing. Duration not specified.	No	General revenue (\$60k)
Nebraska (2024)	Public housing tenants in "cities of the metropolitan class"	Not specified	Yes	Yes	No	Not specified	Counsel appointed prior to hearing.	No	Unclear, but PHA pays after appointed counsel fee determined by court

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
RIGHT TO COUNSEL FOR TENANTS: LOCAL ENACTMENTS			
<p>NEW YORK CITY (2017)</p> <p>Code Provisions: § 26-1301 et seq (original bill) Int 673 (seniors; not yet codified)</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Covers any summary proceeding in housing court to evict a covered individual, and New York City Housing Authority (NYCHA) administrative proceedings to terminate tenancy.</p> <p>Covered Individuals: All respondents in covered proceedings have access to brief legal assistance. Tenants with income that is 200% or less of the Federal Poverty Level (FPL) are eligible for full legal representation. All NYCHA tenants receive access to legal services, defined as brief legal assistance or full legal representation. Also, anyone who is a senior is eligible regardless of income.</p> <p>Type of Representation: full representation for income-eligible tenants; brief assistance for others.</p> <p>Timing/Duration of Representation: No later than first scheduled or as soon thereafter as is practicable. Duration not specified.</p> <p>Notice to Tenants: Not specified</p>	<p>Program Title: “Universal Access to Legal Services” / “Right to Counsel”</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Fully implemented. Prior to the passage of this law, NYC began funding legal services for tenants facing eviction more substantially. The local law was implemented in 2017. The program is coordinated by the Office of Civil Justice (a new agency created under Human Resources Administration), and the coordinator is permitted to promulgate rules to effectuate the law. A 2021 amendment made implementation citywide as of 6/1/21.</p> <p>Funding: General revenue. Administration funding in FY22 is \$166 million.</p> <p>Service Providers: Designated organizations can be non-profits only.</p> <p>Expansion:</p> <ul style="list-style-type: none"> • Int. 1529-A (enacted): requires the Office of Civil Justice coordinator to work with community groups in educating tenants about their rights in housing court • Int. 2050-A (enacted): required implementation of access to legal services for tenants facing eviction proceedings in housing court citywide by 6/1/21 • Int 673 extended the right to counsel to all seniors regardless of income 	<p>Year Four Report findings:</p> <ul style="list-style-type: none"> • 71% of tenants are now represented in housing court and 84% of represented tenants were able to remain in their homes • 66% of NYCHA tenants were represented in administrative termination of tenancy proceedings and 100% of tenants represented in these proceedings were allowed to remain • Marshal evictions have declined 41% since 2013 when tenant representation funding began • Filings declined by approximately 30% between 2013 and 2019 <p>Reporting: A written annual report is required and must include:</p> <ul style="list-style-type: none"> • number of tenants of buildings operated by NYCHA that received legal services disaggregated by specific characteristics • outcomes of the proceedings immediately following legal services provision • expenditures for the program <p>Report archives are available online</p>
<p>SAN FRANCISCO (2018)</p>			

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
<p>Code Provisions: Chapter 58</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Covers all proceedings to evict tenants from their residence in San Francisco city and county. Might cover public housing / subsidy termination cases depending on interpretation of the word “evict”.</p> <p>Covered Individuals: No income limit; no other eligibility criteria to receive services. Does not apply where lives in same dwelling unit.</p> <p>Type of Representation: not specified</p> <p>Timing/Duration of Representation: Begins 30 days after tenant served with eviction notice or upon service of unlawful detainer complaint, whichever is first. Lasts until judgment or case withdrawn/dismissed.</p> <p>Notice to Tenants: Not specified</p>	<p>Program Title: Tenant Right to Counsel (TRC) (Ballot: No Eviction Without Representation Act)</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: City and County of San Francisco are required to establish, run, and fully fund the program. Coordinated by the Mayor’s Office of Housing and Community Development. Must be implemented within 12 months of enactment. Implementation began in 2019, but the program was not fully funded until 2021. Currently the program is fully implemented across city and county.</p> <p>Funding: General revenue. \$17 million was allocated in 2021.</p> <p>Service Providers: 10 legal services providers (non-profits), with Eviction Defense Collaborative serving as the lead agency for design and implementation.</p>	<p>From a hearing convened by City Supervisor Dean Preston in February 2020:</p> <ul style="list-style-type: none"> • 10% decrease in the filing rate from 2018 to 2019 • Of 2/3 of tenants receiving full-scope representation at this point, 67% stay in their homes (including 80% for Black tenants) • 85% of those receiving counsel are extremely low or low income (despite no income limit) <p>Reporting: No annual report specified.</p>
<p>NEWARK (2018)</p> <p>Code Provisions: Chapter 19:3</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Eviction proceedings and administrative/ grievance hearings with public housing and/or public agencies that provide rental assistance after agency has taken some action (including termination of or notice of termination of subsidy) that adversely affects a tenant’s rights, duties, welfare, or status and could result in eviction. After 2021 amendment, also includes appeals of rent control board decisions that adversely affect tenant’s rights, ability to pay rent, or otherwise retain occupancy.</p> <p>Covered Individuals: Income is 200% of FPL, residing in the city of Newark and “either facing eviction or some action by a governmental assistance-providing agency (including termination/ notice of termination of subsidy) that adversely affects a tenant’s rights, duties, welfare or status and could result in eviction, and whose case poses no conflict of interest to the city.” According to the Office of Tenant Legal</p>	<p>Program Title: Office of Tenant Legal Services program (no specific name).</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Passed by Newark City Council, with a “Declaration of Emergency.” Established the Office of Tenant Legal Services (“OTLS”) under the Department of Economic and Housing Development. After a 2021 amendment, “provision of legal services” includes a referral to the Law Department for appointment of an attorney from a Designated Organization independent of the Office of Tenant Legal Services program to provide free legal representation for covered proceeding.</p> <p>Funding: There is currently \$750,000 in City funding. The ordinance specifically provides “if authorized by State and Federal law, the creation of a Landlord Tenant Fund, to receive funds to be used exclusively to provide legal defense services to Newark tenants facing eviction.” Additionally, an unspecified amount of funding is being provided by Victoria Foundation and Santander Bank.</p>	<p>In 2020, OTLS reported that 33% of its representd cases had been dismissed, while another 23% had been settled (either with no moveout or extra time to move).</p> <p>Reporting: Annual report required should include:</p> <ul style="list-style-type: none"> • number of covered individuals • number of individuals currently receiving legal services and the actual number of individuals who received legal services for the prior year disaggregated by the specific characteristics • outcomes immediately following the provision of full legal representation • number of non-payment and holdover petitions filed in Landlord-Tenant Court • number of warrants of removal served by landlords <p>The current report includes number of tenants served but not outcomes data.</p>

