



Eviction Policy Recommendations working group
Policy Recommendations list

The Arizona Housing Coalition Eviction Policy Recommendations workgroup is comprised of members of the coalition and leaders from community organizations, legal aid services, advocacy organizations, direct services providers and the constables office. The purpose of the workgroup is to identify recommendations that can be introduced with the goal of increasing equity in the eviction process for both tenants and landlords. We believe a renter maintaining their home and avoiding eviction is the best result for all parties.

Below is a list of recommendations we wish to bring to the attention of the Arizona Commission on Access to Justice

1. Creation of an Evictions specialty/Eviction Diversion court:

- An Evictions Specialty Court could resolve procedural issues by ensuring consistency
- Akin to the Drug Treatment and Veterans specialty courts.
- Consolidation of eviction cases to one speciality court
- Addition of services and resources such as mediation offered by law students/volunteers, coordination of service providers, wrap-around services, Public Information and Education for parties in eviction cases
- Consider modelling speciality court programs around out of state examples, such as the Michigan Eviction Diversion program, Richmond Eviction-Diversion program and the County of San Fransisco ACCESS program. View a summary of these programs [here](#)

2. Mandate a periodic training review for Judges and Court Staff:

- Require Justices of the Peace to attend educational training related to evictions annually. Justices of the Peace should be required to attend continuing education annually, specifically in the area of the Arizona Residential Landlord and Tenant Act, Residential Mobile Home Property Landlord and Tenant Act, and the RV Property Landlord and Tenant Act.
- Training will ensure the consistency in processing of eviction cases
- Implement a training review akin to an audit procedure for accountability

3. Rental assistance administrator and legal aid representative stationed at court (In the absence of an Evictions Specialty court):

- Consider the use of zip-code/census tract data to target pilot projects in areas with high eviction rates and racial disparity in eviction, such as the [Maricopa County Evictions Dashboard](#) and the New America [Displaced in America](#) report
- Provided to renters up to a capped AMI to target resources to those most in need
- A partnership with local legal aid providers, such as Community Legal Services to have their staff stationed in court to offer legal representation as needed to renters in eviction proceedings
- A partnership with Emergency Rental Assistance fund administrators, such as the City or local CAP offices to have staff stationed in court. On-site rental assistance applications and fund processing.
- Offering of financial literacy education, optional to make this mandatory for program eligibility



4. Increase access to court:

- Extend post-pandemic the ability to do virtual or telephonic court appearances
- Asking courts that if a renter loses connection during a hearing, that a default judgement is not made - the renter should be given the opportunity to come before a judge again.
- Attach details of the legal assistance and rental assistance resources to the copy of complaint and summons provided to the renter

5. Increase Renter education:

- Distribution of existing renter education. E.g [Maricopa Justice Courts eviction actions](#) resources, CLS [COVID-19 resources](#)
- Ensuring education documents are also provided in Spanish
- Partner with local jurisdiction to create outreach and education efforts on available rental assistance resources (E.g County/City level campaign)
- Train navigators to provide procedural information to tenants/renters and property owners/landlords in an eviction process.
- Request an Administrative Order from the AZ Supreme Court that would mandate courts to distribute legal assistance, eviction process education and rental assistance information with service of a 5-Day Notice (Non-Payment of Rent) form

6. Encourage healthy landlord/tenant communication:

- Educate landlords on available resources for their renters by disseminating information to landlords who file a complaint to court
- Include information about available emergency assistance programs available to landlords and renters
- Include information on mediation/alternative dispute resolution services
- Example resources for dissemination: [AZHC Landlord Tool-Kit for Responding to COVID-19 Impacted Tenants](#) and [AZHC Landlord COVID-19 Support Packet](#)