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## Renters advocates fear evictions rise when ban expires

by [Tess Vrbin](#) | August 1, 2021 at 12:00 a.m.

The end of the federal eviction ban Sunday foreshadows troublesome spikes in evictions and homelessness throughout Arkansas in the coming months, advocates for renters and for unhoused people said Friday.

The federal moratorium has been renewed several times throughout the covid-19 pandemic, but it appeared late Friday that a last-ditch effort by congressional Democrats to extend it once more was dead.

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Meanwhile, the federal Consolidated Appropriations Act of 2021 allocated \$173 million for emergency rental assistance to Arkansas, but only a small portion of those funds have reached tenants so far, raising fears among advocates.

"We feel like we're going to have a lot more people with needs that we might not be able to meet," said Rebecca Beadle, chairperson of the Arkansas Homeless Coalition. "I'm concerned that even the emergency shelter system will be overburdened when more people wind up evicted and homeless."

While the moratorium has kept most evictions at bay, landlords have still been able to file for evictions in court, and many eviction hearings are scheduled for early August, said Kendall Lewellen, managing attorney with the **Center** for Arkansas Legal Services.

"Tenants will have the ability to contest those cases, and that process is going to take some time, but with the speed of rental assistance getting out there, I'm not terribly optimistic about the next few weeks or months," she said. "I think this, combined with the delta variant is just terrible timing."

Additionally, some judges have heard eviction cases and ruled in favor of the landlords, and those rulings will go into effect Monday morning forcing some Arkansans out of their current homes. Lewellen said

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Landlord groups have complained that the eviction moratoriums have been costly, and federal relief for landlords has not kept pace with lost rent revenue.

The National Apartment Association on Tuesday sued the federal government for back rent, saying the moratorium has left landlords with more than \$26 billion in overdue rent.

Bob Pinnegar, president of the group that represents landlords overseeing about 10.5 million apartments, said Thursday that a new extension of the eviction moratorium would amount to an "unfunded government mandate" that would hurt landlords and renters alike.

"If the [Biden] Administration and Congress want to keep the meter running through another eviction moratorium, they need to fully fund existing and future rent debt and get rental assistance flowing," Pinnegar said in a statement.

"Housing providers do not want people to lose their homes, such notions are contrary to the industry's survival and simply untrue. Our nation faces an alarming housing affordability disaster on the horizon – it's past time for the government to enact responsible and sustainable solutions that ultimately prioritize making both renters and housing providers whole."

Still, some landlords have refused to accept rental assistance from the state, the Arkansas Democrat-Gazette previously reported.

In a Friday op-ed in the Arkansas Democrat-Gazette, Lynn Foster, president of Arkansans for Stronger Communities, called the backlog of rental assistance applications a "slow-moving train wreck" with the eviction moratorium about to end.

"I don't think that judges are aware of how hard it is to get rental assistance in this state," she said Friday. "We're using more strict rules than the federal government has issued, and that's crazy."

Foster is also a former law professor at the University of Arkansas at Little Rock's William H. Bowen School of Law. She recommended that judges allow tenants facing eviction to apply for rental assistance if they were not previously aware of it and to wait for all tenants' applications to make it through the system.

She also said judges should deny landlords financial damages for past-due rent if a tenant has applied for rental assistance and the landlord has not accepted it.

Foster and Lewellen said tenants should contact attorneys instead of trying to represent themselves.

"Sometimes they do so unsuccessfully because they don't know how to navigate the system, and by then, the ship has sailed. [So] we encourage people to call us early on if they might need legal help," Lewellen said.

Legal Aid of Arkansas is also preparing "to try to fight that wave of evictions" by working with landlords, tenants and resident councils to lighten the load on all parties, attorney Emily Matteson said.

Beadle, of the Homeless Coalition, is a licensed social worker and the community resource specialist with the Central Arkansas Library System. Her department connects people experiencing homelessness, poverty and food insecurity with organizations and resources to help them, she said.

"The library is a good safe place for people to be, so it's not unlikely that people who are going to be evicted [in the near future] will seek out the library for resources," Beadle said.

The **Center** for Arkansas Legal Services has a free hot line for legal advice in non-criminal cases. Lewellen said the organization has been fielding a large amount of calls from tenants and some landlords in recent weeks because of the expiring eviction ban.

"Supposedly we have all these resources out there, and we do, but there's no central access point, and it can be difficult even for us attorneys to access those programs," Lewellen said. "So I can't imagine how it would be for tenants, [especially] if they don't have access to technology."

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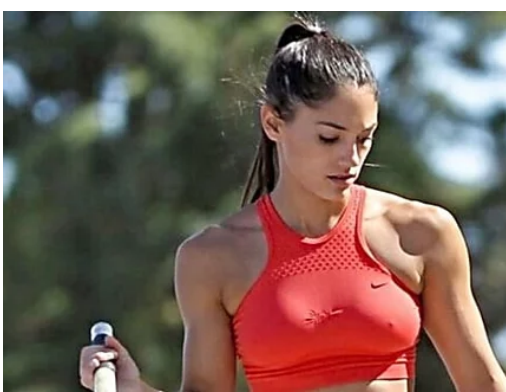
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