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Services (“OTLS”), there is an “income exception” for applicants who are “age 60 or older and infirm.”</p> <p>Type of Representation: “Ongoing legal representation provided by a designated organization to an income-eligible individual and all legal advice, advocacy, and assistance associated with such representation.”</p> <p>Timing/Duration of Representation: Begins no later than first scheduled appearance or as soon thereafter as is practicable. Duration not specified.</p> <p>Notice to Tenants: Not specified</p>	<p>Service Providers: Allows non-profit + for profit legal services providers. Amended in September 2019 to expand pool of eligible providers.</p> <p>Expansion: Amended in August 2021 as a result of a lawsuit filed against the city clerk and Municipal Council to expand the definition of “covered proceeding” and to add a new subsection “(c)” to Provision of Legal Services”, as described earlier.</p>	
<p>CLEVELAND (2019)</p> <p>Code Provisions: § 375.12</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Any proceeding in Cleveland Municipal Court, Housing Division (“Housing Court”) to evict, eject, or terminate the tenancy of a covered individual.</p> <p>Covered Individuals: Eligible if up to 100% of the FPL + occupies dwelling with at least 1 child. Designated orgs must “...provide high quality, full legal representation in accordance with ABA standards, unless the individual is ineligible, there is a conflict of interest, or other circumstances make full legal representation infeasible to render.”</p> <p>Type of Representation: full representation unless “the individual is ineligible, there is a conflict of interest, or other circumstances make full legal representation infeasible to render”, “, at which point brief legal assistance.</p> <p>Timing/Duration of Representation: Begins as soon as possible after initiation of proceeding, and no later than first scheduled appearance. Duration not specified.</p>	<p>Program Title: Right to Counsel – Cleveland (RTC-C)</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Fully implemented across entire city as of July 2020. Program is administered by a “lead partner organization” (LPO) (currently the United Way of Greater Cleveland) and designated organizations provide the representation. Collaboration between the Cleveland City Council, Legal Aid, United Way of Greater Cleveland, and Legal Aid’s Housing Justice Alliance.</p> <p>Funding: \$1 million of general revenue over 2 years, \$1 million of ARPA funding, and \$3 million in “bridge” funding from the United Way of Greater Cleveland to help launch the program.</p> <p>Service Providers: Designated organizations can be non-profits or an entity TBD.</p>	<p>According to the 2020 Annual Report (which documented the first 6 months of implementation from July to December 2020), of tenants who were represented:</p> <ul style="list-style-type: none"> • 93% avoided eviction or involuntary move • 83% who were seeking additional time to move were able to get it • 89% of those seeking to mitigate damages were able to do so <p>Reporting: Designated organizations report to LPO quarterly. LPO must issue an annual report including:</p> <ul style="list-style-type: none"> • number of covered individuals served • extent of legal services performed • metrics evaluating outcomes • projected budgeting needs for full representation to all covered individuals • summary of the engagement and education of tenants.

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Notice to Tenants: Not specified</p>		
<p>PHILADELPHIA (2019)</p> <p>Code Provisions: § 9-808</p> <p>Regulatory Provisions: Office of the Managing Director</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Any judicial or administrative proceeding to evict or terminate the tenancy or housing subsidy; any proceeding deemed by a designated org. as the functional equivalent of such a proceeding; any first appeal of such proceeding; any judicial or administrative proceeding to remedy a violation of the Philadelphia Fair Housing Ordinance, or Prohibition Against Unlawful Eviction Practices.</p> <p>Covered Individuals: Covers tenants, including those in housing authority, whose annual gross income does not exceed 200% of the FPL. Full legal representation for all covered individuals is required unless it is infeasible.</p> <p>Type of Representation: full representation</p> <p>Timing/Duration of Representation: Begins ASAP after initiation of proceeding, notice of intent to initiate proceeding, or when Designated Organization determines it should be initiated, and no later than first scheduled appearance. Duration not specified.</p> <p>Notice to Tenants: not specified</p>	<p>Program Title: Legal Representation in Landlord Tenant Court / Philadelphia Eviction Prevention Program (PEPP)</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Coordinated by a mayoral office which oversees health and human services; ordinance provides for a “Managing Director” who has authority to promulgate, or delegate promulgation of, rules related to the program. Phase-in process set out by Managing Director; only effective once Managing Director certifies they are “prepared to spend appropriations to fund such legal representation.” Full Legal Representation “may be prioritized by reasonable standards as provided by regulation” if projected need exceeds funds.</p> <p>Funding: \$2.8 million/year for 4 years in general revenue, \$1.5 million in other City revenue, and \$1.5 million/year for 3 years from JP Morgan that will help fund advocacy (but not direct services) around eviction alternatives, right to counsel, and eviction record screening protections.</p> <p>Service Providers: Designated orgs. can be non-profits only. Includes provision for community group involvement for tenant outreach, engagement, and education.</p>	<p>Data not yet available.</p> <p>Reporting: Annual written report required and must include:</p> <ul style="list-style-type: none"> • number of covered individuals served • extent of full legal representation performed • metrics evaluating outcomes • summary of the engagement and education of tenant
<p>BOULDER (2020)</p> <p>Code Provisions: 12-2 et seq. (RTC provisions), 3-20-1 et seq. (rental excise tax)</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Evictions, counterclaims related hereto, Section 8 terminations, and appeals from the foregoing. Full representation includes appearances in alternative dispute resolution proceedings. Also covers proceeding to suppress records of prior eviction proceeding.</p> <p>Covered Individuals: No income limit or other eligibility requirements (tenant must be a respondent or have standing to be a respondent).</p>	<p>Program Title: No Evictions Without Representation (NEWR).</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Fully implemented across the entire city. City establishes, runs, and fully funds the program to “provide legal representation and / or rental assistance.” City Manager is responsible for full implementation as soon as practicable but no longer than 12 months after effective date. If state or federal program provides representation in eviction, City has no obligation to provide legal services. Tenants’ Committee is</p>	<p>Data not yet available.</p> <p>Reporting: Annual report required including:</p> <ul style="list-style-type: none"> • estimated number of individuals who experienced a covered proceeding • number of individuals who received legal representation disaggregated by specific characteristics • outcomes immediately following the provision of full legal representation • orders for possession filed in county court

