Summary Report

Housing is a fundamental human need, determining access to quality food, education, employment, mental and physical health, and more. The loss of a home through eviction destabilizes families: creating homelessness, disrupting children’s education, and causing or exacerbating chronic health issues. According to scholar Matthew Desmond, there is also a direct causative link between eviction and poverty: “Eviction is a cause, not just a consequence of poverty”. Further, once a household has been evicted, the struggle to find new housing snowballs, as landlords and property managers frequently screen for past evictions when determining whether or not to accept new tenants.

Today, evictions threaten the wellbeing of people living in poverty across the country. The crisis of eviction is a legacy of the segregation and displacement of people of color. Black, Indigenous, and people of color—especially women of color—are less likely to own their homes than white individuals, and experience evictions at a disproportionately higher rate. In fact, a report by RVA Eviction Lab found that in Richmond, race is a greater determinant of eviction than income—even though most evictions are for nonpayment of rent.

Further exacerbating the eviction crisis is the COVID-19 pandemic. Communities across the nation, especially communities of color have been hit hard by pandemic related job loss, resulting in greater housing instability and increased risk of eviction. In August 2020, the Aspen Institute estimated that approximately 30-40 million Americans were at risk of eviction, and 80% were people of color. While some evictions have been held off by eviction moratoria, this is a temporary and imperfect fix. Landlords continue to effectively evict tenants through loopholes, such as lease expiration. Even with moratoria in place, more than 4,800 evictions took place in Virginia during the fourth quarter of 2020 alone.

Having legal assistance is key to low-income tenants in eviction cases, yet access to such assistance is severely limited. While defendants in criminal cases have a right to a lawyer, defendants in civil cases who cannot afford one generally have no right to counsel. Studies show that tenants with legal representation are much more likely to avoid evictions than unrepresented tenants. But in eviction lawsuits nationwide, only three percent of tenants have legal representation, compared to an estimated 81 percent of landlords. Without representation, the majority of tenants—between 51 and 75 percent—ultimately lose their cases.

To confront this crisis plaguing people in poverty, Equal Justice Works created the Housing Justice Program (HJP) in 2018, with funding from The JPB Foundation, to provide immediate legal assistance to those experiencing or at risk of evictions, and advance long-term, systemic reforms to address the underlying inequities in the Greater Richmond region, which includes the three independent cities of Petersburg, Colonial Heights, and Hopewell. After a six month comprehensive research and development phase, Equal Justice Works selected three civil legal services organizations in Richmond, VA -- the Legal Aid Justice Center (LAJC), the Virginia Poverty Law Center (VPLC), and the Central Virginia Legal Aid Society (CVLAS) to be host organizations.
for the program which comprised of six Legal Fellows and two Organizer Fellows who were supported by Supervising Attorneys from the host organizations. The program combined direct legal services, education and outreach, and impact litigation to advance the rights of renters and hold bad-actor landlords accountable. It helped build the pipeline of legal and organizing talent to confront the eviction crisis long-term. And, to ensure that low-income tenants are the agents of transformational change in their communities, the program relies on the power-building strategies of community organizing.

**Evaluation Framework and Methodology**

This extensive work was evaluated by Philliber Research & Evaluation who conducted separate process and outcome evaluations of the program using a mixed methods approach including document review, guided conversations, annual interviews, and the collection and analysis of service and outcome data. The following process and outcome research questions were addressed by the evaluation:

**Process Evaluation**

1. To what degree has the program model been successfully implemented across the three host organizations, including meeting outputs set out in the logic model?
2. To what extent did the training and technical assistance provided by Equal Justice Works and the host organizations prepare HJP Legal Fellows and Organizer Fellows for their work?
3. How efficient and effective was the mechanism for the HJP Legal Fellows and Organizer Fellows to communicate and collaborate between host organizations?
4. To what extent did the HJP Legal Fellows and Organizer Fellows' work change or influence practices at the host organizations?
5. Are there any processes or program areas that can be improved upon to increase efficiency and improve program delivery for program staff?
6. Are there any promising or best practices that should be implemented to best leverage current program resources for future program replication?

