


Memorandum



Date: September 2, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Miami-Dade County Response to Eviction Crisis

Agenda Item No. 2(B)(12)
October 5, 2021

Since taking office at the height of the COVID-19 pandemic, my administration and I have worked to address our community’s needs with compassion, urgency, and coordination across all sectors of government. Taking a proactive and comprehensive approach, we mobilized a whole-of-government response to provide relief to landlords and tenants impacted by COVID-19 and keep vulnerable residents in their homes.

I am pleased to report that as of the week of August 27, 2021, Miami-Dade County officially surpassed the federally required 65% allocation threshold for the Emergency Rental Assistance Program (ERAP 2.3) under the Federal Consolidated Appropriations Act of 2021 (Act). We have now achieved 87% allocation inclusive of administrative costs, compared to approximately 11% nationally and less than 4% across the State of Florida. Miami-Dade's effectiveness in working directly with both landlords and tenants to distribute funds as quickly as possible will make the County eligible for additional federal emergency rental assistance dollars.

As a County government, we have worked hard for months to prevent homelessness. We brought together County departments responsible for juvenile services, public safety, housing, and human services along with the Homeless Trust and community-based organizations to establish a robust county-wide social services support infrastructure for those facing eviction. And we collaborated directly with an array of community partners to support residents facing eviction. This level of government and public sector collaboration is unprecedented.

This memo is provided pursuant to Resolution R-104-21, sponsored by Commissioner Eileen Higgins and co-sponsored by Commissioner Danielle Cohen Higgins and Commissioner Jean Monestime. This resolution directed the Administration to provide a report at the first September 2021 Board meeting regarding on the expenditure of emergency rental assistance funds.

This memo also details our coordinated progress towards our shared goal of supporting struggling tenants and landlords during the pandemic, and the challenges that remain as we continue to address the needs of our constituents. This is the first detailed description of Miami-Dade County’s coordinated response to the evictions crisis facing our community.

Emergency Rental Assistance Program

Our primary tool to provide relief both to struggling tenants and landlords during the COVID-19 pandemic and keep tenants in their homes is the Emergency Rental Assistance Program (ERAP) administered by the Public Housing and Community Development Department (PHCD). ERAP is federally funded through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act); the Federal Consolidated Appropriations Act for 2021; and the American Rescue Plan Act (ARP).

Since the implementation of ERAP on July 14, 2020, Miami-Dade County has provided a total of \$60 million in emergency rental assistance payments to at-risk families and their landlords¹. The average funding amount per household was \$4,840 and the median was approximately \$3,045. The level of assistance provided to households ranged from a low of \$7 to a high of \$45,000.

*COUNTY FUNDED ERAP APPLICATIONS
July 2020 to August 23, 2021*

# of Funded Apps	12,489
Average	\$4,840
Median	\$3,045
Mode	\$5,000
Min	\$7.98
Max	\$45,000
Range	\$44,992
Sum	\$60,464,086

According to Johns Hopkins University, the best practices for emergency rental assistance programs include streamlining applications, working with trusted external community organizations, tracking data, and reaching the most vulnerable communities.² Miami-Dade County has successfully implemented these best practices into our ERAP program to maximize its effectiveness and efficiency. PHCD has also established a call center staffed with workers proficient in English, Spanish, and Haitian Creole, and a case management approach for each applicant which allows our call center staff to provide tailored solutions for tenants and landlords.

PHCD has partnered with local housing advocacy groups such as Miami Homes for All to assist in the review of writs of possession to ensure that eviction-threatened tenants are fully considered for emergency rental assistance. PHCD has also conducted a robust and wide-reaching community outreach advertising campaign through the use of digital ads and social

¹ Total as of August 23, 2021.

² "How Cities are Ramping Up Rental Relief, August 8, 2021. <https://bloombergcities.jhu.edu/news/how-cities-are-ramping-rental-relief>

media, television and radio multi-lingual interviews, and purchasing print ads and radio spots in English, Spanish, and Creole newspapers and radio stations.

To ensure that the ERAP program continues to run efficiently, I appointed PHCD employee Svtlana Saravia to serve as Evictions Ombudsperson. Ms. Saravia will assist tenants and landlords in navigating the ERAP process and is empowered to resolve concerns raised by ERAP applicants. We hope to create a permanent tenant advocate position to continue this critical work.

We have worked strategically with our contract partners Nan McKay and Indelible Solutions to keep our administrative costs at 10%. By keeping our administrative costs low, we maximize the amount of funding provided to tenants and landlords.

