

Lorain County Bar Association to Offer Eviction Avoidance Program to Landlords and Tenants

The Lorain County Bar Association is pleased to announce that it is offering an Eviction Avoidance Facilitation Program to help landlords and tenants who have been affected by Covid-19. The program addresses the coming onslaught of evictions that will follow the end of the Federal Government's eviction ban, which is set to end March 31st.

“We foresee a tsunami of evictions when the ban ends, adding to a backlog of eviction cases already filed, but stalled by the Federal Government's action”, said attorney Zachary Simonoff, chair of the LCBA's Real Estate section.

The unprecedented economic disaster caused by Covid-19 measures has caused hardship for many renters. Some could not pay all their bills, and the Federal ban enabled them to put off paying rent, which makes up the largest part of most renters' budgets. But the ban was only a temporary measure, and landlords continued to face the costs of mortgages, maintenance, and taxes.

Barring a solution, Simonoff said there will be literally thousands of evictions leading to thousands of useless, uncollectible judgments against ordinarily unrepresented tenants. He added, “there will be hundreds of landlords who have wasted thousands of dollars in attorney and court fees in pursuit of these judgments. The courts will be overwhelmed. And the net result is a game of musical chairs where every landlord will necessarily be renting to another landlord's former tenants. Ultimately, this results in move-outs, move-ins, tenants scraping together money for rent and security deposit, and landlords paying for preparation of the rental unit. Everybody loses, except maybe U-Haul.”

The Eviction Avoidance Facilitation Program will try to mitigate these effects before they begin.

The LCBA held an information session on Zoom on March 18, 2021, for landlords and tenants, to convey neutral information about the problem, and how this program can help. You can watch the information session here:

<https://us02web.zoom.us/rec/share/CHjzT6VhNTPK0QktEpnHV5Ot262euJqwGM7oOmt8dNjcz oGvMpMru7x5V6DrXE9E.ijbRLTATisfG7pgb> Passcode: .YmV?N61

“The Eviction Facilitation Program is a process where landlords and tenants can work out a mutually beneficial solution, with the help of a trained, experienced attorney-facilitator,” said attorney Doug Henry, a member of the facilitation program ad hoc committee. “The facilitators, , attorneys from the LCBA, are not judges, nor juries, but serve to aid communication between

landlords and tenants.” He added that program is completely voluntary, but the resulting agreement between the parties is enforceable.

It is hoped that the Facilitation Program Information Seminar and the facilitation program will help landlords and tenants avoid using the courts for eviction - and that a path can be found to keep tenants in their present homes - and for landlords to keep a paying tenant.

Second, the LCBA is also working with area non-profits whose programs may provide assistance to Tenants. These programs strengthen the Tenant’s financial condition, also benefitting Landlords. Additionally, the LCBA is partnering with the local municipal courts in an effort to refer evictions to this program.

Finally, for those cases that do go to court, the Municipal Courts throughout Lorain County will be working to accommodate landlords and tenants who wish to utilize the facilitation program for their eviction suits.

“The eviction facilitation program may be the fastest way for a landlord and tenant to recover from Covid, because the courts are going to be absolutely clogged with eviction cases”, stated Jeannie Motylewski, Executive Director of the LCBA. She added, “there is also the human element of the additional hardship piled onto landlords and tenants alike who just suffered through the worst economic crisis in memory - eviction is not a good solution for either”.

For additional information on this program, contact the Bar Association at 440-323-8416 or email us at lcba@windstream.net.

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The Lorain County Bar Association (LCBA) is a 501(c)(6) nonprofit organization, operating as the center for legal professionalism in Lorain County. Its purpose is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law, and to promote diversity in the administration of justice and the practice of law.