

NO PLACE LIKE HOME

*Connecting and Strengthening Eviction
Prevention Services in Milwaukee*



WISCONSIN

POLICY FORUM

ABOUT THE WISCONSIN POLICY FORUM

The Wisconsin Policy Forum was created on January 1, 2018, by the merger of the Milwaukee-based Public Policy Forum and the Madison-based Wisconsin Taxpayers Alliance. Throughout their lengthy histories, both organizations engaged in nonpartisan, independent research and civic education on fiscal and policy issues affecting state and local governments and school districts in Wisconsin. The Wisconsin Policy Forum is committed to those same activities and to that spirit of nonpartisanship.

PREFACE AND ACKNOWLEDGMENTS

The strategic planning process that culminated in this report was undertaken to assist the City of Milwaukee, CommonBond Communities, and all organizations that provide eviction services in Milwaukee County in their efforts to enhance coordination and expand their collective capacity. Report authors would like to thank the many individuals and organizations that participated in that process and provided us with their valuable input.

We would also like to thank the Medical College of Wisconsin's Advancing a Healthier Wisconsin Endowment for its grant to the City of Milwaukee, which helped make this report possible.



ADVANCING A HEALTHIER
WISCONSIN ENDOWMENT



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Connecting and strengthening eviction prevention services in Milwaukee

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Between June and November 2018, the Wisconsin Policy Forum facilitated a series of five meetings with a local stakeholders group seeking to collaborate on efforts to prevent evictions in Milwaukee County. This report summarizes the group's initial recommendations.

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INTRODUCTION

Matthew Desmond's Pulitzer Prize-winning book, *Evicted*, was instrumental in raising awareness of the negative impacts of evictions in Milwaukee and across the country. Evictions disrupt people's lives and often are associated with loss of employment, increased school absences, health problems, and other negative outcomes. Desmond's research also found that evictions disproportionately affect racial minorities and women-led households.

In response to growing recognition of the prevalence of evictions in Milwaukee and their devastating impacts, and with the assistance of a grant from the Advancing a Healthier Wisconsin Endowment, the City of Milwaukee and CommonBond Communities (one of the largest nonprofit providers of affordable housing with services in the region) convened a group of more than 30 local stakeholder organizations to develop strategies for preventing evictions in Milwaukee County.¹ Many of those organizations already assist households to prevent or recover from evictions, but they had not previously come together to develop a common vision for responding to this critical challenge.

Between May and November 2018, the Wisconsin Policy Forum served as the facilitator for five meetings of the stakeholders group, which culminated in this report. In the pages that follow, we:

- illustrate the scope of the eviction problem in the city of Milwaukee and Milwaukee County;
- describe the current eviction prevention service landscape;
- identify service and activity gaps as defined by the local stakeholders group; and
- present agreed-upon strategies and action items that could help to close those gaps.



A woman being evicted from her home in Milwaukee. (Photo: The New York Times)

¹ A list of the stakeholder organizations that participated can be found in the Appendix of this report.

In doing so, we consider the financial and logistical challenges that would need to be overcome to implement the solutions identified. We also include unanswered questions that still need to be explored.

This report should be viewed as a first step in a larger process needed to enhance the community's capacity to prevent evictions. It presents several conceptual ideas that, hopefully, can serve as a blueprint for developing a coordinated system of programs and services that will effectively reduce evictions in Milwaukee. It should also be noted that this report focuses on strategies for addressing the immediate needs of households facing eviction. Longer-term policy and economic development solutions also are needed to address broader issues of housing affordability and poverty, but are outside the scope of this project.

PROJECT MISSION

The stakeholders group believed a project mission was required to specify its purpose. In particular, participants felt it was important to clarify, as noted above, that the specific focus of the project was individuals in imminent danger of eviction, as opposed to broader issues related to homelessness and affordable housing. Consequently, the group agreed upon the following project mission:

We seek to create a framework for enhanced, cohesive services for Milwaukee County residents whose situation is one of the following:

- Nonpayment (or risk of nonpayment) of rent due to temporary financial crisis
- Nonpayment (or risk of nonpayment) of rent due to a defensible claim (such as non-habitability of unit)
- Tenant facing eviction due to a lease violation

We seek to improve access for both tenants and landlords to general information about housing rights and responsibilities; eviction policies and procedures; and available resources to assist them with eviction or near-eviction circumstances.

We seek to provide a resource for tenants who have landlord-related problems they wish to report but who are hesitant to do so for fear of retaliation; and for landlords who have tenant-related problems they wish to resolve without using the courts.

Finally, we seek to provide a mechanism for eviction prevention service providers to better communicate and better coordinate their activities.

