



# Eviction Prevention Report

2020-2022

Authored by Office of Equity & Inclusion, Family & Community Services and Consumer Protection



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# City of Albuquerque Evictions Prevention Working Group

Since the beginning of the COVID-19 pandemic, the City of Albuquerque has been working to make resources available to help people stay housed, knowing that the economic impacts of the pandemic would have serious consequences, especially for women and children of color who are at highest risk. Before the pandemic hit, the City typically allocated \$200,000 per year for rental assistance, which was distributed in one-time, \$500 increments for applicants who qualified on a first-come, first-served basis. That money quickly ran out in early 2020 and was supplemented in the summer of 2020 by \$50,000 raised by the OneAlbuquerque Fund. Even though the New Mexico Supreme Court issued an eviction moratorium in March 2020 for non-payment of rent, many people were still being evicted. Knowing that the need would far outstrip existing resources, the City of Albuquerque allocated \$1.1 million in federal CARES Act and other funding to provide emergency rental



assistance through 2020. To make the most of our limited resources, the Office of Consumer Protection (OCP), the Department of Family and Community Services (FCS) and the Office of Equity and Inclusion (OEI) came together to examine eviction data and brainstorm equitable and inclusive outreach strategies.

The team initially focused on how to make information available to English-language learners and other under-resourced populations. OEI quickly translated Tenants Rights and Emergency Rental Assistance flyers and began disseminating them through social media, community-based organizations and in neighborhoods with high rates of poverty. OEI used data to identify neighborhoods with the highest rent burden in the city and the highest social vulnerability, using the Center for Disease Control's Social Vulnerability Index. The working group invited Bernalillo County, the NM Mortgage Finance Authority and many other housing assistance providers and advocates to assess



strategies and develop interventions at a regional level. In late 2020, Bernalillo County Metropolitan Court judges allowed volunteers lawyers to help landlords and tenants reach settlements to avoid evictions and ensure repayment of past due rent. In 2021, the City began mapping and analyzing eviction court data and hired temporary employees to do more outreach and to replace volunteers - launching the Court Outreach Rental Assistance (CORA) Program. In 2021, the City received federal Emergency Rental Assistance Program (ERAP) funds. The City received an initial ERAP grant of \$24 million in January 2021. Congress appropriated a second round of ERAP funding in Spring 2021, under which the City will receive up to another \$18 million for ERAP. This funding, combined with federal grants received by the state, totals \$120 million, of which \$60 million has been awarded to 15,000 households in Albuquerque as of April 2022.

The City of Albuquerque Policy Team identified four programs that could address critical needs and gaps:

1. Providing tenants with application assistance for emergency rental assistance funds at Metropolitan Court;
2. Pro bono legal clinics in collaboration with the Second Judicial Pro Bono Committee;
3. increasing New Mexico Legal Aid's capacity to deliver eviction defense legal services; and
4. Creating an eviction defense attorney position at a local immigration legal nonprofit to serve immigrant tenants. An American Rescue Plan Act (ARPA) funded Community Metro Court /Pro-bono Clinic Coordinator (temporary) position was created in order to fulfill these coordination efforts.

ARPA funds are federal COVID relief dollars that come directly from the U.S. Treasury and programming used by the funds must be specifically used to serve disadvantaged communities in an evidence-based program. ARPA funds are federal COVID relief dollars that come directly from the U.S. Treasury and programming used by the funds must be specifically used to serve disadvantaged communities in an evidence-based program.

This report discusses the City's accomplishments, challenges, data analysis, and future plans to reach Albuquerque's most vulnerable populations with the emergency rental assistance they need.



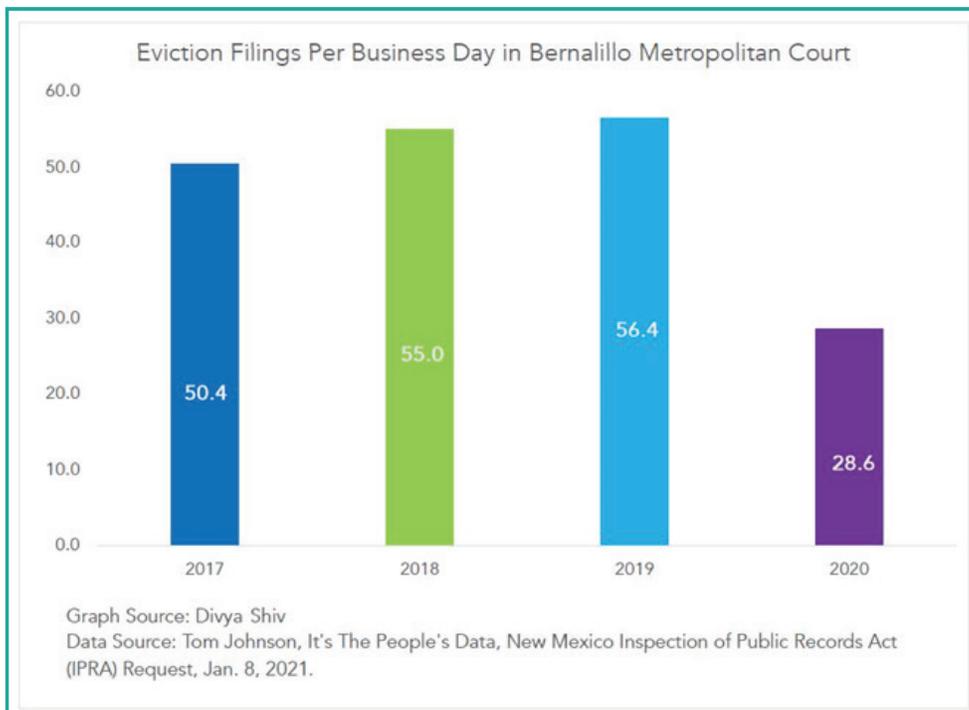
# How Were People Still Being Evicted in Bernalillo County under a Moratorium?

