

**New Jersey Department of Community Affairs
Division of Housing and Community Resources
Office of Eviction Prevention**

**REQUEST FOR PROPOSAL – January 2023
(competitive)
FY23**

A. Comprehensive Eviction Defense and Diversion (CEDD)

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C. Issue:

Though eviction filings in NJ post COVID-19 have declined when compared to pre-pandemic levels, eviction risk due to rent arrearage and low-income household energy bill arrearage remains elevated in the State compared to national levels. Eviction filings remain steady in urban areas but there is a sharp increase in eviction filings in suburban and rural communities where limited access to supportive services exacerbates housing instability. According to 2021 Census data, half of renter households in NJ are housing cost-burdened with housing costs over 30% of household income.

Most often evictions lead to homelessness and permanent displacement. They are particularly destructive to low-income families disparately impacting Black and Brown households. Evictions result in social, economic, and public health crises that threaten entire communities.

D. Purpose of the grant:

To provide an expansive model in comprehensive and efficient defense against eviction to low-income renter households in NJ by interconnecting two existing, successful, and impactful Department best practices in eviction prevention, namely connecting the Eviction Diversion Initiative (EDI) to the Access to Counsel Initiative (ATC) thereby combining safety net services and effective anti-displacement strategies into one stronger wrap-around intervention. In this expansive model, eligible tenants facing or threatened with eviction are paired up with resource navigators for social services support, case management, and immediate problem-solving intervention including flexible direct financial assistance and with access to legal services for brief legal advice or legal representation.

In early 2022, the Department launched EDI which integrated case workers experienced in eviction and homelessness prevention, resource navigation, crisis intervention, and case management and

A. Purpose of the grant:
(continued)

diversion into the landlord-tenant court process at every vicinage. The experienced case workers act as immediate problem-solving resource navigators to tenants with low incomes facing or threatened with eviction by interfacing with them before court, in court (at either case management conferences or trials in person at the courthouse and/or in virtual proceedings), and after court to prevent evictions and displacement. Their immediate problem-solving support includes help with rental and utility assistance, access to legal services where legal advice and or representation is necessary to defend against eviction, access to Board of Social Services supports, housing counseling and mediation, rapid rehousing or relocation assistance, crisis intervention, diversion, and case management. Flexible emergency funding also allows resource navigators to nimbly, quickly, and directly mitigate other immediate financial vulnerabilities associated with housing instability which includes using the flexible direct client funding to cover emergencies and tenant rental arrears or relocation and rehousing when the at-risk tenants are otherwise excluded from or deemed ineligible for other eviction prevention programs.

Within just a few months of its launch in pilot form, EDI quickly became the third most accessed support in the homelessness prevention ecosystem in NJ. With a mere twenty-eight resource navigators throughout the State, since its inception, EDI has directly served over 4,000 households with low or very-low-incomes at risk of eviction.

In the late summer of 2021, as NJ's eviction moratorium was sunseting and as the judiciary was reforming the landlord-tenant court process, the Department launched ATC in five target zip codes in three counties (Essex, Mercer, and Atlantic). The pilot expanded access to free and quality legal advice or full legal representation to households with low incomes facing or threatened with eviction and coupled legal support with expanded access to social services support and case management along with direct client emergency funding. Expanding access to counsel to tenants with low incomes facing eviction had already emerged as a best practice defense in several other jurisdictions around the country but coupling legal services with social services support and case management was an emerging enhanced model in anti-displacement, a more comprehensive wrap-around support, and a truly sustainable opportunity in eviction diversion. Furthermore, the partnering of attorneys or legal advocates with non-profit social services providers not only shifted the culture of eviction prevention in and out of court, but also evolved the delivery of services to at-risk tenants by lawyers and social services providers. In its *End Rental Arrears to Stop Evictions (ERASE)* recently published study, The National Low Income Housing Coalition defines such integrated and coordinated partnerships with visible, flexible, and direct tenant-landlord funding a highly effective and recommended model in eviction intervention, prevention, and diversion.

As soon as it was launched, ATC was quickly welcomed by at-risk tenants with low incomes, and by the judiciary as an efficient, comprehensive, and impactful intervention. During its pilot phase, ATC has served over 2,000 low or very-low-income households facing or threatened with eviction.

