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TRIP

MAY 24 – 26, 2021

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Child Support and Eviction / Landlord Tenant Partnership

When the pandemic hit, MI realized that many of its child support clients were suffering from housing issues, including inability to pay rent or their mortgage. Initial case data showed over 25 % of the child support caseload overlapped with parties who was involved in at least 1 eviction proceeding in the year prior to COVID-19-- meaning, during COVID, the % is likely much higher. We began to help our local child support offices develop and implement plans to work with eviction courts and newly-created county Eviction Diversion Programs and coordinate services for those parents that have child support and eviction cases.



Housing Market in Michigan

KEY FACTS

312,660
OR
28%

Renter households that are extremely low income

\$25,750

Maximum income for 4-person extremely low income household (state level)

-204,728

Shortage of rental homes affordable and available for extremely low income renters

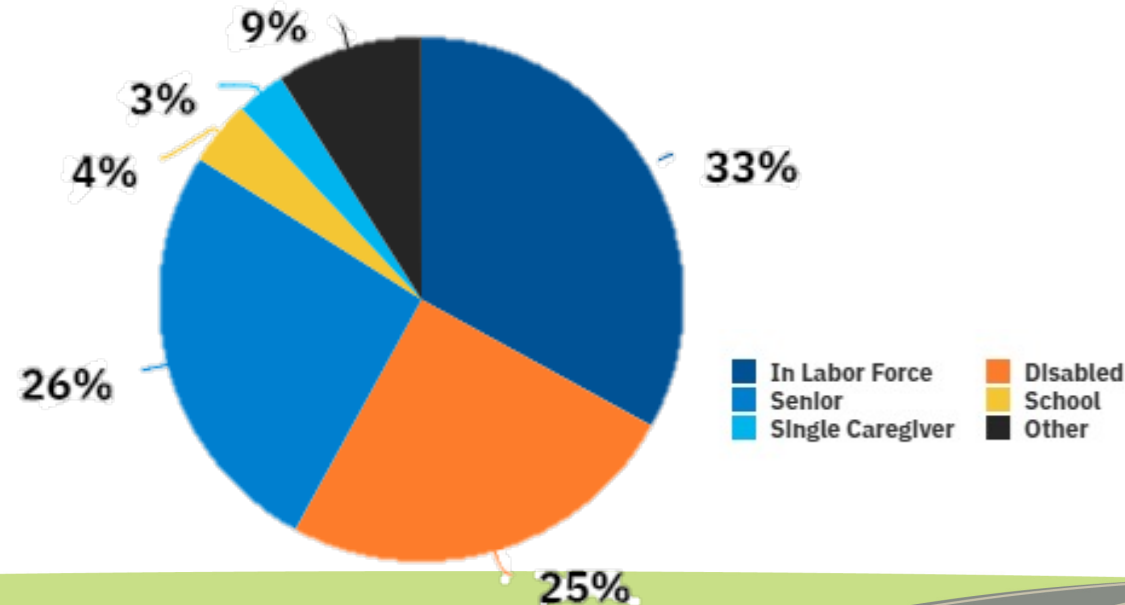
\$36,227

Annual household income needed to afford a two-bedroom rental home at HUD's Fair Market Rent.

73%

Percent of extremely low income renter households with severe cost burden

EXTREMELY LOW INCOME RENTER HOUSEHOLDS



Federal and State Moratoriums

BREAKING NEWS

CDC EXTENDS FEDERAL EVICTION MORATORIUM

90-day extension runs through June 30, 2021.

Subject to limitations under "Applicability," a landlord, owner of a residential property, or other person with a legal right to pursue eviction or possessory action, shall not evict any covered person from any residential property in any jurisdiction to which this Order applies during the effective period of the Order.