Before the NM Supreme Court issued an eviction moratorium in March 2020, landlords filed an average of 56 eviction cases per day in Bernalillo County Metro Court. The moratorium prevented courts from entering an order to remove tenants from a home if the reason for the eviction was for non-payment of rent and the tenant could show they were unable to pay rent. Since landlords were unable to remove tenants through the court system, some resorted to illegal evictions through methods such as locking people out of their homes or shutting off utilities. Some tenants were not aware of the moratorium protections and simply moved out when they received an eviction notice, or did not appear in court resulting in the judge entering an eviction order. Also, the moratorium did not prevent landlords from terminating a lease at the end of the lease period. Because the pandemic lasted for two years, most tenants'

leases expired at some point during the moratorium period and some were forced to vacate at that time.

**56**  
Evictions Cases  
Per Day

The City has long recognized the need for housing stability and for eviction diversion strategies. Eviction not only leaves people without a home, it leads to the loss of possessions, disrupts children's education, can impact employment and results in a court record that could hurt a renter's chances of qualifying for other housing. The moratorium reduced evictions from March 2020 to March 2022, but that moratorium was lifted April 1, 2022. In the first month since the moratorium was lifted, there were 299 new eviction cases filed.



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For the past two years, the Office of Consumer Protection has proactively advocated for court policies and state legislation to better inform tenants, protect their rights and preserve housing. We advocated successfully for courts to use plain language so tenants understand their rights and the eviction process, as well as for the courts to develop an eviction diversion program. County Courts throughout New Mexico are now implementing the Eviction Prevention and Diversion Program statewide. In Albuquerque, four judges are using the CORA Program, which is funded by the City of Albuquerque. During an eviction hearing, a judge may send a landlord and tenant to a breakout room to discuss whether they will apply for and accept Emergency Rental Assistance and avoid eviction. The judge then gives the parties time to apply for the ERAP funds. A city employee provides the judge with notes on each case, containing status of the application and what additional information is required for applications to be approved. About 25 cases per day are referred to the CORA Program.

In addition, the City also organized free legal clinics for people facing eviction, in which volunteer attorneys assist tenants with eviction cases. The City has held three free legal clinics so far. Such legal assistance is necessary because the landlord-tenant laws in New Mexico are challenging. The City has advocated for extending the time frame to give tenants more time to prepare before landlords have the right to file a lawsuit in court, and to extend the time frame for courts to schedule an eviction hearing and issue a writ of restitution before eviction. New Mexico has one of the fastest eviction processes in the nation - the landlord only has to give three days notice to a tenant before they can file an eviction case in court. The City has been in dialogue with advocates, landlord representatives, the courts and legislature for the past two years.

