

# The Impact of Evictions on Preterm Births and Family Health Outcomes

## A Qualitative Analysis

Kendle Kuechle  
University of California, Berkeley  
May 2021

This analysis was contracted by the UCSF Preterm Birth Initiative. The author conducted this study as part of the program of professional education at the Goldman School of Public Policy, University of California at Berkeley. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgements and conclusions are solely those of the author, and are not necessarily endorsed by the Goldman School of Public Policy, by the University of California or by any other agency.

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## Executive Summary

Housing instability and evictions have strong negative implications for maternal and prenatal health. Existing evidence demonstrates that pregnant women experiencing eviction or threat of eviction are at increased risk of delivering a preterm or low birth weight infant, as well as requiring a longer hospital stay or NICU admission. Evictions and housing instability have further implications on family health, as children experiencing housing instability and evictions are more likely to develop behavioral problems and educational delays along with other health impacts. These dynamics are particularly urgent as pregnant women and families with children are at heightened risk of eviction. The COVID-19 pandemic beginning in December of 2019 has additionally increased the level of financial stress and health risk, thus increasing the need for effective intervention in this current moment. Though quantitative studies have identified the link between housing instability and prenatal health, it is important to provide the human context behind the data. In order to shed light on the dynamics of this relationship, interviews were conducted with community-based housing organizations, researchers studying these impacts, community members affected by this issue, as well as employees working in Bay Area government services. Common themes were identified regarding the relationship between housing instability and family health, as well as policy solutions to address this problem. Through the interview process, it was made clear that evictions and housing instability have a negative impact on birth outcomes by increasing stress and trauma, resulting in a cycle of health and poverty that affects families for years afterwards. Existing racial and socioeconomic inequalities worsen disparities in maternal and infant health outcomes, rendering some demographic groups particularly vulnerable to the health impacts of eviction. The COVID-19 pandemic has added an additional layer of stress and health effects, causing intervention to be all the more critical. To address this problem, policy solutions are needed in the form of increased affordable housing units, rental assistance and rental debt forgiveness. Stronger enforcement of legal protections as well as expanded Right to Counsel laws were also recommended. Lastly, there is a need to streamline the rental assistance process and reduce the administrative burden tenants face when seeking assistance. Effective policy intervention will reduce disparities in maternal and infant health, and protect Bay Area families from the health impacts of eviction.

## Overview

The intersection of housing and health is an understudied phenomenon. Providing adequate and affordable housing for all residents has proven to be a particular challenge for Bay Area policymakers; over 17,000 housing unstable residents live in the San Francisco Bay Area, including unhoused residents and those who live in temporary shelters.<sup>1</sup> Housing instability does not have an official definition, though it can take many forms including difficulty paying rent, living in overcrowded or unsafe housing, or experiencing homelessness. Evictions are a severe form of housing instability and remain prevalent in the Bay Area; from March 2019 to February 2020, 1,442 evictions were filed in the county of San Francisco.<sup>2</sup> The eviction rate (number of evictions per 100 renter households) in San Francisco is 0.25, which is lower than the national average of 2.34.<sup>3</sup> However, due to California laws that mask eviction records in certain cases, the true number of evictions is unknown.<sup>4</sup> The dearth of publicly available data contributes to the difficulty in studying housing instability and its impact on health. Nevertheless, exploratory research indicates that thousands of people in the Bay Area are currently living through housing instability and evictions, many of whom will experience long-lasting effects in their own lives and in the lives of their families.

In the view of community members with lived experience, evictions are a form of trauma, for the pain and stress of losing your home can have a deep impact on your overall health. Researchers are now beginning to uncover the long-term health impacts of evictions and housing instability, the effects of which can be passed down through families. As both evictions and housing instability as a whole can affect health, the terms are used in conjunction with one another in this report. Preliminary research has demonstrated that evictions experienced by

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<sup>1</sup> HUD, “2007-2019 Point-in-Time Estimates by CoC” (Washington, D.C., 2019).

<sup>2</sup> Robert A. Collins, “Rent Board Annual Report on Eviction Notices,” Rent Board Annual Report on Eviction Notices § (2020).

<sup>3</sup> Eviction Lab, “National Estimates: Eviction in America,” Eviction Lab, May 11, 2018, <https://evictionlab.org/national-estimates/>.

