



## Eviction Reference Q&A

The questions in this document were gathered from library practitioners who attended the [November webinar](#), or the continued conversations in [December](#) or [January](#).

For basic training on providing civil legal reference, see the four-course series [Creating Pathways to Civil Legal Justice](#) in the WebJunction course catalog.

[Eviction Resources for Libraries](#) is a curated selection of resources that may answer many of your questions.

### Prevention

- **Why is it critical to help someone prevent eviction, if possible?**
  - Once an eviction is filed against a tenant, it generally goes on their permanent record, no matter the eventual outcome. It impacts their ability to find housing or employment, apply for credit, or borrow money.
- **Where can I find information about the Emergency Rental Assistance Program (ERAP)? Are funds still available?**
  - See the job aid [Consumer Financial Protection Bureau \(CFPB\) Resources: Helping Patrons with Rental Assistance](#) for an overview of ERAP and where to find local help and resources.
  - ERAP update: as of January 31, 2022, funds are still available, but it will depend on where you live. A few programs had to stop taking applications for the moment, but they may reopen later if they get more funds. ERA reallocation is still happening.  
Check: <https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/find-help-with-rent-and-utilities/> to see what's happening in your area.
- **I've heard about court mediation – what is it?**
  - Mediation is a type of alternative dispute resolution, which includes a range of strategies and techniques for settling disputes with a third party, typically outside a courtroom. It's an opportunity for tenants and landlords to talk through their dispute, promoting better understanding of each other's circumstances with the assistance of an independent moderator. Some state or locales mandate mediation, including [Philadelphia's Eviction Diversion Program](#). It serves to slow down the eviction process and allow time for remediation, if possible.
  - [Getting Landlords and Tenants to Talk](#) is an in-depth look at how mediation allows communities to reduce the prevalence and negative consequences of evictions.

## Legal Reference – First Steps

- **What are the 3-4 most relevant community resources to provide to someone needing help?**
  1. Know where they can get free or low-cost legal help in your area. LSC's [Get Legal Help\\*](#) site lets you search by place or address. You may also find legal clinics or services through state or county Bar Associations or law schools. (\*Note: LSC's legal aid organizations have eligibility requirements, serving those whose income is 125% of federal poverty guidelines.)
  2. Determine if your local court has a self-help center, which will provide guidance to those who are self-represented. The National Center for State Courts (NCSC) has a comprehensive list of [state court websites](#). Court websites may have links to specific eviction resources, such as Washington State's [Eviction Resolution Pilot Program](#).
  3. Identify local non-profit organizations that focus on housing issues. [Just Shelter](#) offers a search tool by state to locate community agencies that are working to preserve affordable housing, prevent eviction, and reduce family homelessness. You can also try 2-1-1.
- **What is the first thing to do when a person who is facing eviction comes into the library for help?**
  - First, be aware that there may be a lot of emotion related to the eviction crisis and respond with empathy, while understanding that the emotions are not directed at you. Being a listening ear goes a long way toward reassuring the patron.
  - Identify the jurisdiction in which the patron is located so you can refer them to the correct court for forms or any self-help resources that the court may have. You may want to hand them a [Phases of Eviction flyer](#) to help them understand where they are in the process.
  - When you refer the patron to legal aid or a housing agency, prepare them as best you can for what to expect. Intake processes can be frustrating and dehumanizing, so whatever you can do to walk them through what they are likely to experience will help build their persistence and keep their eyes on the goal. Leverage your personal connections with people in these agencies and follow up with them if the patron comes back to you without having been served.
- **I'm worried about crossing the line from information to advice.**
  - This [Legal Information v Legal Advice](#) video provides good guidelines for staying on the information side of the line. Specific situations may be quite nuanced; it's best to remember that you're not expected to provide definitive legal answers and that it's always appropriate to refer the patron to someone who can.

## Tenant's Rights

- **What rights do patrons have, if any, if they are threatened with eviction?**
  - There are specific laws for landlord and tenant rights, which will vary by state and locale. For help with understanding those rights, identify and build relationships with local housing non-profits. The National Fair Housing Alliance has a [finder for member organizations](#) across the country.
  - Providing pamphlets that summarize the state and/or local landlord-tenant law is a low-barrier way to distribute information to your patrons. Local housing organizations may have flyers ready for you to distribute at the library. These brochures will provide a general overview, covering topics such as deposit and rent requirements, who is responsible for what, and what happens when there is a failure of obligations. It is useful to provide information in multiple languages, if at all possible.
  - Offering tenants' rights workshops at the library provides opportunities for patrons to learn more detail about the law as it applies to their particular situation. These workshops can be conducted in person, over Zoom, or with recorded videos. Some libraries report that tenants' rights workshops have been very helpful to landlords as well.

## Partnerships

- **We have tried to connect with local legal organizations but were told they were just too overwhelmed by their workload to partner with us on anything. How do we build that bridge?**
  - The pandemic has impacted the capacity of all agencies working in this arena. It takes time to build relationships. It can be helpful to participate in social justice (and/or access to justice?) committees as a way to meet people who are working toward the same goals.
  - Be very specific with what you're asking and start small. And don't back away after one "no." It may take a lot of "no's" before you get a "yes."
  - Demonstrate what the library might be able to offer to these agencies to make their work easier – it's a 2-way street. For example, if the legal aid office gives their client a list of forms they need for the case, the library can help find those forms and print them out for the patron.
  - See if there are any attorneys who are members of your Friends of the Library or Library Board and who might be able to offer a free webinar or workshop to help your patrons get some basic legal knowledge. The local bar association may also be a source of attorneys who are willing to provide some service pro bono.
- **What can state or regional libraries do to support this work?**
  - Identify the eviction-related resources for your state that are available to support individuals facing eviction. You might provide a template for these

state or local resources and encourage libraries to include this information on their websites.

- Publicize the availability of the eviction and legal resources via social media, newsletters, etc. Use the Learning [Group Facilitation Guide](#) and resources to encourage library staff to participate in a cohort training on the four basic civil legal justice reference courses. This provides an opportunity for staff in your state/region to talk about common issues and resources.

## Marketing and Advocacy

### — How do I get area residents to seek help with housing issues at the library? How do I make users aware the library can provide information & resources on eviction and other housing issues?

- The Consumer Finance Protection Bureau offers a [media toolkit](#) to help you spread information about their tools and resources related to housing insecurity during the coronavirus pandemic.
- This [customizable flyer](#) uses plain English to summarize the phases of eviction for patrons and includes places for you to fill in your library's contact information as well as referral information for local eviction resources.
- Utilize the same channels you use to market other library programs and services to let your community know that they can get started on a path toward help.

### — How do you motivate library administration to support librarians in providing more comprehensive eviction information for patrons?

- Emphasize that this is reference work, fully in alignment with the library's mission to connect community members with the information and resources they need to improve their lives.
- Let your administrators know that the consequence of eviction is often homelessness. Educating patrons about their tenants' rights and the preventive steps they can take and then helping them locate pertinent information, forms, and options for legal help regarding eviction is a significant role that the library plays in addressing civil legal justice.
- When you're looking at housing issues and the eviction crisis, you're looking at issues that span a system in which everything is connected – schooling, employment, safety, health. Providing information and legal referrals can avoid negative outcomes across the spectrum.