 Please visit our website to download the CDC's latest order.
www.NavigateHousing.com



Eviction Rate by Year: Landlord Tenant New Filings and Evictions

Last Refresh Date

4/5/2021

Eviction Rate by Calendar Year

Year	New Filing Count	Eviction Count	Eviction Rate
2019	145,238	41,908	29%
2020	74,617	13,635	18%
2021	23,808	3,286	14%

Eviction Rate by Pandemic Year

Pandemic Status	New Filing Count	Eviction Count	Eviction Rate
Pre-Pandemic	144,664	41,062	28%
Pandemic	63,776	7,266	11%

Calendar Year: January - December

Pre-Pandemic: April 2019 - March 2020

Pandemic: April 2020 - March 2021

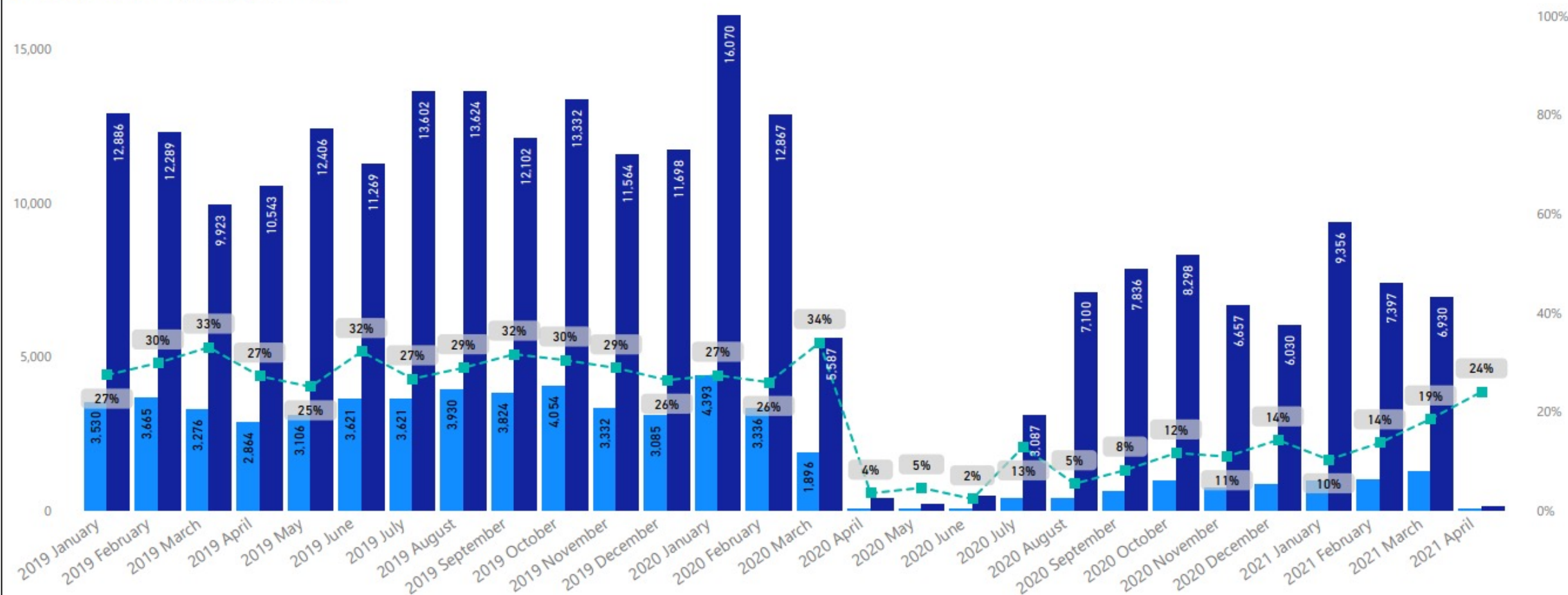
Inclusions: See Appendix A

Data is preliminary and has not been vetted by individual courts