<sup>4</sup> Nolo, “California Tenants Protected When They Win Eviction Lawsuits,” [www.nolo.com](http://www.nolo.com) (Nolo, September 19, 2016), <https://www.nolo.com/legal-update/california-tenants-protected-win-eviction-lawsuits.html>.

pregnant people increase the rate of infant preterm births. Premature birth can impact infant health by increasing the risk of developmental disabilities, infection, jaundice, brain hemorrhage and respiratory distress.<sup>5</sup> Healthcare expenditures for preterm infants can also result in extreme cost burdens for families and the medical care system; a study of national birth data estimated the average cost of medical expenses for a preterm infant to be \$76,153.<sup>6</sup> Furthermore, evictions place families into a cycle of poverty which has consequences on the child's future health outcomes. This phenomenon is exacerbated by existing inequalities, in that it is both racialized and gendered. Analyses of evictions filings demonstrate that women and people of color are more likely to experience evictions.<sup>7</sup> The impacts of housing and health are deeply intertwined; housing instability affects a person's overall health, and their health in turn affects their ability to maintain stable housing. Demographic disparities in eviction filings result in women of color and their children being more susceptible to this cycle of poverty and negative health outcomes. In order to prioritize infant and family health, effective policy interventions in affordable housing and legal protections are necessary steps in the Bay Area and California.

This report measures lived experience. To develop adequate solutions to the challenges pregnant women face in obtaining housing and maintaining their health, it is important to amplify voices of those most affected by these issues. People who have lived through housing instability or work with this community are therefore centered in this report. Interview subjects are anonymous in order to protect privacy due to the sensitive nature of this content. This report is meant to provide more insight into challenges faced and policy solutions needed in this area from people with lived experience; more research is required to determine quantitative links between housing instability, preterm births and family health. From preliminary research, we know that racial inequities are crucial in understanding the relationship between housing instability and health. Racism and systemic inequalities affect all aspects of housing and health; people of color are more likely to be evicted, and experience disparities in birth outcomes and

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<sup>5</sup> D.R. Mattison, S Wilson, and C Coussens, "The Role of Environmental Hazards in Premature Birth: Workshop Summary," *Institute of Medicine (US) Roundtable on Environmental Health Sciences, Research, and Medicine*, 2003, <https://doi.org/10.17226/10842>.

<sup>6</sup> Andrew L. Beam et al., "Estimates of Healthcare Spending for Preterm and Low-Birthweight Infants in a Commercially Insured Population: 2008–2016," *Obstetrical & Gynecological Survey* 75, no. 12 (February 26, 2020): pp. 717-718, <https://doi.org/10.1097/ogx.0000000000000878>.

<sup>7</sup> Peter Hepburn, Renee Louis, and Matthew Desmond, "Racial and Gender Disparities among Evicted Americans," *Sociological Science*, December 16, 2020, <https://sociologicalscience.com/articles-v7-27-649/>.

overall health. More information can be found in the *Inequities in Evictions* section on page 15, though it is important to note that this entire report should be viewed through the lens of these disparities.

The focus of this report is on pregnant women and preterm births. The term women is used most frequently in this report to describe this population, as the majority of pregnant people identify as women.<sup>8</sup> However, housing instability and health disparities are issues that are part of a larger system of inequalities in the Bay Area and elsewhere. During the interview process, the interconnected nature of housing, poverty, and family health outcomes was repeatedly stressed. Furthermore, severe housing instability has a ripple effect on child and family health outcomes for years afterward. For this reason, the scope of this project extends to child and family health beyond prenatal health and preterm births. It is also important to recognize that policy interventions are needed to ensure housing security and better health outcomes for the entire population beyond infants and pregnant women.

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<sup>8</sup> A Hoffkling , J Sevelius, and J Obedin-Maliver , “From Erasure to Opportunity: a Qualitative Study of the Experiences of Transgender Men around Pregnancy and Recommendations for Providers,” BMC pregnancy and childbirth (U.S. National Library of Medicine, November 8, 2017), <https://pubmed.ncbi.nlm.nih.gov/29143629/>.

## Methodology

In order to determine the effect of evictions on health outcomes and preterm births, interviews were conducted with community members impacted by this issue, community-based housing organizations, researchers studying these impacts, as well as employees working in Bay Area government services. Interviews are an important research tool, as they can provide granular data as well as personal testimonies that provide much-needed context to quantitative data. The majority of organizations were based in the San Francisco Bay Area, California. In all, 18 interviews were conducted, each lasting 30-45 minutes. An interview cohort was selected that included people with a range of experiences; those directly affected by housing instability as well as researchers and policy advocates working in the housing space. Basic transcriptions from notes taken during the interviews were used to organize findings into major themes. Interview themes were determined by organizing each interview into major concepts and highlighting concepts referenced by multiple interview subjects.

## Interview Subjects



The objectives of the interviews were to understand 1) how evictions and housing instability specifically impact infant and family health, as well as 2) policy solutions intended to alleviate those effects. Though the overall focus of this report is on preterm births and childhood health, it became clear through the interview process that it is difficult to study preterm births

without acknowledging the larger impact of evictions on a family's overall health. While research demonstrates there is an increased likelihood of preterm births among infants born to evicted mothers, potential impacts of eviction including toxic stress, depression, and increased likelihood of drug and alcohol use acutely impact the mother's health along with the health of other family members. It was therefore important to view family health as a holistic, interconnected phenomenon impacted by housing instability and evictions. Interviews also provided insight into the work being done in the housing space, as well as policy recommendations addressing the impact of evictions on preterm births and childhood health.