This expanded model in intervention and prevention strategy aligns with and meets the legislative mandate of P.L. 2021, c. 188, that the Office of Eviction Prevention serve as a comprehensive hub of eviction prevention assistance, a bridge to other available resources across agencies, and as an incubator in emerging, innovative approaches to sustainable eviction prevention and diversion.

B. Available Funding:

Funds are being made available through a competitive Request for Proposals for New Jersey non-profit social services and non-profit legal services agencies or entities with experience in eviction prevention, homelessness diversion, rehousing, relocation, landlord-tenant court and tenancy litigation in NJ, social services support, case management, and the capacity to quickly hire and manage staff devoted wholly to this initiative, with sufficient capacity to provide immediate and direct client financial assistance, and to regularly track, report, and submit intervention data inclusive of household demographics and outcomes.

While available funding will not fund all of the need in eviction prevention and defense, the grant will support the hiring and integration of forty-eight (48) total resource navigators throughout the state (an expansion by 20 resource navigators from the pilot), additional funding by way of flexible direct client financial assistance to be utilized by resource navigators, and expanded access to legal services throughout the state (an expansion from target zip codes in a few jurisdictions) ensuring that resource navigators at every vicinage are partnered with available and experienced attorneys to provide legal advice or full legal representation to at-risk eligible low-income households. Fully \$5.1 million is being allocated to resource navigation and \$2.3 million to legal services.

C. February 1, 2023 – January 31, 2024

D. Eligible entities/applicants:

- a) New Jersey nonprofit social services organizations experienced in eviction / homelessness prevention and diversion, tenant and landlord targeted outreach, case management, data tracking, reporting and retention, with the capacity to quickly hire and manage resource navigators wholly devoted to this intervention, and the administrative capacity to quickly process and distribute direct client assistance funding. Required extensive experience in homelessness / eviction diversion or prevention may include the following:

- Rental Assistance
- Homelessness prevention; relocation, rapid rehousing
- Landlord-tenant court procedure; NJ tenancy law; landlord-tenant mediation or counseling
- HUD-Certified Housing Counseling services
- Wrap-around case management services
- Crisis intervention

**G. Eligible entities/applicants:
(continued)**

- Local support and services systems such as Board of Social Services, Continuum of Care, etc.
 - Access to resources such as childcare, utility assistance, employment assistance, and other resources
 - Diversion
 - Harm reduction
 - Trauma informed service delivery
 - Racial equity practices
 - *Housing First* intervention
 - Knowledge of and experience in using court databases
 - Comfort in liaising with court personnel, the judiciary, and counsel
- b) New Jersey nonprofit legal services providers experienced in housing matters and in handling cases in landlord-tenant court. Services shall include, and experience is required in, all possible eviction and eviction-like matters, such as ejectment actions, administrative actions that threaten housing stability such as Section 8/HCV hearings, the ability to handle appeals, housing authority actions, and habitability defenses or claims.

Eligible entities may apply to offer services for one of the two interconnected program components or for both. Eligible entities may apply singularly, in partnership with another entity or as part of a group.

H. Eligible households/program participants:

Households in rental dwellings whose gross income is at or below 200 percent of the current federal poverty level and who are either facing eviction or threatened with eviction. The expectation is that most clients will have incomes at or below 80% of the area median income. Eligible tenants may include hotel/motel residents (who would otherwise be protected under NJ's Anti-Eviction Act), tenants without written leases, sublease tenants, undocumented or under documented tenants, voucher program recipients, housing authority tenants.

Income eligibility screening shall be flexible, barrier free. For instance, in some circumstances, a tenant household income self-attestation will suffice in providing immediate problem solving and urgent intervention or diversion. A simple joint-intake (between social services and legal services providers) shall provide for screening immediacy, efficiency, and harm reduction to eligible at-risk tenants.

I. Eligible activities:

The program provides assistance through the following two interlinked / interconnected components: (1) RESOURCE NAVIGATION through expanded access to safety net services, rental/utility assistance, rehousing/relocation, and direct client emergency funding; and (2) ACCESS TO COUNSEL - expanded access to free and quality legal representation or brief legal advice.

