

**Addressing the Threat of COVID-19-Related Housing Instability and Displacement in Delaware**

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In this brief we assess how the economic toll from COVID-19 and the responses to this pandemic will increase housing instability and housing displacement in Delaware. This provides a basis for planning a response that would mitigate the harmful outcomes related to increased housing instability, evictions, foreclosures and homelessness.

Key observations and recommendations that we present in this brief include:

1. **Delaware already has a substantial number of households facing housing instability, eviction and homelessness.** In all parts of the state, low wage workers are challenged with finding housing that is both affordable and close to their place of employment.
2. **Occupational categories that are both low wage and at high-risk for COVID-19-related job loss include at least 30 percent of Delaware's workforce.** This is the base for widespread housing instability. The vulnerability of the workforce to job loss and the attendant financial need has already begun to manifest itself through the record number of unemployment claims filed during the first week of Delaware's state of emergency.
3. **Delaware has taken several necessary first steps towards addressing the pending increase in housing instability.** Specifically, Delaware has imposed a comprehensive moratorium on evictions, foreclosures and utility disconnections through at least May 15. It has expanded eligibility for unemployment benefits to cover COVID-19-related job loss, and has implemented initial rental assistance measures. These measures amount to a positive start.
4. **Income assistance is the initial bulwark against housing instability.** Unemployment insurance is the most expedient vehicle for distributing income assistance, and Delaware's Department of Labor should continue to expand and extend benefits to fit the needs of those who lose work as a consequence of COVID-19. Beyond that, there will be a need for income assistance for others impacted by COVID-19 and the attendant response that will not be eligible for unemployment benefits. State and county entities, as well as private sources, need to respond to this need beyond what is now available.
5. **Widely available emergency assistance, with and without other services, will be critical for many to avoid housing displacement.** Such resources can prevent housing instability from becoming evictions, foreclosures, and homelessness.
6. **For those who do lose their housing, measures to put them back into housing will best mitigate the attendant expense and trauma.** Most housing displacement stemming from the looming economic downturn can be short-lived and non-recurring if various housing assistance measures become widely available.
7. **The homeless services system cannot accommodate substantially increased demand.** In the absence of attention to measures described earlier, there will be a need to either expand shelter capacity or relegate displaced households to makeshift living situations.

## **Introduction**

On March 13, a day after Delaware's first reported case of COVID-19, Governor John Carney announced a state of emergency, thereby directing the Delaware Emergency Management Agency (DEMA) and the Division of Public Health (DPH) to deploy state resources and implement response measures. Among these emergency measures included the ban on gatherings of over 100 people. Further restrictions followed, with an announcement the next day of statewide school closings, and the closing of bars and restaurant dine-in services. Casinos, malls, and numerous retail outlets then cut back on services, while public events were canceled, and the maximum size of public gatherings was reduced to 50 people. Increasing numbers of people were instructed to work from home and refrain from outings as part of a regimen of "social distancing." On March 22, Gov. Carney ordered Delaware residents to stay at home and announced that nonessential businesses would close on March 24. These restrictions, which may become even tighter and are currently expected to last for at least eight weeks, seek to inhibit the spread of COVID-19 virus infections, but will also exact a collateral economic toll as commercial and public activity diminishes.

In this brief we present a broad preliminary assessment of how the economic toll from COVID-19 and the responses to this pandemic will increase housing instability and housing displacement in Delaware. This provides a basis for planning a response that would mitigate the harmful outcomes related to increased housing instability, evictions, foreclosures and homelessness. Housing instability is already a substantial and growing problem throughout Delaware and increased unemployment among low-wage occupations will exacerbate this problem. Without effective countermeasures, housing displacement will become even more widespread and will add to what will be an already difficult recovery from the pandemic.

