

# FIGHTING EVICTION ON ALL FRONTS

Eviction Defense Report

March 2021





*“No one should have to go hungry or without medicine in order to pay fees – a choice that too many of our members have had to face.”*

**Andrea Chiriboga-Flor**  
Colorado State Director

## A Note to Our Funders & Donors

At 9to5, we’re dedicated to bringing about a world where all BIPOC (Black, Indigenous, People of Color) women and their families can flourish and thrive. For over 48 years, we have boldly confronted racial and gender injustices by addressing economic stability and security. We believe that housing is a human right and that means that every person in Colorado should have safe, secure, and affordable housing free from discrimination, retaliation and eviction threats.

The on-going COVID-19 pandemic has compounded the struggle of 9to5 members and working Coloradan families who were already facing housing uncertainty. Many working people have lost their jobs or seen their hours reduced. The patchwork of current eviction moratoriums is not enough to keep many families in their homes. Our families are facing a brutal eviction crisis and being forced to make tough choices between paying rent, putting food on the table or paying for life saving medications.

Since 2014, 9to5 Colorado has been at the epicenter of organizing at the local and state level to prevent displacement, support community land ownership and pass policies to strengthen protections for renters and mobile home residents. We are one of the few organizations that provide eviction defense regardless of immigration status.

We know that policies are only as strong as the enforcement and implementation that takes place after passage and this is why our eviction defense work is so important. Racist and sexist practices are perpetuated when we don’t employ proper implementation that includes reaching those most impacted, namely BIPOC communities that tend to always be left behind.

The purpose of this report is to open the doors for a multitude of ways that we as policymakers, funders and community can step more fully into this work. We are deeply honored to offer this report as a resource to learn more about 9to5 Colorado’s Eviction Defense work from July 2019 - November 2020. It is an invitation to all of us to contemplate how we can best resource housing justice work for the long haul.

In Solidarity,

*Andrea Chiriboga-Flor*

**Andrea Chiriboga-Flor**  
Colorado State Director, 9to5





# Strategy

As we respond to the COVID-19 pandemic, our priorities have come into sharper focus - our eviction defense work is more critical than ever. As 9to5 Colorado's 25 year history has proven, only by the power of women and our families working TOGETHER can we solve these problems.

9to5's *Eviction Defense* program was launched in 2018 to expand legal assistance to working families who are experiencing an eviction or are at immediate risk of eviction. Since 2019, 9to5 has provided legal advice, counseling, and representation to 212 tenants representing 65 families. This is in addition to the almost 100 tenants that were helped during our 2018 pilot year. 9to5 continues to fill a critical and insidious gap in eviction defense services by serving all regardless of immigration status.

9to5 Colorado's eviction "double prong" defense strategy is unique and interweaves robust representation and advocacy. When 9to5 accepts a new client, we deploy organizers immediately to document the situation, while contacting legal counsel to begin advocating to the landlord, law enforcement and/or the courts as needed. In addition, the client's case is integrated into a dynamic community organizing campaign to assess if there are non-legal resolution tactics available.

## Responding on All Fronts

In addition to the Eviction Defense Fund, 9to5 Colorado uses an integrative approach to helping working women and their families facing eviction.

- **Preemptive Rapid Response Funds**<sup>1</sup> - In 2020, 9to5 began a separate Rapid Response Care Fund to give community members most impacted by the pandemic direct financial assistance for rent, utilities, food and other basic necessities. The program complemented the legal program since many evictions begin due to full or partial non-payment of rent. This funding offered a preemptive measure that allowed 693 families to avoid triggering eviction proceedings and further advancing the goal of families staying in their homes.

<sup>1</sup> The *Rapid Response Care Fund* is funded completely by individual donors and foundations who believe in the spirit of community care and collective action.

- **Know Your Rights Community Education** - Knowing one's rights, how the eviction process works and what to do if those rights are violated is essential and important. This is why 9to5 Colorado routinely leads Know your Eviction Defense Rights trainings in English and Spanish.
- **State and Local Level Grassroots Advocacy** - 9to5 Colorado is an active presence at the state legislature bringing community power to influence policy decisions. 9to5 led efforts to win housing justice legislation such as HB19-1106, Rental Application Fees, HB 19-1309, Mobile Home Park Oversight Act, HB 19-1170, Residential Tenants Health & Safety Act, and HB20-1196, the Mobile Home Park Modernization Act among others.

