

Landlord perceptions of rental assistance and eviction moratoriums during the Covid 19 pandemic

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ABSTRACT

This paper explores the impact of the COVID-19 pandemic on the rental market, focusing on the experiences of landlords in Oklahoma. In September 2020, the United States Centers for Disease Control and Prevention (CDC) announced a nationwide eviction moratorium to protect tenants facing financial hardship due to the pandemic. Alongside this, approximately \$50 billion in emergency rental assistance was appropriated to support qualifying tenants. This study examines how these government interventions, including the eviction moratorium and rental assistance programs, affected landlords, revealing that while some faced challenges such as inconsistent rent payments and maintenance difficulties, the majority did not encounter significant disruptions in their operations. Despite the financial strain caused by the pandemic, most landlords did not feel compelled to alter their rental agreements or policies. The findings gauge the efficacy of these programs as perceived by landlords in Oklahoma, highlighting their resilience during the crisis and underscoring the need for continued research into the long-term effects of the pandemic on both landlords and tenants. Additionally, the study suggests areas for future policy development to better support housing stability in potential future crises.

Keywords: COVID-19 pandemic, tenant, landlord, eviction, eviction moratorium, CARES Act, program efficacy, rentals, lease agreements, small business, emergency rental assistance, housing stability, Oklahoma Community Cares Partners (CCP)

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INTRODUCTION

As Americans faced the uncertainty of the COVID-19 pandemic and its economic aftermath, small businesses suffered as well. Specifically, the real estate sector experienced a downturn in rental revenue attributable to tenant job losses. This economic strain translated into widespread financial distress among households, resulting in an inability to meet rental obligations. However, the repercussions of the pandemic-induced economic downturn extended beyond the tenant level. Small businesses and other stakeholders in real estate investment also encountered adverse effects. Landlords were challenged with the loss of income and fear of not making mortgage payments. Moreover, businesses with diminished financial resources due to reduced rental income are less likely to make repairs or forced to defer maintenance expenses such as pest control and filter replacements.

What began as a worldwide shutdown to contain the pandemic and was generally promoted as a temporary “at one point two weeks to flatten the curve” situation, grew exponentially to a long-term period that resulted in dramatic consequences for individuals, organizations, and economic activity. While some industries and businesses were deemed essential and allowed to continue operation, many (typically smaller) businesses were forced to close, ultimately not surviving the long period of inactivity. Landlords were caught in the middle. Tenants, burdened by financial instability, frequently struggled to fulfill rental obligations, leading to potential evictions. Government interventions sought to mitigate this risk by enacting protection against evictions. However, these measures placed small business owners who are landlords in a dilemmatic situation, torn between the imperative to cover operational expenses and mortgage obligations on their properties and the reality of facing significant financial losses or the existential threat to their housing enterprises.

BACKGROUND

In September 2020, the United States Centers for Disease Control and Prevention (CDC) announced a moratorium on landlord pursuit of evictions nationwide against certain tenants because of the accelerating COVID-19 pandemic (Centers for Disease Control and Prevention (CDC), 2020). To qualify, tenants were required to attest under the penalty of perjury that they (1) have made best efforts to obtain government assistance for rent, (2) that they earn less than \$99,000 in annual individual income, (3) that they are unable to pay full rent, (4) that they are making their best effort to pay at least partial rent as their circumstances permit, and (5) that they understand back-rent and any applicable late fees will still be owed (CDC, 2020). After four separate extensions of the moratorium into the Summer of 2021, the United States Supreme Court ruled that the moratorium exceeded the statutory authority of the CDC in 42 U. S. C. §264(a) in the case of *Alabama Association of Realtors et al. v. Department of Health and Human Services, et al.* (2021) in a 6 to 3 decision. The abrupt nature of the end of the moratorium, occurring even as the Executive Branch communicated a desire to extend it into October of 2021, resulted in concern among both health and business academics, speculating that the unplanned termination of the moratorium without any serious off-ramp portends a sharp rise in evictions, homelessness, unpaid rent, and various moral hazards (Tsai, N.D.; Tsai, et al., 2022). More recent research has borne out these predictions, showing a correlation between COVID-19 cases and locations where moratoriums ended (Leifheit et al., 2021; Smith, 2021).