## **Housing Instability**

A household is unstably housed when it is either "cost burdened" (paying upwards of 30 percent of its income toward housing costs) or lives in substandard or overcrowded housing conditions. The precariousness of such living situations increases when a household is "severely cost burdened" (when more than half of income goes to housing costs) or has low amounts of household income. The National Low Income Housing Coalition (NLIHC) reported in 2019 that approximately 19,000 Delaware households faced the extreme situation of being both severely cost burdened and with extremely low income (defined as less than 30% of area median income, or \$24,600 for a 4-person household in that same period).<sup>1</sup> A 2019 report examining housing in Sussex County identified 10,700 households of all incomes as being severely cost burdened.<sup>2</sup>

Housing instability and low income are primary drivers of housing displacement. Often a cost-burdened household (family or individual) will lack financial reserves so that a crisis such as job loss or medical emergency can lead to housing displacement. Among the most extreme forms of housing displacement are evictions (over 17,000 filed in Delaware annually) and homelessness (1,000 persons in Delaware on a given night, or, conservatively, over 3,000 annually).

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<sup>1</sup> See [https://nlihc.org/sites/default/files/SHP\\_DE.pdf](https://nlihc.org/sites/default/files/SHP_DE.pdf)

<sup>2</sup> <https://sussexcountyde.gov/sites/default/files/PDFs/Final%20HOME%20Report%20November%202019.pdf>

Even in the recent years of economic prosperity, many who are employed are not immune from facing housing instability. In Delaware in 2018:<sup>3</sup>

- Thirty-five percent of extremely low-income renter households in Delaware included someone who was in the labor force;
- Receiving the minimum wage (\$8.75 per hour) requires working 100 hours, or 2.5 full time jobs, to afford the Fair Market Rent (FMR) of \$1,142 for a two-bedroom unit; and
- The wage to afford a two-bedroom unit at FMR is \$21.97, while the median hourly wage is \$19.45.

### **Employment, Housing Instability, and the Response to COVID-19**

The response in Delaware to COVID-19 has led to a range of measures that were summarized earlier in this brief, with additional measures likely. This has led to a large number of workers who have lost their jobs or had their work hours substantially curtailed due to:

- State-imposed restrictions;
- Businesses being secondarily impacted from state-imposed restrictions;
- Reductions in consumers' economic activity due to "social distancing" measures;
- Lack of childcare as a result of schools closing;
- Need to quarantine or seek treatment due to COVID-19 related exposure or illness, or to care for those who have contracted the virus.

Examples of how these factors lead to actual job loss and reduced hours are well-known. Bans on dining in restaurants and congregating in bars has led to much of the restaurant industry being shuttered. Travel curtailment has decimated business for hotels, taxis and rideshare contractors, and tourism-dependent businesses. And proscriptions on all but the smallest sized groups have led to closures of malls, casinos, and retail businesses. All of these come with attendant job loss.

An early indicator of the number of workers impacted by COVID-19-related job loss is from the Delaware Department of Labor, which reports that 10,790 new unemployment insurance claims were filed during the first week (ending on March 21, 2020) of the state of emergency. This weekly tally exceeds the highest number of claims received in any one month over the past 30 years.<sup>4</sup> The number of those filing new unemployment claims will almost certainly remain high in the upcoming weeks.

Table 1 shows the largest four occupational categories that are extremely prone to job loss and reductions in hours, and where low median wages would indicate a large number of workers to already have been at risk for housing cost burdens. Combined, these high-risk occupational categories represent 30 percent of the overall Delaware workforce (n=448,510), with "food preparation and serving-related occupations" alone accounting for almost 10 percent of state employment. This table does not include numerous occupations in other low-wage occupations that may also experience job loss or reductions in hours.

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<sup>3</sup> See NLIHC and Housing Alliance Delaware reports listed in "Further Reading" section.

<sup>4</sup> See <https://www.delawareonline.com/story/news/2020/03/26/delaware-breaks-30-year-unemployment-claims-record-due-coronavirus/5077395002/>

**Table 1 – Delaware Occupational Categories at High Risk for Layoff and Reduced Hours due to COVID-19 Response**

<b>Occupational Category</b>	<b>Number of Workers</b>	<b>Mean Hourly Wage</b>	<b>Largest Occupations (number of workers)</b>
Sales and Related Occupations	48,190	\$18.77	Retail Salespersons (15,000) Cashiers (13,820)
Food Preparation and Serving-Related Occupations	43,390	\$12.13	Food Preparation & Serving Workers (11,390) Waiters & Waitresses (8,010)
Transportation and Material Moving Occupations	29,680	\$16.90	Laborers & Freight, Stock, & Material Movers, Hand (4,960) Heavy & Tractor-Trailer Truck Drivers (4,370)
Personal Care and Service Occupations	15,570	\$13.52	Personal Care Aides (4,930) Amusement & Recreation Attendants (1,390)

Source: Delaware Department of Labor, Office of Occupational & Labor Market Information

In this context, the unemployment rate will likely increase into double-digit percentages as the COVID-19 response measures continue. Such job loss will be concentrated among those receiving lower wages, and thus will both add to the number of households that are unstably housed and intensify cost burdens for those who are already unstably housed. The more widespread and the more severe housing instability becomes, the more housing instability, if unchecked, will lead to housing displacement, including eviction and homelessness.