## The Link Between Housing and Health: Summary

One of the major objectives during the research and interview process was to identify the specific impacts of housing instability on pregnancy and preterm births, as well as provide more context to the quantitative data. Though analytical studies can prove that there is an association between housing instability and infant health outcomes, interviews can provide more insight into how and why this occurs. Interviews with the cohort revealed the deep impact that housing instability can have on a pregnant person's well-being, along with the well-being of their child in utero and after birth.

- Evictions and housing instability impact prenatal health.
  - Housing unstable mothers experience increased anxiety and stress.
  - There are tradeoffs in medical care and safety one must make in order to maintain housing.
  - There is difficulty in accessing healthcare resources during housing instability.
- The cycle of housing instability and health continues during childhood.
  - There are further challenges in maintaining child health after birth and during childhood.
  - Trauma from housing instability additionally contributes to an adverse childhood experience.
  - Landlords discriminate against families with children.
- Disparities in health outcomes are exacerbated by existing racial and socioeconomic inequalities.
  - There are disproportionate impacts of housing instability based on race.
  - The undocumented community faces particular challenges.
  - Disability status in evictions impacts the relationship between housing instability and health.
- The COVID-19 pandemic has added another layer of stress and health impacts to this dynamic.
  - The pandemic has amplified health outcomes based on existing inequalities.
  - There is increased difficulty in accessing housing protections and resources.

## I. Pregnancy and Preterm Births

### Context

Initial research into the link between eviction and birth outcomes demonstrates a strong negative relationship. One recent study analyzed data from the Fragile Families and Child Wellbeing Study, and found that threatened eviction or homelessness during pregnancy resulted in a higher risk for preterm birth and low-birth weight.<sup>9</sup> The study noted that mothers exposed to severe housing instability had 1.73 times the risk of birthing a low birth weight and/or preterm birth infant, and their children had 1.66 times the risk of an extended hospital stay after birth.<sup>10</sup> California-specific data also proves an adverse relationship between mother's housing instability and preterm births; one such study analyzed hospital discharge records from the California Office of Statewide Health Planning and Development, and found that housing instability resulted in a higher risk of preterm births and longer hospital stays.<sup>11</sup> Quantitative studies therefore demonstrate that housing instability affects the rate of preterm births along with infant health. More research is needed to determine the full scope of the problem, as well as geographical differences in health outcomes across the United States.

### Interview Findings

Three themes emerged during the interview process on how housing instability impacts pregnancy and infant health: the increased anxiety and stress due to unstable housing, the tradeoffs in medical care and safety one must make in order to obtain housing, and the difficulty in accessing resources.

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<sup>9</sup> Kathryn M. Leifheit et al., "Severe Housing Insecurity during Pregnancy: Association with Adverse Birth and Infant Outcomes," *International Journal of Environmental Research and Public Health* 17, no. 22 (November 21, 2020): p. 8659, <https://doi.org/10.3390/ijerph17228659>.

<sup>10</sup> Ibid.

<sup>11</sup> Matthew S. Pantell et al., "Associations between Unstable Housing, Obstetric Outcomes, and Perinatal Health Care Utilization," *American Journal of Obstetrics & Gynecology MFM* 1, no. 4 (October 16, 2019): p. 100053, <https://doi.org/10.1016/j.ajogmf.2019.100053>.

## Housing Instability and Preterm Births

- 1 Unstable housing causes increased stress
- 2 Mothers make tradeoffs in medical care and safety
- 3 It becomes difficult to access healthcare resources

Of the 18 interviews, 10 mentioned the impact of trauma and stress on health outcomes. Interview subjects emphasized the fact that evictions are a form of trauma, and trauma can affect many aspects of a person's physical and mental health. One provider noted that stress increases cortisol levels, which can affect prenatal development and infant health. This finding is supported in outside research, as pregnant women with high levels of stress are at an increased risk for stillbirths<sup>12</sup> along with preterm births.<sup>13</sup> Toxic stress also impacts mental health. Interview subjects noted that extreme stress can render it difficult to focus on other aspects of life including obtaining proper food and medical care, as well as impact a person's ability to make decisions. Trauma and stress are additionally associated with increased risk of alcohol and drug use. Multiple interviewees mentioned that people experiencing stress from housing instability may use alcohol or other drugs as a coping mechanism. Further quantitative studies show a strong link between alcohol and drug use and risk of preterm birth.<sup>14</sup>

<sup>12</sup> K Wisborg et al., "Psychological Stress during Pregnancy and Stillbirth: Prospective Study," *BJOG: An International Journal of Obstetrics & Gynaecology* 115, no. 7 (2008): pp. 882-885, <https://doi.org/10.1111/j.1471-0528.2008.01734.x>.