The other side of economic relief affecting tenants and landlords, beyond the moratorium on evictions, was the appropriation of about \$50 billion in emergency rental assistance targeted to qualifying tenants, with \$25 billion originally appropriated in December of 2020 (Reina, et al., 2021) and another \$25 billion appropriated in March of 2021 as part of larger relief packages toward other sectors of the economy and direct stimulus payments to citizens. However, delays and access barriers marred these programs significantly. The difficult task of administering these funds fell on the state and local government to disperse (Reina, et al., 2021). While more than seven million individuals were behind on rent payments related to pandemic-caused shutdowns and other loss of income during the pandemic, many states had not yet disbursed funds to tenants in need even by August of 2021 when the moratorium on evictions ended (Thrush, 2021). According to one scholarly estimate as many as 15 states had not even disbursed 5% of the emergency rental assistance money by this time (National Low-Income Housing Coalition, 2023).

The bureaucratic implementation of the combination of the eviction moratorium and emergency rental assistance resulted in a farce of expectations meeting impossibilities, with the Consumer Financial Protection Bureau pleading for landlords to assist their tenants in applying for relief while more than 16% of already awarded rental assistance money had not even yet been disbursed nationwide (Kleiner, Johnston, & Casey, 2021). For instances where landlords were permitted to directly apply for emergency rental assistance, the eligibility was absurdly tied to the tenant's household income, a required field on the application form the details of which were not in the possession of the landlord (Yae et al., 2020). This was further complicated by the inability of federal agencies to put together instructions on how to make such applications because the funding was disbursed from the Federal government to state governments, each with their own application process, their unique distribution pathways, and their unique instructions.

The labyrinthian maze of emergency rental assistance (ERA) provided by the U.S. Department of the Treasury to disburse money was complicated by federalism. Some states permitted the funding to be used to cover internet expenses, but many did not. Some states permitted funding to cover relocation costs, late fees, and motel stays, while many did not. Further complicating the matter, some states sub-appropriated ERA money to municipalities or counties to disburse using criteria that were different from state or federal-level criteria (Driessen, McCarty, & Perl, 2021).

As might be expected, the outcome was that landlords in certain municipalities saw a sharp decrease in revenue, whereas landlords in other areas witnessed rental incomes that were comparable to or even exceeded pre-pandemic levels (Greig, Zhao, & Lefevre, 2021). About 7% of landlords nationwide struggled financially to the point of missing mortgage payments and depleting cash reserves. A full 12% of all small-asset landlords, with between one and five units, were forced out of business due to nonpayment of rent by tenants and inefficient substitute payments from rental assistance programs (Pollack, 2021). A recent survey of more than 1,200 landlords and 2,500 renters showed that as of February 2021, more than a fifth of respondents reported losses of greater than \$20,000 in rental income (Scott, 2022).

Pandemic and post-pandemic eviction records, back rent, and back-late fees, on the part of tenants, will haunt millions of individuals as they attempt to gain secure housing in the aftermath. According to Benfer et al., (2020), eviction makes it more expensive and more difficult for tenants who have been evicted to rent safe and decent housing, apply for credit, borrow money, or purchase a home. States and localities are charged with distributing ERA

assistance to eligible renters based on a limited set of program parameters. Within those parameters, states and localities were given authority to determine:

- Who will administer assistance (i.e., a government entity vs. a nonprofit or community partner)
- How to prioritize among the eligible uses of the funds (e.g., arrears vs. prospective payments; utilities vs. rent)
- How to ration limited benefits (e.g., lotteries for assistance vs. first come, first served or referral-based processes)
- Whether and how to further prioritize applicants (e.g., adopting deeper income targeting than is required by law)
- How much documentation to require of applicants and for recertification periods
- The amount and duration of benefits provided
- Whether to place conditions on the recipients of assistance (e.g., requiring landlords to accept partial payment to reduce debt obligations, prohibiting landlords that accept payment from pursuing eviction) and
- Whether and what to provide in terms of housing stability services (CRS, 2021).