### **Response Measures to Mitigate Housing Insecurity**

*Moratoriums on evictions, mortgage foreclosures, and utility disconnections.* On March 24, Gov. Carney announced, in another update to Delaware’s state of emergency, the suspension of all evictions, foreclosures and utility disconnections, and prohibitions against landlords charging late fees and interest. This extends and expands more modest restrictions on evictions, foreclosures and disconnections that were already in place. These more recent measures will be in place at least until May 15 and likely for longer. Such measures provide a period of respite from housing payments and postpone the prospect of losing housing, something which becomes even more important given the central role of housing in the practice of social distancing.

*Income Assistance.* The link between general financial assistance and housing stability is underscored by the National Multifamily Housing Council, which has called for short-term financial assistance to renters facing layoffs or lengthy periods without a paycheck. Jenny Schuetz of the Brookings Institute notes that: “Short-term financial assistance would help poor families continue paying rent and buying food until the broader economy stabilizes. It would be more effective than a temporary moratorium on evictions (as some jurisdictions have enacted), since landlords also need money to pay their mortgages, property taxes, and utilities.”<sup>5</sup> There are currently at least four sources of income assistance that are or may

<sup>5</sup> See Jared Brey, “Housing in Brief: What Landlords Are Saying About Rent and Evictions During the Outbreak.” *Next City* (March 20, 2020). Available at: <https://nextcity.org/daily/entry/what-landlords-are-saying-about-rent->

become available in Delaware in response to job loss related to COVID-19 and that may assist in averting housing instability:

- 1) *Unemployment Insurance*. Delaware has expanded eligibility for state-administered unemployment insurance to cover circumstances stemming from the COVID-19 response and thereby providing benefits to persons who would not otherwise be eligible. While unemployment benefits as they are currently structured would provide a much-needed source of income, the benefits replace only a portion of lost wage income. In Delaware this currently covers up to roughly 50 to 60 percent of previous wages (benefits are capped at \$400 per week) for a duration of 26 weeks. However, not all workers are eligible for benefits, even if they lost work for COVID-19-related reasons. Those who work “off the books” or otherwise do not have taxes taken out of their wages, and those working various forms of contract labor<sup>6</sup> are all ineligible for unemployment benefits in Delaware. The Coronavirus Aid, Relief, and Economic Security (CARES) Act, passed by the U.S. Senate on March 25, 2020, would allow Delaware to further enhance its coverage: extending unemployment benefits by 13 weeks; providing enhanced benefits for 4 months; and expanding eligibility to freelance, gig, and furloughed workers.<sup>7</sup>
- 2) *Sick Leave*. Currently Delaware does not mandate employers to provide sick leave, either paid or unpaid. While Delaware employers that employ 50 or more people must comply with Federal Family and Medical Leave Act provisions, this does not require that employers provide any paid time off. As a result, the National Partnership for Women and Families estimated, in 2013, that 40 percent of private sector employees in Delaware were without recourse to pay for missed time due to being sick or having to care for family members.<sup>8</sup> Beyond that, virtually no temporary, contract, informal and “gig” workers receive paid sick leave. Others who have leave benefits will exhaust those benefits as the need for leave exceeds the paid time off at their disposal.