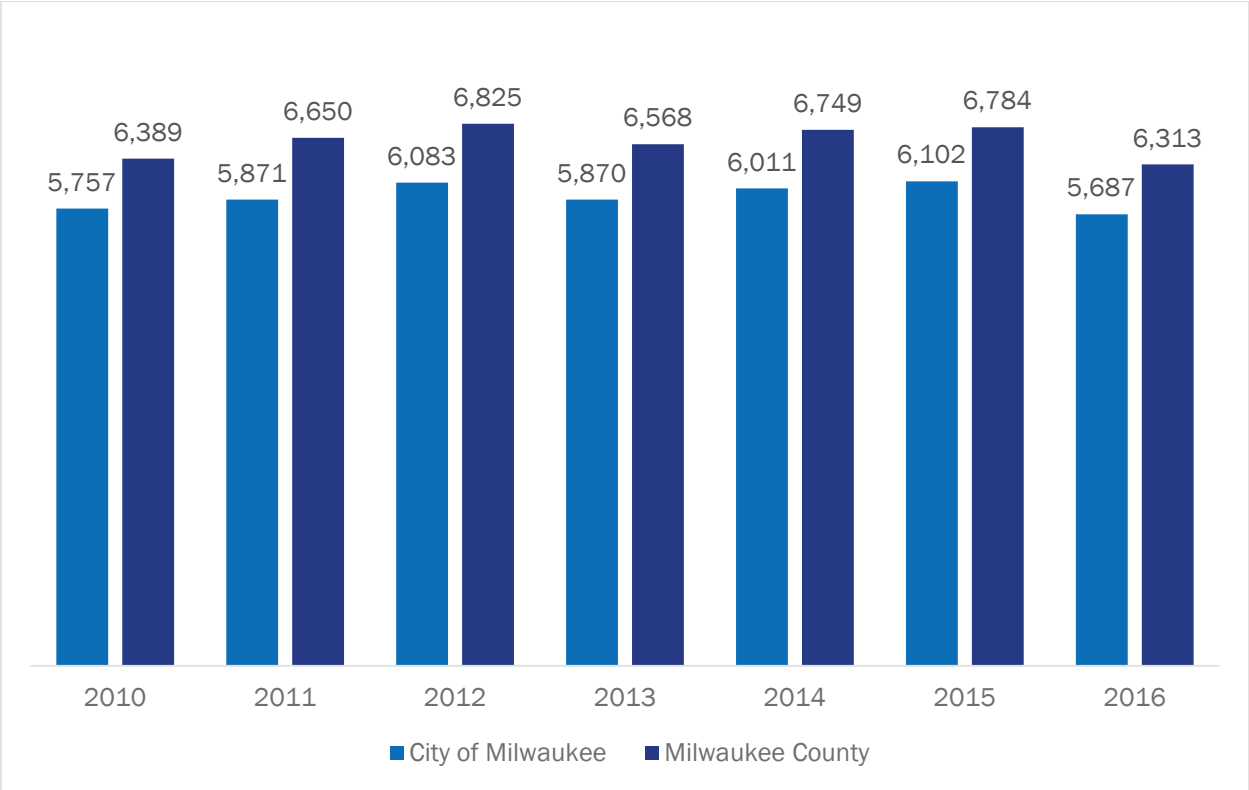
BACKGROUND

EVICTION DATA

Since *Evicted* was published, Matthew Desmond and his team at Princeton University (known as the “Eviction Lab”) have compiled a national database of information on court-ordered evictions. The data allow us to compare the city of Milwaukee and Milwaukee County with peer cities and counties across the country.

According to that data, 6,313 Milwaukee County households were evicted by court order in 2016, including 5,687 city of Milwaukee households (**Chart 1**). Thus, 90% of the county’s evictions affected city residents. While total evictions were lower in 2016 than in any previous year dating back to at least 2010, they translated into an average of 121 evictions in Milwaukee County per week that year.

Chart 1: Court-ordered evictions in the City of Milwaukee and Milwaukee County, 2016



Source: The Eviction Lab at Princeton University

These data only include evictions that went through the courts, but it is important to note that many *informal* evictions also take place in which landlords persuade tenants to move out (in some cases to avoid going to court) or in which tenants are forced out for other reasons, such as a landlord foreclosure or building condemnation. Data on those informal evictions are not currently available.

Another factor that is unclear from the court-based eviction data is the extent to which some households may have been evicted more than once and are therefore double or triple counted. Future analysis aimed at answering that question would provide helpful perspective.