While 9to5 primarily works at the state level, in recent years 9to5 has also led local efforts to pass a moratorium on redevelopment of mobile home parks, a resolution to provide relocation assistance to displaced mobile home residents, and participated in a Mobile Home Task Force in the city of Aurora. 9to5 participates in local advocacy work in Boulder, Adams County, and Denver to protect renters and mobile home owners.

- **Impact Litigation** - Many of the cases 9to5 commits to working on have the potential to serve as impact litigation that could set a precedent to help thousands of residents across the state. Some of these cases are class action that could go even further by providing material relief directly to thousands of tenants. This is another way we can shift policy outside of the legislature especially when the political climate is not in our favor.



# Community Challenges & Needs

The Eviction Defense Fund started accepting applications in July 2019 and assisted 65 out of the 99 families (66%) who applied for assistance. The majority of applicants are women and heard about this program through friends, family, and community groups. 9to5 Colorado stopped receiving applications December 2020 due to the overwhelming number of responses and reaching maximum capacity. We are still getting calls daily from working families needing assistance.

The stories told by applicants highlight the amplified crisis of the COVID-19 pandemic against the backdrop of a longstanding housing crisis in Colorado. A single mother shares, *"I have a 2-year-old boy and a 4-year-old girl. I work in a restaurant but it is getting worse... the hours were very few [and] my check very little. I make \$400 and sometimes I prefer to give that to my kids to eat. I do not want them to become homeless. My children are very young."*

We heard from applicants who were laid off or had their hours cut early in the pandemic. Nearly a year later, they are still unable to find work. It has been challenging for Colorado working class families to make rent on time yet they are trying the best they can. One applicant being evicted shared, *"I'd like to be able to stay in this apartment until the pandemic is over and it's no longer dangerous for me as an immunocompromised person with a lung condition to move. I'm not trying to cause a problem for anyone. I'm just not willing to die for this situation."*


Many applicants worry about the excessive late fees and attorney costs on top of the back rent that make it almost impossible to catch up. Retaliation is another major concern by applicants for those who speak out or try to negotiate.

*"Some of our members were in crisis before the coronavirus hit. They were paying more than half of their income on rent and barely making it. Our goal is to educate folks and let them know about the legal process and to give them guidance every step of the way."*

**Cesiah Guadarrama Trejo**  
9to5 Associate Colorado State Director

**9to5 Distributed \$383,650 to 693 recipients, to support their rent, utilities, groceries, childcare and other necessities. \$283,450 was given to 569 households for Rental/Mortgage Assistance.**

The data covers from April 2020 - February 2021.

**99 Applicants**  
**65**  **Households Assisted**

**43%** **Received eviction notices**  
**64%** **Household income \$24,980 or less**



Another common fear is the domino effect of having an eviction on their records. A woman currently houseless due to an eviction shared, “our lives have been destroyed.” Bobby<sup>2</sup> who was assisted by 9to5 Colorado shared in the Denverite, “I didn’t realize it [his eviction] was going to be this detrimental. One place didn’t even read, didn’t even go through my application, because I told them I had an eviction.” A prior eviction filing is enough to lock families out of housing opportunities for years to come.

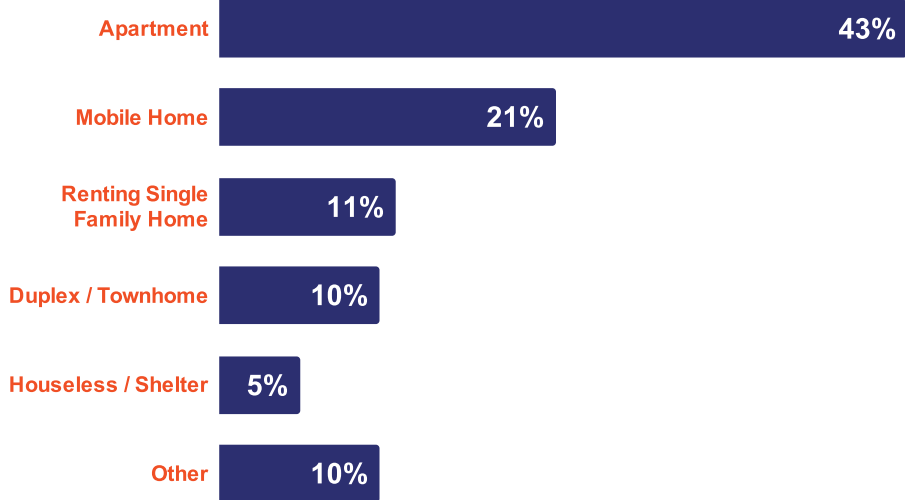
Poor living conditions are another major housing issue that applicants faced including bed bugs, roach infestations, black mold, leaky roofs, and carbon monoxide leaks. A mother from Aurora shared, “We want the issues fixed. We just want a safe home for us and our children.”