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Type of Representation: full scope representation</p> <p>Timing/Duration of Representation: Begins as soon as tenant is “threatened with an action that may result in eviction” or notice of Section 8 termination. Lasts until matter withdrawn or dismissed, or receives final judgment.</p> <p>Notice to Tenants: Notice of RTC must be provided along with notice to quit/termination of voucher or demand for compliance.</p>	<p>formed (\$1,000 stipend annually), and the role of a “Tenants’ Legal Services and Assistance Coordinator” is created to serve at the pleasure of the City Manager.</p> <p>Funding: Program is funded by increasing the “Rental License Excise Tax” to \$75, which is attached to each dwelling unit that is not exempt from rental licensing requirements.</p> <p>Service Providers: Legal services providers can be nonprofits, private law firms, and private attorneys.</p>	<ul style="list-style-type: none"> • writs of restitution issued in county court in forcible entry and detainer proceedings • residential evictions conducted by the county sheriff
<p>BALTIMORE (2020)</p> <p>Code Provisions: Art. 13 § 6A-1</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Covers any judicial or administrative proceeding to evict, terminate tenancy, terminate subsidy, functional equivalent of such a proceeding, any first appeal, and proceedings to remedy the violation of sections of the rent escrow law (including landlord retaliation / non-compliance with the lease) or real property law related to self-help eviction</p> <p>Covered Individuals: No income limitation. Covered individual is defined as any individual who occupies a dwelling in Baltimore under a claim of right other than the owner and includes tenants of the Baltimore City Housing Authority. The ordinance includes a priority based on income level with individuals with the lowest median income receiving the highest priority. Individuals shall receive legal representation unless circumstances make it infeasible (such as conflict of interest).</p> <p>Type of Representation: “Ongoing legal representation provided by a designated organization to an income-eligible individual and all legal advice, advocacy, and assistance associated with such representation ... includes the filing of a notice of appearance on behalf of the covered individual in a covered proceeding.”</p>	<p>Program Title: Tenant’s Right to Counsel in Eviction Cases</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Commissioner of the Department of Housing and Community Development oversees the program with input from the Baltimore City Affordable Housing Trust Fund Commission. This includes the authority to promulgate rules and regulations to carry out the program. Legal representation is to be phased in over a period of 4 years, taking into consideration specific factors set out in the ordinance including prioritization of certain individuals, availability of funding, availability of lawyers, scope of the need, and other specific logistical considerations.</p> <p>Funding: \$1 million ARPA, \$200k general revenue, \$400k from sheriff’s budget</p> <p>Service providers: Designated organizations can be nonprofit only. Ordinance includes provisions for community groups to conduct outreach, engagement, and education.</p>	<p>Data not yet available.</p> <p>Reporting: Annual written report is required to the Mayor and the City Council. Must include:</p> <ul style="list-style-type: none"> • number of covered individuals served • extent of legal representation performed • metrics on evaluating outcomes • engagement and education of tenants

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Timing/Duration of Representation: Begins as soon as practicable after initiation but no later than first appearance if possible. Duration not specified.</p> <p>Notice to Tenants: Notice of RTC must be provided along with lease as well as upon serving of eviction complaint or Section 8 termination.</p>		
<p>SEATTLE (2021)</p> <p>Code Provisions: § 22.206.195</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Unlawful detainer suits under Ch. 59.18 RCW.</p> <p>Covered Individuals: Covers all indigent tenants in Seattle named in an unlawful detainer suit. Indigency is defined as “at any stage” of the unlawful detainer action, the tenant is unable to pay the cost of counsel because available funds are insufficient to retain counsel. Entities with which the City contracts to provide legal representation are authorized to establish the process to determine and verify indigency.</p> <p>Type of Representation: not specified</p> <p>Timing/Duration of Representation: Begins as soon as practicable after service of summons for unlawful detainer suit. Lasts at least until complaint is withdrawn, case is dismissed, or judgment is entered.</p> <p>Notice to Tenants: Notice of RTC must be provided with any notices/summonses given to tenant as part of eviction process, and failure to do so is defense to eviction.</p>	<p>Program Title: Right to Legal Counsel in Eviction Proceedings</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Director will contract with attorney organizations. Department is not specified but likely to be the Seattle Department of Construction and Inspections since they will oversee tenant education on right to counsel and have contracted with the Housing Justice Project since 2018 to provide legal support to renters.</p> <p>Funding: \$750,000 of general revenue.</p> <p>Service Providers: Legal representation is done by agencies contracted by the City who have experience, location near the King County Courthouse, and ability to provide services in multiple languages. The ordinance specifies the partnership the Seattle Department of Construction and Inspections and the Housing Justice Project.</p>	<p>Data not yet available.</p> <p>Reporting: No annual report requirement specified. Only required reporting is for the contracted attorney organization to report the number of cases and attorney hours spent on court proceedings beyond or in lieu of representation.</p>
<p>LOUISVILLE (2021)</p> <p>Code Provisions:</p>	<p>Covered Proceedings: Covers any proceeding in Jefferson County District Court, Eviction Court, to evict, eject, or terminate eligible tenant’s tenancy.</p>	<p>Program Title: Limited Legal Representation to the Indigent in Eviction Court (no specific name).</p>	<p>Data not yet available.</p> <p>Reporting: Quarterly written report from a designated organization to the LPO is required.</p>