Comparison with peer cities

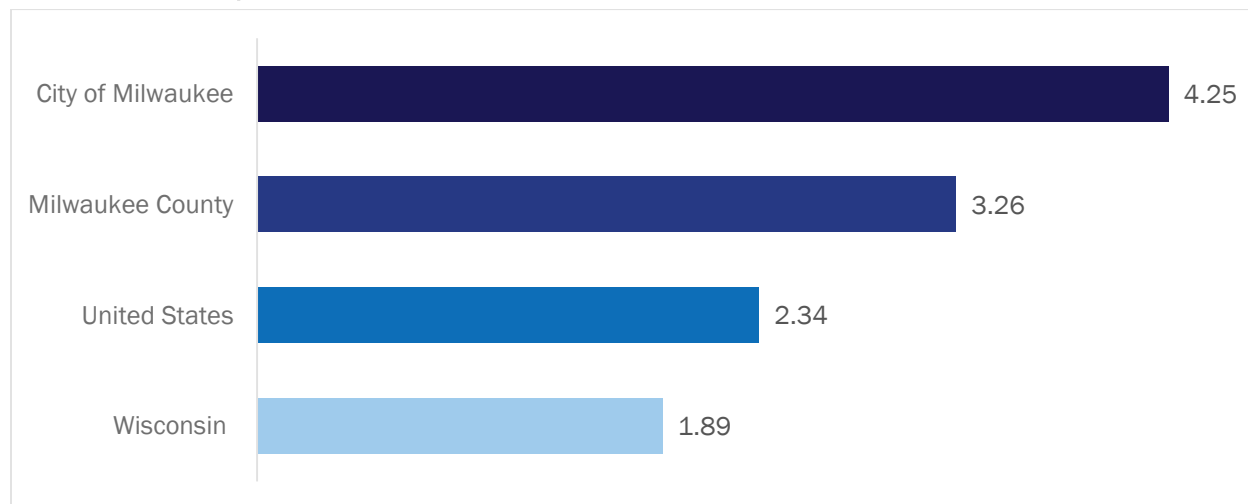
In 2016, roughly one out of every 24 renter households in the city of Milwaukee was evicted, or 4.25%. Some city neighborhoods were disproportionately impacted by the destabilizing effects of frequent evictions, while in other neighborhoods, evictions were relatively uncommon. Eviction Lab data show that 19 primarily African-American census tracts on Milwaukee's north and northwest sides had eviction rates over 10%, while many tracts in other parts of the city had rates below 1%.

Milwaukee's 2016 eviction rate ranked 59th nationally among 261 cities with populations over 100,000. After *Evicted* shined a national spotlight on Milwaukee, the city's ranking below many other cities may have come as somewhat of a relief to many community leaders. Nevertheless, eviction is a widespread problem that affects thousands of Milwaukee households each year.

In 2016, roughly one of every 24 renter households in Milwaukee was evicted. In some census tracts, it was more than one in 10.

The city of Milwaukee's eviction rate was higher than county, state, and national averages, as shown in **Chart 2**. While 4.25% of all renter households in Milwaukee were evicted in 2016, the same was true for 3.26% of renter households in Milwaukee County, 1.89% of renter households in Wisconsin, and 2.34% of renter households nationally.

Chart 2: Evictions per 100 renter households, 2016

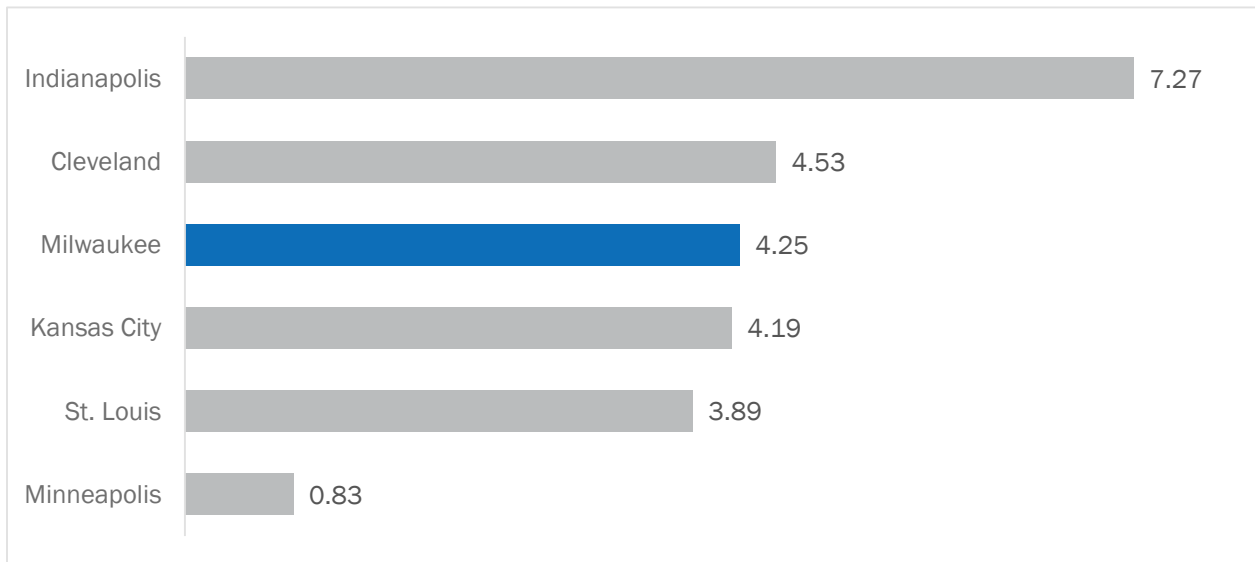


Source: The Eviction Lab at Princeton University

Taking a closer look at five Midwestern peer cities with similar populations shows the 2016 eviction rate was higher in Milwaukee than in Minneapolis, St. Louis, and Kansas City, and lower than in Cleveland and Indianapolis (**Chart 3**). Minneapolis had an eviction rate of less than 1% (one-fifth the

rate in Milwaukee). Future research examining how Minneapolis has achieved such a low eviction rate could prove insightful.

