



August, 2018

### **Recommended Policies for the City of Cincinnati to address eviction crisis:**

1. **Good Cause Eviction:** A landlord is permitted to terminate a residential tenancy only for good cause. In order to end a residential tenancy, a landlord or property manager must have one these reasons:
  - a. Tenant fails to pay rent;
  - b. Tenant materially violates the rental agreement or legal obligations regarding the residence;
  - c. The residence will be occupied by the landlord or a family member;
  - d. To perform necessary repairs necessary to make the rental residence safe and habitable and the performance of the work will make the residence temporarily uninhabitable while the work is being done;
  - e. To comply with city orders to vacate the property.

A lease provision that waives a tenant's rights under the good cause for eviction ordinance is void and unenforceable.

2. **Pay to Stay:** An owner or manager may not evict a tenant for non-payment of rent if the tenant presents to the owner or manager the full monetary amount to fulfil all current or past-due rent obligations.
3. **Personal Property Protection in Eviction:** If a landlord obtains a writ of eviction, for a period of at least 30 days, the landlord must store all personal property which has not been removed by the tenant before set out. A landlord may not place outside and leave unattended personal property of an evicted tenant. The landlord must provide written notice to the tenant of where the property is stored. While the property is stored, the tenant must be given access without charge to have medically necessary things and tools and other things necessary for the tenant's trade or work. The tenant may recover all other stored things upon full payment of storage charges.
4. **Tax Abatement without Displacement:** The owner of a property may not receive any form of property tax abatement, tax increment financing or any other city financial incentive, funds or pass-through funding for work on a property from which tenants were required to move without good cause within the past 24 months.
5. **No Source of Income Discrimination:** The City will amend Chapter 740 of the municipal code to prohibit landlords from discrimination against applicants for rental housing because they have a rental voucher or based on their source of income, and the City will enforce the ordinance.
6. **Eviction Prevention Program:** The eviction prevention program will provide up to \$2000 per household to prevent eviction when tenants have a financial problem and fall behind on rent payment. Annually the City of Cincinnati will allocate \$750,000 for the program from its general fund. Additional funds for the program may be obtained from other sources. It is expected that a typical amount of funds provided per household will be between \$1000 and \$1,500. Each year the program would prevent over 500 evictions.
7. **Funding for Legal Counsel for Tenants:** Annually the City of Cincinnati will allocate \$500,000 from its general fund for legal services to be provided without charge to low income tenant households. Additional funds for the program may be obtained from other sources. The lawyers would represent tenants in eviction cases and provide legal advice, as well as referral to the eviction prevention program and other services.