<sup>13</sup> R W Newton et al., "Psychosocial Stress in Pregnancy and Its Relation to the Onset of Premature Labour.," *BMJ* 2, no. 6187 (August 18, 1979): pp. 411-413, <https://doi.org/10.1136/bmj.2.6187.411>.

<sup>14</sup> C M. O'Leary et al., "The Effect of Maternal Alcohol Consumption on Fetal Growth and Preterm Birth," *Obstetrical & Gynecological Survey* 64, no. 5 (January 21, 2009): pp. 299-300, <https://doi.org/10.1097/01.ogx.0000347340.86241.6e>.

Other facets of evictions and housing instability impacting infant health are the health tradeoffs pregnant people are forced to consider in order to obtain stable housing. Nine interviewees mentioned some aspect of the health tradeoffs in housing. Health tradeoffs in this context refer to decisions a person has to undergo in order to secure housing; for example, some may choose to live in unsafe conditions in order to pay rent, or they may not be able to afford adequate food or medical care if most of their income is spent on housing. Interviewees noted that if a person is evicted, their housing options become even more limited. Many landlords will not rent to tenants with past eviction history, and therefore people may be forced into unsafe or unhealthy living situations due to a lack of options. Other members of the interview cohort noted that women facing evictions are also at risk for gender-based violence, or may be in an unsafe situation with an abusive partner. Unsafe living environments or lack of medical care both contribute to negative health outcomes for the mother, which can then impact infant health.

Another theme revealed during the interview process was the difficulty accessing resources and managing one's health without a stable living situation. Many interview subjects emphasized the idea that housing is a base, where one can more easily manage their health if stable housing is obtained. However, housing instability renders it extremely difficult to maintain personal health, as large barriers develop in accessing proper care. For example, finding transportation to medical appointments, obtaining medical insurance and paying appointment co-pays are all more difficult for people without a stable living situation. This can have consequences for housing unstable pregnant women, for if pregnant women are unable to access adequate prenatal care, there may be negative outcomes in infant health. It is evident that in order to protect infant health, pregnant people need access to stable housing as a first step. Other aspects of prenatal care including proper nutrition and regular medical appointments can only be achieved once the mother is able to obtain stable housing.

## **II. Child and Family Health Outcomes**

### **Context**

The interview process additionally revealed the cyclical nature of housing instability and family health. Severe housing instability can affect both children and other family members for years after the eviction, as families are often placed into a pattern of financial stress, housing

instability and poor health outcomes. Furthermore, children born preterm or with a low birthweight are at a greater risk of their family experiencing eviction in the future.<sup>15</sup> Families with children are also at a heightened risk of eviction; one study estimated that a childless person has a 7.3% chance of eviction in a given year, which increases to 9.5% if they have one child and 11.7% if they have two children.<sup>16</sup> Additional research indicates that neighborhoods with a higher percentage of children face a higher rate of evictions.<sup>17</sup> It is therefore clear that housing instability and childhood health is a cycle; evictions are associated with greater risk of preterm births, and children born preterm are more likely to be evicted in the future.

Evictions have further implications for maternal health. Evicted mothers are more likely to experience stress and depression, as well as report poor health outcomes for themselves and their children.<sup>18</sup> Evictions are also associated with higher mortality from six substance abuse categories, including opioids, heroin and alcohol poisoning.<sup>19</sup> Available literature therefore suggests that evictions and housing instability affect many aspects of a person's health, from their mental and physical health to their overall well-being.

## Interview Findings

Childhood health and the link between family status and evictions were also emphasized during the interviews. Three important themes arose: challenges in maintaining child health after birth and during childhood, trauma from housing instability that contributes to an adverse childhood experience, as well as the discrimination by landlords against families with children.

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<sup>15</sup> Gabriel L Schwartz et al., "Health Selection Into Eviction: Adverse Birth Outcomes and Children's Risk of Eviction Through Age 5 Years," *American Journal of Epidemiology*, January 18, 2021, <https://doi.org/10.1093/aje/kwab007>.

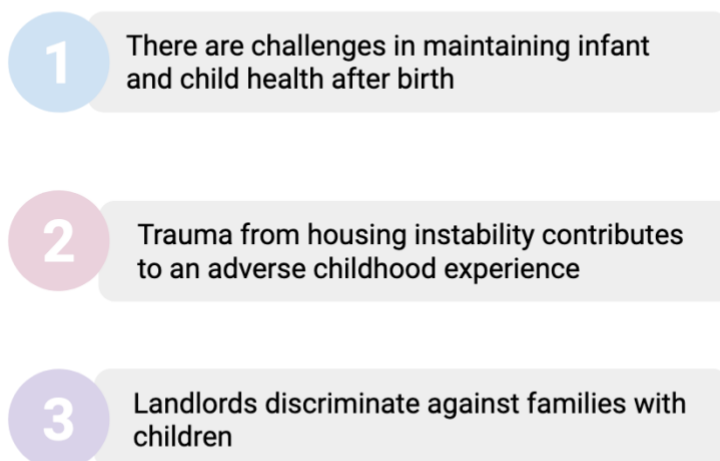
<sup>16</sup> Matthew Desmond and Carl Gershenson, "Who Gets Evicted? Assessing Individual, Neighborhood, and Network Factors," *Social Science Research* 62 (February 2017): pp. 362-377, <https://doi.org/10.1016/j.ssresearch.2016.08.017>.

