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WARD 4

Creating Alternatives to Eviction

A Pragmatic, Municipal-Led Approach to Renter Navigation and Economic Retention

A stable workforce needs stable housing. Consider a common chain of events: a tenant's car breaks down late in the month, they miss two shifts, and they come up short on rent. By the 6th, the landlord has added a late fee and served a 3-day notice to quit. The tenant will have the money next payday, but the legal clock is already running. Overwhelmed by the court summons, they move out rather than respond. The landlord pays to turn over an empty unit, and a local employer loses a worker.

Arkansas law preempts most local housing policy. Cities cannot enact rent control, cap application fees, or regulate lease terms. But Fayetteville still controls its own budget. This proposal would create a city-funded eviction navigation program to protect due process, reduce landlord risk, and cost less than the homelessness it prevents.

Managing one unsheltered resident through emergency services, policing, and other public systems costs more than $14,000 a year. In Baltimore, a Stout study found that a $5.7 million investment in eviction legal help would save $35.6 million in public costs. Locally, an $80,000 clinic contract would break even by keeping just six households out of the shelter system.

Policy 1: Create an Eviction Navigation Clinic

A new clinic would focus on the most effective point to intervene: the 5-day window a tenant has to file a written objection after being served with an unlawful detainer (eviction) suit.

- **Timed for Tenants:** Clinics would run during the second and third weeks of the month, right after standard grace periods expire, and offer evening hours (such as 5:30 to 8:00 PM) so hourly workers can attend. Sites would include the Public Library and community centers on Ozark Regional Transit routes.
- **Simple Eligibility:** Households would qualify through enrollment in SNAP, Medicaid, WIC, or ARKids First, or by signing a self-attestation of income below 80% of area median income (AMI).
- **Privileged Case Files:** The City would contract with an independent nonprofit legal provider, such as Legal Aid of Arkansas. Case files would stay protected by attorney-client privilege, and contract reporting would be limited to anonymized, aggregate data.

Policy 2: Preserve Existing Affordable Housing with Habitability Loans

The City would use federal CDBG or HOME funds to keep Naturally Occurring Affordable Housing (NOAH: older, unsubsidized rentals with modest rents) safe and affordable.

- **Forgivable Repair Loans:** Landlords would receive capital for major repairs, such as $15,000 for a roof or HVAC system. In exchange, a deed restriction would cap rent increases (for example, at HUD fair market rents) for 5 to 10 years.
- **Recapture Clause:** Part of the loan would be forgiven each year the landlord complies. If the property is sold or rents jump early, the remaining balance would be due immediately.

Policy 3: Open Eviction Data & Accountability

- **Open Eviction Data:** The City would publish machine-readable eviction filing data, mapped by complex, on its Open Data portal.
- **Nonprofit Partnerships:** Community groups could use the data to find eviction hot spots, place clinics, and reach out to properties that file repeatedly.
- **Court Date Text Reminders:** The program would fund SMS reminders for court dates, which research shows reduce missed appearances by 20% to 40%.
- **Public Scorecard:** The City would track default judgments among clinic clients (target: under 15%), cases ending in dismissal or a graceful exit (target: 50%), and cost per eviction diverted.

Policy 4: Reduce Landlord Risk with Shallow Subsidies

Because state law gives tenants little leverage, new City programs would make working things out more profitable for landlords than eviction.

- **Micro-Grant Bridge Fund:** A new fund would cover small shortfalls, such as late fees or less than a month's rent. The City would pay the grant directly to the landlord and resolve the debt.
- **Pre-Filing Mediation:** The City would subsidize neutral mediation before a landlord pays the court filing fee, so both sides could negotiate a payment plan or structured move-out at no cost.
- **"Graceful Exit" Relocation:** If a tenancy can't be saved, the City would pay a new security deposit directly to the next landlord, as long as the current landlord dismisses the eviction suit. The tenant would avoid a permanent eviction record.

Summary of Benefits

Stakeholder	How They Benefit
Renters	Would gain clear guidance on due process rights, emergency bridge funding, and protection from permanent eviction records.
Landlords	Would see fewer costly turnovers, take on less risk when renting to vulnerable tenants, and gain access to repair capital.
Businesses & Schools	Would keep a more reliable hourly workforce, and fewer students would have to change schools mid-year.
City Government	Would lower emergency and homelessness costs while staying within state preemption limits.