On March 18, the federal Families First Coronavirus Response Act became law. One key provision of this law is that certain employees receive pay from employers for having to take time off due to COVID-19 related loss of childcare (including school closure) and for having to be quarantined due to COVID-19 exposure or illness. These provisions are complicated, vary based upon the size of the employer, and will not be implemented until April 2. However, when eligible, employers would provide up to two weeks of sick leave at full pay (capped at \$511 per day) and up to 14 weeks of emergency family medical leave (2/3 pay, capped at \$200/day). As

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[and-evictions-during-outbreak](#); and Jenny Schuetz, “America’s Inequitable Housing System is Completely Unprepared for Coronavirus.” Brookings Institute’s *The Avenue* blog (3/12/20). Available at: <https://www.brookings.edu/blog/the-avenue/2020/03/12/americas-inequitable-housing-system-is-completely-unprepared-for-coronavirus/>.

<sup>6</sup> This includes work that requires filing 1099 tax forms — freelance work, contract work, and “gig” workers such as driving for Uber and Lyft.

<sup>7</sup> See <https://www.nytimes.com/2020/03/25/us/politics/whats-in-coronavirus-stimulus-bill.html>

<sup>8</sup>National Partnership for Women and Families (2015). *Workers’ Access to Paid Sick Days in the States*. Available at: <https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-sick-days/workers-access-to-paid-sick-days-in-the-states.pdf>.

this law gets implemented, eligibility guidelines should become clearer and the law will provide some measure of income assistance to eligible workers for an intermediate time duration.<sup>9</sup>

- 3) *Supplemental Nutrition Assistance Program (SNAP)*. Formerly known as food stamps, SNAP is a federally funded, state-administered program that provides an ongoing means of payment for food purchases that can free up income for other needs. Eligibility is means-tested, based upon household income being under 200 percent of the Federal Poverty Level. There are some work requirements in Delaware to receive SNAP benefits, but these will be suspended in April under the federal Families First Coronavirus Response Act.
- 4) *Other income assistance*. Delaware provides General Assistance (GA) benefits to persons who have no income and are not eligible for federal income assistance programs. Among the categories are people who stay at home to take care of a sick household member and people age 55 or older with no other income. The monthly GA check for a single person is \$79. Delaware also provides Temporary Assistance to Needy Families (TANF), a program for adults in very low-income households with children that provides limited cash assistance for up to 36 months and that is contingent on participation in programming that seeks to facilitate economic self-sufficiency. Both of these programs have restricted eligibility and limited assistance amounts, and should thus be considered programs of last resort.

Beyond sick pay, newly unemployed households would receive income assistance that would be less than their wage income and will face a cutoff of these benefits after a limited time period. Nonetheless, income assistance may be sufficient to maintain some degree of housing stability and meet basic household needs for a sufficient time to permit households to reenter the workforce.

*Emergency Assistance and Tertiary Prevention Measures*. Even with regained income, unpaid accrued housing costs during periods of unemployment may become insurmountable and result in prolonged housing instability or displacement. This can be prevented through targeted one-time assistance that, in some cases, is coupled with related services.

The most universal one-time emergency assistance comes from the CARES Act, which will provide a direct payment to workers. These payments are capped at \$1,200 per individual earning up to \$75,000 per year and \$2,400 for couples earning less than \$150,000 (with a sliding scale for those at higher incomes), with families receiving an additional \$500 per child.<sup>10</sup>

The Delaware State Housing Authority, through the newly formed Delaware Housing Assistance Program (DE HAP), will provide up to \$1,500 in emergency housing assistance to households with incomes at or below 80% of area median income whose employment or income has been affected by the COVID-19 response.<sup>11</sup> State and New Castle County funding currently give DE HAP \$2.5 million, which should be enough to assist an estimated 2,000 to 2,500 households. This means that, at current levels, the number of eligible households should exceed the available assistance.

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<sup>9</sup> For a summary of its provisions see <https://www.congress.gov/bill/116th-congress/house-bill/6201>

<sup>10</sup> See <https://thehill.com/homenews/senate/489575-7-things-to-know-about-the-coronavirus-stimulus-package>

<sup>11</sup> For program eligibility and other program information see [http://www.destatehousing.com/OtherPrograms/othermedia/dehap\\_faq.pdf](http://www.destatehousing.com/OtherPrograms/othermedia/dehap_faq.pdf)