OKLAHOMA COMMUNITY CARES PARTNERS

The Oklahoma Community Cares Partners (CCP) operated as a collaborative initiative under the Communities Foundation of Oklahoma, exemplifying a public-private partnership model. CCP's primary mission was to aid Oklahomans struggling with housing instability and the looming threat of eviction, attributed to the economic fallout from COVID-19, including lost wages and other hardships. The CCP administered the Emergency Rental Assistance (ERA) funds allocated by the State of Oklahoma, the City of Oklahoma City, Oklahoma County, and Cleveland County. These resources were dedicated to helping Oklahomans retain their housing stability during these challenging times. Unfortunately, the program was only for households that rented their home while homeowners were not eligible.

CCP required proof of three criteria for a household to qualify (1) financial hardship due to COVID-19 such as a household member qualifies for unemployment or the household has experienced a reduction in household income; (2) demonstrating a housing risk such as past-due notices, notices to quit, or eviction summons as well as past due utility notices; (3) household income limitation that is at or below 80% area median income (AMI) (Oklahoma Community Cares Partners, 2023).

Preventing Hardship of Evictions

The economic hardships generated by the unprecedented eviction and housing crisis disproportionately affected low-income communities. The Coronavirus Aid, Relief, and Economic Security (CARES) Act, enacted in March 2020, provided two main funding streams that state and local jurisdictions could use for emergency rental assistance during these unprecedented times (Reina, et al., 2021). While estimates of the exact amount vary, studies agreed that American renters owed tens of billions of dollars in back rent, while many others have exhausted their savings, borrowed from family or friends, or used credit cards to keep up (1). Therefore, the rental assistance programs helped eliminate accumulated rental debt, reduce

rent burdens, and increase housing stability, especially among low-income renters who have experienced COVID-19 job or income loss (Benfer, et al., 2021).

Eviction leads to a reliance on informal housing safety nets that are common in low-income communities. Most individuals who are unable to afford housing do not live in shelters or on the street but rather with friends and family members (Benfer, et al., 2021). Eviction creates a permanent legal record, no matter the outcome of the proceeding, which allows landlords to screen tenants with a history of eviction and ultimately preclude them from future renting opportunities (Benfer, et al., 2021). Research released in January 2021 predicted that the first round of ERA rental assistance would be insufficient to meet the needs of all delinquent renters. Since that time, P.L. 117-2 funded another \$21.550 billion in rental assistance as well as additional direct aid to individuals via stimulus payments and refundable child tax credits. According to these data, in the first eight months of the program (January-August 2021), of the \$25 billion in ERA-1 funding distributed, grantees reported spending just over \$7.5 billion on assistance, or about 30% of total ERA-1 funding (CRS, 2021).

Initially, the imposition of a moratorium served to suspend one or more phases within the eviction process, encompassing the issuance of a notice, the filing of proceedings, the conduct of court hearings, the issuance of court orders, and the enforcement thereof (Leifheit, et al., 2021). However, on August 26, 2021, the US Supreme Court adjudicated the cessation of the Centers for Disease Control and Prevention’s (CDC) eviction moratorium (Leifheit, et al., 2021). Within Oklahoma, Benfer et al. (2021) outlined a concerning scenario wherein approximately 187,000 to 234,000 households were identified as being at imminent risk of eviction, translating to an estimated 429,000 to 538,000 individuals facing potential displacement. This represents a significant portion of the state’s households, with the percentage at risk ranging from 36% to 51%, underscoring the profound socioeconomic implications and urgent need for targeted interventions to mitigate the crisis.

Oklahoma’s Housing Stability Partners

The Housing Stability Partners helped households complete the application to receive assistance from CCP. In addition, the partner agencies offer additional services for households seeking financial or other assistance to access and maintain safe and stable housing. This partnership allowed for 500 applications to be reviewed daily with \$50 million paid out in assistance for rent and utilities. Partners included the following agencies and organizations:

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| Block Builderz | Delaware Tribe of Indians: Family and Children Services |
| Bridges of Norman | Diversions Hub |
| Catholic Charities (Eastern) | Grand Lake Mental Health Center |
| Catholic Charities (Western) | Heartline: 2-1-1 Helpline |
| Christian Helping Hands | Homeless Alliance |
| City Care | Oklahoma City Housing Authority Resident Services Division |
| Cleveland County Habitat for Humanity | Palomar |
| Community Development Support Association | Pivot |
| Community Renewal and Community Market | Positive Tomorrows |
| Creeks Behavioral Health Services | Real Single Moms |

Red Rock Behavioral Health Services
Roadback, Inc.
RSVP of Enid
SISU Youth Services
The Oasis Project
The Spero Project

The Spring
Tulsa Cares
United Methodist Circle of Care
Western Plains Youth and Family Services
YWCA OKC

To further help current ERAA tenants, CCP worked with tenants who required relocation to a new rental property. CCP's goal is to connect those tenants with a list of housing options that may be able to accommodate them. For any tenants referred by CCP's relocation assistance program, CCP will pay application fees, the deposit, and the first three months of rent directly to the landlord at the start of the lease. If the tenant remains at the property, CCP can pay the landlord additional months of rent as well.

Landlord/Tenant Agreement

The most common requirement was a commitment from landlords not to evict participating tenants. Additional landlord requirements included forgiveness of the tenant's arrears, a current rental license, participation in the local rent registry, and a commitment not to increase rent for a certain period. Many programs required participating landlords to make certain concessions such as freezing rent, forgiving past due rent, suspending evictions, or being licensed or registered in some way. The most common requirement for landlords was not to evict participating tenants (Reina et al., 2021).

Landlord Requirements

Landlords must verify that they are a legitimate business that needs assistance. As a result of a landlord accepting the ERA, the business had to accept a 10-99 for tax filing. The qualifying requirements consist of:

1. Must provide a valid W-9 for payment to the owner of the rental property.
2. Must confirm that any rental assistance submitted for consideration is for property located in the State of Oklahoma.
3. Must read and agree to the full Terms & Conditions before submitting the application.

Tenant Requirements

The two most requested documents were proof of income and a current lease. In addition, tenants must follow other requirements to qualify such as:

1. Live in the State of Oklahoma and rent their home or primary residence.
2. An adult in the household must have qualified for unemployment benefits or the household experienced a reduction in income, increased expenses, or other financial hardship during the COVID-19 outbreak.
3. An adult in the household must be at risk of homelessness or housing instability. For example, receiving a past due rent or utility notice, a notice to quit, a court-issued eviction notice, or being unable to pay rent are all risks of housing instability.
4. Household income must be at or below 80% area median income (AMI).

PROGRAM EVALUATION

While the program provided a lifeline for many, it was not without criticism. The U.S. Government Accountability Office (GAO) indicated that at the peak of rental assistance, just under 50,000 households a month received help, but that many renters struggled to access the assistance due to difficulty in demonstrating financial hardship or housing instability. In response, Treasury allowed renters to self-attest their eligibility to the grantees, or link average income in a geographical area to eligibility. This improved access but increased the risk of fraud, and according to the Treasury Inspector General, several instances of misuse of funds—including several incidents where as much as \$100,000 may have been misused including paying ineligible recipients are being investigated (GAO, 2023).

The Secretary of the Treasury, in consultation with the Treasury Inspector General, should develop and implement procedures to monitor and evaluate ERA grantees' controls, including through the reallocation process. The monitoring procedures should include information on the minimum internal control systems expected for ERA grantees that rely on self-attestation and other administrative flexibilities that could increase risks of improper payments. As of April 18, 2023, the Treasury had not taken action to address this recommendation.

While no data is yet available on fraudulent activity in the ERA program in Oklahoma, other states have reported potential fraudulent claims. An example was Maine which reported over 400 applicants seeking about \$6.4 million in emergency rental assistance as possible fraud. However, only a fraction of those claims received funding—only four for nearly \$21,000—due to safeguards placed by Main Housing (Billings, 2022). Other states including Georgia, Minnesota, and Wyoming also reported very few cases of fraud within the rental assistance program.

METHODOLOGY

A survey instrument was developed to assess the efficacy of the program from the landlord's perception (See Appendix A). Only Oklahoma landlords were surveyed. The survey was distributed online through social media platforms and via e-mail. Blind surveys were conducted, and the results are presented in the following section.