Chart 3: Evictions per 100 renter households in peer Midwestern cities, 2016



Source: The Eviction Lab at Princeton University

EVICTION PROCESS

In Wisconsin, a landlord must properly terminate a tenancy by written notice before filing an eviction action in court. Depending on the type of tenancy (lease for term, month-to-month, etc.) and the issue leading to the eviction (late rent payment vs. other lease violation), either a 5-day, 14-day, 28-day, or 30-day notice may be appropriate. Some notices allow the tenant to cure the violation while others do not.

If the tenant remains in the rental unit after the notice period ends (and has not cured the notice, if permitted), the landlord has the legal right to proceed with an eviction filing. To do so, the landlord must complete an Eviction Summons form, a Complaint form, and additional paperwork through the Milwaukee County Courts. Copies of the Eviction Summons and Complaint must then be served to the tenant at least five days before a scheduled court hearing. The landlord also must pay a court fee when submitting the forms.

All eviction hearings currently are handled as small claims cases by the Milwaukee County Circuit Court's Civil Division. If the court rules in the landlord's favor, the landlord must then submit an Order, Writ of Restitution, and Letter of Authority to the Milwaukee County Office of the Sheriff. The Sheriff's Office then has 10 business days from the time the landlord's paperwork is fully submitted to remove the tenant from the property.

While the process outlined above describes the court-based eviction process, as previously noted, many informal evictions also take place that do not go through the courts. Even in those circumstances, a tenant may have legal recourse.

CURRENT LANDSCAPE

Many city and county agencies and local nonprofit organizations already administer or provide programs and services that aim to prevent evictions in Milwaukee County. While not an exhaustive list, the table below summarizes the primary roles played by several of those organizations. We then describe the services each organization provides and their target populations, including participation and outcomes data, where possible.

Organization	Primary Eviction Prevention Service Type
City of Milwaukee – Department of Neighborhood Services	Landlord and tenant education
CommonBond Communities	Supportive affordable housing management
Community Advocates	Financial assistance and support for tenants
IMPACT 2-1-1	General information and referral services
Legal Action of Wisconsin	Legal representation for tenants
Legal Aid Society of Milwaukee	Legal representation for tenants
Mediate Milwaukee	Landlord-tenant mediation services
Milwaukee County - Housing Division	Service coordination; Financial assistance

City of Milwaukee – Department of Neighborhood Services (DNS)

The City of Milwaukee’s *Landlord Training Program* provides five hours of classroom training and is designed to help landlords and property managers keep illegal and destructive activity out of rental properties. Each class includes professional guest speakers, such as court commissioners, legal experts, landlord/tenant mediators, city attorneys, towing companies, and pest control specialists. Participants also receive a 100-page manual, numerous handouts, and follow-up assistance.

Participation in the Landlord Training Program is voluntary, but the city’s Department of City Development asks landlords who purchase city-owned properties to participate. A total of 715 participants participated in the program in 2017, including 459 landlords and 256 aspiring landlords or tenants.



DNS also offers *Rent Withholding* for occupants of residential and commercial rental units with code violation orders that have gone unaddressed. (Licensed rooming houses and owner-occupied duplexes are not eligible, nor are units where the only violation is exterior painting.) Qualifying tenants pay rent to DNS rather than to their landlord, and DNS sends rental receipts to the landlord. The rent payments are held in an escrow account until the landlord has addressed all code violations. In some cases, rent withholding funds may be used by DNS to make repairs on a property or to pay relocation costs for tenants.

In 2019, DNS plans to launch a new training program for tenants called *Rent for Success*, which will help renters understand lease and rental agreements, respond to health and safety issues, recognize when it may be time to end a tenancy, and know how to do so properly. Participants will receive information about available legal assistance and landlord/tenant mediation services and a free printed guide for reference. The target audience for the Rent for Success program is residents vulnerable to or currently renting from predatory landlords, and residents of receivership properties.

In addition, DNS tracks nuisance landlords, provides code violation data to court commissioners during eviction proceedings, and investigates interior code violations on rental properties.

CommonBond Communities

CommonBond is an example of an organization that provides low-income renters with supportive services designed to prevent evictions further upstream. The organization owns and/or manages 656 units of affordable housing in Milwaukee, including 291 units in sites with on-site services coordinators.

When housing stability or lease compliance issues arise, CommonBond's services coordinators connect with households early, refer them to external resources, and follow up until the issue is resolved. If the tenant's problem is related to unpaid rent, the organization's property management team offers payment plans as an option.

In 2017, CommonBond staff prevented 96 evictions from occurring, which accounted for 93% of households at risk of eviction at sites with on-site services coordinators.

Community Advocates

Community Advocates offers several programs designed to assist households with problems that affect their housing stability.

Homelessness Prevention Program – helps cover rental arrears (unpaid rent) for tenants who might otherwise be evicted.