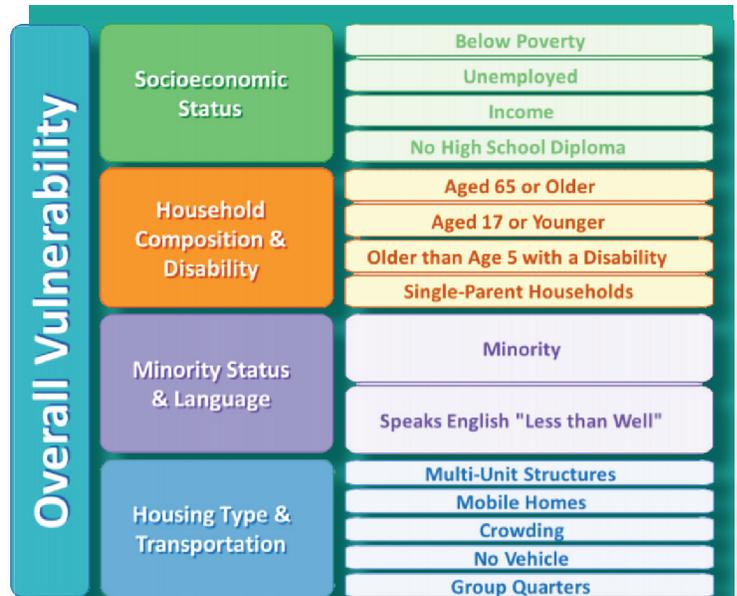


# Social Vulnerability & Extreme Rent Burden

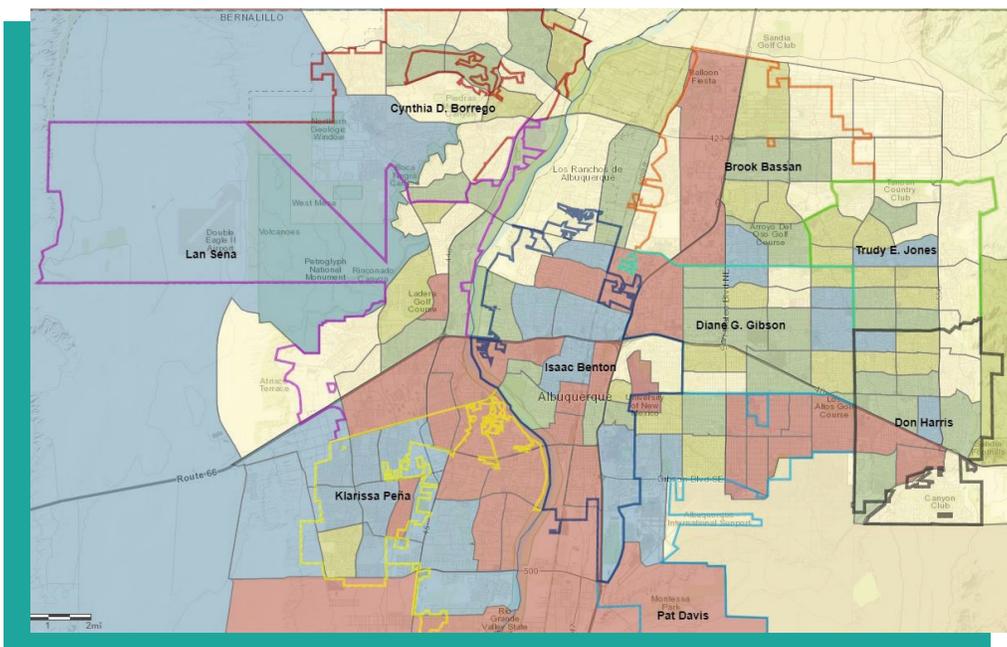
Evictions are closely associated with housing burden, defined as households spending 30% or more of their household incomes on housing costs. Albuquerque is made up of 40% renters and almost half experience housing burden. A quarter of the population experiences extreme housing burden, paying 50% or more of their income on housing costs, a metric used in our mapping in order to focus resources.

In order to identify communities with the greatest need, our working group used social determinants

of health data and extreme rent burden to target resources and promote equity in the distribution of emergency rental assistance. The Social Vulnerability Index, a tool designed by the Center for Disease Control, is used to identify communities with overall greatest need. Social vulnerability is determined by combining 15 social determinants of health, organized into four different themes: Socioeconomic Status, Household Composition and Disability, Minority Status & Language, and Housing Type & Transportation. Below are the 15 social determinants of health organized into the four themes.



Each census tract is assigned a score for each theme between 0-1, with 1 being the highest, all of which are used to assign an overall vulnerability score. Below is a map of the overall social vulnerability