**Outcome Evaluation**

1. To what extent has access for justice been increased in the Greater Richmond area for low-income tenants facing eviction?
2. To what extent have participating organizations strengthened their capacity to provide housing related services?
3. For program recipients, to what extent did they achieve positive housing outcomes?
4. To what extent have low-income individuals become more knowledgeable about their legal rights and engaged in tenant associations?
5. What policy or practice changes resulted from the Equal Justice Works HJ Program?
6. To what extent have new partnerships been established for Host Site organizations as a result of the Fellows’ involvement?
7. To what extent has participation in the Fellowship impacted Fellows’ leadership and skills, substantive expertise, and commitment to public service?
8. What is the likelihood of program sustainability at the three Equal Justice Works HJP host sites?

**Study Limitations/Attribution**

Two limitations might have impacted the conclusions reached by the evaluation study. First, Philliber relied heavily on interview data which, with all self-report data, is subject to reporting bias. The other involved attributing policy successes to the HJP team as there were many other programs and advocacy efforts operating in the Tri-city area at the same time, although the HJP team were involved in and collaborated with these other efforts.
Key Findings

HJP strengthened the legal community's capacity in Richmond and the Tri-cities region by the addition of six full-time attorneys and the support of 86 newly recruited pro bono attorneys. In addition, HJP Legal Fellows developed and conducted 9 housing law continuing legal education sessions attended by 257 additional attorneys. HJP Legal Fellows also developed tools for attorneys, such as a model motion to dismiss for eviction lawsuits filed in violation of the CARES Act, that was shared with legal aid attorneys throughout Virginia. Additionally, strategic partnerships were built or strengthened with 37 organizations that shared a common vision of improving conditions of and stabilizing housing for low-income tenants.

Increased access to justice was achieved for 1,461 low-income tenants who received brief services (209% of target objective) and another 513 who received direct legal representation in court (73% of target objective). Additionally, three affirmative group cases were filed and won that had the potential to impact larger groups of tenants with similar bad actor landlords, such as Jumpstart University. Other cases, such as an ongoing Richmond Redevelopment and Housing Agency housing voucher denial case, have the potential to set precedence and ultimately benefit many public housing tenants.

HJP strengthened low-income tenants' capacity to advocate for their own interests with 4,326 attending one or more of the 66 “Know Your Rights” trainings (541% of target objective) or 31 Tenant Town Hall meetings (775% of target objective). HJP Legal Fellows also recorded 625 outreach and education activities reaching an estimated 40,037 people through their work. These totals together far exceeded the original program output goals for outreach and education. Additionally, at least 297 interactions were held one-to-one or with small groups of tenants (30% of target). Fifteen tenant organizations were formed or strengthened with the support of HJP Legal Fellows and Organizer Fellows (375% of target objective).

Tenants became more engaged in advocating for tenants' interests with many tenants attending meetings at the Richmond Redevelopment Housing Authority (RRHA) as it was reviewing their annual plan, policies, and making decisions about redevelopment. As a result, RRHA instituted an eviction moratorium in November 2019, as well as followed many of the HJP team’s recommendations and made multiple changes to RRHA’s Admission and Continued Occupancy Policies and practices. Additionally, RRHA agreed to participate in Richmond’s eviction diversion program.

HJP achieved many positive outcomes for tenants through these direct legal services. Seven in ten (71%) of extended service cases were won and another 10% had a mixed result outcome. Two-thirds of these cases (65%) had at least one non-monetary outcome and nearly half (47%) had a monetary outcome. HJP Legal Fellows reported that $706,623 in economic benefits was secured. Eviction was prevented for three-quarters (75%) of the cases that had a non-monetary outcome. Of the prevented evictions, three-quarters (74%) were for tenants in private housing, 21% were tenants in subsidized housing, and 5% lived in public housing.

In the courtroom, CVLAS Fellows provided “friend of the court” guidance for pro se litigants and, upon request from the bench and provided education to the judges to keep them abreast of the quickly changing laws affecting landlords and tenants during the COVID-19 pandemic. Their actions led to improvements to the administration of justice as more courtroom practices became aligned with intended eviction protection policies.

The combined system advocacy efforts of the Legal Fellows, Organizer Fellows, and Supervisors yielded 111 media placements (222% of target objective), at least 36 meetings with policy makers at the local and statewide level (120% of target objective), and 21 policy papers/one-pagers associated with General Assembly advocacy (263% of target objective). They also raised the voices of tenants during the legislative session. These efforts resulted in multiple changes to Virginia's landlord tenant laws to create more equity and protections for tenants.