Rent Bridge Program – offers secondary contracts for rental agreements, allowing tenants to defer part of their rent payment and make monthly installments along with future rent.

Security Deposit Guarantee Program – helps tenants afford security deposits by allowing tenants to defer part of their security deposit and make monthly installments along with future rent.

Rent Abatement Program - For residents who are renting housing units needing repair, Community Advocates' staff work with the Milwaukee Building Inspector's office to legally



withhold rent until needed repairs are made to the rental unit. Services focus on rent withholding, rent abatement, and relocation.

Tenant-Landlord Mediation – Informal mediation is provided to assist low-income tenants facing eviction or small claims actions related to tenancy. Services are provided both by phone and on a walk-in basis.

Tenant-Landlord Training Program - a one-hour session delivered as needed in the community that provides information, referral, and advocacy services regarding renter's rights and responsibilities for tenants and property owners.

These programs only serve households that meet specified eligibility criteria. For example, Community Advocates cannot help households with housing vouchers and can only assist individuals whose financial problem is deemed to be temporary in nature.

IMPACT 2-1-1

IMPACT 2-1-1 is the first organization many people contact in Milwaukee County when seeking housing assistance or help with a wide range of other issues. IMPACT 2-1-1's information and referral specialists assist callers using the organization's resource database, which contains program descriptions, eligibility information, and contact information for thousands of programs and services in Milwaukee County, including many (if not all) of those described in this section.

IMPACT 2-1-1's staff are not housing experts, however, and are often unable to assist people with complex cases. In addition, the organization does not know whether each service in its database is effective or whether individual callers are ultimately getting the help they need. In the future, IMPACT hopes to develop a database that allows the organization to track individuals after they have called 2-1-1 by letting service providers input information.

Legal Action of Wisconsin

In partnership with several other organizations, Legal Action of Wisconsin coordinates the Eviction Defense Project (EDP), a court-based, free civil legal service that seeks to reduce housing instability for low-income Milwaukee County families. Through the EDP, volunteer attorneys provide limited scope civil legal aid to tenants facing eviction. Those services include:

- providing advice and counsel to help clients prepare for court eviction proceedings;
- negotiating with landlords and landlords' attorneys to reach settlements;
- representing clients in court in eviction proceedings (return dates, motion hearings, and trials); and
- post-judgment civil legal aid such as motions to seal or reopen improper evictions.

In 2017, the EDP represented 487 unique clients, more than quadrupling the rate of attorney representation for tenants from 2016. However, even with that significant increase in representation, and considering that more than 14,000 evictions were filed in Milwaukee County last year, there is still a large number of tenants who are unable to secure representation in eviction cases.

According to Legal Action, there is a roughly 10% higher rate of eviction avoidance among EDP clients than non-clients.

The EDP also assists clients to seal eviction records from the Wisconsin Circuit Court Access website (commonly known as CCAP), which makes it easier for those individuals to obtain future housing. Among 157 total eviction cases sealed in Wisconsin in 2017, 76 were represented by the EDP. The EDP obtained seals in 16% of its 2017 cases, compared to the 1.5% of cases that were sealed in non-EDP cases in 2016.

In addition to the EDP, Legal Action of Wisconsin recently started a new program called the Housing Conditions Project, which will offer legal services to low-income renters living in substandard housing.

Legal Aid Society of Milwaukee

Legal Aid Society of Milwaukee provides legal assistance for Milwaukee tenants in disputes with current or former landlords. The primary focus is to prevent homelessness by providing pre-eviction advice and counseling to tenants and direct representation in eviction cases. Services are targeted to people with incomes at or below 125% of the poverty line and are available every Monday and Wednesday afternoon.

Funding for Legal Aid Society's civil legal services comes from a variety of grants, contracts, donations, and attorney's fees.

Mediate Milwaukee

Metro Milwaukee Mediation Services, Inc. (Mediate Milwaukee) offers free mediation services for tenants and landlords to address conflicts and prevent avoidable evictions. Originally created to assist in foreclosure cases involving homeowners, Mediate Milwaukee's services expanded in 2017 to include eviction cases for rental housing. Services are funded through the Milwaukee County Clerk of Courts.

Services are available both prior to an eviction being filed with the court (pre-filing) and after (post-filing).

The post-filing service began in May 2017 and is available on Wednesday afternoons for eviction "return dates" in small claims court. Parties may request mediation or the commissioner or judge may refer them. As of September 2018, Mediate Milwaukee had assisted with 52 post-filing cases. Among them, 41 had resulted in evictions being dismissed or in stipulated agreements (79%).



Pre-filing landlord-tenant mediation services were added in November 2017, and since then, Mediate Milwaukee has assisted parties in 75 matters by providing legal service referrals, conflict coaching, and mediation services. As of September 2018, 61 of those matters have remained out of eviction court (81%).