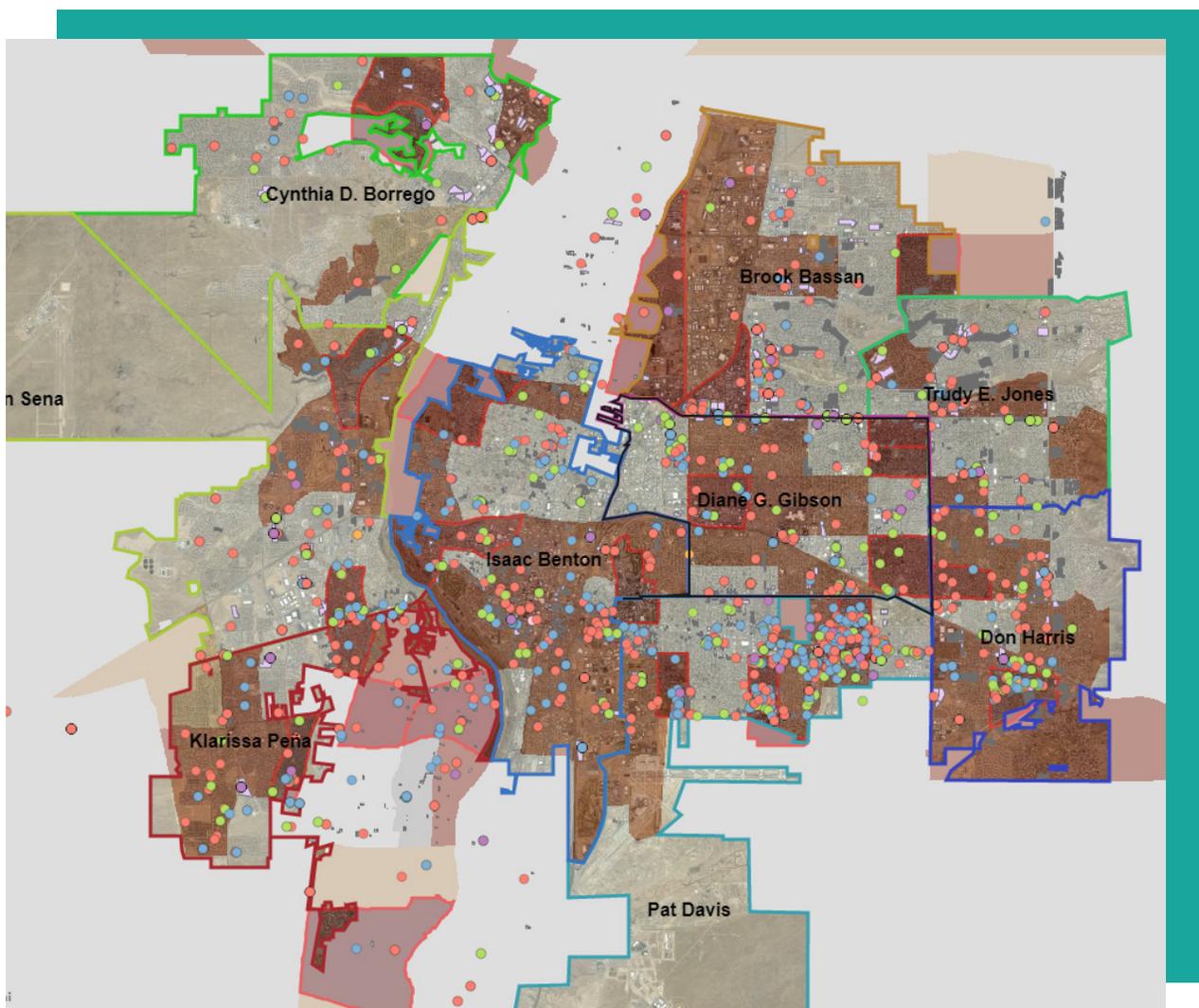


of Albuquerque per census tract.

The census tracts in red indicate the highest overall social vulnerability, and those in tan, the least socially vulnerable. Looking at the map of each theme allows us to identify communities with specific vulnerabilities and further focus our efforts.

For example, we focused our outreach efforts in languages other than English in census tracts with high populations of residents that Speak English “Less than Well.” The city used geofencing advertising to target populations in these areas using social media, as well as distributed flyers in grocery stores and through social service agencies in these neighborhoods. The City contracted with several community-based organizations to provide application assistance. In addition, in 2021 and 2022, OEI hosted community block parties in these areas, provided free legal assistance clinics for people facing eviction, and paired information about emergency rental assistance with outreach events that provided COVID testing and vaccinations.

Below is a map of evictions filed from January to August 23, 2021.