Immigration issues were also listed including a landlord who would not allow a tenant’s husband to live in the apartment because he was undocumented. Another male applicant currently living in a shelter shared that due to his immigration problems, he had to break his lease one month early and now they are charging him \$1300 for breaking the lease.

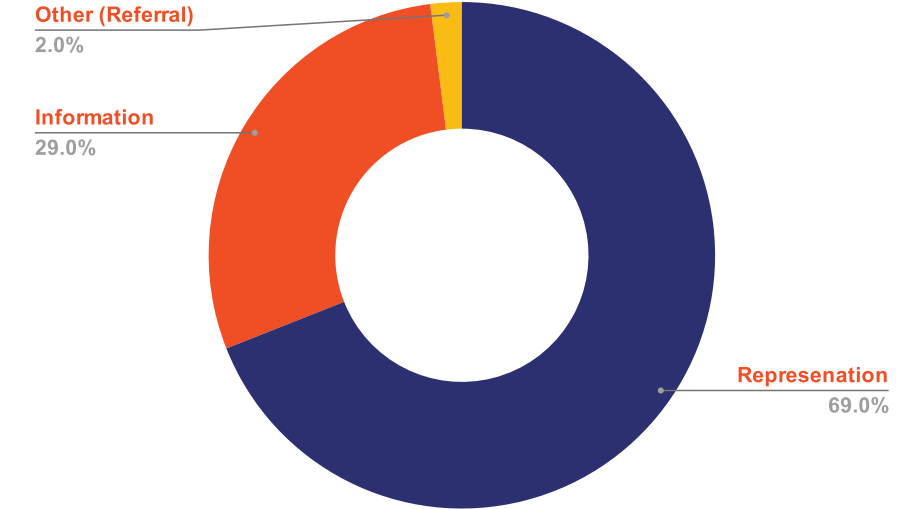
<sup>2</sup> Donna Bryson, “What eviction has meant for one man in metro Denver.” Denverite, July 23, 2020, <https://denverite.com/2020/07/23/what-eviction-has-meant-for-one-man-in-metro-denver/>

<sup>3</sup> The applicants were able to skip questions on the application. Thus, the valid number of sample sizes vary based on the questions for data reported. Data reported are houseless assisted from July 2019-June 2020.

# Types of Housing



# Nature of Assistance<sup>3</sup>



# Stepping Up to Meet Community Needs

With the Eviction Defense Fund, 9to5 Colorado has been able to provide much-needed good news to working families facing eviction. Legal representation, information and advice have helped to address the imbalance of power and knowledge related to the eviction process.

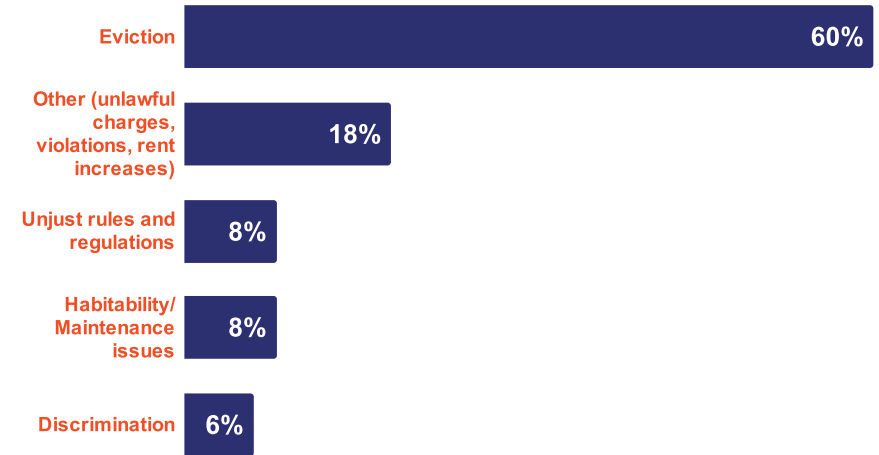
9to5 Colorado provided representation to a Denver man who was threatened with eviction every other month when Denver Housing Authority has been slow with its portion of his rent payment. The landlord alleged that he owed \$1,500 in late fees. 9to5 Colorado's attorney provided representation that led to the eviction being dismissed and the tenant being credited with \$1,350. This is one example of the multiple cases where 9to5 Colorado's attorney was able to negotiate a resolution that dropped penalties, released tenants from their leases, extended move out dates, or allowed for families to remain in their homes. A number of cases are still ongoing.