J. Requirements of applicants / Scope of Services and Deliverables:

a) Resource Navigation, Case Management, Diversion

Resource Navigator social services providers working in concert with Legal Services Providers assigned in the same geographic vicinity will divert eligible tenants through immediate problem solving and a holistic housing intervention strategy incorporating *Housing First*, *Harm Reduction*, *Trauma-Informed Service Delivery*, and *Racial Equity* practices in the creation of a housing action plan to stabilize housing and, if possible, move the household toward a permanent housing solution.

Grantees will be routinely assessed for their ability to achieve these outcomes *rather than on the array of services they have provided*. Grantee success will be comparably and inversely calculated at the three-month, six-month, nine-month mark, and twelve-month mark.

Flexible funds may be offered as an immediate or temporary solution until the person finds alternative housing through their own or is rapidly rehoused (through other resources including HUD Rapid Re-housing). The flexible emergency funds can also be used toward other financial remedies such as repairing a car to get back to work or paying other outstanding bills to alleviate non-housing financial burdens that will ultimately improve future housing stability. Flexible emergency funds can be used to pay rental arrears and secure relocation where necessary. Specifically, emergency fund flexible financial assistance may be used for:

- Rental arrears
- Relocation / rehousing: up to 1.2 months of rent for security deposit; utility deposits (up to 2 months for electric and gas); reasonable expenses associated with moving costs and furniture storage fees
- Court fees: *Marini* bonds (for habitability claims), court costs, landlord fees, as reasonable and legally recoverable
- Urgent remedies: car repair, NJ Transit commuter pass (train, bus), urgent costs associated with past-due utility bill, child-care, medical, work/educational expenses, hotel/motel stays, and other necessary remedy to stave off emergency and homelessness.

Ineligible Emergency Fund Activities:

- Mortgage costs or other expenses needed by homeowners for fees, taxes, or other costs of refinancing a mortgage
- Construction or rehabilitation
- Food
- Credit card bills or consumer debt
- Clothing and grooming costs
- Home furnishings
- Pet care
- Entertainment activities
- Cash assistance to program participants
- Discharge planning initiatives
- Aiding renters residing in a property owned by the grantee, sub-grantee or the parent, subsidiary or affiliated organization of the sub-grantee or a Board member
- Renter's or Homeowner's Insurance

Resource Navigator / Social Services Provider deliverables include:

- a) Overseeing the integration and work of resource navigators who will be assigned to their respective vicinages where they will attend landlord-tenant court proceedings (case management conferences and trials) and serve as direct and immediate problem-solving case workers experienced and trained in anti-eviction resources and homelessness prevention.
- b) Being available in virtual tech rooms and/or in person at the courthouse, resource navigators will directly assist eligible households with rental assistance applications, eviction prevention household income self-certifications, access to legal services, mediation or housing counseling, homelessness prevention, relocation or rapid rehousing, housing navigator support, referring households to consumer debt and credit repair services, family support benefit applications, and disability, or healthcare related support, as necessary or appropriate.
- c) Using creative solutions to expediently prevent a household from eviction.
- d) Processing direct client flexible funds quickly to pay necessary arrears to prevent eviction.
- e) Developing and utilizing a joint (with Legal Services) efficient, barrier and harm-free, flexible screening and intake process.
- f) Real-time regular reporting of services provided, outreach, and case outcomes.
- g) Using the full weight of all the provider agency's resources and any resources available on the federal, state, and local levels.
- h) Maintaining regular communications with the Office of Eviction Prevention.
- i) Notifying the Office of Eviction Prevention of all challenges, concerns, questions, and issues regarding this grant.