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
<p>LMGCO 151.61</p> <p>Developments: NCCRC Website</p>	<p>Covered Individuals: Anyone whose annual gross income does not exceed 125% of FPL. Designated organization must provide full legal representation unless conflict of interest or other circumstances make full legal representation infeasible. Prior requirement that tenant have a child was removed in 2022.</p> <p>Type of Representation: full representation unless “ there is a conflict of interest, or other circumstances make full legal representation infeasible to render”, at which point brief legal assistance.</p> <p>Timing/Duration of Representation: Begins as soon as possible after initiation of proceeding, and no later first scheduled appearance. Duration not specified.</p> <p>Notice to Tenants: Not specified.</p>	<p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Creates a lead partner organization (LPO), which is to be an agency under the Office of Resiliency and Community Services or the Office of Housing (or other agency) with capacity to establish and implement the program. Such LPO has authority to enter contracts with designated org. to provide representation. LPO must establish and administer a program to provide eligible tenants with brief legal assistance when full legal representation is not possible.</p> <p>Funding: The program was initially funded with \$400k in federal Emergency Rental Assistance funds appropriated for the Office of Resilience and Community Services (\$310k specifically to Legal Aid Society, and \$90k to Coalition for the Homeless), but that was subsequently replaced by \$500k in general revenue.</p> <p>Service Providers: Designated organizations can be non-profit that either provide legal services (names Legal Aid Society specifically) or conduct social services and other outreach. Ordinance specifically provides for ability to enter contracts for non-legal social services work and outreach work related to evictions and homelessness.</p>	<p>Annual written report by LPO to Council is required and must include:</p> <ul style="list-style-type: none"> • number of covered individuals served • extent of legal services performed • metrics evaluating outcomes • projected budgeting needs for full representation of all covered individuals • summary of engagement and education of tenants
<p>DENVER (2021)</p> <p>Code Provisions: § 27-211 et seq</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: All judicial and administrative proceedings related to a tenant facing eviction, civil claim for monetary damages for nonpayment, proceeding deemed by designated organization as the functional equivalent of such a proceeding, appeals, any action by gov’t agency to terminate subsidy or otherwise adversely affect tenant’s rights, duties, welfare, or status.</p> <p>Covered Individuals: Tenants seeking access to legal services including those of Denver Housing Authority, with income equal to or less than 80% of Area Median Income (AMI). Priority for covered individuals with the lowest AMI.</p>	<p>Program Title: Right to Counsel / Bill: “Eviction Legal Defense Bill.”</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: City is to provide funding, subject to appropriations and oversee the procurement and selection process of designated organizations. Executive director of the Department of Housing Stability has authority to promulgate rules and regulations for administration and implementation.</p> <p>Funding: \$2.7 million in federal American Rescue Plan Act funding.</p>	<p>Data not yet available.</p> <p>Reporting: Annual report required (first one due 15 months after contracts with designated organizations are executed). Annual report must include:</p> <ul style="list-style-type: none"> • number of covered individuals served or denied services • description of legal representation performed and cost per case • income levels of covered individuals served and covered individuals who were denied service for income qualification • information that was voluntarily disclosed concerning demographics of individuals served

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Type of Representation: full representation</p> <p>Timing/Duration of Representation: Begins as soon as practicable after initiation proceeding, but no later than first scheduled appearance. Duration not specified..</p> <p>Notice to Tenants: Notice of RTC must be given at time of executing lease, at all times of rent demands, or upon notice to terminate subsidy.</p>	<p>Service Providers: Designated organization can be any entity with capacity to provide legal representation.</p>	<ul style="list-style-type: none"> • disposition or outcome data
<p>TOLEDO (2021)</p> <p>Code Provisions: § 1768.01 et seq.</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Covers any proceeding in Toledo Municipal Court for the eviction or ejection of a tenant, termination of tenancy, or any appeal of such proceedings.</p> <p>Covered Individuals: Tenants whose annual gross income does not exceed 200% of FPL. Designated organization must seek to provide full legal representation unless ineligibility, conflict of interest, or other circumstances making full legal representation infeasible.</p> <p>Type of Representation: full representation unless “the individual is ineligible for the organization’s services, there is a conflict of interest, or other circumstances make it infeasible to provide Full Legal Representation”, at which point brief legal assistance.</p> <p>Timing/Duration of Representation: Begins as soon as possible after initiation of proceeding and no later than second scheduled appearance in the proceeding. Duration not specified.</p> <p>Notice to Tenants: Not specified</p>	<p>Program Title: Tenants’ Right to Counsel in Eviction Proceedings.</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Designated organization is charged with promulgating regulations and funding limits. There is a 5-year phase in period in the law, with potential for expansion.</p> <p>Funding: \$250,000/year for 5 years was immediately appropriated for the program out of general revenue.</p> <p>Service Providers: Designated organizations are defined to be non-profits only. Ordinance provides for designated community groups to advertise in the media and engage and educate tenants on rights and resources. Ordinance specifically names Legal Aid of Western Ohio, Inc. as designated org. to assign itself or Advocates for Basic Legal Equality (or other organization) to provide legal services.</p>	<p>Data not yet available.</p> <p>Reporting: Annual written report required and must include:</p> <ul style="list-style-type: none"> • number of covered individuals served • extent of legal services performed • metrics evaluating outcomes • summary of the engagement and education of tenants
<p>MINNEAPOLIS (2021)</p>	<p>Covered Proceedings: Currently covers any proceeding to evict a covered individual including eviction actions, counterclaims, and appeals. Whether administrative proceedings</p>	<p>Program Title: Right to Counsel</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p>	<p>Data not yet available.</p> <p>Reporting: Program director must prepare a written annual report including:</p>