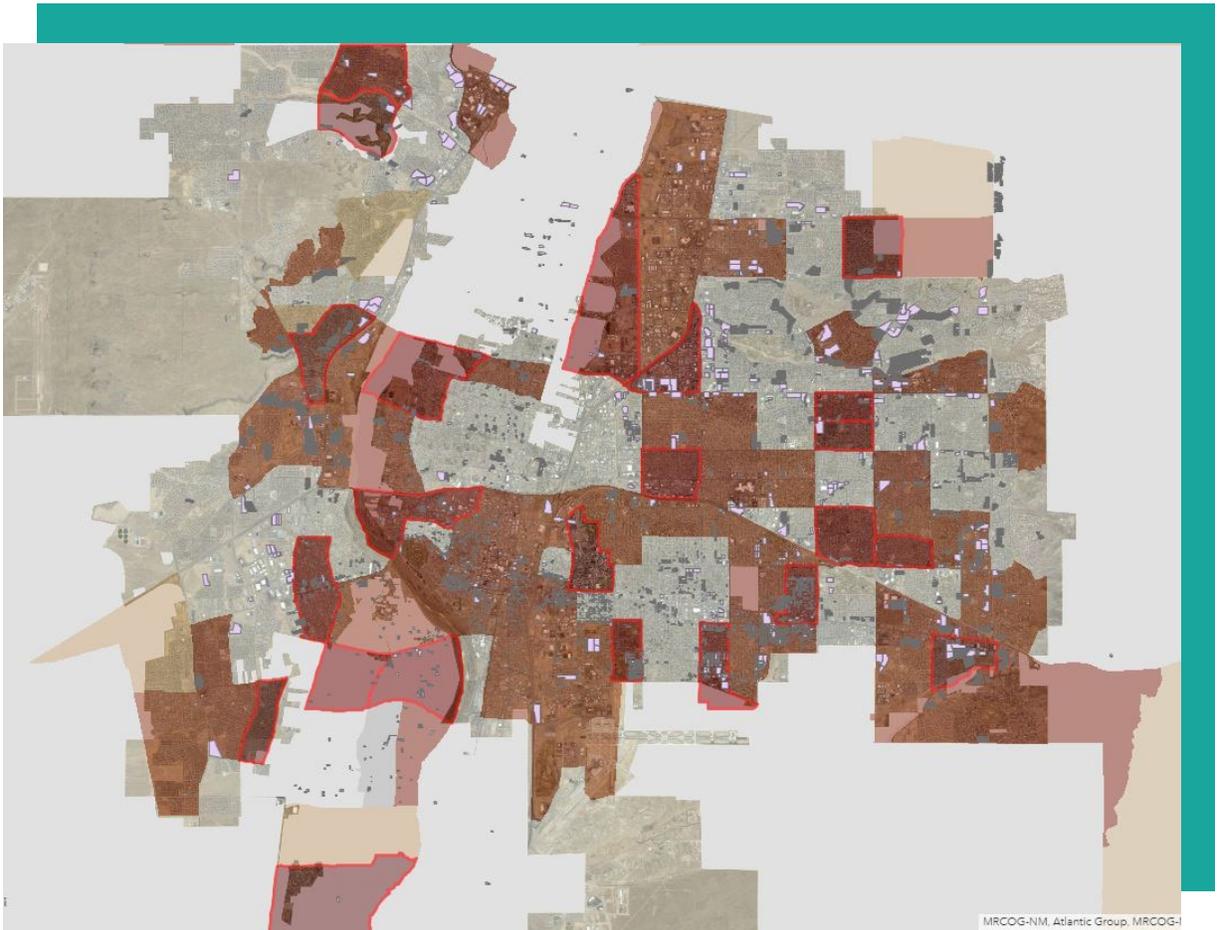


Distribution of Eviction filings and rulings from January 01, 2021 to June 28, 2021

Additionally, our team used census data to determine extreme rent burdened communities, identified as households that spend 50% or more of their household income on housing costs. This metric was established and used in the City’s Consolidated Plan compiled by the Department of Family and

Community Services. Identifying census tracts that face extreme housing burden allows us to understand who has the least housing stability or are possibly at risk of eviction due to lack of income.

Below is a map of census tracts that are identified as extremely rent burdened, outlined in red. Layered



on top of the census tracts are lavender polygons identifying the location of multifamily housing units (which at this scale also show up as grey due to close clustering).

By combining social vulnerability and extreme rent burden, we are able to see which communities are at the highest risk of eviction and need to be a focus of resource distribution. We developed several strategies to focus resources on the areas of highest need. Though it is evident that resources were distributed to areas with high need, there were a number of extremely rent burdened census tracts that received little support. We continued to see evictions occurring throughout the city, clustered in the most disadvantaged areas, whether eviction prevention resources were distributed there or not.

Outreach information about rental assistance is listed on the website [www.cabq.gov/rent](http://www.cabq.gov/rent) which lists eligibility, where to find support, and information about renters' rights. Information about the resources is also listed on the Office of Equity and Inclusion resources website in English, Spanish, Mandarin, Arabic, Vietnamese and Swahili.

# Resources Provided for Eviction Prevention

From July to December, 2020, the city used CARES Act funding and Eviction Prevention Program (EPP) to pay for gas, electric, rent and water bills. From July 1, 2020 to August 31, 2020, 899 households and 2260 individuals benefitted from the distribution of \$428, 493.42. Of that, \$335, 502.54 was distributed for rent and \$92, 990.88 was distributed for utilities. Below is a breakdown of the amount distributed per fund and number of individuals reached (cases) from July 1 - August 31, 2020.

Row Labels	Sum of Units	Sum of Unit Value	Sum of Number Case Members
COVID19 Rental Assistance	99	\$ 57,638.44	227
COVID19 Utility Assistance	63	\$ 21,344.52	170
EPP - Electric	107	\$ 36,502.80	306
EPP - Gas	40	\$ 6,000.82	102
EPP - Rent	449	\$ 267,908.65	1076
EPP - Water	78	\$ 18,635.44	218
Rental Assistance	27	\$ 9,955.45	60
Utility Assistance	36	\$ 10,507.30	101
<b>Grand Total</b>	<b>899</b>	<b>\$ 428,493.42</b>	<b>2260</b>