HJP will be sustained as only two Legal Fellows ended their Fellowships prior to the end of the program, with one being replaced and the other leaving very close to the program’s end. All of the remaining HJP Fellows were hired by their host organizations post-Fellowship, so sustainability of the Housing Justice Program will be achieved. The strengthened partnership between the three host organizations will also be sustained as well the new and stronger collaborations that were built during the two-year Fellowship.
Program Model Activities

Key findings from the needs assessment conducted by Equal Justice Works during the first six months of funding led to these refined components of the Housing Justice Program model.

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<tr>
<th>Direct Services</th>
<th>Impact Litigation</th>
<th>Collaborative Partnerships</th>
<th>Outreach and Education</th>
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<td>Provide representation in General District Court to tenants facing eviction.</td>
<td>Implement affirmative litigation strategies.</td>
<td>Establish partnerships with local and state organizations, organizers, and policymakers; and Organize tenants to build collaborative partnerships and collective power.</td>
<td>Educate landlords and tenants on laws, policies, and the multitude of implications tenants encounter when facing eviction; Participate in town halls and policy forums centered around policy change; and Establish a legal presence in five public housing communities to increase access to counsel.</td>
<td>Work to establish tenant associations; Work with local partners to draft legislation and policy proposals; and Secure future funding with activities to support the continuation of the organizations’ efforts.</td>
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The following is a brief summary of the work conducted by the HUP team by program component:

**Direct Legal Service Provision**

Over the course of the Housing Justice Program, HJP Legal Fellows reported that they served 1,974 cases, of which 1,461 tenants received brief or unbundled services and 513 tenants received extended services or full representation.

Brief service cases were open, on average, for five weeks although 15% of the cases were opened and closed on the same day. On average, tenants received an hour of brief or unbundled service from a Legal Fellow. Extended service cases were open considerably longer for an average 3.87 months and those tenants received an average of 7.28 hours of service.

Nearly three-quarters (73%) of the clients that received direct legal service were Black or African American females and they were 42 years old on average. Seven in ten (68%) of the clients were single with at least one child in the home. The median annual income for clients was $12,528 and three-quarters (77%) lived at or below 125% of the poverty level.

Just over half of the clients (57%) lived in Richmond, but clients were served throughout the Tri-cities region. Three-quarters of them lived in private landlord/tenant housing. Many fewer of the clients lived in federally subsidized housing (13%) or public housing (6%). Just under half of the cases (48%), for which the information was known, were lawful eviction cases and another 20% were facing an illegal eviction.

**Impact Litigation**

The HJP team set out to file at least one affirmative group or class action lawsuit on behalf of low-income tenants. Impact litigation, such as this, is brought when the case affects more than one individual even if there is one individual involved in the actual case. Over the two years of Fellowship, multiple cases were considered for
impact litigation including a case against Jumpstart University, a Writ of Prohibition filed with the supreme court against Petersburg General District Court, and a case against the Richmond Redevelopment & Housing Authority’s Housing Choice Voucher program.

**Collaborative Partnerships**

In addition to strengthening the relationship between the three host legal organizations, the HJP team collaborated with a variety of external stakeholders to accomplish their goals. The Legal Fellows and Organizer Fellows collaborated with at least 37 organizations throughout the program. More than half (57%) of the external stakeholders were community organizations and 30% were government departments or agencies. HJP Fellows also collaborated with three colleges or universities and two faith-based organizations.

**Tenant Organizing**

To connect tenants with housing justice services, Fellows strove to conduct outreach at housing sites that were not frequently canvassed, to work with community advocates, and to strengthen tenant associations. During the two-year period, HJP Fellows interacted with at least 15 organized tenant groups or tenants in housing communities that would benefit from organization. Of those, seven associations (47%) were newly formed, six (40%) were pre-existing tenant associations that were strengthened with HJP team support, and two (13%) were actions taken by the HJP team that had not yet resulted in associations. This far exceeds their objective of assisting in the formation of at least four distinct tenant associations.