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
<p>Code Provisions: § 143.10</p> <p>Developments: NCCRC Website</p>	<p>to end a public housing tenancy are included would depend on the interpretation of “evict”. The program director, “based on budgetary and resource availability and to maximize program effectiveness and impact, may modify or expand the proceedings to be covered by the program.”</p> <p>Covered Individuals: Covers all tenants in city of Minneapolis, including those in dwellings required to be licensed under Ch. 244 (Maintenance Code) and those living in building operated by PHA. Ordinance specifically permits the program director “based on budgetary and resource availability and to maximize program effectiveness and impact” to establish additional requirements, including income eligibility.</p> <p>Type of Representation: Ongoing legal representation and all legal advice, advocacy, and assistance associated with such representation...” but this can be modified or expanded by the program director, “based on budgetary and resource availability and to maximize program effectiveness and impact.”</p> <p>Timing/Duration of Representation: Begins prior to first scheduled appearance in covered proceeding. Lasts “thereafter at all covered proceedings.”</p> <p>Notice to Tenants: Not specified</p>	<p>Implementation: Sets up a program director, which is a role defined in the ordinance as either the director of the Civil Rights department, or their designee within that department or another appropriate city department.” The program director has “authority over the formation, necessary contracting, budgeting and administrative duties associated with the implementation and maintenance of the tenant right to counsel program established by this chapter, to the extent the program is and remains funded by the city or through other available and legal means.” The ordinance states that the “provision of legal services to covered individuals in covered proceedings shall occur on a schedule and in a manner agreed to by the program director and designated organization through the selection process.” The program director is required to consult and cooperate with the district court to maximize effectiveness, access to, and impact of the program.</p> <p>Funding: Originally it was federal (\$1 million ERAP) and general revenue (\$250k), but now \$750k in general revenue.</p> <p>Service Providers: Designated organization can be one or more organizations, associations or persons who have been selected by the program director to provide legal representation (pursuant to contracting procedures). Does not have to be a nonprofit.</p>	<ul style="list-style-type: none"> • number of covered individuals served • extent of legal services performed • income limits, if any, set by the program director • number of covered individuals who did not receive legal services • other metrics evaluating outcomes and program performance
<p>KANSAS CITY (2021)</p> <p>Ordinance Text: 211067 (will eventually be § 35-20 et seq)</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: “any petition or complaint arising from a property located within the City of Kansas City filed by a property owner that demands removal of a tenant from the tenant’s current residence, including those seeking possession for the non-payment of rent, property, holdover, retaliatory evictions or proceedings for ejection. Covered proceedings include cases filed in venues outside Kansas City, such as Independence, Liberty, Platte City, and</p>	<p>Program Title: Tenants’ Right to Counsel</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Housing and Community Development Department provides the Director of the program, and is advised / overseen by Tenants’ Right to Counsel Committee made up of 7 tenants. Director coordinates with service providers, works with</p>	<p>Data not yet available.</p> <p>Reporting: Program director must prepare a written annual report including:</p> <ul style="list-style-type: none"> • number of covered individuals participating in covered proceeding; • number of covered individuals receiving legal representation, disaggregated by demographic data; • a variety of outcome metrics

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Harrisonville, where the property at issue sits within Kansas City.” Attorneys can file for <i>de novo</i> trial.</p> <p>Covered Individuals: All persons legally occupying a rental unit (no income or other requirements).</p> <p>Type of Representation: full scope representation</p> <p>Timing/Duration of Representation: Begins immediately after suit is filed. Lasts at least until case is dismissed or final judgment entered.</p> <p>Notice to Tenants: Notice of RTC must be provided to all current tenants and to new tenants prior to lease execution</p>	<p>courts on data sharing and notice to tenants, oversees signle-point-of-contact intake, and provides status reports.</p> <p>Funding: \$1.6 million of general revenue + \$1.8 million ERAP.</p> <p>Service Providers: must have “history of work on housing issues and tenant rights.”</p>	
<p>NEW ORLEANS (2022)</p> <p>Ordinance Text: 33,682 (amended) (will eventually be § 50-150 et seq)</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: any legal or administrative proceeding to terminate tenancy or housing subsidy, proceedings seeking injunctive relief related to illegal eviction, and appeals with good grounds.</p> <p>Covered Individuals: All tenants</p> <p>Type of Representation: not defined.</p> <p>Timing/Duration of Representation: Begins upon receipt of notice of eviction, termination of tenancy, or lease non-renewal. Duration not specified.</p> <p>Notice to Tenants: Notice of RTC must be provided when eviction proceeding commenced, when notice of subsidy termination is issued, and by the court when rule for possession is served.</p>	<p>Program Title: Tenant Eviction Assistance Program and Right to Counsel</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Office of Community Development Department administers program, develops regulations, and conducts performance reviews.</p> <p>Funding: \$2 million in federal ERAP funding</p> <p>Service Providers: can be a person, law firm, nonprofit, or other entity based on competitive selection process.</p> <p>Misc: “The failure of the court or the petitioner to comply with the requirements established herein may give rise to dilatory exception of prematurity and/or an affirmative defense to eviction.”</p>	<p>Data not yet available.</p> <p>Reporting: Office of Community Development has to conduct review of:</p> <ul style="list-style-type: none"> • number of covered individuals served; • household makeup; • Nature of legal proceeding; • Extent of legal representation provided; • Case dispositions.
<p>DETROIT</p>	<p>Covered Proceedings: any proceeding to recover possession or any administrative proceeding</p>	<p>Program Title: Right to Counsel in Eviction Proceedings</p>	<p>Data not yet available.</p>

