

Homelessness Prevention and Housing Stability in Buncombe County

RFP for Coronavirus State and Local Fiscal Recovery Funds

Pisgah Legal Services

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Application Form

Question Group

Buncombe County requests proposals for projects to help the community recover from and respond to COVID-19 and its negative economic impacts.

Buncombe County has been awarded \$50,733,290 in Coronavirus State and Local Fiscal Recovery Funds (Recovery Funding), as part of the American Rescue Plan Act. To date, Buncombe County has awarded projects totaling \$23,093,499, leaving a balance of \$27,639,791 available to award.

Visit <http://www.buncombecounty.org/recoveryfunding><http://www.buncombecounty.org/recoveryfunding><http://www.buncombecounty.org/recoveryfunding><http://www.buncombecounty.org/recoveryfunding><http://www.buncombecounty.org/recoveryfunding> for details.

This infusion of federal resources is intended to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery.

Buncombe County is committed to investing these funds in projects that:

- Align to county strategic plan and community priorities
- Support equitable outcomes for most impacted populations
- Leverage and align with other governmental funding sources
- Make best use of this one-time infusion of resources
- Have a lasting impact

Proposals shall be submitted in accordance with the terms and conditions of this RFP and any addenda issued hereto.

[Click here for the full terms and conditions of the RFP](#)

Organization Type*

Nonprofit

Nonprofit documentation

If nonprofit, attach IRS Determination Letter or other proof of nonprofit status.

PLS 501(c)(3).pdf

Name of Project.*

Homelessness Prevention and Housing Stability in Buncombe County

New/Updated Proposal*

Is this a new project proposal or an updated version of a proposal submitted during the earlier (July 2021) Recovery Funding RFP?

Updated version of previously submitted proposal

Amount of Funds Requested*

\$950,000.00

Category*

Please select one:

- Affordable Housing
- Aging/Older Adults
- Business Support/Economic Development
- Environmental/Climate
- Homelessness
- K-12 Education
- Infrastructure and/or Broadband
- Mental Health/Substance Use
- NC Pre-K Expansion
- Workforce

Assistance to households

Brief Project Description*

Provide a short summary of your proposed project.

Pisgah Legal Services' project "Homelessness Prevention and Housing Stability in Buncombe County" will provide preventive legal services to keep people housed and avoid them falling into homelessness, while working to engage renters in affordable housing solutions.

Project Plan*

Explain how the project will be structured and implemented, including timeframe.

The "Homelessness Prevention and Housing Stability in Buncombe County" project is a multi-dimensional proposal to meet the immediate needs of families during, and hopefully, after the pandemic to stabilize housing, prevent homelessness and to improve gaps and inequities in housing exposed by the pandemic. ARPA funds will be used to provide free legal services to low-income residents to prevent unnecessary foreclosures and evictions and recover from losses of income; advocate for increased affordable housing options; and reach, engage and educate tenants in this difficult housing market.

STOPPING EVICTIONS AND FORECLOSURES RESULTING FROM THE PANDEMIC

Pisgah Legal Services will provide direct legal services to low-income renters and homeowners to prevent evictions and foreclosures. Foreclosure defense work is complex and can take years of litigation and appeals. Pisgah Legal dealt with increased foreclosure cases for at least seven years following the 2008 Great Recession.

We anticipate helping at least 1,200 people in 480 eviction and foreclosure related cases in Buncombe County each year. Many of the tenants need help to preserve their public housing or Section 8 rental subsidies.

ENGAGING TENANTS IN AFFORDABLE HOUSING IMPROVEMENTS

Just Economics has created an Affordable Housing Strategy Team with people who were housing insecure and will build on this work to create a larger tenant network. Pisgah Legal and Just Economics will engage tenants about their rights and responsibilities and work together to protect those rights and improve rental housing conditions. The organizations will engage tenants regarding long-term affordable housing options.

We will create a strong tenant network that will educate and engage between 500 and 1,000 tenants annually through workshops, targeted mailings, on-line support and tenant meetings.

TIMELINE

Year 1: We will focus on addressing the immediate needs of tenants and homeowners. Just Economics will train its new staff member and will work with Pisgah Legal Services to ramp up participation in the tenant network and work to create common rental housing applications, illegal lease provisions, improved housing conditions, and more affordable housing options.