On February 17, 2021, the Board of County Commissioners approved Resolution R-104-21, which authorized the current round of emergency rental assistance funding (ERAP 2.3). ERAP 2.3 is funded with \$60.8 million from the Federal Consolidated Appropriations Act for 2021. Federal rules require that Miami-Dade County obligate 65% of the County's funds by September 30, 2021.

As of August 30, 2021, Miami-Dade County has obligated **87.5% of our ERAP 2.3 funds**, exceeding the threshold set by the U.S. Treasury Department. Comparatively, the State of Florida has spent less than 4% of their Treasury allocation, according to the National Low Income Housing Coalition as of August 30, 2021.³ According to the most recent data available to the County, the City of Miami has spent 58% of its Emergency Rental Assistance allocation and the City of Hialeah, 55%.

Households in the Unincorporated Municipal Service Area (UMSA) received the largest number of County-funded ERAP applications with 5,800 or 41% of the total funded applications. Families in UMSA received a net total of **\$27 million** in emergency rental assistance payments, which is almost **45% of the total amount of funding dedicated** as of August 20, 2021.

After UMSA, the City of Miami received the second highest amount of ERAP support with a combined total of \$5 million, followed by the City of Miami Beach (\$3.79 million), City of Miami Gardens (\$3.196 million), and the City of Doral (\$3.191 million).

³ National Low Income Housing Coalition, "State ERA Spending, Last Updated: August 30, 2021."
https://docs.google.com/spreadsheets/d/1RnHX7Ld7KJ_jgj8Sk52xjCygYRETWU-OthOGE3uduHM/edit#gid=1432075608

*COUNTY FUNDED ERAP APPLICATIONS BY JURISDICTION
July 2020 to August 23, 2021*

Jurisdiction	# of Apps	\$
Bal Harbour	3	\$35,863
Key Biscayne	3	\$36,200
Biscayne Park	4	\$19,796
El Portal	7	\$31,333
Miami Shores	9	\$37,698
Virginia Gardens	10	\$41,035
Surfside	16	\$128,488
Pinecrest	33	\$162,716
Bay Harbor Islands	40	\$177,786
South Miami	44	\$332,360
Palmetto Bay	44	\$290,763
Miami Springs	48	\$273,698
Hialeah Gardens	57	\$262,780
West Miami	83	\$607,905
Miami Lakes	84	\$354,340
North Bay Village	93	\$626,143
Aventura	106	\$787,655
Cutler Bay	109	\$744,847
Coral Gables	117	\$525,126
Sweetwater	124	\$553,767
Sunny Isles Beach	187	\$1,103,695
Opa-Locka	201	\$1,178,200
Florida City	203	\$900,166
North Miami Beach	269	\$1,393,232
Hialeah	382	\$870,256
Homestead	496	\$2,382,087
North Miami	527	\$2,863,864
Miami Gardens	549	\$3,196,396
Doral	674	\$3,191,294
Miami Beach	813	\$3,790,616
Miami	1,965	\$5,910,402
UMSA	5,189	\$27,653,581
TOTAL	12,489	\$60,464,086

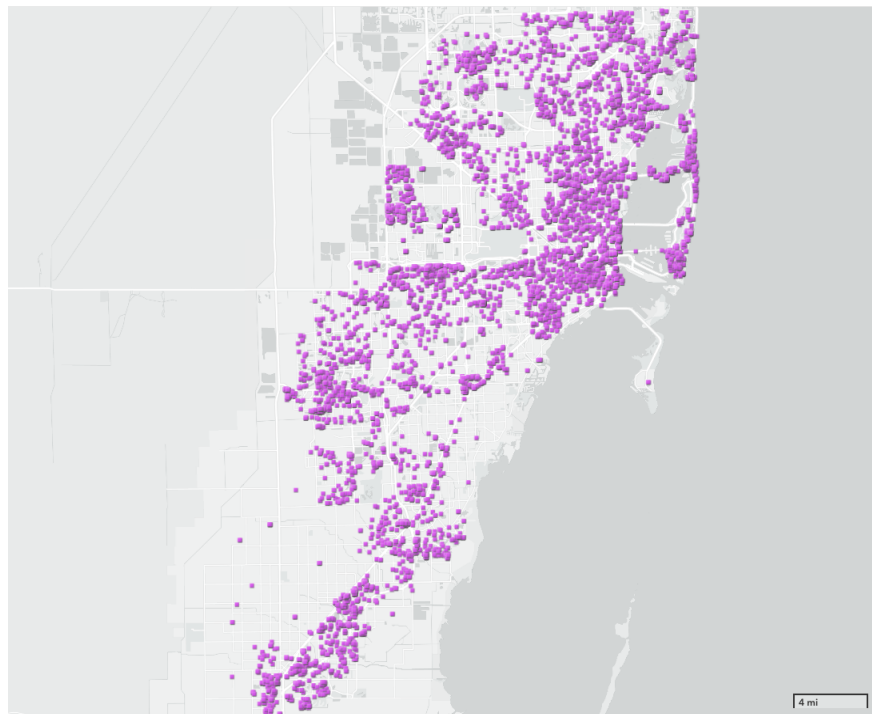
County Commission District 3 received the largest number of funded ERAP applications with 1,400 funded applications or 12% of the total funded applications, followed by District 9 (1,270 or 10%), District 2 (1,260 or 10%), and District 4 (1,250 or 10%). District 2 received the largest total amount of funding with a combined \$7.3 million in rental assistance payments, followed by District 4 (\$7 million), District 1 (\$6.5 million), and District 9 (\$6.3 million). The chart below does not include the City of Miami and City of Hialeah-administered