**Outreach and Education**

In addition to providing legal services to tenants at risk of eviction, all HJP staff engaged in outreach and education activities. This was especially so for the two LAJC Organizer Fellows and the two VPLC Fellows who engaged in community lawyering. The HJP team delivered 625 outreach and education activities reaching 40,037 people. Nearly half (48%) of these activities were outreach or one-on-one encounters. Two-fifths of the activities (42%) were meetings, presentations, or workshops. A quarter (25%) of the 263 meetings that occurred reaching 7,800 people, were trainings for tenants or the public, such as “Know Your Rights” presentations. Another quarter (26%) of the meetings were targeted for stakeholders. On average, these activities were 1.5 hours long.

Lawyers or advocates attended half (49%) of the meetings and potential clients were present at nearly a third of the meetings (29%). Members of other nonprofits and mixed income members of the community attended nearly a quarter (23%) of the meetings.

**Pro Bono Training and Support**

HJP Legal Fellows recruited 86 pro bono attorneys throughout the two-year program. Attorneys were recruited both through individual outreach and word of mouth, and through large recruiting and training events.

HJP Fellows reported that they conducted nine continuing legal education (CLE) trainings for attorneys, which were attended by at least 257 attorneys. In addition, attorneys were present at other workshops conducted by HJP Legal Fellows, such as “Know Your Rights” presentations that included updates on housing laws during the COVID-19 pandemic. A few of these trainings were conducted by Fellows from just one of the host organizations, however, a collaborative approach that involved more than one organization was more common.

**Systemic Advocacy Efforts**

The HJP team of Legal Fellows, Organizer Fellows, and Supervisors used a variety of advocacy strategies, including media work, to shape the narrative for housing reform, research to learn more about policy problems and potential solutions, development of materials for use in advocacy with policy makers, and engaging the tenants in direct advocacy with policy makers.
**Media** - The Housing Justice Program achieved 111 media placements over the two years of the program, far exceeding the program output goal of 50 media placements. Most of the media placements were in the form of print newspaper articles (32%), radio (23%), and television coverage (22%).

The news outlet that featured the Housing Justice Program most often was the local National Public Radio (NPR) affiliate, Virginia Public Media (14% or 16 stories). One segment featuring the Housing Justice Program also aired on NPR’s national Morning Edition show in February of 2021 (“For Black Families, Evictions Are Still At A Crisis Point”). The Richmond Times Dispatch newspaper ran 14 articles that included HJP work, and the Richmond Free Press newspaper ran seven articles.

While most of the coverage was from regional media outlets, the Housing Justice Program was featured nationally on NPR’s Morning Edition show (as noted above) and three times in The Washington Post (October 2020, December 2020, and February 2021).

**Policy Papers** - To support their advocacy with policy makers, the HJP team aimed to develop and disseminate at least eight policy white papers or one-pagers. This work was primarily conducted by the HJP Legal Fellows at VPLC. Three white papers were developed in support of advocacy efforts conducted by the HJP team including, “Demystifying Housing ‘Affordability’ Requirements in the Navy Hill Redevelopment Plan;” “Affordable Housing for the Richmond Region: Framework and Emerging Coalition;” and “Time is Ripe for a Right to Counsel in Virginia.” Additionally, at least 18 one-pagers were developed and disseminated as part of HJP’s education and advocacy work.

**Direct Policy Advocacy** - The HJP team engaged in direct policy advocacy on multiple fronts including public housing advocacy, private landlord advocacy, court procedural change advocacy, local advocacy, statewide advocacy, and impact litigation. Typically, each effort involved a coordinated effort between HJP Legal Fellows, Organizer Fellows, and Supervisors from each of the three host organizations, within the boundaries allowed by their funding.

**Outcomes**

**Brief Service Case Outcomes**

While all six Legal Fellows provide brief or limited scope services they were not required by their host organizations to track outcomes resulting from those interactions beyond documenting that the clients have accessed services. A Brief Service Outcome study was conducted to gather outcome data from clients who received brief services during a two-week “snapshot” period, which yielded data from just 11 clients. The outcomes were extremely positive. All the clients reported that they had a better understanding of their rights and said that they were clearer about the next steps to take in their case. Three-quarters (73%) felt better about their legal situations after receiving assistance by the HJP Fellow. Just under half (45%) of the clients felt that their legal situation was improved after this brief service while an equal number (45%) were unsure, which is not surprising given that the client was asked to complete this form immediately after receiving the brief service.