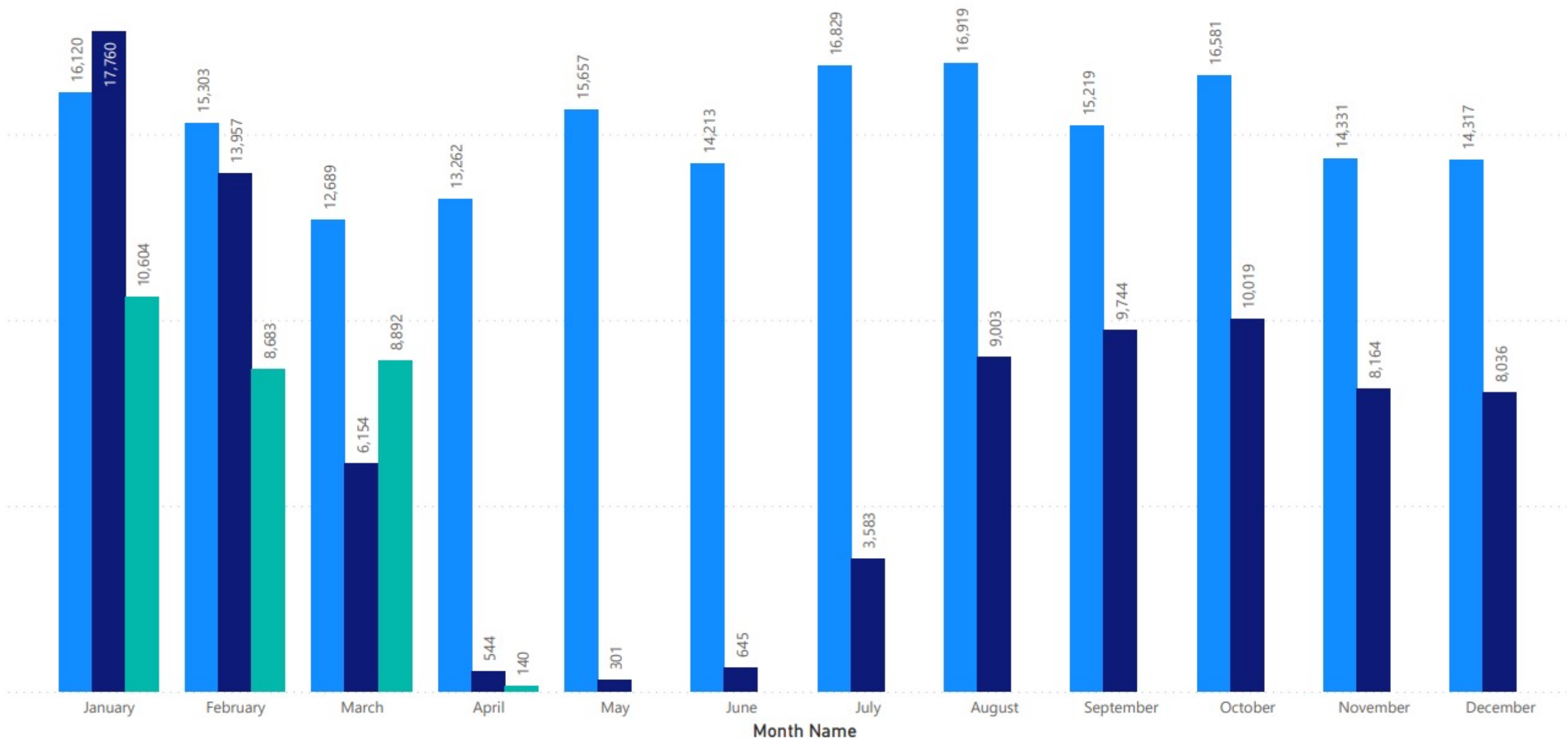
Data from the week of and week prior to the refresh date may not be complete for all courts.

Rate of Evictions by Month

Eviction Count New Filing Count Rate of Evictions



2019 2020 2021



Source: State Court Administrative Office (SCAO) Judicial Data Warehouse (JDW)
Data from the week of and week prior to the refresh date may not be complete for all courts.
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Last Refresh Date
4/5/2021

Case Overlap

- 25% case overlap between domestic relations and landlord tenant cases
- 34% case overlap between abuse/neglect and landlord tenant



What Does This Mean for Child Support?