Year 2: Pisgah Legal Services will continue to address persistent landlord tenant, debt, and foreclosure issues. The disparity between local wages and escalating housing costs will likely threaten thousands of tenants with homelessness. We will focus on improving rental housing conditions and supporting additional housing in the community as housing costs continue to rise.

Statement of Need*

Describe the need that this project will address. Include data to demonstrate the need, and cite the source of the data.

An estimated 32,766 households in Buncombe County were cost burdened (paying greater than 30% of their income for housing) according to the US Census American Community Survey. This was 48% of the renter households and 20% of homeowners. With Buncombe's unemployment rate peaking at 17.7%, in April of 2020, one of the worst in the state, many of the families who were able to make their housing payments pre-pandemic fell behind and are continuing to pay down debt they incurred. According to the Consumer Finance Protection Bureau, Black and Hispanic families were more than twice as likely to report being behind on housing payments than white families in 2021.

Many rents in Asheville are estimated to have increased by up to 25% in just the past year, a trend that is likely to continue due to high population growth in the county. The increased cost of housing in the region, contributed to Just Economics recently increasing the Living Wage in Buncombe County to \$17.70 per hour.

As increases in wages have lagged behind the increase in housing costs, more and more families are left vulnerable to homelessness, due to an unforeseen expense and lost income. Since November 2021, there have been 625 eviction cases filed in Buncombe County, an average of 125 per month. In addition to those evicted through a legal judgment, researchers estimate a larger number of renter households are evicted informally, outside the court system.

According to the U.S. Department of Housing and Urban Development, one of the leading interventions to prevent evictions is providing legal assistance to at-risk tenants. Research shows that legal representation helps tenants remain housed while also delivering financial savings to the jurisdictions. A study titled “The Economic Impact of an Eviction Right to Counsel in Baltimore City” found that an annual investment of \$5.7 million in a right to counsel program in Baltimore would yield \$35.6 million in benefits or costs avoided to the city and state.

Link to COVID-19*

Identify a health or economic harm resulting from or exacerbated by the public health emergency, describe the nature and extent of that harm, and explain how the use of this funding would address such harm.

COVID exposed the vulnerability of low-income households to homelessness. During the early months of the pandemic, stay-at-home orders resulted in many families spending more time in unsafe and unstable housing. Many tenants and homeowners could not pay their housing costs and would have been displaced but for the CDC eviction and federal foreclosure moratoria. Some tenants were unable to move due to the lack of affordable housing and unable to request repairs because they were behind on rent or risk of COVID exposure from repair professionals.

Just Economics has created an Affordable Housing Strategy Team with people who were housing insecure and will build on this work to create a larger tenant network. Pisgah Legal Services and Just Economics will engage tenants about their rights and responsibilities and work together to protect those rights and improve rental housing conditions. The organizations will engage tenants regarding long-term affordable housing options.

Stable housing is key to employment, health, education, and general well-being. With COVID-19 disproportionately impacting the health and income of low-income households and people of color, these communities are also the ones at greatest risk of losing their housing. According to the National Equity Atlas Study, of the N.C. renters who were behind on housing payments in 2021, 90% were low-income and 65% are people of color.

This funding will enable Pisgah Legal to employ legal staff and sustain our volunteer lawyer program to prevent unnecessary evictions and foreclosures, or at least to assist tenants and homeowners to transition to more affordable housing options so that they do not become homeless.

Population Served*

Define the population to be served by this project, including volume and demographic characteristics of those served.

This ARPA funding will help stabilize housing and income for low-income people in Buncombe County, with an emphasis on reaching communities of color who were disproportionately impacted by the pandemic. An estimated 82,716 people in Buncombe County (33%) are living at or below 200% of federal poverty (\$46,060 for a family of three). In 2021, the average income of a Pisgah Legal client was \$15,908.

We estimate helping more than 1,200 people (adults and children) annually with legal services. We will create a strong tenant network that will educate and engage 500 - 1,000 tenants annually through workshops, targeted mailings, on-line support and tenant meetings.

Results*

Describe the proposed impact of the project. List at least 3 performance measures that will be tracked and reported. If possible, include baselines and goals for each performance measure.

STOPPING EVICTIONS AND FORECLOSURES RESULTING FROM THE PANDEMIC

We anticipate helping at least 1,200 people in 480 eviction and foreclosure related cases in Buncombe County each year.