LIMITATIONS

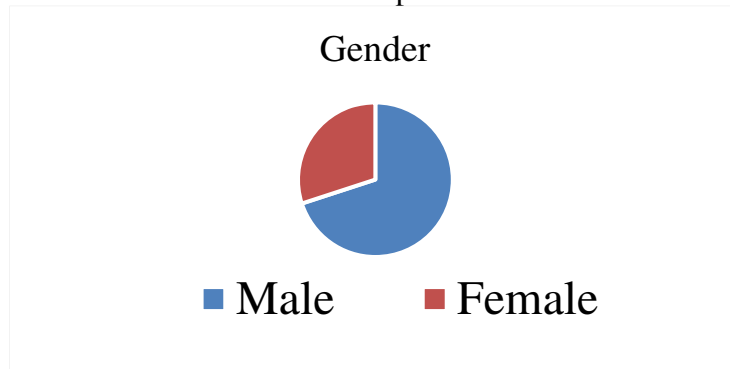
The sample size was minimal providing a threshold of statistical significance. Delimitations include sampling only the Oklahoma landlords which limited the generalizability of the findings to landlords in other states or regions. Another delimitation derives from the survey only being distributed through social media platforms and via e-mail.

RESULTS

A survey was designed and distributed, receiving responses from 43 landlords, who, on average, managed 16 rental units each.

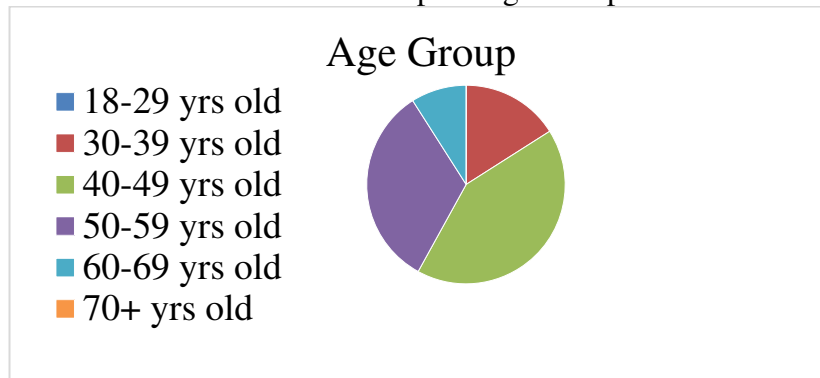
The survey included a gender question, revealing that among the 43 respondents, 13 were female (30%) and 30 were male (70%). Refer to Table 1 for details.

Table 1: Participant Gender



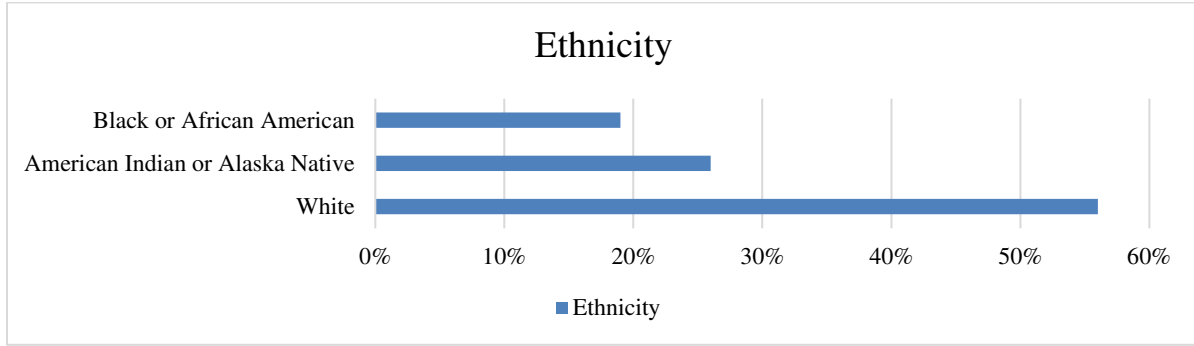
Participants reported their age group, with the highest representation in the 40-49 age range at 42%, followed by those aged 50-59 at 33%. Additionally, seven respondents were between 30-39 years old, and four were in the 60-69 age group. A summary of these results is provided in Table 2.