**Resource Navigator / Social Services Provider deliverables include:
(continued)**

- j) Maintaining documentation of real-time outputs and outcomes.
- k) Coordinating with other agencies in eviction and homelessness prevention within the service county and across county lines for households.
- l) Connecting households facing judgments of possession to emergency rental assistance vouchers for rapid rehousing where available.
- m) Liaising with court staff including the landlord-tenant case management legal specialists and judges at trial.
- n) Liaising with DCA staff and court staff in self-certification database and eviction filing data matching.
- o) Liaising with local government and community organization representatives, such as the Board of Social Services and Continuum of Care, to identify potential resources and connect tenants to all available resources.
- p) Reporting monthly to the Office of Eviction Prevention via the Department's grant management system, SAGE which shall include aggregate data of households served, demographics, case outcomes, and narratives about successes and challenges (number of evictions averted should be included) – see Reporting Requirements section.
- q) Filing quarterly budget expenditure reports to the Office of Eviction Prevention via the Department's grant management system, SAGE.
- r) Real-time regular reporting of eligible household outreach, intervention, and case outcomes into the Homeless Management Information System, HMIS.
- s) Direct tenant outreach and education through community group relationships at the neighborhood level in assigned geographies.
- t) Coordinated Entry and Case Management which includes:
Arrangement, coordination, monitoring, and delivery of services to eligible households, including joint tenant intake/screening in concert with Legal Services Providers, tracking case outcomes (legal and diversion or case management), coordinating eviction docket with court personnel, monthly data reporting, household demographic tracking/reporting, and follow-up at 3-month, 6-month, 9-month, and 12-month intervals - (demographic tracking including on household size, income, race, ethnicity, gender, and citizenship status).
- u) Timely submission of Data Collection and Evaluation into the Homeless Management Information System (HMIS) and the grant management database, SAGE.
- v) Incorporation of existing strategic partnerships (i.e., via sub-grantee or affiliates) in prevention and diversion.
- w) Tenant support hotline.
- x) Administering emergency fund assistance pursuant to flexible funding guidelines.
- y) Adequate administrative support and managerial oversight.
- z) **PROJECTED SERVICE DELIVERY MINIMUM:** A range of 300-600 households per resource navigator per annum. Actual contractual service delivery will reflect the capacity and quality of proposed intervention and service delivery.

Expanded Access to Counsel

Legal Services providers working in concert with Resource Navigators in their assigned geographic vicinity are responsible for coordinating and providing legal services, screening tenants for legal services, educating tenants about their rights, and tracking case outcomes and court data. Legal services provider attorneys shall attend case management conferences and trials. Tenants facing illegal lockouts or other issues may require emergent Order to Show Cause legal assistance. Eligible tenants may require representation in judgment appeals, in habitability defenses, ejectments, or administrative eviction-like actions.

Legal services deliverables include:

- 1) Tenant outreach to educate tenants about their rights, the eviction process, and eviction prevention resources including the development of know-your-rights content, access to phone hotline or other direct contact via email or text to answer general inquiries and to refer tenants to counseling and mediation resources, as necessary.
- 2) Joint tenant intake, screening, and case investigation in concert with resource navigators.
- 3) Access to counsel available for consult during docket in Zoom breakout rooms or in person at court.
- 4) Access to counsel brief legal advice for disputes with landlords that can be resolved quickly (and appropriately), and or where there are no viable defenses and diversion may be more appropriate.
- 5) Access to counsel full quality representation in cases with viable legal defenses including in non-payment and hold-over proceedings, habitability claims, Section 8, HCV disputes and other public assistance related matters that precipitate an eviction filing, illegal lockouts, Orders to Show Cause and eviction appeals, as appropriate or necessary.
- 6) Where possible and necessary, eviction filing expungements or dismissals.
- 7) Access to e-Courts and court docket two to three weeks in advance.
- 8) Notice of program services to tenants.
- 9) Intake and prescreening of eligible tenants.
- 10) Notice to eligible tenants on the day of court to check in with program legal service provider immediately after receiving Harris instructions by presiding judge, as applicable.
- 11) Notice to presiding judge and court clerk of program legal service provider tenant intake check in to ensure against any tenant default.
- 12) Entering an appearance in cases going to trial where necessary and securing adjournments in those cases to ensure adequate case preparation.
- 13) Adequate staffing to ensure access to counsel either during program special docket or daily docket.
- 14) Staff attorney, legal assistant, and trained law clinic student support for case preparation and investigation.
- 15) Managing attorney support for oversight, supervision, tracking case outcomes, preparing reports, and working in concert with Resource Navigator / Social Services Provider in required reporting.