**Full Representation Case Outcomes**

Among extended services cases, the two most common reasons for closure were for court decisions that were contested (35%) and negotiated settlements with litigation (32%). One in six cases (17%) were negotiated settlements without litigation.

Seven in ten (71%) of the 402 closed cases were won and another 10% had a mixed result outcome. Only 3% of the cases were noted as lost. Cases are considered by the Legal Fellows as being won if the outcome of the case was what could be reasonably expected given the circumstances of the case. A mixed result is a partial win, where a client doesn’t get everything that they had hoped and could have been expected.

Cases could have both a monetary and non-monetary outcome. Two-thirds of the cases (65%) had at least one non-monetary outcome and nearly half (47%) had a monetary outcome.
Of the cases that had a monetary award, 54% were avoided amounts and 38% were recovered amounts. A total of $706,623 in economic benefit was reported. One-time monetary benefits ranged between $22 and $22,974, with an average one-time benefit of $1,350, awarded to 202 clients. Another 26 clients received an average $400 monthly benefit award, which ranged between $50 and $1,030.

A single client could receive non-monetary outcomes in more than one category. Eviction was prevented for three-quarters (75%) of the cases, so that tenants remained in their housing units. Of the 241 prevented evictions, three-quarters (74%) were for tenants in private housing, 21% were tenants in subsidized housing, and 5% lived in public housing. Additionally, 9% of the cases obtained redress for illegal/unfair landlord practices and another 7% had their rights to decent, habitable housing enforced.

**Public Housing Policy Changes**

As a result of the various advocacy efforts taken by the HJP team and their strategic partners, they successfully impacted the following policy changes at RRHA:

- In September 2019, RRHA’s Annual Plan was rejected by the U.S. Department of Housing and Urban Development (HUD). In their rejection, HUD cited several key points that the HJP had raised in their written comments in that the plan did not address Fair Housing Concerns and did not address the stated housing needs of residents. The HJP team was certain that this action taken by HUD was directly related to their advocacy efforts.

- Due to constant pressure and media attention, RRHA put a freeze on evictions due to non-payment of rent starting in November 2019, while RRHA adjusted their tenant account balancing. Originally the freeze was just for a few months but was extended until May 2020, and then extended again due to COVID.

- After a Section 8 voucher recipient was denied translation services for her recertification meeting, an HJP Fellow threatened to file a complaint to HUD as RRHA was out of compliance with Title VI for language access. RRHA agreed to develop a language access plan that would include oral translation for critical meetings, as well as translation of vital documents. RRHA agreed to share a draft of the plan with the HJP team before implementing.

- RRHA agreed to participate in Richmond’s City Eviction Diversion Program, which enabled public housing residents to access both funding and counseling to avoid evictions.

- RRHA followed many of the recommendations made by the HJP team and made significant changes to their accounting practices, such as lowering late penalties, offering payment plans for those residents in arrears, and reorganizing their priority of how it applies rent payments to residents’ balances.

- Following HJP advocacy, RRHA changed and implemented a new procedure for criminal related evictions. Instead of evicting over minor offenses, they began allowing an interdiction conference to find alternatives to eviction.

**Passage of New Laws**

The following tenants’ rights bills that the HJP team supported in the state legislature were passed:

- HB921/SB708: Bills to require housing authorities requesting permission from the U.S. Department of Housing and Urban Development to demolish or redevelop a housing project, must give residents a 12-month notice prior to submitting the request.

- HB2014: A bill to the right of redemption and improve post-payment notice.
• Eliminates the once-every-twelve-months limitation on a tenant's right to pay everything owed and cancel the eviction. As long as the landlord is made whole by full payment at least two days before the scheduled eviction, the eviction should be cancelled.

• Requires clear notice to tenants that any partial payment of rent will NOT cancel the eviction, as well as notice that only payment of all rent, late fees, and (if applicable) attorney's and sheriff's fees owed will cancel the eviction.

• HB1889: A bill to extend the pay or quit period from 5 to 14 days and require large landlords to offer tenants a payment plan before evicting a tenant.
  - Bill passed during 2020 special session extends the pay-or-quit period to 14 days (from five days) and requires all landlords with five or more units to offer payment plans to tenants who fall behind on rent.
  - As introduced, the bill would have removed the sunset clause and keep the new law in place after June 30, 2021. The bill hit some last minute roadblocks, and the Senate decided to extend the sunset clause to July 1, 2022.