Table 2: Participant Age Group



Participants reported their ethnicity, with 56% identifying as White (24 individuals), 26% as American Indian or Alaska Native, and 19% as Black or African American (8 individuals). Refer to Table 3 for further details.

Table 3: Participant Ethnicity



The survey utilized a Likert scale ranging from one to seven, with one indicating "strongly disagree" and seven representing "strongly agree." Forty-three respondents rated various statements regarding their experiences and perceptions, providing a detailed understanding of their attitudes toward the impact of COVID on their rental properties. The following are the results based on this scale in Table 4. The survey instrument is included in Appendix A.

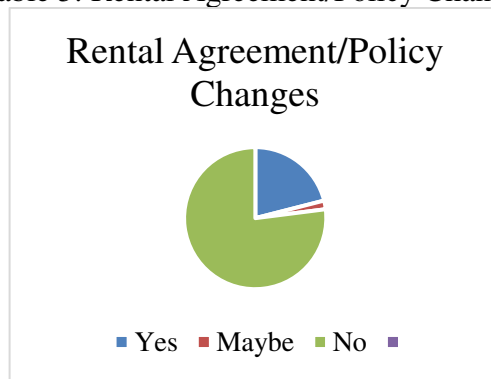
Table 4: Survey Questions and Likert Scale Results:

My rental income properties were negatively impacted by the COVID Pandemic.	5.21
Without the rental assistance program, my company would have been forced out of business.	3.49
Qualifying for the program was difficult.	1.95
Some of my tenants would have been forced into homelessness without the program.	4.19
My rental income properties were shut down, closed, or failed during the COVID Pandemic.	2.4
My rental income properties were able to continue because of the rental assistance program provided by the CARES Act.	5.2
Without the rental assistance program, I would have been forced to evict tenants during the Pandemic.	4.52
Applying for the program was relatively simple.	5.63
Government programs should be used only in extreme cases like the Pandemic.	6.67
Government programs such as rental assistance should be considered post Pandemic.	1.95

If the government forced another shutdown like the COVID shutdown, I will be supportive of programs like rental assistance.	5.53
The rental assistance program was a positive experience.	5.42

The survey revealed that many landlords, 33 or 77%, have not considered making changes to their rental agreements or policies based on the lessons learned during the pandemic. A smaller portion, 9 or 21%, indicated that they had indeed considered such changes, while only 1 or 2% were uncertain, responding with a "maybe." See Table 5.

Table 5: Rental Agreement/Policy Changes



Landlords suggested several strategies to mitigate future challenges in the event of another pandemic. The strategies are listed in Table 6.

Table 6: Landlord Strategies:

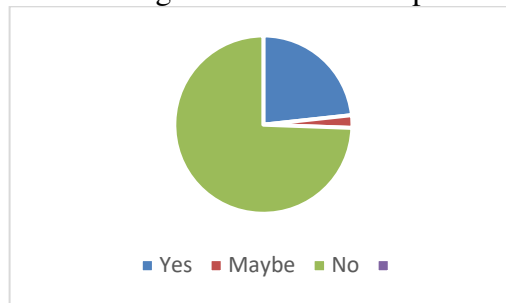
Tenant still must make payment. Tenant must seek other options to help themselves.
A rental agreement that if a pandemic occurs again, the tenant still must make payment by the 5th. No exceptions.
Have a policy in place to cover pandemics such as the acceptance of certain funds if approved and landlord. As though the program is legit and not costing landlord money to accept.
the tenant could pay a fee to have an early termination of their lease. maybe a percentage of the lease agreement depending on how much time with contract.
Month to month option for financial problems
option for generating a contract to allow for weekly payments if financial difficulties arise.
Acceptance of government funds when necessary.
I am going to implement a savings account to better prepare me for repairs when I may not receive rent.

I am going to stay informed about local regulations and laws related to housing and tenant rights, especially if there have been changes or updates in response to the pandemic. This would help me long term.

