Thousands in Houston behind on rent could qualify for aid. But many don't know the program exists.

R.A. Schuetz, Staff writer  July 29, 2021  Updated: Aug. 1, 2021

Jennifer Hernandez, left, and Bianco Castor wait at the bottom of a stairway waiting on Luis Cadavid to finish talking to a resident while canvassing the Greenspoint area telling residents about the Houston-Harris County Emergency Rental Assistance Program Wednesday, June 30, 2021 in Houston. The city and county has $196 million to help renters avoid eviction. But many behind on rent have not heard of the fund, spurring the effort to reach out to people in the community.

Brett Coomer, Houston Chronicle / Staff photographer
“It’s rental assistance,” he said, waving the papers. Laguna tilted her head toward her front door, inviting Cadavid to explain the Houston-Harris County Emergency Rental Assistance Program.

While homeowners impacted by the pandemic were largely shielded by measures enacted by the federal government to ease them back into their mortgage payments, tenants who have fallen behind on rent are receiving more piecemeal assistance. Tens of thousands of area residents could qualify for up to a year of past-due rent payments from the city and county, plus two months more to give them time to regain their financial footing, if they seek it out.

But many do not know the Houston-Harris County program exists.

So a network of nonprofits, pro-bono lawyers and volunteers have been working at every step of the eviction process to connect renters to the $196 million rental assistance administered by Houston and Harris County, working to pull families behind on rent off the conveyor belt to eviction before it’s too late. They are canvassing apartment buildings, hosting large events and even showing up at court where tenants are scheduled for eviction hearings to provide last-minute support.

The Houston-Harris County Emergency Rental Assistance Program has been one of the more successful at giving out renters aid.

As of May 31, Houston had helped the most families out of any city in the country, and Harris County had helped the most out of any county, according to federal data. As of Thursday, the combined programs had awarded $152 million to 40,000 households, said a spokesperson from the program.

Nonetheless, if the share of households living in Houston and Harris County that are behind on rent is in line with the percentage of people behind on housing payments in the region overall — 7 percent, as of the latest Census survey, taken in early July — that’s a fraction of the families in need. And with the eviction moratorium, put in place by the
Centers for Disease Control and Prevention, expiring at the end of the month, the ability of the program to keep struggling renters in their homes will soon be put to the test.

Holes in the safety net

When the pandemic’s impact on the United States became clear in early 2020, the Eviction Defense Coalition, a group of lawyers from Lone Star Legal Aid, Houston Volunteer Lawyers, the University of Houston Law Center, the Earl Carl Institute at Texas Southern University and South Texas College of Law Houston kicked their operations into high gear.

They looked at lists of evictions that were scheduled to go to court the following week and reached out to anyone who was not represented. After the CARES Act was passed, Eric Kwartler, a public interest lawyer at South Texas College of Law Houston, looked through every eviction that was filed.

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Through records requests, he showed that 24 percent of cases violated the new law, which paused evictions by landlords who had federally backed mortgages or accepted federal housing support, such as Section 8 vouchers.

But those cases weren’t automatically thrown out. Instead, Kwartler said, cases in which the renter was not represented by an attorney usually ended in eviction, meaning hundreds of Houston renters that Congress had moved to protect were nonetheless displaced.

The situation drove home the ineffectiveness of many pandemic tenant protections when advocates were not guiding renters through the process. In Houston, a host of groups are tackling the problem.
A collection of unions called the Texas Gulf Coast Area Labor Federation, for example, worked with data analysts to see where the rates of evictions are highest but applications to the rental assistance program are lowest. That’s where union members, including Cadavid, went door to door.

“There have been times when we’ve canvassed when it’s been nothing but eviction notices on doors,” said Jennifer Hernandez, a member of the International Union of Painters and Allied Trades. She and other members of the Texas Gulf Coast Area Labor Federation have knocked and posted flyers on more than 40,000 homes.

Partnering with the Eviction Defense Coalition and Texas Gulf Coast Area Labor Federation are groups including the Metropolitan Organization, Constable’s Offices, the Alliance for Multicultural Community Services, County Commissioner Rodney Ellis and Adrian Garcia’s offices, BakerRipley and Catholic Charities, which have hosted large application events in the area so renters can have someone guide them through the process in person.

BakerRipley and Catholic Charities are the nonprofits processing applications and distributing funds. They’re also working with community centers, ministries and other groups across the city to help families who may have language or technological barriers to apply.

“It takes a wide variety of people to come together to get the volume of (resources),” said Dana Karni, managing attorney for the Eviction Right to Counsel Project at the nonprofit Lone Star Legal Aid.

Kwartler agreed. As a result of the effort, he said, “The holes are smaller in the (safety net for renters), rather than gaping.”
Fear remains

Still, once they’ve found that safety net and moved to apply for the rental assistance, renters and landlords alike are expressing frustration and anxiety at how long the process takes.

Three weeks after applying for rental assistance through the Houston-Harris County program, Maria Garcia still didn’t know when help would arrive. Her work cleaning houses dried up when the city shut down, and since has been slow to return. In July, she missed rent. Now, she’s anxiously hoping assistance will come before August’s rent comes due.

“They only give me the same answer: That I was selected and that it’s processing,” she said in Spanish. About 7,100 applications like Garcia’s are still pending, according to a spokesperson for the program.

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Adriana Gonzalez, a landlord who purchased a rental home with a loan that is not federally backed, found herself in the same situation. Her lender had not agreed to pause payments, and since her renter had not paid in three months, she was in danger of losing the home. After borrowing from her family to cover her costs, she took out a high-interest loan to help her get through July.

But she did not know when the rental assistance would come through.

“It’s very stressful,” she said. “I did apply, and I received an email saying the app was accepted… But I don’t know what accepted means.”
Problem persists

In response to concerns about August’s rent and the end of the eviction moratorium, Shannon Strother, vice president of programs at Catholic Charities, said, “We are paying off overdue rent for thousands of families each week, but we realize that does not allay people’s fears if their own application has not been approved yet.”

She said families living in properties owned by landlords enrolled in the program are protected from eviction as soon as they turn in their applications.

Even as some renters were filling out applications for rental aid, others were on facing evictions for failure to pay rent. The same week a massive rental assistance drive was taking place in Greenspoint more than a dozen eviction cases were being heard across town at the Justice of the Peace court in Riverside Terrace.

Judge Wanda Adams had been working with the Eviction Defense Coalition, but that day, there was no pro-bono attorney present. Most of the renters being evicted were also not present. Instead, she spoke to the landlords and the landlords’ attorneys.

“Is there a CDC declaration on file? And you tried to reach out to rental assistance?” she asked — both options the federal government had put in place to protect people impacted by the pandemic from eviction.

But neither safeguard had been exercised. The result? A default judgment to evict.

The renter had fallen through the safety net.