The most prominent private effort is the Delaware COVID-19 Emergency Response Initiative, a collaborative nonprofit and philanthropic response to the pandemic. Led by the Delaware Alliance for Nonprofit Advancement (DANA), the Delaware Community Foundation, Philanthropy Delaware, and United Way of Delaware, the Initiative includes a Rapid Response Fund to help alleviate the virus' immediate impacts, a Strategic Response Fund to support communities hardest hit by the virus, nonprofit capacity-building to address community needs, and volunteer coordination.<sup>12</sup> Another private initiative is coordinated by the Delaware Restaurant Association, which is soliciting donations for its Emergency Action Trust, through which it plans to raise at least \$1 million and provide \$500 grants to full-time restaurant workers who have been laid off or had their hours reduced.<sup>13</sup>

Numerous long-standing public and non-profit agencies throughout Delaware have also provided emergency assistance services. However, representatives of these agencies express concern that their limited resources will be overwhelmed by the extent of need. Furthermore, households seeking assistance after prolonged unemployment will likely have expenses that exceed those of the extremely poor households that these agencies usually work with.

These service providers often incorporate the provision of emergency assistance into a broader "tertiary prevention" approach<sup>14</sup> to avoiding imminent homelessness and other housing displacement. Here financial assistance is extended, or in some cases supplanted, by other types of assistance including case management, legal representation, and/or diversion services that assist households in developing solutions where they either continue staying in their current living situations or move to other housing and thereby avoid a more negative outcome such as homelessness. When targeted effectively, prevention services can be instrumental in obviating crises and removing barriers to regaining a stable housing situation. If such assistance and services are successful, the costs incurred are typically much less than the remedial expenses of homelessness and other forms of displacement.

#### Housing Assistance.

Once housing is lost and a household becomes homeless, there are various means by which they can be assisted while minimizing their use of shelters and other direct homeless services. Getting a household back into housing as quickly as possible minimizes trauma associated with housing displacement and has been associated with high levels of housing retention. Such housing assistance can have case management and other support services associated with it, but should not make housing assistance contingent on mandatory services participation. There are three basic types of housing assistance:

- 1) *Rapid rehousing* (RRH) is an approach that was first developed as part of the American Recovery and Reinvestment Act of 2009 as a response to increased housing crises coming from the Great Recession. RRH provides up to two years of rental assistance, living expenses and supportive services to households that show the ability to independently maintain the housing once the assistance stops. RRH should be very effective for households with adults with demonstrated

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<sup>12</sup> For more information about this collective response see <https://www.delcf.org/coronavirus/>

<sup>13</sup> See <https://www.delawareonline.com/story/news/2020/03/24/laid-off-delaware-restaurant-workers-could-get-500-next-month/2906672001/>

<sup>14</sup> Tertiary prevention is a term taken from public health referring, in this context, to measures that seek to mitigate the impact of an ongoing crisis. This is in contrast to primary or secondary prevention measures which seek to prevent an outcome before it becomes imminent.

employment histories. RRH funding is provided through federal sources and is distributed through Delaware's homeless Continuum of Care (CoC). In 2019, Delaware had a statewide capacity to assist 79 households (28 families and 51 individuals) with this service.<sup>15</sup> This supply would need to be substantially increased if RRH is to play a significant role in addressing upcoming housing instability.

- 2) *Ongoing partial and time-limited rental assistance* are not widely available but would function like income assistance to offset housing expenses for a certain time period to help economically fragile households regain housing stability. Such assistance would not be as intensive as RRH and would not entail the permanence of subsidized housing and rental vouchers.
- 3) *Subsidized, permanent housing* in which housing costs are indexed to 30 percent of income for low-income households is available in Delaware through several sources. Delaware's five public housing authorities are, combined, the largest providers of such housing. Delaware funds State Rental Assistance Program (SRAP) vouchers that permit low-income households, often with disabilities, to rent housing on the private market. Permanent, supportive housing (PSH) with case management is available, for veterans, through a joint federal program run jointly by HUD and the US Department of Veterans Affairs (known as HUD-VASH), and, for all eligible households, through housing run by various non-profit organizations. For many PSH units, tenant placement is made through a coordinated entry process run by Delaware's homeless CoC, and placement typically follows being put on a long waiting list.

Expanding this housing supply, and assisting landlords in preserving the existing affordable housing supply, is paramount in any efforts to reduce Delaware's homeless population, regardless of whether their homelessness was related to COVID-19. It is also one of the most expensive interventions, although financing such housing can take advantage of several mechanisms designed to make it more affordable to build. The Delaware State Housing Authority (DSHA) is currently soliciting proposals for developing additional PSH developments in the state using National Housing Trust Fund and other available funding sources as incentives. More such state-supported initiatives are going to be needed.