I have considered offering more flexible lease terms to accommodate changing tenant needs, such as shorter lease durations or options for month-to-month agreements.

The survey results showed that 74% of landlords reported not experiencing any specific challenges or successes during the COVID-19 pandemic. However, 23% of respondents acknowledged that they did face challenges or successes during this period, while 2% were unsure, responding with a "maybe." See Table 7.

Table 7: Challenges or Successes Experienced



Landlords shared a variety of challenges and successes they experienced during the COVID-19 pandemic. The responses highlight the complexities landlords navigated during the pandemic, balancing financial challenges with efforts to support their tenants as seen in Table 8.

Table 8: Challenges or Successes Experienced

Tenants tried to claim they could not make payment when they were still working.

Tenants tried to claim they could not make payments even though they were still able to work.

I had the problem of tenants not paying on time.

tenants wanted to move around a lot and couldn't pay deposits.

Allowing my renters pay weekly

I was able to help a young couple stay in their house by accepting the CARES Act funds.

I had the challenge of paying for upkeep since the income that I had went to mortgage and insurance payments.

I had a tenant apply for the CARES Act and he received 4 months' worth of rent to help him keep his apartment.

The challenge that I experienced was having tenants pay consistently. Some months it was at the beginning while in others, it was in the middle. This made it difficult to pay my bills.

One eviction which was due to condition of the house (hoarder situation) ... the judge offered the tenant help with the paperwork to keep her from being evicted. Her rent was paid in full she had money just mentally ill. Judge had to be enlightened by petitioner and respondent.

FUTURE RESEARCH

The study exclusively focused on Oklahoma landlords' perceptions, which means it does not capture the experiences or challenges faced by tenants during the pandemic. A more comprehensive understanding of the program's efficacy would require input from both landlords and tenants. Future research should broaden the geographic scope beyond Oklahoma to include landlords from various states and regions to gain a more comprehensive understanding of the COVID-19 pandemic's impact across different economic and regulatory environments. By including tenant perspectives in future studies, a balanced view of the effectiveness of government interventions could be provided which would complement the landlord-focused findings.

Additionally, future research should evaluate the effectiveness of government programs like the CARES Act and emergency rental assistance, examining both the challenges of implementation and their long-term impacts. Focusing on policy development and best practices could help prepare landlords and tenants for future crises, particularly on lease agreements, rent payment structures, and emergency funds. Further studies could focus on the given concerns about fraud in the distribution of rental assistance.

Moreover, research should analyze the broader economic impact of rental income loss on small businesses and the real estate sector. Inquiry areas should include the effects on maintenance, property values, and the viability of small-scale rental businesses. Future research should consider the challenges reported by landlords dealing with tenants facing mental health issues from housing instability and eviction.

CONCLUSION

The COVID-19 pandemic brought unprecedented challenges to the rental market, particularly impacting small businesses and landlords who found themselves navigating a complex and often contradictory landscape of government interventions and economic pressures. While the eviction moratoriums and emergency rental assistance programs provided critical relief to many tenants, the moratoriums and programs also placed landlords in difficult positions. The landlords had to balance the need to cover their operational costs with the legal restrictions that limited their ability to enforce rental agreements. Despite these challenges, most landlords surveyed in this study indicated that they did not encounter significant difficulties in their rental operations during the pandemic, nor did they feel compelled to adjust their existing rental agreements or policies in response to the circumstances. This suggests that, while the pandemic significantly disrupted the rental market, most landlords managed to maintain stability without making substantial changes to their practices.

This study's findings highlight an important aspect of the pandemic's impact on the rental sector. Such as, although the economic disruptions were widespread, the experiences of landlords were not uniformly negative, and many were able to navigate the crisis without major upheavals. However, the varied responses also underscore the need for continued research into

the long-term effects of the pandemic on both landlords and tenants, particularly in understanding how different strategies and interventions can better support housing stability in future crises. The lack of significant adjustments by most landlords may reflect resilience in the face of adversity, but it also raises questions about whether the existing policies and rental practices are adequately equipped to handle such unprecedented challenges. As the rental market continues to recover, these insights can inform future policy development to ensure more effective and equitable support for all stakeholders.

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