**Legal services deliverables include:
(continued)**

- 16) Administrative support for data analysis, court documentation, and day-to-day coordination.
- 17) Monthly reporting to DCA of number of clients served, outcomes and challenges, and household demographics (via SAGE) – see Reporting Requirements section.
- 18) Quarterly reporting to DCA of related expenditures and budget (via SAGE).
- 19) PROJECTED SERVICE DELIVERY MINIMUM: 25-50 cases monthly per vicinage. Actual contractual service delivery will reflect the capacity and quality of proposed intervention and service delivery.

J. Required Trainings:

Each grantee agrees that staff will participate in all mandatory trainings and meetings according to a schedule provided by the Office of Eviction Prevention. Trainings and meetings are to increase understanding of Eviction Diversion and its interplay with other aspects of case management and as part of a larger housing problem-solving approach to preventing homelessness. Direct staff, Supervisors and Leadership staff must agree to the following mandatory training participation as part of this program:

- 1) Harm reduction
- 2) Landlord collaborations
- 3) Housing First
- 4) Eviction Prevention and Diversion
- 5) Reporting, including the use of the Homelessness Management Information System database (HMIS) and SAGE
- 6) Racial equity practice
- 7) Trauma-Informed service delivery
- 8) Landlord-Tenant legal clinic
- 9) Available resources presentation

K. Ineligible activities:

Activities not specifically approved through this application or subsequently approved in writing by DCA.

L. **Threshold screening:**

Applicants that do not meet these minimum standards will not be considered:

- Not listed on the DCA list of High-Risk grantees and, as applicable, the current audit submission is not overdue.
- **Valid registrations:**
 - ✓ A SAMs registration noting that entity is not in a 'Debt Offset' status for owing funds to the federal government. www.sam.gov
 - ✓ An active State Vendor number, as listed on NJStart.gov or NJ Division of Purchase and Property (state.nj.us).
 - ✓ Not Listed on the State Debarment list, located at www.state.nj.us/cgibin/treas/revenue/debarsearch.pl.
 - ✓ An active account or exemption at the NJ Charities Registrations website at [Search For A Charity · Basic Portal \(state.nj.us\)](http://state.nj.us/charity)
- Applicants will comprehensively provide:
 - ✓ a staffing organizational chart, new and current staffing capacities, case worker / legal services professional experience
 - ✓ expected budget expenditures
 - ✓ geographic vicinage capacity
- Applicants will clearly define and establish reasonable budgets in case worker/ legal services salaries, expenses related to the purchase of necessary technology, and administrative costs

M. **Qualifications required for applicant staff:**

- 1) Resource Navigator provider staff must have completed or will schedule training through New Jersey Housing Mortgage and Finance Agency on the use of the HMIS database.
- 2) Resource Navigator provider staff must have experience and knowledge of available resources at the local, state, and federal levels.
- 3) Legal Services providers must have at least one year experience in landlord-tenant court in NJ.

N. **Application Process:**

All applications must be submitted via SAGE and must include the following information:

- A. Agency Description (services provided, contact information, Board of Directors)
- B. Proposed Program Description including process map of services (from referral to joint screening or intake to discharge)
- C. Program Objectives
- D. Scope of Services

N. Application Process:

All applications must be submitted via SAGE and must include the following information:
(continued)

- O. Contact Information
- P. Program Components
- Q. Proposed Program Service Areas
- R. Program Personnel Listing and resumes of key staff
- S. Staffing organizational chart
- T. Consultant and or subgrantee relationships
- U. Proposed Program Budget - **Administrative costs are limited to a maximum of 15% of the total grant award**

Required Application Attachments:

- Signed Application Cover Page
- Organizational Chart
- By-Laws
- Board Meeting Schedule
- Tri-partite Board of Compliance Certification
- Certification Regarding Debarment and Suspension
- Certification Regarding Lobbying
- SAM.gov Certification
- IRS Determination Letter, if applicable
- Partnership Listing and a list of services provided through such partnerships

O. Proposals must be submitted via SAGE @<http://dcasage.intelligrants.com>

P. Reporting Requirements:

Grantees must submit to monthly performance reports in SAGE throughout the grant period, regular and updated reporting in HMIS, and quarterly reporting of expenditures in SAGE via the submission of an FSR (Financial Status Report).