Milwaukee County – Housing Division

Milwaukee County recently created a new eviction prevention program staffed by a full-time specialist dedicated to assisting both landlords and tenants. In addition to providing information and service coordination, the new program will provide temporary financial assistance to qualifying tenants through a new Housing Stabilization Fund. The county's program is specifically designed to serve federal housing voucher recipients because Community Advocates currently cannot serve those households.

Milwaukee County also has dedicated new financial support to Legal Action of Wisconsin to expand its Eviction Defense Project from three days per week to four.

The county is paying for its new program and services with \$200,000 of flexible local funding it raised, in part, by rehabbing and selling foreclosed county-owned properties.

In 2019, Milwaukee County hopes to add two case managers to the program who would be based with community providers and would work with the Coordinated Entry system to assist households experiencing housing crises.

NEEDED IMPROVEMENTS

Several key issues emerged during the series of meetings with local stakeholder organizations. Below, we highlight five areas where the group agreed improvements are needed to reduce the number of evictions in Milwaukee.

There is a need to better coordinate eviction prevention services in Milwaukee County into a more cohesive “system.” Many local organizations are involved in some way in eviction prevention. While some organizations are aware of what others are doing and limited coordination is taking place among them, enhanced efforts are needed to address the eviction problem collectively.

Milwaukee would benefit from a “front door” for housing and eviction prevention assistance that serves both tenants and landlords. There is strong support among stakeholder organizations for the idea of establishing a “one-stop shop” where both tenants and landlords can go for housing and eviction prevention information and assistance. Many tenants do not know where to go when housing problems arise and rely on referrals from friends, family, and/or IMPACT 2-1-1. Similarly, evictions are not in landlords’ best financial interest, but many landlords simply are not aware of existing services. Even service providers often do not know where to send people for help with housing problems. The group felt a front door approach would help to clarify and simplify access to services.

Providing more financial assistance for temporary situations could help to prevent many evictions. Lack of money to pay rent is the underlying problem in most eviction cases. Community Advocates and the local W-2 agencies currently provide temporary financial assistance to households facing eviction, and Milwaukee County’s new program will soon do so as well. However, each of those programs has narrow eligibility requirements and limited resources, resulting in persistent service gaps.

Increased utilization of existing mediation services and expanded capacity for legal representation are needed. Tenant/landlord mediation – and legal representation at court hearings – appear to be effective means of preventing evictions. Currently, Mediate Milwaukee is the only organization providing formal mediation services with trained, neutral mediators for eviction cases in Milwaukee County, and it is only involved in a small number of cases. Increased awareness among landlords and tenants about the availability of Mediate Milwaukee as an alternative or precursor to court filing is needed.

Legal Action of Wisconsin, Legal Aid Society of Milwaukee, and Marquette University’s Volunteer Legal Clinics provide legal advice, counseling, and/or representation for tenants facing evictions. Yet, each of these organizations can handle only a limited number of cases and many households remain without legal representation in court.

Information about available eviction prevention resources should get to renters more consistently and earlier. Communications strategies are needed to get the word out to both tenants and landlords about existing services. Several stakeholder organizations noted that it can be especially difficult to reach people in poverty. Even if a new “front door” for eviction prevention assistance is created, there will be a need to raise awareness about it in the community.

CONSENSUS ITEMS

The issues and needs identified in the initial stakeholder group meetings helped to guide subsequent discussions, which focused on possible solutions. There was agreement on five broad strategies the group believes could combine to develop a more effective eviction prevention system in Milwaukee with greater capacity to assist both tenants and landlords. In this section, we describe each of those strategies and possible next steps. The strategies are not listed in order of priority.

One point of overriding consensus was that in order to implement any of these solutions and make a meaningful impact on the eviction problem in Milwaukee County, more financial resources will be needed.

TENANT & LANDLORD RESOURCE CENTER

To address the identified need for a “front door” for eviction prevention services in Milwaukee, the stakeholders group envisions creating a new tenant and landlord resource center. Establishing such a center could help to clarify and simplify the process of accessing services and could help service providers function as more of an integrated system. Also, the center could serve as a resource for providing preventative information and assistance to individuals before an eviction “cycle” is initiated.

The group agreed on the general role of the resource center and on several aspects of how it should function. The center should:

- serve all households regardless of age, family status, and whether they are housing voucher recipients;
- be a clearinghouse that provides information about rental rights and responsibilities, including state and local rental laws;
- assist individuals to determine their eligibility for available services and direct them toward those services; and
- be a service both for tenants hoping to prevent evictions and landlords when problems arise with their tenants.

One important question that generated a great deal of discussion was whether the resource center would be a physical place, a call center, a website, or all of the above. Overall, the group agreed that a physical location would be ideal, though it would require the most resources and may take more time to develop.

Ultimately, several options were identified, as described below. A phased approach could be taken to develop a resource center that combines two or more of these options over time.

Website – information about all of the major organizations and services could be provided, including eligibility information and intake/online screening tools. Educational materials and templates to assist tenants and landlords also could be included.

Call center – establishing a singular phone number for people to call for eviction prevention assistance could help fill a hole when tenants and landlords don't know who to call, and when service providers (including IMPACT 2-1-1) don't have a place to refer people with complex cases. The call center could be staffed with eviction prevention specialists with expertise on rental rights and responsibilities and would be able to connect people directly with other direct service providers.