*Housing is so expensive. How can someone making minimum wage afford it, and what do you do when the jobs go away? Every day, I dream of buying my own home, so that no one can evict me.*

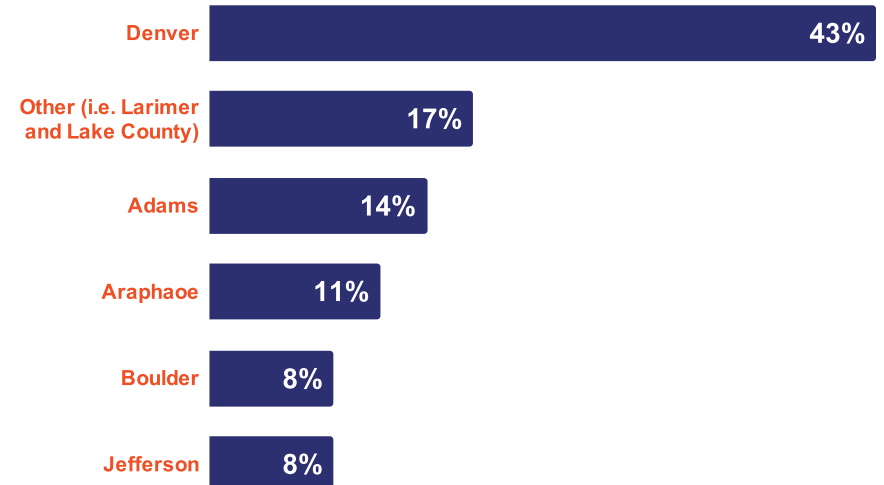
- Mireya<sup>4</sup>

<sup>4</sup> Fran Kritz, "Six months after eviction, a Denver woman wonders if she'll ever have stable housing again" The Colorado Sun, November 30, 2021, <https://coloradosun.com/2020/11/30/colorado-evictions-covid-employment/>

## Types of Housing Issues



## Counties



# We're Stronger Together

All Coloradans should have an affordable, safe, and stable place to call home. Existing housing policies heavily favor landlords and large rental corporations at the expense of renters. The pain and challenge wrought by the COVID-19 pandemic also presents an opportunity to put our collective effort behind lasting policy changes to strengthen the rights of renters in Colorado - including eviction court reform, putting limitations on late fee practices, and allocating funding for legal eviction defense for renters. Together, we can keep our families, friends, and neighbors safe.

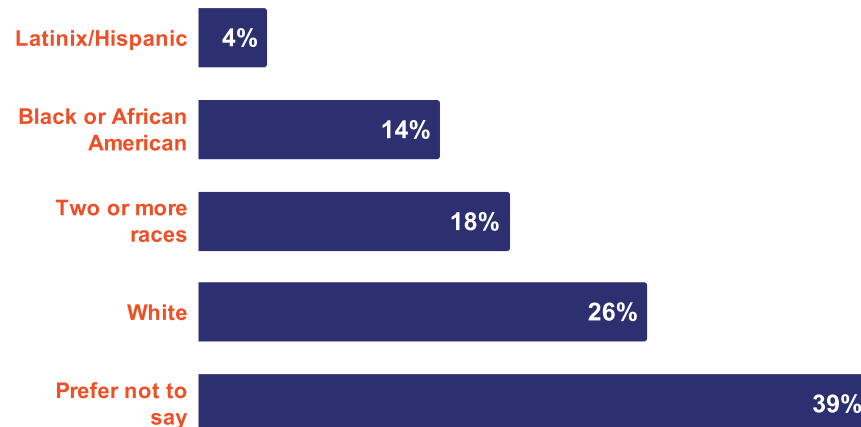
## Thank You

Staff from 9to5 are grateful for the generous contributions of our funders and donors which made the Eviction Defense Fund possible. Our progress, success and victories to keep working women and their families in their homes would not have been possible without your support.



9to5 National Association of Working Women  
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## Race & Ethnicity



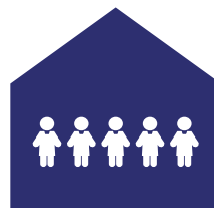
**68%**

**Hispanic/Latinx origin or member in household consider themselves as Hispanic/Latino in origin**



**66%**

**Identified as Female**



**35%**

**5 or more people living in household**