

Editorial: What Houston must do to avoid eviction disaster

The Editorial Board - May 21, 2020

It conjures images of the Great Depression tent cities, the Dust Bowl migration camps and even post-apocalyptic movies of bare survival.

It is the prospect of thousands of men, women and children being forced from their homes to live on the street or in overcrowded rooms and shelters exposed to and exposing others to the new coronavirus.

That is the hellish landscape Houston must avoid in the coming days and weeks as the first of America's largest cities to confront possible widespread evictions related to the coronavirus pandemic. The crisis moved into a new stage last week when the Texas Supreme Court lifted its temporary ban on evictions and debt collection, putting thousands of residents in the Houston region and across the state at risk of losing their homes.



Lylian Walk waits in her Houston apartment where she is facing eviction after making an incomplete rent payment after losing her job earlier this year. The Texas Supreme Court lifted a moratorium last week, allowing the eviction process to proceed. Photo: Mark Mulligan, Staff photographer

Eviction hearings were allowed to resume Tuesday with possible removal coming as early as May 26. Harris County justices of the peace say they will not begin hearings before June 1 and will start with cases filed in February and early March before the pandemic shutdowns began.

It will be the post-shutdown cases that represent the greatest suffering. Without jobs, income or access to resources, many residents confront a cruel reality that could not only damage families for generations but make it harder to contain the virus now and cripple efforts for a speedy economic recovery in the months and years ahead. It is about people on the margins being pushed too far behind to ever catch up.

“No one wants to see that happen,” Harris County Judge Lina Hidalgo told the editorial board. “No one.”

Local officials, including those in the court system, must do everything they can to limit the immediate and long-term damage that widespread evictions will do to our community. That includes justices of the peace giving careful consideration to those who have been unable to work for months because of closed businesses and stay-at-home orders.

It includes putting more financial assistance into the system to help renters and landlords who face their own mortgages, overhead and property tax burdens.

Renters who live in properties that receive federal subsidies, an estimated 25 percent of the market in Harris County, are protected from eviction through July 25 under the federal CARES Act.

All renters should know their rights before going to court. For more information, visit [TexasLawHelp.org](https://www.texaslawhelp.org) and search “eviction.”

We applaud Harris County Commissioners Court for doubling its COVID-19 relief fund from \$15 million to \$30 million to help the neediest residents pay for housing, utilities, food and health care. The question is how far that money will go after a \$15 million City of Houston rental assistance fund was drained by applicants in 90 minutes last week.

The need is only growing as more people remain out of work and savings are exhausted. This is why the U.S. Senate should take up a bill already passed by the House that sends more aid to cities and states.

The Metropolitan Organization, a citizens’ advocacy and empowerment group, says that a crucial parallel step would be to extend a moratorium on evictions until at least mid-June to give people a chance to get back on their feet.

The organization sent a letter this week to Hidalgo and commissioners calling on them to direct “the justices of the peace of Harris County to delay holding eviction hearings for non-payment of rent.”

But Hidalgo said her “hands are tied” by Gov. Greg Abbott’s superseding state emergency order and that while she hopes the JPs will delay the eviction process, she can’t order them to do so.

Robert Soard, the first assistant attorney for Harris County, told the editorial board that his office is working with other counties to find solutions but that “it’s a potential separation of powers issue” in which county government can’t order the judiciary to do its bidding.

Dallas County Judge Clay Jenkins announced Monday that eviction cases filed there after March 10 would not be set for a hearing before June 15 by agreement of the justices of the peace.

We urge Harris County JPs to agree to take similar steps as a group. That hasn’t happened yet. But Justice of the Peace Jeremy Brown said he believes he and his colleagues “will do everything in our power to look at these circumstances and chaotic times” in dealing with the eviction caseload.

Harris County Justice of the Peace David Patronella agreed that the JPs have discretion and will be proactive in guiding the parties to resources with the goal of avoiding eviction where possible.

That should be the posture for all 16 Harris County JPs. Renters and landlords both deserve justice but this is not business as usual.

No one wants to see what mass evictions would do to this community.