ERAP programs. Due to County coordination with the City of Miami and City Hialeah, the number of County funded apps in Districts 13, 7, 5, and 3 are comparatively lower.

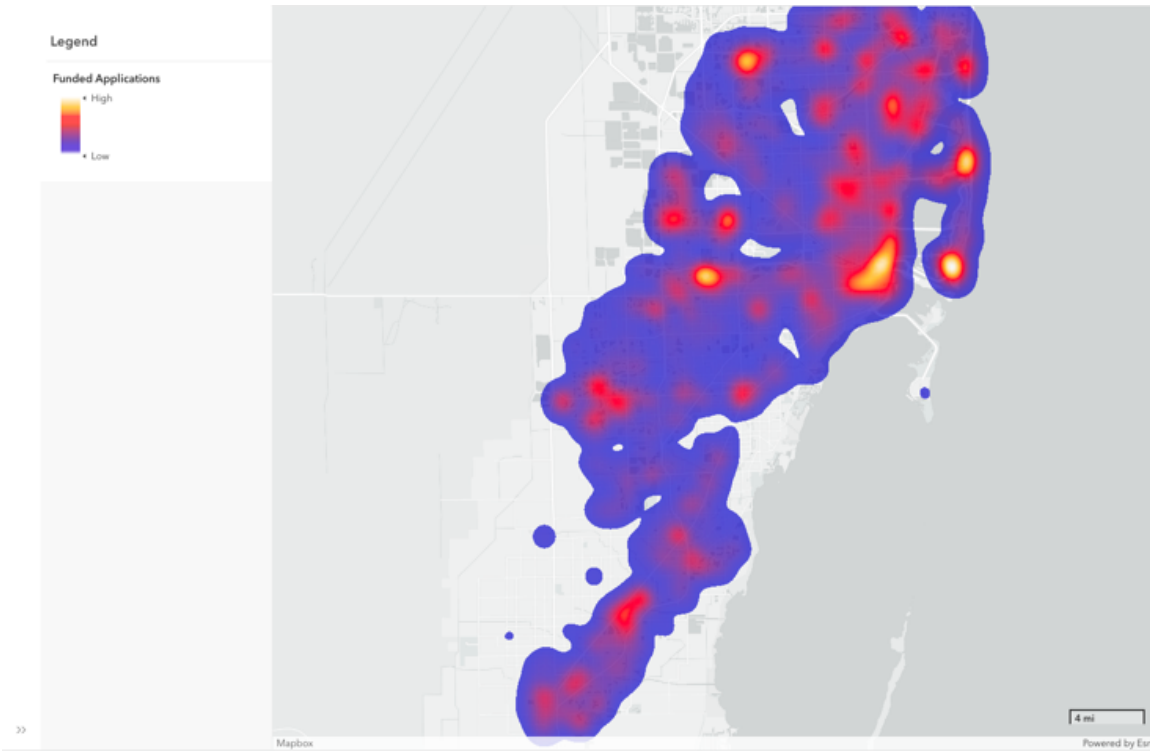
*COUNTY FUNDED ERAP APPLICATIONS BY DISTRICT
July 2020 to August 23, 2021*