<sup>17</sup> M. Desmond et al., "Evicting Children," *Social Forces* 92, no. 1 (May 17, 2013): pp. 303-327, <https://doi.org/10.1093/sf/sot047>.

<sup>18</sup> Matthew Desmond and Rachel Tolbert Kimbro, "Eviction's Fallout: Housing, Hardship, and Health," *Social Forces* 94, no. 1 (February 24, 2015): pp. 295-324, <https://doi.org/10.1093/sf/sov044>.

<sup>19</sup> Ashley C. Bradford and W. David Bradford, "The Effect of Evictions on Accidental Drug and Alcohol Mortality," *Health Services Research* 55, no. 1 (December 30, 2019): pp. 9-17, <https://doi.org/10.1111/1475-6773.13256>.

# The Cycle of Housing and Child Health



Interview subjects noted that child medical care is crucial after birth, and unstable housing can contribute to difficulties in managing child health during this time. Similar to housing instability during pregnancy, if a housing base is not established after birth it is extremely challenging to access necessary medical care and resources for the child's health. Additionally, trauma from evictions and housing instability during childhood can have strong detrimental effects on the child's development. One interview subject working in prevention services identified housing instability as an adverse childhood experience that requires screening and intervention. Further information from the San Francisco Department of Public Health demonstrates unhealthy living conditions such as mold and overcrowding negatively contribute to a child's health, by reducing educational achievement and increasing risk of behavioral health problems.<sup>20</sup>

Adding to this cycle of housing instability and health is the fact that families with children often find it difficult to obtain housing in the rental market. Multiple interview subjects noted how landlords discriminate against families with young children by rejecting their rental applications. Many tenants and landlords do not have clear information about protections for

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<sup>20</sup> Karen Cohn and Haroon Ahmad, "Promoting Housing Security and Healthy Homes for Families Served by Maternal, Child and Adolescent Health Programs" (San Francisco, CA: San Francisco Department of Public Health, 2017), pp. 1-70.

family status, and as such families are often overlooked. There are generally few repercussions if landlords refuse to rent to families or pregnant people. Considering that a record of previous evictions renders it much more difficult to secure housing, struggling families living through housing instability therefore face huge barriers in accessing stable housing. Evictions and housing instability trap families into a cycle of housing instability and poor health, which can have devastating impacts on childhood development and well-being.

### **III. Inequities in Evictions**

#### **Context**

Risk of evictions and severe housing instability vary based on race, disability status and other demographic factors. This finding is confirmed in research on the relationship between race and eviction; a study of eviction filings between 2012 and 2016 found that eviction filing rates were highest among Black renters.<sup>21</sup> Women of color may be particularly vulnerable to eviction. One study noted that Black and Latinx women have a higher risk of eviction compared to Black and Latinx men.<sup>22</sup> These inequities are compounded by socioeconomic factors; low-income renters and renters with less education also face higher rates of eviction, which interacts with systemic inequalities in socioeconomic status based on race.<sup>23</sup> Tenants with disabilities are additionally impacted, as renters with a disability are more likely to be very low-income and therefore at higher risk for evictions.<sup>24</sup> All sections of this report should therefore be viewed through the lens of systemic inequality and racism: any effect of housing instability on preterm births or family health is experienced at higher rates among women of color and women with a disability.

#### **Interview Findings**

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<sup>21</sup> Peter Hepburn, Renee Louis, and Matthew Desmond, "Racial and Gender Disparities among Evicted Americans," *Sociological Science*, December 16, 2020, <https://sociologicalscience.com/articles-v7-27-649/>.

<sup>22</sup> Ibid.

<sup>23</sup> Paul M. Ong, "Systemic Racial Inequality and the COVID-19 Renter Crisis" (Los Angeles, CA: UCLA Luskin Institute on Inequality and Democracy, 2020), pp. 1-17.

<sup>24</sup> Megan Julia, "Eviction's Long Reach," *The Week* (The Week, October 18, 2020), <https://theweek.com/articles/942015/evictions-long-reach>.

Inequities in the experience of evictions was a common theme throughout the interview process. Interview subjects stressed three main ideas concerning inequities: the disproportionate effects of housing instability based on race, the impact on the undocumented community, and the experience of disability status in evictions.