PROVIDE LEGAL SERVICES THROUGH TENANT EMERGENCY RESPONSE PROJECT

Pisgah Legal Services will track Buncombe County court dockets for eviction filings, reach out to identified potential clients and locate staff at the courthouse outside of Small Claims Court on dates when there are a large number of eviction cases.

ENGAGING TENANTS IN AFFORDABLE HOUSING IMPROVEMENTS

We will create a strong tenant network that will educate and engage between 500 and 1,000 tenants annually through workshops, targeted mailings, on-line support and tenant meetings.

Evaluation*

Describe the data collection, analysis, and quality assurance measures you will use to assure ongoing, effective tracking of contract requirements and outcomes.

Pisgah Legal Services will document and evaluate the number of foreclosure, eviction, and debt-related cases we handled during the grant period. We will assess, record, and report both the problem code as the cases are opened and the outcomes when cases are closed. We estimate helping more than 1,200 people each year.

We will create a strong tenant network that will educate and engage 500 - 1,000 tenants annually through workshops, targeted mailings, on-line support and tenant meetings.

Equity Impact*

How will this effort help build toward a just, equitable, and sustainable COVID-19 recovery? How are the root causes and/or disproportionate impacts of inequities addressed?

In 2021, 38% of the Buncombe County client households Pisgah Legal helped with housing and consumer debt issues identified as Black, Hispanic, Asian, Native American or Mixed Race. We anticipate that this trend will continue as we implement this project.

According to a Pew Research study released in September 2020, lower-income adults were harder hit by the pandemic. Forty-six percent of lower-income adults said they had trouble paying their bills during the pandemic, compared to 20% of middle-income adults. Low-wage workers and communities of color were disproportionately impacted by COVID-19 both in terms of their income and health. According to the Brookings Institute, low-wage workers and communities of color faced higher risk of dying from COVID-19. In Buncombe County, rates of infection were much higher for Black and Latinx individuals than White.

According to the U.S. Department of Housing and Urban Development, landlords do not pursue evictions equally across households. While the national eviction filing rate was 1 in 20; for Black renters, it was 1 in 11. People of color, women, and families with children are more likely to be evicted. A study found that almost 15 percent of American children born in large cities between 1998 and 2000 had experienced an eviction by age 15. The percentage was approximately 29 percent for children living in deep poverty. Among tenants at risk of eviction, Hispanic tenants in predominantly white neighborhoods were roughly twice as likely to be

evicted as those in predominantly non-white neighborhoods. Hispanic tenants were also more likely to get evicted when they had a non-Hispanic landlord.

Through partnerships with Just Economics as well as other business support networks, we will provide free legal support and improve gaps and inequities moving forward.

Project Partners*

Identify any subcontractors you intend to use for the proposed scope of work. For each subcontractor listed, indicate:

- 1.) What products and/or services are to be supplied by that subcontractor and;
- 2.) What percentage of the overall scope of work that subcontractor will perform.

Also, list non-funded key partners critical to project.

Pisgah Legal Services will subcontract with Just Economics to build a tenant network in Buncombe County. They will be responsible for communicating with tenants about their needs and providing information produced by Pisgah Legal about their rights. They will work to develop a common rental housing application and advocate for landlords to adopt it. They will refer legal issues to Pisgah Legal Services.

Pisgah Legal Services and Just Economics will meet at least bi-monthly to discuss trends - and strategies and structural changes that can lead to better conditions for tenants.

Just Economics has a grassroots structure that Pisgah Legal lacks. This was identified as a gap in our work during the pandemic as we worked to get information out to people with low incomes in our community. The Just Economics portion of the budget is 9%.

In addition, Pisgah Legal Services regularly partners with On Track Financial Education, Homeward Bound, Eblen Charities, ABCCM, Council on Aging, Buncombe HHS and others on housing related work. We have a good working relationship with the Housing Authority of the City of Asheville.

One of our most important partners is the Buncombe County Bar Association and member attorneys. Pisgah Legal Services seeks the help of roughly 300 volunteer attorneys who donate their time to help low-income clients and expand our attorney capacity to meet urgent needs. These volunteers participate in what is known as our Mountain Area Volunteer Lawyer Program. They provide legal expertise in areas of the law that Pisgah Legal Services lacks resources to provide, as well as adding capacity in areas that we provide with Pisgah Legal staff.

Capacity*

Describe the background, experience, and capabilities of your organization or department as it relates to capacity for delivering the proposed project and managing federal funds.