Physical place – as with the call center option, eviction prevention specialists would be available to assist tenants and landlords with information and service navigation. Assistance would be provided in person in a central location.

Another idea is for the physical location to have representatives from all of the major organizations that provide relevant services together under one roof. This would facilitate referrals between agencies and foster a “systems” approach to eviction prevention.

Community Advocates already provides several eviction-related services and expressed interest in possibly housing the center as an expansion of its current programming if this path is taken.

Madison's Tenant Resource Center

The Tenant Resource Center (TRC) in Madison is a nonprofit organization that provides a range of services for tenants and landlords in Dane County and statewide. The TRC is one possible model for the local stakeholders group to consider in developing a tenant and landlord resource center here in Milwaukee. In fact, the TRC briefly operated a second office in Milwaukee in the early 2010s, but closed it due to financial constraints.

Services provided by the TRC in Madison include the following:

- **Free housing counseling for tenants and landlords.** Staff has expertise in rental rights and responsibilities and provides referrals to other organizations, as appropriate.
- **Temporary financial assistance.** Very limited funding is available for specific target populations in the form of emergency rent assistance to prevent evictions and loans for security deposits.
- **Mediation services for tenants and landlords** with trained mediators.
- **Case management** for a limited number of homeless individuals and families.
- **Website** with legal information, resource lists, and sample forms.

The TRC has 15 staff members and several volunteers. Funding for the organization comes from the City of Madison, Associated Students of Madison (UW-Madison), U.S. Department of Housing and Urban Development, Dane County CDBG, Dane County Human Services, and Community Shares of Wisconsin (a Madison-based foundation).

Mobile services – eviction prevention specialists could bring information and assistance out into the community. Mobile services could help raise awareness of the resource center and could break down transportation barriers that may prevent some individuals from accessing services.

Depending on its size and scope, a tenant and landlord resource center also could track households after they have received assistance to prevent them from falling through the cracks. Tracking participants also could help the resource center and wider community collect and analyze outcomes data and shed light on where gaps in services may still exist.

A number of additional questions were discussed by the stakeholders group without recommendations being made. Among the most important are what staffing and financial resources would be needed to establish the resource center, and how those resources would be raised. It was agreed that given the limited time frame and scope of the initial stakeholder group convening, these and other questions will need to be left to future deliberations.

MEDIATION & LEGAL REPRESENTATION

Mediation

Discussions on this topic focused on possible strategies for directing more tenants and landlords to Mediate Milwaukee, particularly before evictions have been filed. When a case is successfully mediated early on rather than going directly to court, it does not become part of an individual's permanent records, thus preventing negative long-term effects on their housing stability.

Currently, Mediate Milwaukee obtains referrals from a variety of sources, including court commissioners, but only gets about 15 calls per month. A more consistent process for court commissioners to refer landlords and tenants to mediation services is needed, and Mediate Milwaukee is currently working with the commissioners and judges to make that happen. The organization's mediation services also were just added to IMPACT 2-1-1's database in August 2018, which could increase referrals.

Another idea raised during the stakeholder meetings was for the Apartment Association of Southeast Wisconsin to refer more landlords to Mediate Milwaukee. Landlords also could be encouraged to include Mediate Milwaukee's information (and information about other eviction prevention services) on termination notices; it may not be legal to *require* landlords to do so, but there may be ways to incentivize the practice.

In the immediate future, Mediate Milwaukee has the capacity to take on a greater caseload. In 2019, the organization is hoping to add another staff member to expand capacity further.

Legal Representation

The stakeholders group agreed that expanded capacity is needed to ensure that everyone who does go to court has access to legal representation. Currently, Legal Action of Wisconsin's Eviction Defense Project (EDP) provides limited, same-day representation to tenants at eviction hearings. Legal Action has expanded the hours of the EDP from one day per week in the first quarter of 2018 to three days per week currently. As previously noted, it will expand again to four days per week in 2019. Still, the EDP's capacity does not allow it to serve every household facing an eviction hearing

even on the days it operates, and the long-term sustainability of the program is not certain. The longer-term vision is for the EDP to be available five days per week and to have the capacity to serve all households who otherwise lack representation for an eviction hearing.

In addition to the EDP, Legal Aid Society of Milwaukee provides *full representation* to tenants facing eviction from private housing, and Legal Action of Wisconsin provides full representation to tenants being evicted from public housing. Full representation allows a tenant's attorney to comprehensively investigate defenses, prepare evidence, and help tenants in eviction cases that require multiple hearings.

Legal Aid's full representation services include defense against a landlord's claim for money damages, illegal security deposit withholdings, and counterclaims for property lost due to a landlord's failure to maintain a habitable premises or other violation. The claims for money damages destabilize a tenant's life despite winning an eviction hearing and put the tenant back on the path to another eviction. Ultimately, capacity for full representation in housing cases should be expanded significantly to meet the need.