## Inequities in Evictions

1

There are disproportionate impacts of housing instability based on race

2

The undocumented community faces particular challenges in maintaining housing

3

Disability status affects the relationship between housing and health

Many interview subjects underlined how women of color are at higher risk of evictions and housing instability compared to white women. Black women and Latinx women were identified as being particularly vulnerable to these disparities. Additionally, a greater percentage of women of color are low-income or live below the poverty line compared to white women, which increases the potential for housing instability and evictions.<sup>25</sup> It was made clear how systemic racism affects all aspects of housing and health. Trauma from racism impacts health, which combined with trauma from housing instability can result in significant health disparities. Pregnant women of color are therefore at heightened risk of health consequences and adverse birth outcomes stemming from eviction and housing instability. These effects are compounded with inequities in maternal health and birth outcomes based on race, especially in regards to

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<sup>25</sup>Diana Boesch and Robin Bleiweis, "The Basic Facts About Women in Poverty," Center for American Progress, August 3, 2020, <https://www.americanprogress.org/issues/women/reports/2020/08/03/488536/basic-facts-women-poverty/>.



Black maternal health disparities. Black women experience risk of dying from pregnancy complications at nearly three times the rate of white women,<sup>26</sup> and the infant mortality rate is also highest for Black infants.<sup>27</sup> Disproportionate outcomes in housing instability and prenatal health interact, thus resulting in large disparities in birth outcomes for women of color. It was stressed that one cannot understand the link between housing and health without considering how women of color are at greater risk for any negative health outcomes caused by housing instability.

Interview subjects also highlighted the challenges experienced by the undocumented community in regards to housing and health. Many undocumented renters maintain informal lease agreements. If any conflict arises that could result in eviction, undocumented renters may lack legal protections or accommodations that could assist during the evictions process. One provider who works directly with this population noted that without a formal lease agreement, tenants are at risk for infeasible requests from landlords. For example, families may be evicted without reason at a moment's notice, or told they need to pay a large sum of their rent immediately. It may also be difficult for undocumented tenants to locate resources, due to language barriers or agencies that do not accommodate undocumented clients. One interview subject noted that because of this, there is a high level of fear among the undocumented population in this current moment. Undocumented pregnant women are therefore extremely vulnerable to adverse birth outcomes. The lack of resources and support for this population renders it very difficult to maintain health in the event of eviction or housing instability.

Renters with a disability may also face difficulties in obtaining and maintaining stable housing. The Americans with Disabilities Act prohibits discrimination based on disability status and requires landlords to provide reasonable accommodations for tenants,<sup>28</sup> however there are differences in how the law is implemented. Interview subjects who work with this population noted how renters with disabilities may be unable to support their right to receive accommodations. Even if tenants have grounds to challenge an eviction filing in court because of

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<sup>26</sup>The White House Briefing Room, "A Proclamation on Black Maternal Health Week, 2021," A Proclamation on Black Maternal Health Week, 2021 § (2021).

<sup>27</sup> T.J. Matthews, Marian F. MacDorman, and Marie E. Thoma, "Infant Mortality Statistics From the 2013 Period Linked Birth/Infant Death Data Set," *National Vital Statistics Reports* 64, no. 9 (August 6, 2015): p. 130, [https://doi.org/https://www.cdc.gov/nchs/data/nvsr/nvsr64/nvsr64\\_09.pdf](https://doi.org/https://www.cdc.gov/nchs/data/nvsr/nvsr64/nvsr64_09.pdf).

<sup>28</sup> "Disability Overview," Disability Overview | HUD.gov / U.S. Department of Housing and Urban Development (HUD) (HUD), accessed May 7, 2021, [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opportunity/disability\\_overview](https://www.hud.gov/program_offices/fair_housing_equal_opportunity/disability_overview).

disability discrimination, many tenants lack the time or resources to obtain legal counsel and undergo the trial process. Frequently, tenants will agree to leave in order to avoid the difficulty of court hearings though they have legal standing to challenge the eviction filing. Interview subjects cited anecdotal evidence of how landlords know tenants with disabilities often lack advocates, and they can therefore take advantage of that population without facing repercussions.

Though women in general are at greater risk of evictions, these dynamics vary based on race, income, disability status and other identities. Compounding factors of race, health and housing instability result in women of color and low-income women experiencing a higher risk of evictions as well as health impacts from evictions. Undocumented women and women with disabilities were also identified as being vulnerable to evictions and negative health outcomes during the interview process. This dynamic is also present when considering prenatal and infant health. Health impacts from eviction that affect preterm births, i.e. stress, unsafe housing, and difficulty accessing medical care would all be more pronounced among groups at higher risk of eviction. These disparities must be considered when examining the intersection of housing and health, in order to equitably protect women's health and infant health.