District	# of Apps	\$
1	1,115	\$6,576,384
2	1,263	\$7,311,345
3	1,451	\$5,141,818
4	1,258	\$7,019,968
5	1,077	\$3,978,621
6	666	\$2,945,823
7	561	\$2,746,289
8	888	\$4,400,959
9	1,273	\$6,311,230
10	602	\$3,534,036
11	793	\$4,224,045
12	1,057	\$4,582,277
13	485	\$1,691,291
TOTAL	12,489	\$60,464,086

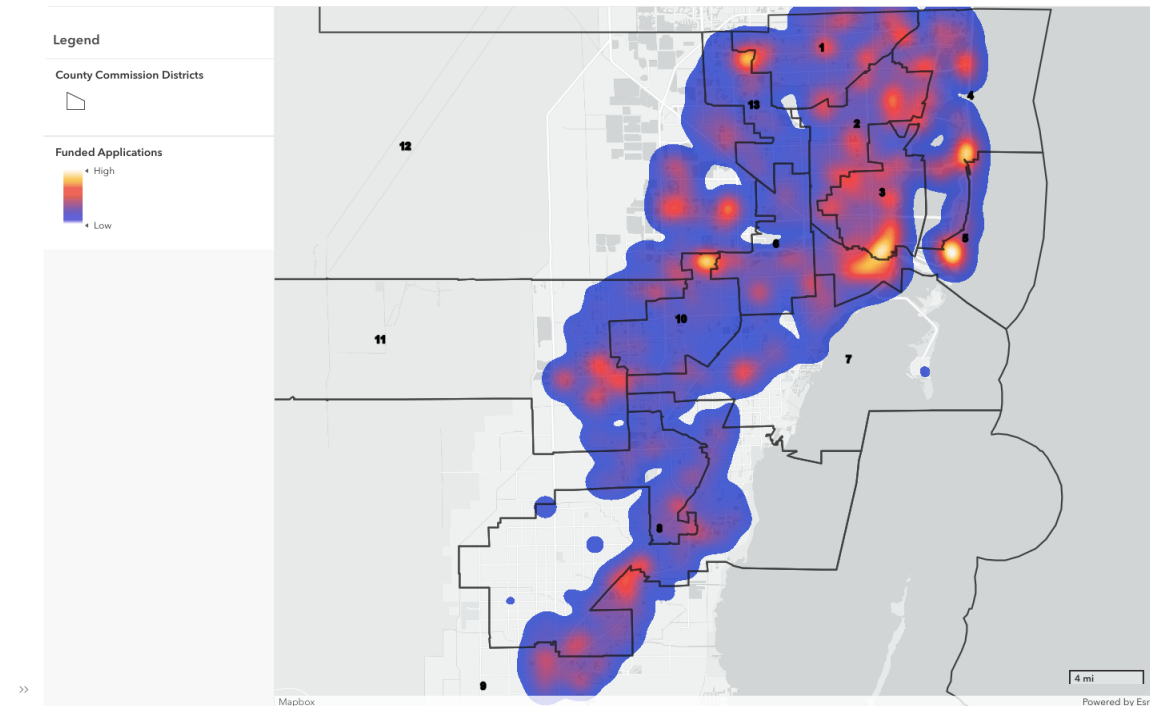
*COUNTY FUNDED ERAP APPLICATIONS BY ADDRESS
July 2020 to August 23, 2021*