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
<p>(2022)</p> <p>Ordinance Text: 01614 (will eventually be § 22-8-1 et seq)</p> <p>Developments: NCCRC Website</p>	<p>threatening occupancy, including evictions, mortgage foreclosures, property tax foreclosures, land forfeiture proceedings, and threats to rent subsidies, plus appeals and proceedings to recover possession after illegal self-help eviction</p> <p>Covered Individuals: All tenants at 200% or below of the FPL</p> <p>Type of Representation: Full legal representation</p> <p>Timing/Duration of Representation: Begins no later than first scheduled appearance or as soon thereafter as is practicable and as scheduled by the court. Lasts through any post-judgment process.</p> <p>Notice to Tenants: Not specified</p>	<p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Oversight by the Coordinator of the Office of Eviction Defense, assigned to Housing and Revitalization and Development Department. Director of the Department promulgates procedural administrative rules.</p> <p>Funding: State (\$2.5 million general revenue) + federal (\$6 million ARPA per year for 3 years) + private (\$12 million over 3 years)</p> <p>Service Providers: Competitively procured nonprofit or other entity with capacity to provide services per standards of ABA Standards for Provision of Civil Legal Aid.</p>	<p>Reporting:</p> <ul style="list-style-type: none"> • Number of people served, disaggregated by demographic information; • Outcomes: possession, signed order of eviction, extra time to vacate, executed orders, rent arrears reduction, repairs ordered, settlement details, retention of housing subsidy
<p>WESTCHESTER COUNTY (2023)</p> <p>Ordinance Text: 2022-262 (will eventually be Chapter 187)</p> <p>Developments: NCCRC website</p>	<p>Covered Proceedings: evictions, challenge to “a rent level based upon a landlord’s failure to provide proper notice of a rent increase” as required by state law; maintaining a tenant in possession or restoring a tenant to occupancy, holdover cases, “restoration and/or maintenance of essential services, the deprivation of which has caused or may cause the client to vacate the residential rental premises”, administrative proceedings that “would result in the termination of tenancy, rental subsidy, or other rental assistance”, and appeals</p> <p>Covered Individuals: All tenants below 300% of the FPL or below 60% of AMI receive full rep; all others receive brief legal services</p> <p>Type of Representation: Full legal representation for all income-eligible individuals; brief legal assistance for all others</p>	<p>Program Title: n/a</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Creation of the Office of Housing Counsel within Department of Social Services; Director to be appointed by County Executive</p> <p>Funding: \$250k from general revenue</p> <p>Service Providers: nonprofit organizations designated by the County</p> <p>Expiration: Program set to sunset 4 years after creation absent further action from the County</p>	<p>Data not yet available.</p> <p>Reporting:</p> <ul style="list-style-type: none"> • .Number of people served, disaggregated by demographic information; • Numbers of different types of cases: • Outcomes: possession and displacement • Expenditures • Community engagement/education activities

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>Timing/Duration of Representation: Begins as soon as practicable. Duration not specified.</p> <p>Notice to Tenants: Not specified</p>		
<p>JERSEY CITY (2023)</p> <p>Ordinance text: Ord. 23-047 (RTC) Ord. 23-048 (developer fee) (will eventually be § 218-7 et seq and § 160-2 et seq)</p> <p>Developments: NCCRC website</p>	<p>Covered Proceedings: evictions, admin proceedings to terminate housing subsidies or tenancy, proceedings related to violations of the maintenance code, and proceedings related to violations of rent control laws. Appeals are covered, subject to discretion.</p> <p>Covered Individuals: All tenants, although established funding can only be used for those at 80% or below of AMI</p> <p>Type of Representation: Full legal representation</p> <p>Timing/Duration of Representation: Begins “as early as immediately after service of eviction/ejectment notice or service of unlawful detainer complaint”, and no later than 1 week prior to first appearance in court. Duration not specified.</p> <p>Notice to Tenants: Owners must provide notice of RTC at time of executing lease, upon any rent demand, and at time of service of notice of eviction.</p>	<p>Program Title: n/a</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Creation of the Division of Tenants’ Right to Counsel within the Department of Housing, Economic Development & Commerce</p> <p>Funding: \$4 million from developer fees</p> <p>Service Providers: “nonprofit organization, legal services clinic, or other organization, including but not limited to those that work in collaboration with the private bar or law students or paralegal professionals to offer pro bono services, or a for-profit legal services provider/association/partnership that provides legal representation” and has capacity</p>	<p>Data not yet available.</p> <p>Reporting:</p> <ul style="list-style-type: none"> • Number of people served, disaggregated by demographic information; • Outcomes: possession and displacement • Expenditures
<p>ST. LOUIS (2023)</p> <p>Ordinance text: Board Bill 59 (codified provisions not available yet)</p> <p>Developments: NCCRC website</p>	<p>Covered Proceedings: Any judicial or administrative proceeding to terminate tenancy or housing subsidy, extra-judicial evictions, unlawful utility disconnections, or the functional equivalent of any of these. Appeals covered if designated organization deems it meritorious.</p> <p>Covered Individuals: all tenants</p> <p>Type of Representation: full representation</p> <p>Timing/Duration of Representation: Begins as soon as LL provides notice to terminate or not</p>	<p>Program Title: n/a</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Tenant Legal Services Coordinator position within the Department of Human Services</p> <p>Funding: \$685k of federal FRF funding</p> <p>Service Providers: any persons or organizations selected by the City</p>	<p>Data not yet available.</p> <p>Reporting:</p> <ul style="list-style-type: none"> • .Number of individuals served; • Extent of legal rep performed; • Metrics on evaluating outcomes; • Engagement/education of tenants • Instances of serial filing on same household/property.