#### **IV. COVID-19 Impact**

##### **Context**

The COVID-19 pandemic has had significant consequences on the precarious relationship of housing and health. From a health standpoint, it has added another layer of danger to housing instability, as evictions and crowded living situations raise the risk of contracting COVID-19. A study on the effect of eviction moratoriums found that legislation placing limitations on evictions reduced the number of COVID infections by 3.8%, and deaths by 11%.<sup>29</sup> In areas where eviction restrictions are not implemented, the population is at higher risk of contracting COVID-19. The pandemic has also exacerbated existing socioeconomic and racial inequalities, as Latinx and Black Americans are approximately 3x more likely to be infected with

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<sup>29</sup> Kay Jowers et al., "Housing Precarity & the COVID-19 Pandemic: Impacts of Utility Disconnection and Eviction Moratoria on Infections and Deaths Across US Counties," *National Bureau of Economic Research*, January 2021, <https://doi.org/10.3386/w28394>.

COVID-19 than white Americans.<sup>30</sup> Additionally, counties with higher levels of income inequality experience higher rates of COVID-19 infections.<sup>31</sup>

The effect of COVID-19 infection among pregnant women on health outcomes is still being studied, though preliminary research suggests a negative relationship. Observational data on birth outcomes indicates that mothers infected with COVID-19 are at a higher risk of preterm birth, preeclampsia, and low birth weight.<sup>32</sup> In general, COVID-19 has caused heightened levels of health risk among the population, as well as worsened health disparities by racial demographic. Research indicates that policies to increase housing stability and reduce evictions may provide some level of protection against these health impacts.

### Interview Findings

The interview process highlighted the impact that the pandemic has had on housing instability and health. Two main themes emerged: the amplified effects on existing inequalities, as well as difficulty in accessing housing protections and resources made available during the pandemic.

## COVID-19 Impact

1

COVID-19 has worsened existing inequalities

2

There is difficulty in accessing resources made available during the pandemic

<sup>30</sup> Marc H. Morial and Teresa Candori, “State of Black America Unmasked” (New York, NY: National Urban League, 2020), pp. 1-20.

<sup>31</sup> Mary Van Beusekom, “Race, Income Inequality Fuel COVID Disparities in US Counties,” CIDRAP (University of Minnesota, January 20, 2021), <https://www.cidrap.umn.edu/news-perspective/2021/01/race-income-inequality-fuel-covid-disparities-us-counties>.

<sup>32</sup> Shu Qin Wei et al., “The Impact of COVID-19 on Pregnancy Outcomes: a Systematic Review and Meta-Analysis,” *CMAJ* 193, no. 16 (April 19, 2021): pp. 540-548, <https://doi.org/10.1503/cmaj.202604>.

Many interview subjects expressed how the COVID-19 pandemic has worsened existing socioeconomic inequalities in the Bay Area. The pandemic was described by one subject as “a crisis on top of a crisis”. Unemployment increased greatly during the pandemic, and low-income families who had struggled before to pay rent and put food on the table now face greater challenges and financial distress. Interview subjects noted how renters may be less able to find new housing, whether due to unemployment or concerns about moving during a pandemic. Families may be more likely to tolerate unsafe or unhealthy living conditions, thereby impacting mental and physical health. Anecdotally, interview respondents who work with housing unstable clients have noticed higher levels of stress and depression among the population, which can negatively affect health outcomes. Groups at higher risk of evictions including families with children and pregnant women have thus become even more vulnerable to severe health impacts due to housing instability during this time.

Another theme present during the interview process was the difficulty in maintaining housing during the pandemic. One interview subject who works in advocacy explained how COVID-19 has exposed “tenant precarity”, or the flaws in our housing system that leave tenants with very few rights. Though state and federal governments have enacted eviction moratoriums due to the pandemic, in practice landlords can exploit loopholes to evict tenants. For example, families may be evicted for minimal lease violations or small misunderstandings. One provider who works with families shared a story of how a family was evicted for not taking the trash out properly. In many cases, landlords have an incentive to evict tenants through other means if they cannot do so because of COVID-related nonpayment. In addition, though other landlords are following moratorium rules, renters are still required to pay at least 25% of their rent to maintain their housing per SB-91, the state of California’s COVID relief law.<sup>33</sup> Tenants may be unable to pay that 25% due to unemployment, or they accumulate a massive amount of debt that will need to be repaid when protections expire. The fallout from financial stress and legal loopholes imply that tenants and families are not always protected from evictions, and may be experiencing even greater distress during this time.

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<sup>33</sup> Consumer Services and Housing Agency Business, “COVID-19 Tenant Relief Act,” BCSH (State of California Business, Consumer Services and Housing Agency, 2021), <https://www.bcsb.ca.gov/covidrelief/>.