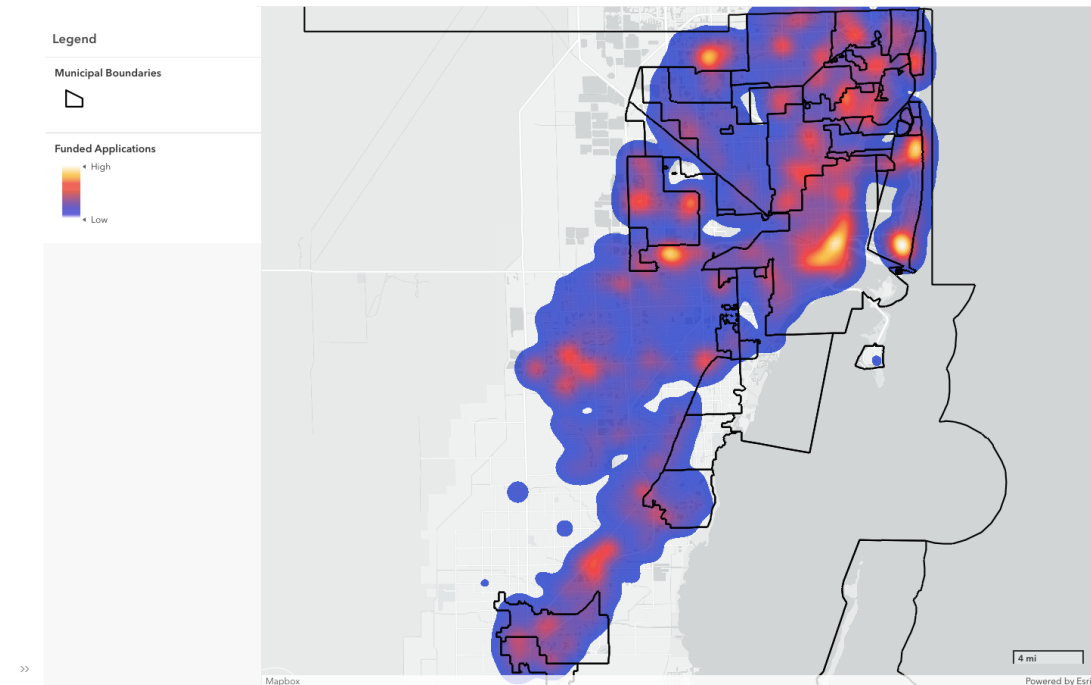
*HEAT MAP OF COUNTY FUNDED ERAP APPLICATIONS
July 2020 to August 23, 2021*



*DENSITY OF COUNTY ERAP FUNDING BY DISTRICT
July 2020 to August 23, 2021*



DENSITY OF COUNTY ERAP FUNDING BY JURISDICTION July 2020 to August 23, 2021



Partnerships with Community Groups

The success of the ERAP program is due in large part to the administration's collaboration with community partners, and constant engagement with residents and landlords throughout the administration of the program. The administration is actively engaged in the Miami-Dade County Eviction Taskforce – a cross-sector collaboration of nonprofits and housing advocates who are working to mitigate the effects of evictions in the wake of the COVID-19 crisis, by ensuring that our families remain safely and stably housed and by supporting landlords who have suffered financial hardship.

The Taskforce includes Miami Homes for All, Legal Services of Greater Miami, Inc., Miami Association of Realtors, Miami Workers Center, Catalyst Miami, University of Florida Shimberg Center for Housing Studies, Sant La, Community Justice Project, Miami-Dade County, various municipalities, among various other groups. The Taskforce has worked with various government agencies to coordinate and streamline the deployment of federal emergency housing funding.

The administration also provides up-to-date information to Axis Helps Miami (www.axishelps.org) which is an online portal that allows individuals and families to find housing and economic stability resources.

More recently, the Mayor's Office and PHCD have solicited and incorporated feedback from the Taskforce on the ERAP program, including several changes to the latest version of the ERAP application to reduce barriers to assistance, like adjustments to the landlord certification requirements.

Partnerships with the Court

Thanks to the leadership of Commissioner Raquel Regalado, Miami-Dade County has strengthened its partnership with the Eleventh Judicial Circuit of Florida to proactively address the eviction crisis. Pursuant to Resolution R-111-21, sponsored by Commissioner Regalado, the Administration entered into a \$100,000 grant agreement with the Eleventh Judicial Circuit to create a web-based portal for landlords and tenants to access court information and mediation services during eviction proceedings. The CourtHELP web portal is currently scheduled to be made available to the public in early September.

Links to the County's ERAP program will also be available on the CourtHELP portal, and the County will partner to expand public awareness of the CourtHELP resource through County departments and community advocates.

Homeless Trust

The Miami-Dade Homeless Trust continues to provide invaluable support to residents facing immediate homelessness. The Trust has coordinated with the Court Services Bureau of the Miami-Dade Police Department and the Eleventh Judicial Circuit to identify residents who are subject to legal eviction actions. Each identified household is mailed a postcard, which lists housing and legal services to address their immediate needs.

The Homeless Trust continues to coordinate emergency housing services for residents at risk of homelessness. Residents who face homelessness are urged to call the Homeless Assistance Hotline, 1-877-994-4357, and choose option 1 after they select their preferred language. Camillus House will assess the needs of callers and their eligibility for Emergency Solutions Grant assistance, and Homeless Prevention assistance, which can provide short hotel stays, and relocation assistance by way of rental assistance, security deposits, or moving costs. Households must be at 50% of the Area Median Income to be eligible for this program.