#### Shelter Facilities and Homeless Services.

Delaware's count of roughly 1,000 people who are homeless on a given night<sup>16</sup> roughly matches the statewide inventory of shelter and transitional housing beds, meaning that the shelter system regularly runs near or at capacity. This means that if an increase in housing instability were not met by effective countermeasures, then the resulting demand would easily overwhelm the homeless service system's ability to provide sufficient access to emergency housing.

In the early days of Delaware's state of emergency, a scenario of scarcity among homeless services is already playing out. Facing the need for social distancing, homeless services providers have cut back on providing shelter, closed day programs, and limited meals to "grab and go." Congregate shelters are unable to provide facilities that permit effective social distancing, leaving many people who are

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<sup>15</sup> See [https://files.hudexchange.info/reports/published/CoC\\_HIC\\_State\\_DE\\_2019.pdf](https://files.hudexchange.info/reports/published/CoC_HIC_State_DE_2019.pdf)

<sup>16</sup> See [https://files.hudexchange.info/reports/published/CoC\\_PopSub\\_State\\_DE\\_2019.pdf](https://files.hudexchange.info/reports/published/CoC_PopSub_State_DE_2019.pdf)

currently homeless with difficulty finding a suitable place to practice social distancing, either during the day or at all. In response, Delaware's Department of Health and Social Services (DHSS) has recently started reaching out to vulnerable individuals (elderly, with chronic health conditions, etc.) without adequate ability to practice social distancing and placing them in motel rooms. While this is consistent with current best practices (from a COVID-19 prevention standpoint), it is currently unclear the extent to which the state is prepared to provide hotel and motel accommodations for such purposes.

The costs for providing homeless individuals and families with such accommodations depends both on how broadly DHSS is willing to offer these facilities (i.e., only vulnerable and infected persons? all who present themselves as homeless? etc.) and how long the state of emergency is going to last. Economic assistance designated specifically for homeless services from the CARES Act will be available to the State for funding such temporary housing.

DHSS and homeless service providers need to prepare for the likely possibility that a substantial number of elderly and otherwise vulnerable people will need to be transitioned from hotel or motel rooms to other living accommodations when the state of emergency is lifted, which will also be when others will be forced to seek housing or homeless assistance as a result of economic difficulty. The more the State and homeless services providers are able to meet this demand with measures along the lines as have been described earlier, the less there will be a need to expand shelter capacity or relegate individuals and families to makeshift living situations.

## **Conclusion**

A massive wave of job loss has already started and will add immeasurably to the already substantial level of housing instability in Delaware. Without measures to address this housing instability, the recent job loss promises to increase levels of eviction, foreclosure and homelessness.

Fortunately, Delaware has already taken several necessary first steps towards addressing the pending increase in housing instability. It has imposed a comprehensive moratorium on evictions, foreclosures and utility disconnections through at least May 15. It has expanded eligibility for unemployment benefits to cover COVID-19-related job loss, and has implemented initial rental assistance measures. These measures amount to a positive start, but more needs to be done.

Income assistance represents the initial bulwark against housing instability. Unemployment insurance is the most expedient vehicle for distributing income assistance, and Delaware's Department of Labor should continue to expand and extend benefits to fit the needs of those who lose work during this crisis. Beyond that, there will be a need for income assistance for others impacted by COVID-19 and the attendant response that will not be eligible for unemployment benefits. State and county entities, as well as private sources, need to respond to this need beyond what is now available.

Widely available emergency assistance, with and without other services, will also be critical for many to avoid housing displacement. Such resources can prevent housing instability from becoming evictions, foreclosures, and homelessness. For those who do lose their housing, measures to put them back into housing will best mitigate the attendant expense and trauma. Most housing displacement stemming from the looming economic downturn will be short-lived and non-recurring if various housing assistance measures become widely available.

Beyond this, the homeless services system within its current parameters is unable to accommodate substantially increased demand. In the absence of attention to measures described earlier, there will be a need to either expand shelter capacity or relegate displaced households to makeshift living situations.