- the FOC having a bad or outdated addresses for parties,
- temporary changes to custody and parenting time or requests to enforce custody or parenting-time violations when the parent with primary custody does not have an established residence,
- a parent unable to exercise shared custody or parenting time due to lack of housing, and
- lack of family financial resources to pay support because of large payments of back rent and payments to secure future housing



Recommendation 1- Information



CHILD SUPPORT

You may qualify for a support modification if your economic status has significantly changed.



CUSTODY

Your custody agreement may be eligible for a temporary or permanent change if you are unable to currently provide your child with food and shelter.



PARENTING TIME

We can help you find a safe way to exercise parenting time while going through the court process.

CONTACT YOUR FOC FOR MORE INFORMATION

Local FOC Name
Address
Phone Number
Website

PLEASE UPDATE THE FOC OF ANY ADDRESS CHANGES
SO THE FOC CAN CONTINUE ASSISTING YOUR FAMILY



Michigan State Housing Development Authority (MSHDA)



Provides financial and technical assistance to create and preserve safe and affordable housing.

<https://www.michigan.gov/mshda/>

Housing Assessment and Resource Agency (HARA)



County HARA's provides centralized intake and housing assessment, and works to re-house people who are homeless.

<https://www.michigan.gov/mcteh/0,8782,7-349-78543-516887--,00.html>

Michigan Legal Help and Legal Aid



Learn about the eviction court process, find court forms, and connect with a local legal aid agency.

<https://michiganlegalhelp.org>



Recommendation 2: Coordination

Same- Day hearings

Coordinate with District Court Staff

Remote hearings

On same day, after Eviction Proceedings

Payment Agreement

Enough to prevent enforcement, talk with both parents!

Judicial Council

Ask what each court can do to help these families



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Recommendation 3: Outreach

- Obtain weekly Landlord/Tenant Docket
- Reach out!
- Provide resources for underlying issues



Recommendation 4- Attend Hearings



Recommendation 5- Failure to Appear



- Explain the need to appear for landlord/tenant hearing
- Offer various FOC meeting and review services
- Reach out to the parent- use all of our communication tools, if necessary!



Program in Action: Muskegon County, MI

- Partnered with the District Court
- District Court sends the list of cases that are set for an eviction hearing
 - There is usually only a name and address
 - Maiden names, DOBs, middle names are not provided
 - Research can be time-consuming



Program in Action: Muskegon County, MI

- Friend of the Court (FOC) staff review the names from the District Court to see if the party is subject to a domestic case
 - Review the Michigan Child Support Enforcement System (MiCSES)
 - Review the Court Docket system (AS400)
 - This case be difficult due to the lack of info that is provided



Program in Action: Muskegon County, MI

- If a match is found, staff take the following action:
 - Update mailing and residential address information in MiCSES
 - Send a postal verification
 - Send a Change of Personal Information form to the party so that legal addresses can be updated (this can only be updated in writing)
 - Review the domestic case for compliance with the child support order, and whether the child support order is right-sized



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Program in Action: Muskegon County, MI

- If the person being evicted is the Payer of support:
 - Review for compliance with the order
 - If support is not being paid, enforcement is reviewed to determine next steps
 - Coming in the future- a review of ability to pay and appropriateness of the order