FINANCIAL ASSISTANCE

Since existing programs that provide temporary rent assistance for Milwaukee County households have limited resources and/or narrow eligibility criteria, a new or expanded fund is needed to increase local capacity to serve households in need.

While no recommendation was made regarding who would be eligible for assistance from the new or expanded fund, several stakeholders pointed out a need for additional funding for households currently ineligible for the Emergency Assistance (EA) program offered through Milwaukee County's four W-2 agencies, including older adults, other households without children, and college students. Only low-income families with children are eligible for the EA program.

Community Advocates also offers temporary rent payment assistance for low-income households and does not restrict its assistance to families with children, but its funds are limited. To receive assistance, households must first apply for and/or exhaust all other available resources, including the EA program, if they qualify. Families can receive assistance from both Community Advocates and the EA program simultaneously.

The size of the new or expanded fund, how to raise money for it, and where the fund would be housed all need to be determined. To that end, the stakeholders group has committed to collecting and analyzing demographic data on evicted households to understand how characteristics like family size and the race, age, and gender of the head of household relate with the likelihood of an eviction.

Financial assistance could be coupled with case management and other services for a more comprehensive approach to eviction prevention.

HOUSING COURT

Recognizing that housing cases are distinct from other small claims cases in that the stakes are extremely high for those who could lose their home, many large cities have created specialized courts that only deal with housing matters. Housing courts also sometimes provide supplementary services not found in a typical small claims court.



The local stakeholders group in Milwaukee agreed that the concept of a housing court is worth exploring further, but a lack of sufficient information regarding how such courts function elsewhere and their potential benefits precluded a definitive recommendation.

For example, could a housing court promote mediation and thus prevent cases from becoming part of people's permanent records? Could such a court provide services before an eviction is filed to prevent cases from getting to that point? Could it include wraparound/case management services that could prevent households from becoming homeless? Would additional resources be required to create a housing court or could both cases and existing services simply be shifted to it?

In the short term, an analysis of housing courts in other U.S. cities should be conducted to raise awareness of how they work and their impacts. If the model is deemed promising, further steps could be taken toward developing one here in Milwaukee.

CONTINUATION OF EVICTION PREVENTION COALITION

By simply forming this new coalition and bringing participants to the table for five monthly meetings, this project has already raised awareness and strengthened relationships among organizations invested in addressing Milwaukee's eviction problem. This has helped the various organizations begin to see themselves as part of a larger network.

To continue to foster communication and collaboration, the local stakeholder organizations have agreed to continue to meet regularly to flesh out the ideas presented in this report and to take action on implementation. UEDA (Urban Economic Development Association of Wisconsin) has offered to convene the group for regular meetings beginning in early 2019.

CONCLUSION & NEXT STEPS

This report represents an important first step toward improved coordination and expanded services designed to reduce evictions in Milwaukee. There are many decisions yet to be made and much more work to do, but this report shows there is agreement on pursuing (or at least further exploring) several promising eviction prevention strategies.

The next phase of this project will focus on filling in details regarding the exact design and scale of each agreed-upon strategy, estimating costs, setting priorities for which initiatives to pursue first, and creating a plan for raising necessary financial resources. Those steps will allow the coalition to pivot to implementation.

The overarching goal of this initial project and report was to identify potential strategies to reduce evictions by expanding the community's capacity to help both tenants and landlords when problems arise. The ideas generated by the stakeholders group, including the tenant and landlord resource center and housing court concepts – and the continuation of the eviction prevention coalition itself – could help to achieve that goal and to further tie local service providers together into a well-coordinated system.

APPENDIX

ORGANIZATIONS REPRESENTED AT STAKEHOLDER MEETINGS

Apartment Association of Southeast Wisconsin
City of Milwaukee – City Attorney’s Office
City of Milwaukee – Common Council
City of Milwaukee – Community Development Grants Administration
City of Milwaukee – Department of City Development
City of Milwaukee – Department of Neighborhood Services
City of Milwaukee – Health Department
City of Milwaukee – Intergovernmental Relations Division
City of Milwaukee – Mayor’s Office
CommonBond Communities
Community Advocates
Friedens Community Ministries
Froedtert Hospital
Housing Authority of the City of Milwaukee
IMPACT, Inc. – IMPACT 2-1-1
Legal Action of Wisconsin
Legal Aid Society of Milwaukee
Local 212 / MATC FAST Fund
Marquette University
Mediate Milwaukee (Metro Milwaukee Mediation Services)
Medical College of Wisconsin
Metropolitan Milwaukee Fair Housing Council
Milwaukee Continuum of Care
Milwaukee County – Clerk of Courts
Milwaukee County – District Attorney
Milwaukee County – Housing Division
Milwaukee County – Office on African American Affairs
Milwaukee Public Schools
Racine Revitalization Partnership
Social Development Commission
StreetLife Communities
United States Attorney’s Office
United Way of Greater Milwaukee and Waukesha County
Urban Economic Development Association of Wisconsin (UEDA)
Wisconsin State Public Defender’s Office