Founded in 1978, Pisgah Legal has very capable Board and staff leadership. We have substantial volunteer capacity and expertise as well. The executive director of Pisgah Legal Services, Jim Barrett, is one of the longest-serving executive directors in WNC, with almost 29 years as Executive Director and ten additional years as a housing and community development attorney. Jim has helped Pisgah Legal grow from a staff of fifteen to a current staff of 120. He received several awards, including the local non-profit management excellence award, induction into The Order of the Long Leaf Pine Society, the N.C. Bar Association's Deborah Greenblatt Award, and, most recently, the NC Justice Center's Lifetime Champion of Justice Award.

Managing Attorney Robin Merrell, with more than 20 years of experience at Pisgah Legal Services, oversees the organization's housing and Community Economic Development programs. Robin works closely with County leaders and staff to meet goals shared by the County and Pisgah Legal.

Just Economics and Pisgah Legal have a history of working together in various capacities on issues related to living wages, worker owned cooperatives, transit improvements, and affordable housing policy work.

Pisgah Legal Services is experienced at administering large and small amounts of federal funds from a variety of federal agencies. These include CDBG, VOCA, VAWA, HCCBG, and HHS funds.

Budget*

Provide a detailed project budget including all proposed project revenues and expenditures, including explanations and methodology. For all revenue sources, list the funder and denote whether funds are confirmed or pending. For project expenses, denote all capital vs. operating costs, and reflect which specific expenses are proposed to be funded with one-time Buncombe County Recovery Funds.

Download a copy of the budget form [HERE](#). Complete the form, and upload it using the button below.

PLS Recovery-Funds-budget - Updated Apr 2022.xlsx

Special Considerations*

Provide any other information that might assist the County in its selection.

Special Considerations Doc.pdf

Pisgah Legal Services has operated a Tenant Emergency Response Program (TERP) in Buncombe County on and off as resources allowed since 2006, locating attorneys at the courthouse during sessions of Small Claims Court and, when that is not possible, pulling the court dockets. This effort is part of a national trend driven by research that supports right-to-counsel for tenants facing eviction.

A study in Minnesota titled "Legal Representation in Evictions – Comparative Study" found that fully represented tenants win or settle their cases 96 percent of the time and clients receiving limited representation win or settle their cases 83 percent of the time. These figures compare with just 62 percent of tenants without any representation. Tenants with full representation were twice as likely to stay in their homes or got twice as much time to move, left court without an eviction record, and were four times less likely to use homeless shelters.

Since November 2021, Pisgah Legal has been able to provide legal representation in 145 eviction cases and legal consultation/advice in 117 cases. In 2021, Pisgah Legal Services increased the number of attorneys we have working on Homelessness Prevention so we could meet the increased need. As a result, when the eviction moratorium ended, we were able to provide legal representation to 20% more tenants facing eviction in Buncombe County than the same period pre-pandemic. As Buncombe County copes with an affordable housing and homelessness crisis, the County should invest in free legal services as a cost-effective, key preventive tool.

File Attachment Summary

Applicant File Uploads

- PLS 501(c)(3).pdf
- PLS Recovery-Funds-budget - Updated Apr 2022.xlsx
- Special Considerations Doc.pdf

Internal Revenue Service
District Director

Department of the Treasury

Date: JUL 28 1982

Person to Contact:
Rickborn/ch

Contact Telephone Number:
404-221-4516

EIN: 56-1191115

File Folder Number: 580009461

Pisgah Legal Services
P.O. Box 2276
Asheville, North Carolina 28802

Based on the information you recently submitted, we have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are an organization described in section 170(b)(1)(A)(vi) & 509(a)(1)

Your exempt status under section 501(c)(3) of the Code is still in effect.

This classification is based on the assumption that your operations will continue as you have stated. If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status.

Because this letter could help resolve any questions about your foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,


District Director

Your classification as an organization which is not a private foundation has been changed from section 509(a)(2) to section 170(b)(1)(A)(vi) and 509(a)(1) because the support you have received is the type described in section 170(b)(1)(A)(vi).

List expenses here			\$	-		
List expenses here			\$	-		
List expenses here			\$	-		
List expenses here			\$	-		
List expenses here			\$	-		
List expenses here			\$	-		
			Total	\$ 1,548,929.00		

The on-line form would not allow me to submit without uploading a document under Special Considerations. Below is the text provided in the narrative box of the application:

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