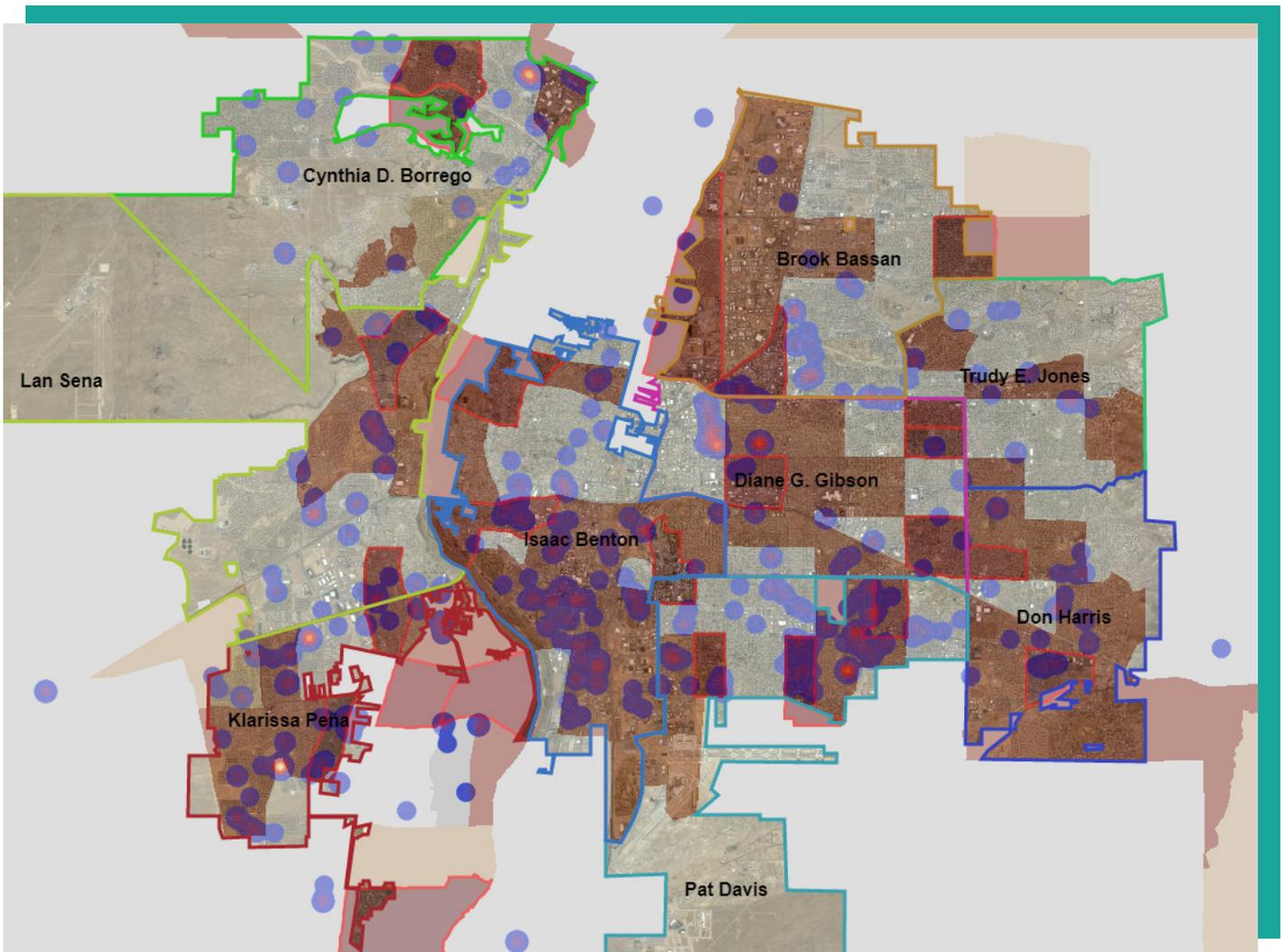
From September 1, 2020 to December 31, 2020, \$700, 000 of CARES Act funding for rent and utility assistance was dispersed to 1,492 people in Albuquerque and 574 households. Below is a summary:

Row Labels	Sum of Units	Sum of Unit Value	Sum of Number Case Members
CARES - Electric	119	\$ 59,328.71	323
CARES - Rent	318	\$ 553,588.12	823
CARES - Water	44	\$ 20,180.91	122
CARES Gas	51	\$ 6,982.52	121
COVID19 Utility Assistance	6	\$ 1,401.56	11
EPP - Electric	7	\$ 1,686.94	20
EPP - Gas	3	\$ 229.70	9
EPP - Rent	20	\$ 24,306.79	53
EPP - Water	1	\$ 227.50	2
Rental Assistance	2	\$ 1,575.87	3
Utility Assistance	3	\$ 2,116.55	5
<b>Grand Total</b>	<b>574</b>	<b>\$ 671,625.17</b>	<b>1492</b>
	<b># Households</b>	<b>Total (\$) Amount</b>	<b># People Benefitted</b>
<b>RENT</b>	340	\$ 579,470.78	879
<b>UTILITIES</b>	234	\$ 92,154.39	613
<b>TOTALS</b>	<b>574</b>	<b>\$ 671,625.17</b>	<b>1492</b>

# Engagement of Local Partners

The working group identified and approached 40 community-based organizations to gauge their willingness and ability to contract with the City to reach vulnerable populations and provide application assistance. Of these, five organizations contracted with the city. Four aided with Emergency Rental Assistance Program (ERAP) applications - Vizionz Sankofa, Catholic Charities, Senior Citizens Law Office and UNM Pathways (which has Pathways Navigators in multiple agencies throughout the City). And one provided marketing and outreach support - New Mexico Black Leadership Council, which created a new simplified application form, although the state Department of Finance and Administration has not adopted the simplified form and continues to use its own.