CITY / COUNTY	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
	<p>renew a tenancy, or as soon thereafter as is practicable. Duration not specified.</p> <p>Notice to Tenants: Owners must provide notice of RTC at same time as serving notice to terminate tenancy.</p>		

STATE	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
RIGHT TO COUNSEL FOR TENANTS: STATE LAWS			
<p>WASHINGTON STATE (2021)</p> <p>Code Provisions: RCW 59.18.640 (RTC) RCW 2.53.050 (funding) RCW 59.18.057 (notice)</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Requires court to appoint counsel to an indigent tenant facing an unlawful detainer action under Chs. 59.18, 59.12 (Forcible Entry and Forcible and Unlawful Detainer) and 59.20 (Manufactured/Mobile Home Landlord-Tenant Act). Appeals are covered pursuant to RAP 15.2.</p> <p>Covered Individuals: Indigency requirement. “Indigent” is defined to include any person “who, at any stage of a court proceeding” is receiving one of the forms of public assistance as set out in the law or has an annual income, after taxes, of 200% of FPL. Priority to indigent tenants who reside in the counties with the most evictions and to indigent tenants who are disproportionately at risk of eviction.</p> <p>Type of Representation: not specified</p> <p>Timing/Duration of Representation: Begins when the eviction lawsuit is commenced by either service of an eviction summons or filing of the case, and continues as long as the right to possession remains the primary issue, including appeals.</p> <p>Notice to Tenants: Notice of RTC must be provided along with notice to quit and with summons/complaint.</p>	<p>Program Title: Right to Counsel</p> <p>Mechanism for Provision of Counsel: court appoints counsel</p> <p>Implementation: The program is administered by the Office of Civil Legal Aid (“OCLA”), which is an independent judicial branch agency. Ordinance outlines the requirements of OCLA about implementation in Sec. 9 of Ch. 59.18. An implementation plan was released in July 2021. Utilizes the Eviction Defense Screening Hotline to determine income eligibility.</p> <p>Funding: \$11.4 million in general revenue for FY23.</p> <p>Service Providers: OCLA can enter contracts with attorneys and agencies for legal services. State pays the costs of the legal services performed by the appointed attorney.</p>	<p>Data not available yet.</p> <p>Reporting: No annual report requirement specified.</p> <p>Research / study component (in implementation plan not ordinance): OCLA will use a research team from the Evans School to conduct a 2-year study of the RTC program.</p>
<p>MARYLAND (2021)</p>	<p>Covered Proceedings: judicial and administrative proceedings to evict or</p>	<p>Program Title: Access to Counsel in Evictions Program</p>	<p>Data not yet available.</p>

STATE	SCOPE / ELIGIBILITY	ADDITIONAL INFORMATION	IMPACT
<p>Code Provisions: Md. Real. Prop. § 8-901 et seq.</p> <p>Developments: NCCRC Website</p>	<p>terminate a tenancy or housing subsidy; first appeal of a decision in the proceeding (if designated organization determines that there are sufficient legal grounds). Can file affirmative case related to constructive eviction.</p> <p>Covered Individuals: Covers tenants, including those in buildings owned, operated, or managed by a PHA, who are a “member of a household with an income that is not greater than 50% of the median income, adjusted for household size, in the State...”</p> <p>Type of Representation: “All representation by an attorney beyond brief legal advice and is not limited to the formal entry of appearance in court.”</p> <p>Timing/Duration of Representation: Begins as soon as possible after serving of notice to terminate, initiation of eviction, or when designated org determines it must initiate filing related to constructive eviction.</p> <p>Notice to Tenants: Notice of RTC provided by sheriff at time of serving of summons/complaint.</p>	<p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: The Maryland Legal Services Corporation (MLSC) administers the program, as well as the “Access to Counsel in Evictions Special Fund” as described in the law. Law also creates an Access to Counsel in Evictions Task Force, which is required to evaluate the provision of legal services, study potential funding sources, and make recommendations for implementation improvement (including policy and statutory changes).</p> <p>Funding: The law provides for an “Access to Counsel in Evictions Special Fund.” This fund can be used for activities provided by a designated organization and community group, services provided by a local jurisdiction which enacts a local program authorized by this law, MLSC administrative expenses, and expenses related to the study and evaluation of services provided for in this law and amount of funding necessary to fully effectuate the access to counsel in evictions proceedings. In 2022, Maryland’s General Assembly enacted SB 662 and HB 571 / SB 279, which provided \$11.8 million of abandoned property funds for the right to counsel through 2024 as well as set up an Eviction Defense Fund. In 2023, the legislature enacted HB 200 (appropriating \$3.5 million in general revenue) and SB 756 (making the requirement that Comptroller distribute certain amount of abandoned property funds to the eviction RTC program run through 2027).</p> <p>Service Providers: Designated organizations can only be nonprofits. MLSC has authority to contract for all of part of the legal services required. MLSC will contract with community groups, defined as non-profit entities with capacity to conduct tenant outreach and provide engagement, education, and information.</p>	<p>Reporting: MLSC must submit annual report to the General Assembly. Report must include:</p> <ul style="list-style-type: none"> • number of covered individuals provided legal representation during the previous calendar year • information on and metrics evaluating case outcomes • summary of the engagement and education of tenants <p>Separate report required from the Access to Counsel in Evictions Task Force, to the Governor. This report publishes the Task Force’s findings and recommendations concerning its evaluation of service provision, including performance of designated organizations and community groups, potential funding sources, and how to improve implementation.</p>
<p>CONNECTICUT (2021)</p> <p>Code Provisions: Ct. Stat. § 47a-75</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Notice to quit, summary process action instituted against a covered individual pursuant to Ch. 832 or Ch. 412, or any administrative proceeding to preserve a state or federal housing subsidy or prevent a proposed termination of the lease</p> <p>Covered Individuals: Covers all income-eligible residential tenants or occupants, including</p>	<p>Program Title: Right to Counsel Program</p> <p>Mechanism for Provision of Counsel: providers connect with tenants prior to eviction hearing or at the hearing.</p> <p>Implementation: Launched in January 2022. Creates an “administering entity” to be contracted by (or a party to an agreement with) the Judicial Branch. Establishes a working group to advise on and effectuate the program with appointment</p>	<p>Data not yet available.</p> <p>Reporting: Annual report (starting in January 2023) to joint standing committees of General Assembly is required. Report must include:</p> <ul style="list-style-type: none"> • number of covered individuals provided legal representation • extent of legal representation provided

