

# CITY OF CHARLOTTESVILLE

*"A World Class City"*

## Human Rights Commission

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[www.charlottesville.gov/963/Human-Rights-Commission](http://www.charlottesville.gov/963/Human-Rights-Commission)



August 12, 2021

Charlottesville City Council and City Manager  
P.O. Box 911  
Charlottesville, Virginia 22902

Dear Mayor Walker, Vice Mayor Magill, Councilors, and Mr. Boyles:

I write on behalf of the Human Rights Commission to follow up a previous letter dated April 4, 2021, regarding providing funding for counsel for tenants in eviction proceedings.

The Human Rights Commission applauds the City for taking a first step in providing tenants lawyers in eviction proceedings. As you know, tenants with lawyers are far more likely to be able to raise legal defenses and remain housed. Particularly now, during a worldwide pandemic, when we expect a tsunami of eviction cases in coming months, keeping people housed is of paramount importance. However, we must also recognize that providing counsel to tenants in eviction proceedings is important and necessary during *every* year. Doing so is a step toward creating a more racially just and equitable community.

We do have some concerns about the appropriations being allocated toward these efforts. Specifically:

- We had estimated that conservatively providing lawyers to all tenants would cost at least \$460,000 in year one, with increases in future years, as tenants learned about this program. This number was derived from an analysis of the number of eviction cases in the years prior to the pandemic and in consultation with the National Coalition for a Civic Right to Counsel. The City is currently prepared to allocate only \$300,000 per year for this effort, which we believe will be substantially less than will be needed.
- The City has not yet committed to long-term funding for this project. At the moment, as we understand it, the City has said it will commit to three years of funding only if Albemarle County also commits to funding the effort. Frankly, that makes no sense. We strongly agree that the County should fund a comparable program, but the City's commitment to this effort should not depend on whether the County agrees to fund it. Our residents deserve fair treatment in these high-stakes cases regardless of the County's position.

- Finally, the City has not codified the right to counsel through any ordinance. We strongly believe that the right to counsel must be enacted by ordinance so that a future Council cannot simply remove funding via the budget process. Especially given that this pilot program is being funded from temporary federal funds, the City must make a commitment to enshrining these rights in law.

We appreciate the first step the City has made in protecting tenants who face homelessness. We ask now that you commit to taking the next necessary steps to providing all tenants counsel in eviction cases.

Very truly yours,



Mary Bauer  
Human Rights Commission Chair

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- Kathryn Laughon (Vice-Chair)
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