Our team saw that it was important to focus outreach efforts on those with the greatest need and at greatest risk of eviction. Below is a map of the distribution of resources for rental and utility assistance provided to residents from September 1 - December 31, 2020 as an early example.



Distribution of Rent & Utility Assistance from September 1-December 31, 2020.

## STORIES OF PEOPLE WHO HAVE BEEN HELPED BY THE CITY OF ALBUQUERQUE

Our working group also provided information about ERAP to the Mexican Consulate, which resulted in a family receiving \$6,600 in rental assistance after they were originally told they did not qualify because they did not have tax returns to prove income eligibility or a social security number to prove identity. It took a team effort to ensure, general misinformation was clarified about the fact that tax returns and Social Security Numbers were not requirements for application.

Additionally, the need for a presentation to the Mexican Consulate's community base was identified and a collaborative presentation was delivered on June 16, 2021, was recorded and made available via their Facebook page. The DFCS, the NM Department of Finance and Administration, and the policy team gave

the presentation to build trust and answer questions that Spanish-speaking community had about ERAP. The presentation was viewed 173 times, which supported the Mexican Consulate in its outreach efforts as the questions answered covered things that made the immigrant community hesitant to apply (i.e. language accessibility of the application). The City had successfully advocated to streamline the application by removing the requirement for social security numbers. The City also succeeded in advocating for the state to allow for self-attestation of income.



The City funded New Mexico Immigrant Law Center (NMILC) and New Mexico Legal Aid to expand legal services for tenants. The city is working with these two organizations in order to move the four initiatives forward as a part of a larger Eviction Prevention Strategy.

Family & Community Services support has hired four Community Outreach for Rental Assistance (CORA) Support Specialists which

are funded by ARPA. The CORA Specialists were assigned the primary duty of engaging tenants at the Bernalillo County Metropolitan Court hearings, provide information on ERAP, application assistance and referrals. These specialists were to promote ERAP by community engagement, attending community events and social gatherings and were based out of the John Marshall Health and Social Service Center in Albuquerque. The CORA Specialists were set to also work with community organizations like the New Mexico Coalition to End Homelessness which has partnered with several community organizations to have on-site ERAP application information and assistance at Roadrunner Food Bank food distributions at Expo NM.

However, due to COVID restrictions, eviction hearings were moved to online which has resulted in a process where the defendant is moved into a virtual breakout room with CORA staff if they seek additional assistance. CORA staff checks if the defendant had previously applied to ERAP and if so, at which stage in the application process the defendant is in. If they have not filed for ERAP, an appointment is established with the tenant in order for them to apply and the CORA specialist acquires contact information from the landlord (who is also at the hearing) to notify them of their tenants' program application and further streamline the process.

In order to provide more robust services, our team suggested bundling resources with eviction prevention support. Bundling information on eviction prevention and tax credits for working families was an area of exploration for our team. Coupling outreach resources with vaccination events has also helped in distributing information and resources to hard-to-reach populations. Translation efforts have been essential to resource distribution and creative methods have been employed, such as placing fliers in food boxes and working with traffic staff (e.g. national guard and staff at vaccination events) to ensure that those getting vaccinated are receiving resources in hand.



**EVICITION PREVENTION**  
**Legal Clinic**

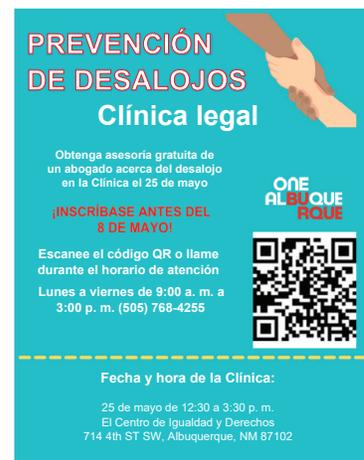
Get free advice from a lawyer about eviction at the Clinic on May 25th

**SIGN UP BY MAY 8TH!**

Scan the QR code or call during screening hours  
Mon-Fri 9:00AM - 3:00PM  
(505) 768-4255

**ONE ALBUQUE RIQUE**

**Clinic Date and Time:**  
May 25th from 12:30 PM to 3:30 PM  
El Centro De Igualdad y Derechos  
714 4th St SW, Albuquerque, NM 87102