Ongoing Monitoring of the Housing Crisis

The coordinated and compassionate response to the community's housing crisis is unprecedented. County employees, court administrators, and our nonprofit partners should be proud of their work during these challenging times. As the pandemic continues to impact our community, we remain committed to addressing the immediate and long-term housing needs of our residents.

On August 26, the Supreme Court of the United States invalidated the latest Centers for Disease Control (CDC) eviction moratorium. Based on previous data, there will likely be an increase in the number of eviction cases filed in the local court system as a result. Miami-Dade County will continue to monitor all writs of possession received from the courts, assess the tenants' eligibility for emergency rental assistance, and take action to connect all eligible tenants with relief funding.

PHCD, in coordination with the Mayor’s Division of Innovation and Performance and the Information Technology Department will also develop an online dashboard to report on the performance of ERAP.

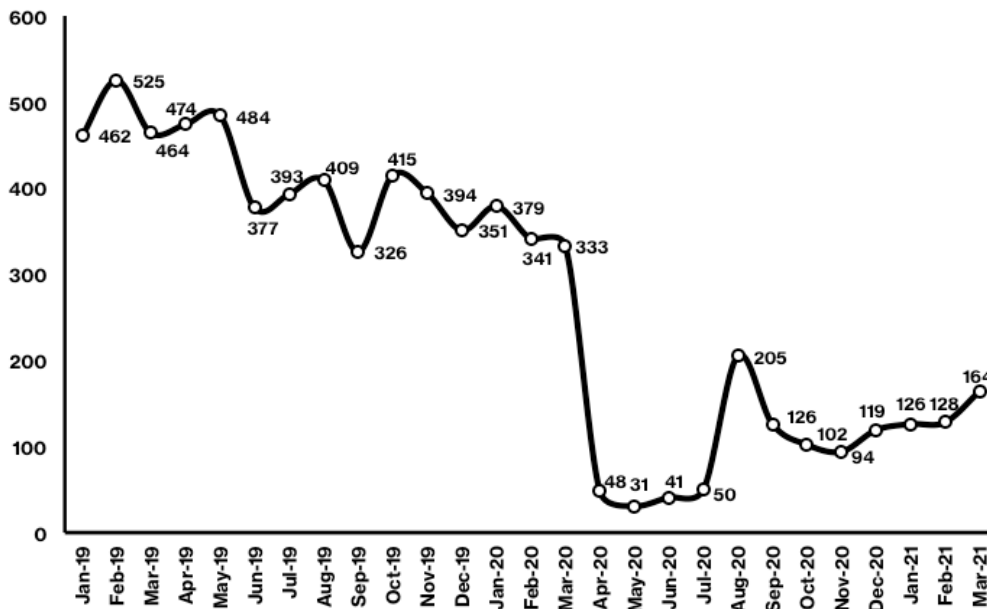
The next section of this memo will provide context on the foreclosure and eviction challenges facing Miami-Dade County.

Foreclosures

To assess the ripple effects of COVID-19, the University of Florida’s Shimberg Center for Housing Studies has begun tracking local foreclosure data across the state. According to their latest data, Miami-Dade County has had 7,300 total foreclosure filings between January 2019 and March 2021 (5,074 in 2019, 1,869 in 2020, and 418 in early 2021). In 2020, Miami-Dade’s rate of foreclosures per 1,000 owner households was 4.06, which was higher than Broward County (2.98), Palm Beach County (2.12) Hillsborough County (2.38), Orange County (3.06), and the State of Florida (2.50).

Between 2019 and 2020, Miami-Dade saw a significant drop (-63%) in the total number foreclosures filed due to state and federal foreclosure moratoriums.

NUMBER OF FORECLOSURE FILINGS, MIAMI-DADE COUNTY



SOURCE Shimberg Center for Housing Studies, 2021

Mortgage Non-payment

Monitoring mortgage non-payment trends—forbearance and delinquency—can also indicate the level of distress to the housing market. Forbearance has been the principal policy response by the U.S. mortgage market to provide economic relief to homeowners

during the COVID-19 pandemic. Mortgage forbearance provides borrowers with the flexibility to miss mortgage payments without penalty for a specified period. These missed payments are usually rolled into a repayment plan after the forbearance period has ended. In March 2020, the Federal Housing Finance Agency (FHFA) directed the government-sponsored enterprises to offer forbearance plans to distressed borrowers. Borrowers not backed by the government-sponsored enterprises also offered similar forbearance plans. The federal government has since extended the deadline to request mortgage forbearance to September 2021.