The monthly performance reports in SAGE for this program will include information about the following: the total number of clients *served* (meaning the aggregate of all direct successful outreaches and admissions); services provided; challenges presented; legal and/or diversion outcomes; amount of financial assistance provided; housing status at discharge; demographics information; 3-6-9-12 month status updates and evaluation.

Q. Review Criteria

The Office of Eviction Prevention will review and evaluate applications based on a **100-point grading system**. Applications are scored as follows:

1. Demonstration of sufficient capacity to undertake and effectively implement proposal – up to 50 points

Sufficient capacity and effectiveness will be evaluated by the following criteria.

Applications clearly demonstrating greater and more efficient capacities in administration and intervention, including in hiring/staffing, intake/screening, direct client financial assistance, real-time data entry, tracking and reporting, and in immediate problem-solving strategies will be graded higher in terms of capacity and effectiveness. These criteria include:

- a.) Demonstration of length of experience in anti-eviction work, homelessness diversion, eviction prevention, landlord-tenant court/tenancy, family assistance programs across local, state, and federal agencies, and in all current homelessness/eviction prevention programs or resources local, state or federal (i.e., HPP, HPRP, HCV, ESG, EHV, SRAP, ERAP/EPP, Sec 8).
- b.) Demonstration of existing regional or statewide level work in area of proposed activities.
- c.) Demonstration of hiring and staffing readiness for immediate program engagement and of capacity to quickly hire and onboard additional staffing solely devoted to this intervention. Unlike the EDI or ATC pilots, an immediate launch capacity is preferred in this program and demonstrated capacity to meet the needs of eligible tenants in multiple geographies.
- d.) Detailed description of proposed diversion, case management, and legal defense methods. For resource navigators, a heavier output on diversion where possible is preferred over prolonged enrolled client length of stays in case management.
- e.) Detailed description of service delivery projections. Applicants who can demonstrate capacity and ability to go beyond minimum service delivery requirements will score higher in application evaluation.
- f.) Demonstration and description of proposed service delivery process – a detailed process map - which includes information about screening methods, sample intake forms, information about mediation or intervention methods, the number of client engagements from screening to discharge, the process flow of services provided from screening to discharge, and legal advice/ legal representation performance data in provider existing or similar program intervention. Simpler, less bureaucratic, or administratively burdened screening and intervention methods will score better in application evaluation.

g.) Demonstration of administrative capacity to oversee the program, to aggregate data about it, and to process and distribute direct client financial assistance within seven (7) to fourteen (14) days.

h.) Demonstration of data tracking and real-time data reporting ability within 48-72 hours of contact.

i.) Demonstration of proposed geographic capacity including information about strategically leveraging partnerships or affiliations to meet geographic capacity.

2. Ability to implement the proposal in a timely manner – up to 15 points

Timeliness will be evaluated in:

- a.) agency hiring, staffing, and onboarding
- b.) intake/screening in clients and processing paperwork
- c.) client outreach and intervention
- d.) client financial assistance processing
- e.) real-time data tracking and reporting

3. Clear and reasonable budget proposal – 25 points

A reasonable budget is one in which proposed costs are clearly defined, eligible, and tailored to the needs of this intervention.

4. Sample Presentation – 10 points

Applicants agree to make presentations about the program at community or other events open to the public where people at risk of eviction and/or landlords are present. Applicants are required to submit a sample presentation that includes the following:

- a. Name of agency and program
- b. Description of program intervention or defense strategies including information about methods
- c. Process map of program service delivery (from referral to discharge)
- d. Identification of relevant partnerships and other programs to which clients might be referred
- e. Contact information

- R. **Technical Assistance Session:** Applicants are encouraged to participate in a technical assistance webinar either on January 25, 2023 (<https://event.gotowebinar.com/event/f62875ee-173c-4dd2-af0a-8009315d6939>) or January 30, 2023 (<https://event.gotowebinar.com/event/35553142-b400-4fa1-adeb-c89a8aea5fca>).
- S. **Deadline:** Applications must be submitted by **February 06, 2023.**
- T. **Date by which applicants shall be notified:** On or about **February 20, 2023.**

Applicants with questions about this RFP may email Dean Dafis, Esq., Director of the Office of Eviction Prevention in the Division of Housing and Community Resources at dean.dafis@dca.nj.gov.