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	<p>those in manufactured homes. Income eligibility is defined as household income at or below 80% of the state’s median income (adjusted for size) at the time of representation OR receiving public assistance (as defined in the law)</p> <p>Assistance Type: “representation in a covered matter provided by a designated organization to a covered individual, and all legal advice, advocacy and assistance associated with such representation, subject to and in accordance with the Rules of Professional Conduct.”</p> <p>Timing/Duration of Representation: Receipt of notice to quit is included in definition of “covered matter”, so it begins that early.</p> <p>Notice to Tenants: Notice of RTC must be served with notice to quit, summons/complaint, lease termination notice, and notice to terminate subsidy.</p>	<p>procedure specified and requiring members to serve a 4-year term. The Department of Housing provides administrative support for the working group. The administering entity, in consultation with the working group and designated organizations, will establish the phase-in process taking into consideration specific information as outline in the law. Judicial Branch can also appoint additional housing mediators if funding provided.</p> <p>Funding: Administering entity is responsible for funding. The law allows the administering entity to receive funds or services from the state or federal government, corporations, associations, or individuals to fund legal representation, education and outreach, and costs of administration. The Governor has put \$20 million of ARPA Fiscal Recovery Funds into the program.</p> <p>Service Providers: Designated organization is a nonprofit that meets specific requirements outlined in the law. A designated organization is authorized to contract with community organizations to provide legal representation and/or education and outreach.</p>	<ul style="list-style-type: none"> any outcomes achieved, such as the rates of tenant representation, tenant retention of housing or other appropriate outcome measures engagement and education of tenants
<p>MINNESOTA (2023)</p> <p>Code Provisions: SB 2909 (will eventually be MN. Stat. § 504B.268)</p> <p>Developments: NCCRC Website</p>	<p>Covered Proceedings: Breach of lease</p> <p>Covered Individuals: Public housing tenants</p> <p>Type of Representation: not specified</p> <p>Timing of Representation: Counsel appointed at initial hearing. Duration not specified.</p> <p>Notice to Tenants: Notice of RTC must be in complaint.</p>	<p>Implementation: effective August 1, 2023</p> <p>Mechanism for Provision of Counsel: court appoints counsel</p> <p>Notice: Eviction complaint must indicate right to appointed counsel in 12-point type</p> <p>Funding: General revenue (\$60k)</p> <p>Service Providers: “ Counsel appointed by the court must (1) have a minimum of two years’ experience handling public housing evictions; (2) have training in handling public housing evictions; or (3) be supervised by an attorney who meets the minimum qualifications under clause (1) or (2).”</p>	<p>Data not yet available.</p> <p>No reporting requirements specified.</p>
<p>NEBRASKA (2024)</p>	<p>Covered Proceedings: Public housing administrative termination proceedings and related evictions, where tenant has requested</p>	<p>Implementation: Unclear</p> <p>Mechanism for Provision of Counsel: “The housing</p>	<p>Data not yet available.</p> <p>No reporting requirements specified.</p>

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<p>Code Provisions: Neb. Rev. Stat. § 71-15,139(5) Developments: NCCRC Website</p>	<p>a hearing to contest the termination or PHA files in court for recovery of the premises.</p> <p>Covered Individuals: Public housing tenants in “cities of the metropolitan class”, defined as cities that “have attained a population of four hundred thousand inhabitants or more as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census...” Neb. Rev. Stat. § 14-101.</p> <p>Type of Representation: not specified</p> <p>Timing of Representation: Counsel appointed prior to the contested hearing</p> <p>Notice to Tenants: not specified</p>	<p>agency shall file an application with the county court or district court of the county in which the premises is located. The court shall appoint counsel to represent the resident in the hearing and in any related action for recovery of possession of the premises.”</p> <p>Notice: Not specified</p> <p>Funding: Unclear, but appointed counsel paid by PHA after proper fee determined by court</p> <p>Service Providers: “ Counsel appointed by the court must (1) have a minimum of two years' experience handling public housing evictions; (2) have training in handling public housing evictions; or (3) be supervised by an attorney who meets the minimum qualifications under clause (1) or (2).”</p>	