Program in Action: Muskegon County, MI

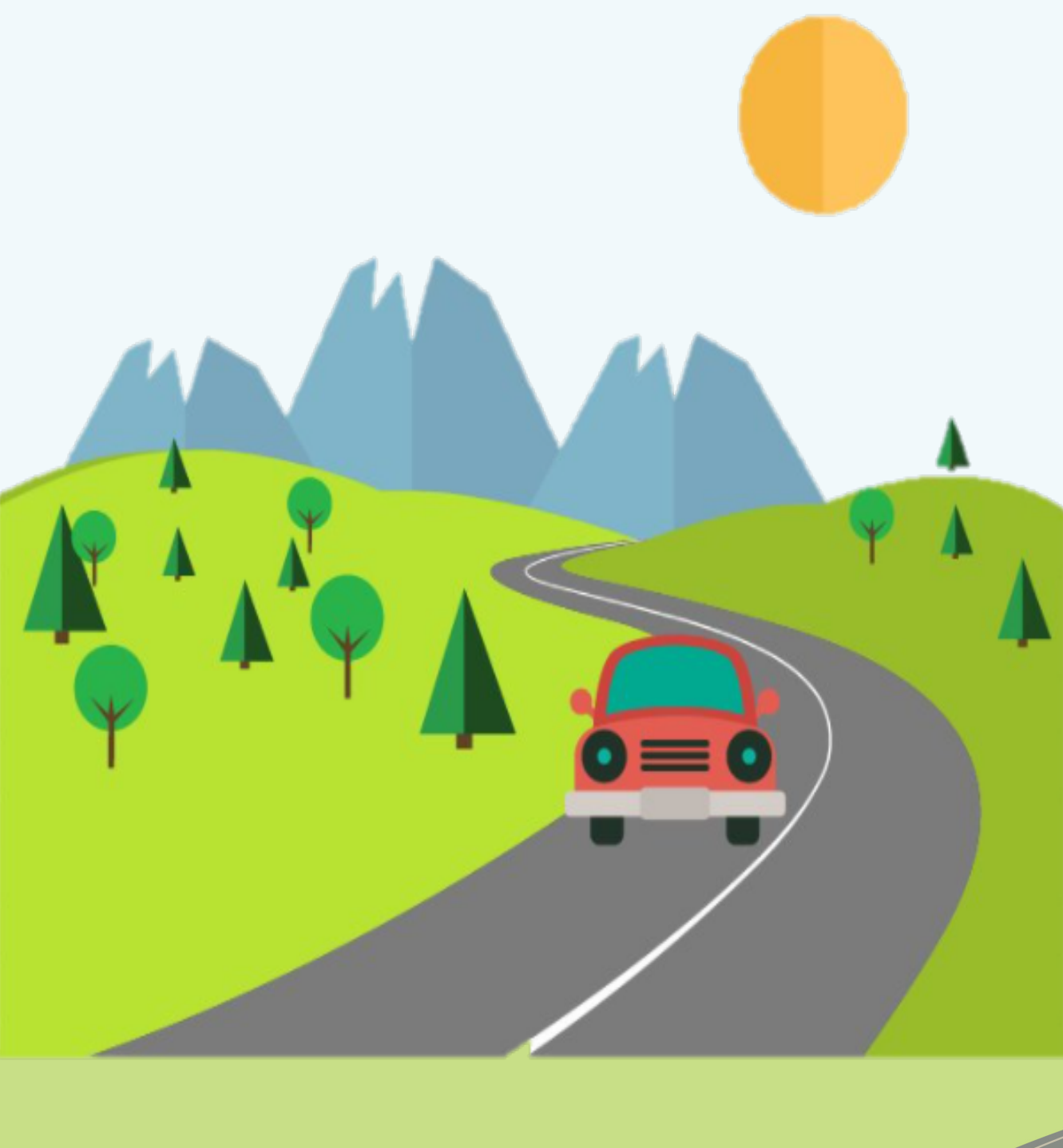
- If the person being evicted is the receiver of support:
 - Review to see if support is being paid
 - If not, case is reviewed to determine where it is for enforcement, and next steps are started
 - Coming soon- if there is a zero support order, or a low support amount, the case will be reviewed for possible increase in support.



Program in Action: Muskegon County, MI

- There are still plenty of places for improvement and additions to the process
 - COVID has hampered many process change efforts
 - This is a new “partnership” with the District Court. District and Family Court tend to be separate and have very little intersection
 - Thought should be given to how can child support get involved BEFORE eviction- and will that help?





Thank you!

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