**PREVENCIÓN DE DESALOJOS**  
**Clínica legal**

Obtenga asesoría gratuita de un abogado acerca del desalojo en la Clínica el 25 de mayo

**¡INSCRIBASE ANTES DEL 8 DE MAYO!**

Escanee el código QR o llame durante el horario de atención  
Lunes a viernes de 9:00 a. m. a 3:00 p. m. (505) 768-4255

**ONE ALBUQUE RIQUE**

**Fecha y hora de la Clínica:**  
25 de mayo de 12:30 a 3:30 p. m.  
El Centro De Igualdad y Derechos  
714 4th ST SW, Albuquerque, NM 87102



**预防驱逐**  
**法律咨询室**

5月25日, 欢迎前来咨询室, 免费向律师征询驱逐相关法律意见

**请在5月8日前报名!**

请扫描二维码或在筛查期间来电报名  
周一至周五, 上午9:00至下午3:00  
(505) 768-4255

**ONE ALBUQUE RIQUE**

**咨询室开放日期和时间:**  
5月25日中午12:30至下午3:30  
El Centro De Igualdad y Derechos  
714 4th ST SW, Albuquerque, NM 87102



**PHÒNG NGỪA TRỤC XUẤT**  
**Văn Phòng Pháp Lý**

Được luật sư tư vấn miễn phí về vấn đề trục xuất tại Văn Phòng vào ngày 25 Tháng 5

**ĐĂNG KÝ TRƯỚC NGÀY 8 THÁNG 5!**

Quét mã QR hoặc gọi điện trong giờ làm việc  
Thứ Hai-Thứ Sáu 9:00 sáng - 3:00 chiều (505) 768-4255

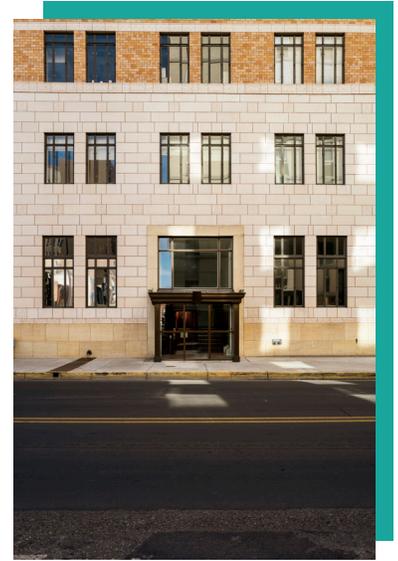
**ONE ALBUQUE RIQUE**

**Ngày và Giờ Làm Việc của Văn Phòng:**  
25 Tháng Năm từ 12:30 trưa đến 3:30 chiều  
El Centro De Igualdad y Derechos  
714 4th ST SW, Albuquerque, NM 87102

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## Opportunities for Next Steps

There are several opportunities for next steps that have come up in our working group and were brought to our attention through a report compiled by Divya Shiv of the Berkeley School of Public Policy. Among these is the creation of an eviction prevention task force, bringing together City government, non-profit organizations, the Metropolitan Court, the Mortgage Finance Administration, landlords and residents at risk or experiencing evictions. The task force would provide an opportunity for further collaboration to increase non-COVID-19 specific intervention strategies, increase legal support, and potentially work towards hiring landlord-tenant case managers, providing pre-court mediation.



Another opportunity that exists is the bundling of information about eviction prevention resources with the focus of getting the resources to the defendant at risk. One significant barrier is the short eviction ruling and processing time, which could also be a target of reform in order to allow adequate time for the tenant to acquire the resources needed.

The opportunity for suggesting next steps, along with timelines and a reporting structure, would lie in the hands of a task force which would include an internal City-specific working group.

## Acknowledgements

We would like to acknowledge the staff and partners who contributed to this report. The primary author was Andrea Calderon, who served as the city's Race and Equity Data Analyst from August 2019 until April 2022. Andrea was instrumental in applying the Social Vulnerability Index and mapping evictions, rent burden and resource distribution, in close collaboration with Bernalillo County Metro Court and the New Mexico Department of Finance and Administration. Contributors include Karen Meyers, who established the city's Office of Consumer Protection, which later was headed by Mari Kempton; Yajayra Gonzalez, who served as the CORA team member and organizer of the city's three pro-bono legal clinics, working closely with the New Mexico Immigrant Law Center and many volunteer attorneys; Laura Norman, who managed the city's Emergency Rental Assistance Program in close cooperation with Lisa Huval, Deputy Director of Housing for the City of Albuquerque Housing. Finally, we acknowledge the tremendous efforts of the many community-based organizations that stepped up during the pandemic to provide marketing and outreach/education to vulnerable communities, and application assistance to individuals. The Office of Black Community Engagement's series of Community Block Parties proved to be a major source of assistance to individuals who needed eviction prevention assistance.