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## **Statewide Advocacy and Legislative Effort to Combat Eviction Crisis in Delaware Launched Today**

WILMINGTON—At a press conference today, Senate Majority Leader Bryan Townsend and Representative Larry Lambert announced the introduction of Senate Bill 101, legislation that would bring statewide right to counsel for tenants facing evictions, and advocates announced a coordinating campaign focused on getting that legislation passed: Delaware Right to Counsel for Eviction Defense.

In Delaware, 86 percent of landlords have the benefit of some kind of agent or counsel in court, but only 2 percent of tenants have any representation at all — leaving 98 percent of Delaware tenants trapped in an eviction representation gap. Delaware has an opportunity to be among the first states to pass statewide legislation to combat this issue.

“I’m not the first person to recognize that the COVID-19 health crisis has laid bare inequities in our society and that includes long-standing injustices baked into Delaware’s eviction process,” said Senator Bryan Townsend, Senate Majority Leader and prime sponsor of SB 101. “We have an opportunity now to rethink how the eviction process should work here in Delaware, and I believe we owe it to the more than 100,000 renters in our state to enact a fairer, more equitable system that will help more vulnerable families stay in their homes when they face economic hardships.”

SB 101 aims to address this critical housing justice issue by providing a statewide right to counsel for tenants facing eviction and establishing protections that will help keep renters in their homes.

"The pandemic and economic shutdown has led to a dramatic increase in economic hardships for our working families. If they face the stress of eviction, they should have access to legal counsel so they can have a chance to prove their case," said Rep. Larry Lambert, a House sponsor of the bill. "With only 2% of tenants having legal representation during eviction hearings, many feel powerless and overwhelmed. Our landmark tenant’s right to counsel during evictions legislation levels the playing field, as tenants with legal counsel are twice as likely to retain their housing."



The Delaware Right to Counsel for Eviction Defense campaign is a coordinated effort to support tenants' right to counsel through passing SB 101. Through their efforts, the campaign's partners seek to:

- Pass legislation that would implement and fund statewide right to counsel for tenants at risk of eviction;
- Ensure tenants are aware of their right to counsel in eviction proceedings; and
- Keep at-risk families and tenants remaining in their homes during the pandemic and beyond through safeguards like legal assistance with applying for rental assistance and delaying or preventing eviction when possible.

Shyanne Miller of the Building People Power H.O.M.E.S. campaign said, "Tenants who are facing eviction are often put in that position because of unforeseen circumstances or financial stress that prevents them from being able to afford their rent. If they can't afford their rent, how can they afford legal counsel to help them find resources and fight a pending eviction? We need a statewide right to counsel law in Delaware — because tenants shouldn't have to take on that fight alone."

[A recent study by Stout Risius Ross, LLC](#) revealed that the estimated economic benefits of a right to counsel for tenants facing eviction in Delaware is 276% greater than the estimated costs of providing representation for those tenants. Essentially, for every dollar spent on funding right to counsel for low income tenants facing eviction, Delaware would save at least \$2.76. Further, the report estimates that a right to counsel would enable 6,993 people per year to avoid the high likelihood of disruptive displacement from their homes.

"The Stout report is extremely valuable in quantifying the cost of implementing the right to counsel and the cost of doing nothing. For every dollar we invest in an eviction right to counsel, more than two and half dollars will be saved by the State in costs that otherwise would go to addressing sheltering and rehousing," said Daniel Atkins, executive director of the Community Legal Aid Society, Inc. "Perhaps even more importantly, families, including children, will avoid homelessness and its traumatic, severe, and long-lasting consequences."

This campaign also aims to recognize and address the racial and gender inequities that are deep-rooted in eviction issues. Nationally, communities of color and women — especially Black women — disproportionately face the threat of eviction, and on average, Black renters have evictions filed against them at nearly twice the rate of white renters.

"The racial and gender disparities of evictions are staggering: less than half of Black and Latinx families own their homes, in comparison to 73 percent of white families. Black



women face the greatest threat of eviction and are more than twice as likely to have an eviction filed against them than white people of any gender,” said Ian Thompson, Senior Legislative Advocate at ACLU National. “These disparities have long-lasting impacts due to tenant blacklisting, so establishing a statewide right to counsel can both shore up stronger tenant protections, and take steps to topple structural inequities, that have far too long perpetuated cycles of eviction and economic instability for Black and Brown communities.”

Partners on the advocacy campaign include The Metropolitan Wilmington Urban League’s Building People Power Housing, Opportunity, Mobility, Equity, and Stability Campaign (H.O.M.E.S.), ACLU National, ACLU of Delaware, Community Legal Aid Society, Inc. (CLASI), Delaware Coalition Against Domestic Violence (DCADV), Delaware Volunteer Legal Services, Inc. (DVLS), and Housing Alliance Delaware.

This press release and more information on the campaign can be found online here:

<https://www.aclu-de.org/en/delaware-right-to-counsel>

A recording of the press conference can be found online here:

<https://www.facebook.com/ACLUDelaware/videos/133930898753109>

More information on SB 101 can be found online here:

<https://legis.delaware.gov/BillDetail/68663>

The full Stout report on the economic impact of an eviction right to counsel in Delaware can be found online here:

<https://www.stout.com/-/media/pdf/evictions/report-cost-benefit-delaware-right-counsel-evictions-defense-5-5-2021.pdf>

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