



Legislation Text

File #: 24-113, **Version:** 1

STRATEGIC PRIORITY: Human and Social Needs
AGENDA DATE: January 24, 2024
COUNCIL DISTRICT(S): 7, 14
DEPARTMENT: Office of Equity and Inclusion
EXECUTIVE: M. Elizabeth Cedillo-Pereira

SUBJECT

Authorize a twelve-month subrecipient agreement to serve as an extension to the contract agreement with Legal Aid of NorthWest Texas to provide legal services to Dallas residential tenants at risk of eviction and homelessness due to financial hardships brought on by the COVID-19 pandemic for the period February 1, 2024 through January 31, 2025 - Not to exceed \$240,000.00 - Financing: American Rescue Plan Act Funds

BACKGROUND

In 2021, the City of Dallas created the Dallas Eviction Assistance Initiative to continue mitigation of evictions efforts in Dallas. The initiative establishes an evictions program where direct legal services will be provided to Dallas residents who are low-income as defined by the U.S. Department of Housing and Urban Development, specifically those at or below 200 percent of the Federal Poverty Guidelines, and residents negatively impacted by the COVID-19 pandemic. The goal of the initiative is to mitigate Dallas residents finding themselves facing eviction and possible homelessness without the resources to retain legal representation. The goal of Eviction Assistance Initiative-2 (EAI-2) has been established to provide legal support to prevent evictions and assist in preventing homelessness. The purpose of this initiative is to assist vulnerable Dallas tenants who are facing evictions and possible homelessness due to financial hardships brought on by the COVID-19 pandemic in Council Districts 7 and 14.

Due to COVID-19 financial hardships, residential tenants have faced the threat of eviction and homelessness. Evictions data from the Child Poverty Action Lab (northtexasevictions.org) shows varying fluctuations pre-pandemic and during the pandemic. It has been found that evictions increased during periods where moratoriums expired. This includes an increase after the Dallas County eviction moratorium that expired May 18, 2020, the Texas Supreme Court eviction moratorium that expired April 19, 2020, and the CARES Act eviction moratorium that expired July 25, 2020. Additionally, on August 26, 2021, the United States Supreme Court ruled that the Centers for Disease Control and Prevention (CDC) Eviction Moratorium was unconstitutional.

It can reasonably be deduced from interactions with residents, the court administrators and the County that City residents continue to experience an increase in evictions due to COVID-19 financial hardships. Those particularly at high risk include low-income communities, residents with disabilities, impoverished women, persons of color, domestic violence victims, and families with children.

The COVID-19 Pandemic has affected the entire country and to alleviate some hardships the CARES Act (Act) implemented an eviction moratorium last year. The eviction protections apply to “covered dwellings,” which are rental units in properties that participate in federal assistance programs, are subject to a “federally backed mortgage loan,” or are subject to a “federally backed multifamily mortgage loan”. The Act prohibited landlords of these specified rental “covered dwellings” from initiating eviction proceedings or charging fees, penalties, or other charges against a tenant for the nonpayment of rent. These protections extended for 120 days from enactment on March 27, 2020 and expired on July 24, 2020.

On September 4th, 2020, the CDC issued a temporary eviction moratorium order through December 31, 2020. The moratorium covers all tenants who meet the order requirements and present a signed declaration to their landlord. These protections were originally extended by the Consolidated Appropriations Act until January 31, 2021. The CDC later extended the original eviction moratorium order to July 31, 2021. On August 3, 2021, the CDC issued a new eviction moratorium order that expired on October 31, 2021. On August 26, 2021, the United States Supreme Court issued an order vacating the latest CDC eviction moratorium.

The recommended firm approved by City Council on January 13, 2021, Legal Aid of NorthWest Texas, is a non-profit organization that provides civil legal services to low-income residents. They agree not to use City issued funds toward the adverse litigation or clients. The firm works with its community partners to collaborate in providing services to applicants.

As the impacts of the COVID-19 Pandemic continues to impact tenants facing evictions, eviction filings continue to increase and legal services are an increasing need. The proposed extension allows for continued eviction assistance and prevents a gap in services in 2024 and 2025.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2021, the City Council authorized a subrecipient agreement with Legal Aid of NorthWest Texas, most advantageous proposer of two, to provide legal services to Dallas residential tenants at risk of eviction and homelessness due to financial hardships brought on by the COVID-19 pandemic for the period December 31, 2020 through December 31, 2021, by Resolution No. 21-0167.

On September 22, 2021, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the ARPA funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Funds by Resolution No. 21-1590.

On June 22, 2022, the City Council authorized to a subrecipient agreement with Legal Aid of NorthWest Texas (511627), to provide legal services to residential tenants at risk of eviction and homelessness due to financial hardships brought on by the COVID-19 pandemic for the Office of Equity and Inclusion for a term of eighteen-months, in an amount not to exceed \$500,000. The contract between the City and Legal Aid of NorthWest Texas was signed for the Eviction Assistance Initiative authorized by Resolution No. 22-0986.

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
America Rescue Plan Act Funds	\$240,000.00	\$0.00	\$0.00

<u>Council District</u>	<u>Amount</u>
7	\$115,000.00
14	\$125,000.00
Total	\$240,000.00

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$240,000.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> • This item is Other Services which does not have an availability and disparity participation goal. • Legal Aid of NorthWest Texas - Non-local; Workforce - 0.00% Local 		

PROCUREMENT INFORMATION

Method of Evaluation for Award Type

Request for Proposal	<ul style="list-style-type: none"> • Utilized for professional, personal, revenue, and planning services • Recommended offeror is the responsible offeror whose proposal most closely meets established criteria for the services advertised, based on demonstrated competence and qualifications at a fair and reasonable price • Always involves the evaluation by committee • Allows for negotiation on contract terms, including price
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The Office of Procurement Services received the following proposals from solicitation number BR21-00015316. We opened them on December 28, 2020 and on December 8, 2021, City Council approved the contract with Legal Aid. The current contract number is OEI-2022-0018285 and expires on December 31, 2024.

This new contract would serve as an extension of the current contract.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Legal Aid of NorthWest Texas	600 East Weatherford St. Ft. Worth, TX 76102	79.33	\$240,000.00

OWNER

Legal Aid of NorthWest Texas

Maria Thomas-Jones, Chief Executive Officer