• HB1900/SB1215: Bills to strengthen protections against unlawful evictions.
  - Adds $5,000 statutory damages provision to the law prohibiting landlords from using "self-help" eviction (forcing tenants out of their homes without getting a court order by changing the locks, terminating power to the home, removing doors and windows, etc.).
  - Requires that courts expedite relief from unlawful eviction cases on the docket, holding initial hearings within five days of when the case is filed whenever possible.

• HB2161/SB1410: Bills to strengthen protections for tenants serving in the military.
  - Prohibits provisions in residential leases waiving rights provided by the Service members Civil Relief Act (SCRA). The SCRA gives active duty service members the right to a continuance and a court-appointed guardian ad litem if they are sued.

• HB1891: A bill to increase protections for vulnerable tenants during COVID-19.
  - Requires landlords to give tenants more notice of an intent to enter their home for non-emergency reasons to allow those with COVID-19-related and other health vulnerabilities to voice objection.

Fellow Commitment to Public Service
Fellows were asked to reflect on the impact of this Fellowship on their current level of skills and their future career plans. Four of the five participants said the Fellowship increased their ability to provide high quality legal services and increased their interest in public service. All five plan to continue to work in public service.

“ The Housing Justice Program allowed me to work with and alongside other housing advocates in a way that enhanced my own advocacy efforts, but also allowed for really effective collaboration. The cohort model was a game changer!”

HJP Fellow

Conclusion
By all accounts the Housing Justice Program was very successful. The three host legal organizations successfully hired, placed, trained, and supported the team of Legal Fellows and Organizer Fellows. Their regular strategic planning meetings and other communication methods were very effective at keeping team members informed and task focused. Informal gatherings outside of work helped solidify HJP team relationships. Team members had clearly defined roles, which capitalized on their personal strengths, but the work was always collaborative. They celebrated all accomplishments as a team, as they all shared in the effort.

Feedback about the program experience was very positive. That said, HJP Legal Fellows, Organizer Fellows, and Supervisors provided Equal Justice Works with some thoughtful feedback about how the Housing Justice
Program model might be improved, regarding suggestions about timing of program recruitment and training, as well as suggestions on how to improve the administration of the program, such as clearer work plans and simplified reporting.

While the Greater Richmond area had a unique set of circumstances with three civil legal aid organizations that have different missions, but as a network they complement each other, there was consensus that this model could and should be replicated. A key element that all HJP stakeholders agreed was essential to the program’s success was inclusion of experienced Organizer Fellows on the team.

**Recommendations for Program Replication**

Equal Justice Works crafted the Housing Justice model with an eye towards replication. The following are themes that emerged from interviews and guided conversations with advice about the essential elements to be considered for replication to be successful.

While it was acknowledged that there were unique circumstances in Richmond with three civil legal aid organizations that have different missions, but as a network they complement one another, there was still consensus among the Richmond HJP stakeholders that the model could be replicated. In order to successfully replicate this model, you would have to team legal organizations that provide full representation, but also have a legal organization that isn't restricted from doing advocacy. Most HJP stakeholders thought it was important to have one or more organization that can perform state level and local advocacy. However, one HJP Supervisor expressed, “You could definitely do this program without statewide advocacy, but by having it, the program is better.”

All HJP stakeholders agreed that having Organizer Fellows on the team is essential for success. They have the community trust that lawyers typically do not. They are more credible than attorneys because they are from the community. Organizers are skilled at tenant outreach. They interact with the media and the policy makers.

There was less agreement among those interviewed whether, for replication purposes, it would be most effective to have organizers embedded at one of the legal organizations or whether the legal service organization could partner with a non-legal community organizing nonprofit. Several expressed concern that having the organizer outside of a legal organization might lead to a “lack of integration.” A Supervisor elaborated, “By having the organizers on staff at the legal organization, they can set internal priorities in a consistent way.” Another Supervisor suggested that if there was not a legal organization in the community that could engage in advocacy (due to federal funding) then it could be effective to house attorneys at the housing advocacy non-profit to provide direct legal services. This is a model that has been used effectively in the past. A Supervisor from LAJC recommended that when hiring organizers, it is important to look for experience. It is more important that organizers already have community connection than it is for them to have formal training as an organizer.

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