As of April 2021, the Federal Reserve Bank of Atlanta estimates that almost 8% of borrowers in Miami-Dade County were in forbearance according to the servicer. That month, Miami-Dade’s forbearance rate was comparable to Broward County’s rate, and higher than Palm Beach County (5%), Hillsborough County (5%), Orange County (6%), and the State of Florida (5%).

FOREBEARANCE RATE, MIAMI-DADE COUNTY

Month	Forbearance Rate
October 2020	12.6%
November 2020	10.5%
December 2020	9.5%
January 2021	9.2%
February 2021	8.9%
March 2021	8.6%
April 2021	7.6%

SOURCE Federal Reserve, *Mortgage Analytics and Performance Dashboard, 2021*

Regional economies centered on tourism, like Miami, Las Vegas, and New Orleans, had comparatively higher forbearance rates in late 2020.⁴

The Federal Reserve is also tracking mortgage delinquency trends at the local-level. These are borrowers that have missed a payment and are not using forbearance, according to the servicer.

As of April 2021, about 4% of Miami-Dade’s borrowers are 30 days past due on their mortgage payments and not in a forbearance program, which is comparable to delinquency rates in Broward County (4%). That month, Miami-Dade’s delinquency rate was lower than Hillsborough County (5%), but higher than Palm Beach County (3%), Orange County (3%), and the State of Florida (3%).

⁴ Federal Reserve Bank of Atlanta, “An In-Depth Look at Mortgage Forbearance Data,” February 22, 2021. <https://www.atlantafed.org/blogs/macroblog/2021/02/22/in-depth-look-at-mortgage-forbearance-data>

NON-FORBORNE MORTGAGES 30+ DAYS PAST DUE, MIAMI-DADE COUNTY

Month	Forbearance Rate
October 2020	4.5%
November 2020	4.7%
December 2020	4.7%
January 2021	4.3%
February 2021	4.2%
March 2021	4.4%
April 2021	4.4%

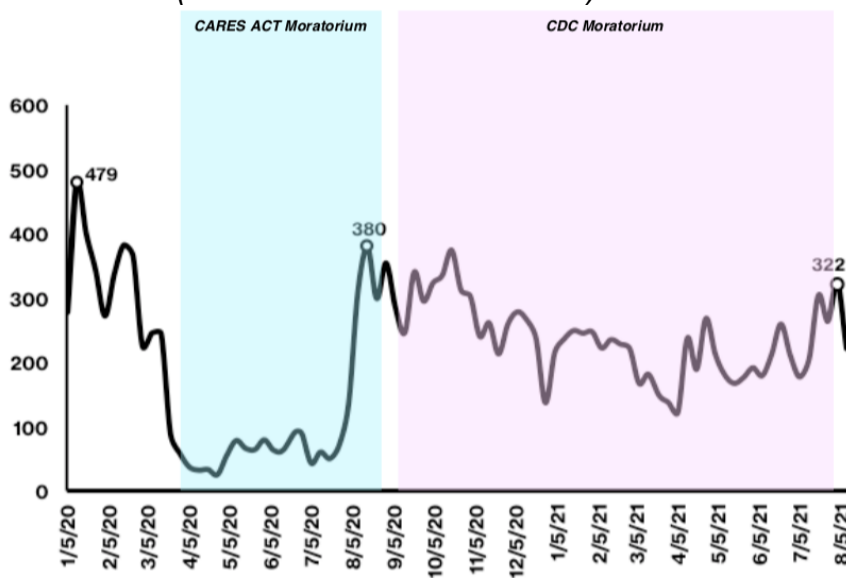
SOURCE Federal Reserve, Mortgage Analytics and Performance Dashboard, 2021

Evictions

As stated above, the most recent CDC eviction moratorium ended on August 26, 2021. According to data collected by the Community Justice Project from the Miami-Dade Clerk of Courts, the number of weekly residential evictions filed increased in the weeks prior to the expiration of the moratorium with the week of August 2, 2021 showing the largest number of evictions filed (322) in 2021 to-date.

Comparable spikes in weekly eviction filings also occurred just before the end of the CARES Act moratorium (380 filings in the week of August 16, 2020), and near the September 30, 2020 end of the State moratorium (340 filings in the week of September 20, 2020). Similar upticks in evictions may occur with the Supreme Court ruling that invalidates the CDC’s Temporary Protection Order.

