



Law and Policy Pathways to Preventing Housing Instability

Housing instability is a public health problem that both causes and exacerbates health problems, erodes communities, and drives health inequities. Eviction specifically imposes damaging health consequences that can last lifetimes, or even generations. Families grappling with housing uncertainty experience physical and mental health challenges, from elevated rates of childhood and chronic disease and mortality to stress, depression, anxiety, and suicide. Those who lack stable housing are more likely to experience homelessness, unemployment, substance use, food insecurity, and violence. Housing instability makes it difficult for residents to invest in their homes, relationships, and neighborhoods; eviction can disrupt the fabric of entire communities. Laws and policies at both the state and community levels can work to address these negative impacts and promote housing stability by deterring serial eviction filings, adopting eviction diversion and prevention programs, providing tenants with access to legal representation in eviction hearings, limiting access to eviction records, and promoting community-based solutions to end homelessness and increase housing access.

Public Health Issues:
How law and policy can help:

Deter Serial Eviction Filing

- ➔ **Expand pre-filing notice requirements** to prevent hasty filings and allow tenants time to remedy violations.
- ➔ **Increase the cost of filing for eviction** to encourage landlords to first exercise other available options and to fund tenant support services.
- ➔ **Prevent landlords from passing filing fees on to tenants** in order to ensure that fees act as a sufficient deterrent.
- ➔ **Ensure landlords have “clean hands”** by preventing those with housing violations from filing evictions.

Implement Eviction Diversion and Prevention Programs

- ➔ **Provide notice and tenant education** to enable proactive access to community support services.
- ➔ **Create emergency housing funds** to sustain tenancies and give renters an opportunity to recover.
- ➔ **Implement pre-filing mediation programs** to encourage landlords and tenants to reach mutual agreements.
- ➔ **Consider collaborative approaches to housing court** that combine rental assistance with traditional court proceedings.

Provide Legal Representation in Eviction Proceedings

- ➔ **Implement a right of access to counsel** in eviction proceedings.
- ➔ **Offer comprehensive representation**, rather than just brief advice, to income-eligible tenants.
- ➔ **Include representation in administrative proceedings** for eviction and for termination of housing benefits.
- ➔ **Frame the right as a public health measure** to help explain that the high costs of implementation are offset by significant cost savings in the future.

Limit Public Access to Eviction Records

- ➔ **Expunge eviction records** immediately following cases that are dismissed or that result in a judgment in favor of the tenant.
- ➔ **Reduce the timeframe evictions remain public** to limit housing instability and improve housing access for evicted tenants.

Adopt Community-Based Measures to Promote Housing Stability

- ➔ **Organize a centralized approach** to end homelessness by providing support to those who are homeless and at risk of homelessness.
- ➔ **Provide access to immediate housing and support services** through rapid re-housing and permanent supportive housing programs.
- ➔ **Promote long-term housing stability** through housing voucher programs.

Network law and policy experts are available to consult on this and other public health issues.