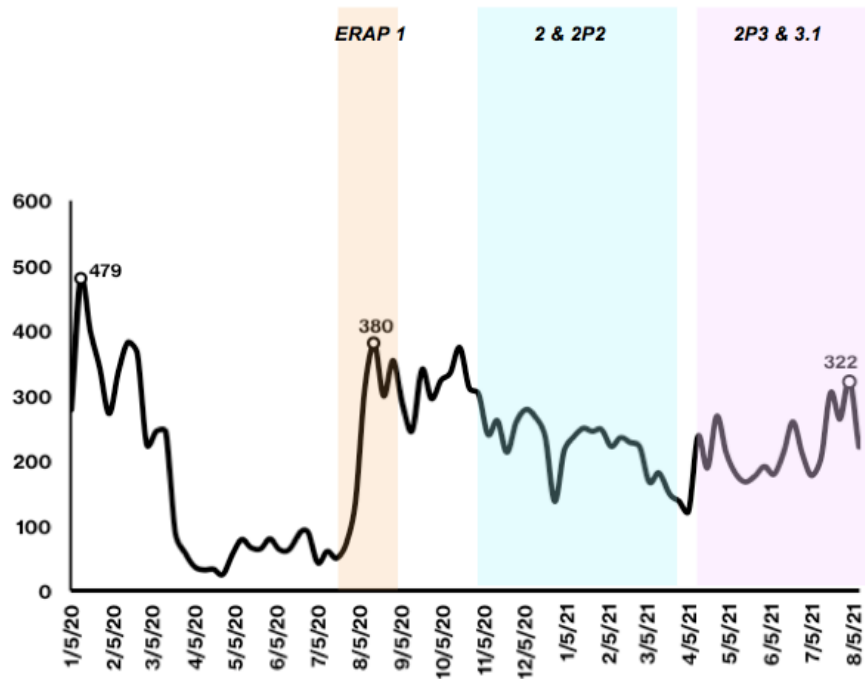
EVICTION FILINGS, MIAMI-DADE COUNTY
(Residential and Commercial)



SOURCE Community Justice Project & Miami-Dade County Clerk of Courts, 2021

There was a large drop in the number of weekly evictions filed in March to early April 2021, which coincided with the release of Emergency Rental Assistance Program (ERAP) 2 Phase 2. The lowest number of filed evictions in 2021 was the week of April 5, 2021, with 122 filings.

*EVICTION FILINGS + ERAP PHASE APPLICATION START DATES
(Residential and Commercial)*



SOURCE Community Justice Project & Miami-Dade County Clerk of Courts, 2021

Similarly, the disbursement of ERAP 1 in mid-July 2020 saw one of the lowest levels of weekly eviction filings in 2020 (60 filings in the week of July 12, 2020).

According to the Shimberg Center, Miami-Dade’s total rate of evictions per 1,000 renter households was 39.05 in 2019 and 24.14 in 2020, which is lower than Broward County (58.44, 2019; 39.05 in 2020), Orange County (56.66, 2019; 35.24 in 2020), and Hillsborough County (53.00, 2019; 36.31, 2020).

EVICTIONS PER 1,000 RENTER HOUSEHOLDS, MIAMI-DADE COUNTY

Month	2019	2020	2021
January	3.71	3.51	2.09
February	3.01	2.99	2.1
March	2.87	1.73	2.01
April	2.77	0.36	-
May	3.1	0.6	-
June	3.18	0.71	-
July	3.65	0.62	-
August	3.73	2.65	-
September	3.25	2.82	-
October	3.65	3.35	-
November	2.99	2.32	-
December	3.14	2.49	-
TOTAL	39.05	24.14	-

***SOURCE** Shimberg Center for Housing Studies, 2021*

Per ordinance No. 14-65, this report shall be placed on the next available Board meeting agenda. Should you require additional information, please contact Rahel Weldeyesus, Senior Advisor for Innovation and Performance, at rahel.weldeyesus@miamidade.gov.

- c: Geri Bonzon-Keenan, County Attorney
- Gerald K. Sanchez, First Assistant County Attorney
- Jess M. McCarty, Executive Assistant County Attorney
- Office of the Mayor Senior Staff
- Michael Liu, Director, Public Housing and Community Development
- Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
- Yinka Majekodunmi, Commission Auditor
- Melissa Adames, Director, Clerk of the Board Division
- Eugene Love, Agenda Coordinator