In general, interview subjects indicated that the pandemic has made this an even more stressful moment for housing and health. Staying housed is critical to protect family health, whether from COVID-19 or other health problems. Therefore pregnant women, especially pregnant women of color and low-income pregnant women are at heightened risk of health impacts and adverse birth outcomes from housing instability during this time. Intervention is all the more critical to protect infant and maternal health.

"Housing and health go hand in hand. If people are well, if they are housed and have their basic needs met, then they have a base where they can maintain health. If you are evicted or are being displaced, your day to day is involved with trying to find shelter, regardless of any health conditions. If you don't have any stable place to be able to ground yourself, you are always in transition."  
- City Service Provider



"Greater housing stability is greater resiliency, it is health."  
- Coalition Leader

"Homelessness is a traumatic experience. Keeping people housed is a basic barrier to all of the floodgates of other issues including mental health and physical health."  
- Nonprofit Employee



"Homeless or inadequately housed people are always considered higher risk due to the stress of not being housed. They aren't able to eat as healthy, there is a risk of violence or abuse, or not being in a safe place. We always see that pregnant moms who are homeless or inadequately housed have higher potential for preterm births."  
- Medical Provider

## Policy Solutions: Summary

Identifying effective policy solutions to avoid evictions and protect maternal and infant health was a crucial objective during the interview process. Interview subjects who work directly with the affected population or have personal experience with housing instability are able to provide perspectives on which solutions are most impactful and should be expanded in the Bay Area. Recommended solutions can be divided into three categories: affordable housing solutions, increased legal protections, and administrative process improvements.

### Provide Affordable Housing

- Increase the supply of affordable housing units.
  - Provide funding to construct more units.
  - Allocate more Section 8 Housing Vouchers tied to units.
- Expand the pool of funding for rental assistance.
- Forgive rental debt accumulated during the pandemic.

### Enhance Legal Protections

- Enforce existing protections.
  - Designate a hotline to report bad actors.
  - Establish an Oversight Board to review instances of discrimination.
- Provide better education of tenant rights for tenants and landlords.
- Expand Right to Counsel laws outside of San Francisco.

### Reduce the Administrative Burden

- Create a centralized set of resources: one website or phone number to contact.
- Hire more bilingual staff and navigators to assist potential clients.
- Allow for more flexibility regarding documentation and eligibility rules.

## I. Affordable Housing

### Context

An initial step in reducing the overall health impacts of housing instability is to increase the number of safe and affordable housing options for residents. The San Francisco Bay Area is one of the most expensive housing markets in the world; the average two-bedroom apartment rents for \$2,720 in the San Francisco metro area,<sup>34</sup> and \$2,661 in Oakland.<sup>35</sup> Considering that approximately half of all Bay Area residents are classified as low-income (50-80% AMI) or very low income (under 50% AMI), many families and individuals face extreme rent burdens that affect their health and quality of life.<sup>36</sup> Thus, Bay Area policy advocates have identified the need for more diverse and long-lasting affordable housing solutions to keep people housed and avoid the health impacts of housing instability and evictions.

There are multiple strategies to implement affordable housing policies. One option is to increase the supply of affordable units, and provide incentives for developers to keep units below market price. Inclusionary zoning is a planning design that requires a certain number of affordable units to be built in new project developments. Incentives can be provided to builders such as fewer height or density restrictions in order to increase the overall supply of affordable units.<sup>37</sup> Another effective policy is to implement rental assistance programs, which provide emergency cash assistance to eligible renters based on income. The U.S. Department of the Treasury recently allocated \$25 billion in rental assistance as part of the December 2020 COVID Relief Act.<sup>38</sup> Housing vouchers are an additional policy to administer rent relief; HUD provides funding to local housing agencies to distribute vouchers to elderly, very low-income and/or

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<sup>34</sup> “San Francisco Fair Market Rent FY 2020 San Francisco, CA HUD Metro FMR Area Rental Data,” 2020 Fair Market Rent in San Francisco | RentData.org, accessed May 7, 2021, <https://www.rentdata.org/san-francisco-ca-hud-metro-fmr-area/2020>.

<sup>35</sup> “Oakland, CA Rental Market Trends,” Apartments for rent – RENTCafé, accessed May 7, 2021, <https://www.rentcafe.com/average-rent-market-trends/us/ca/oakland/>.

<sup>36</sup> “Who Is Low-Income and Very Low Income in the Bay Area?: Bay Area Equity Atlas,” Bay Area Equity Atlas, September 21, 2020, <https://bayareaequityatlas.org/node/60841>.

<sup>37</sup> “Inclusionary Zoning,” Local Housing Solutions (NYU Furman Center, 2021), <https://www.localhousingolutions.org/act/housing-policy-library/inclusionary-zoning-overview/inclusionary-zoning/>.

<sup>38</sup> Claudia Aiken et al., “Learning from Emergency Rental Assistance Programs: Lessons from Fifteen Case Studies” (New York, NY: National Low Income Housing Coalition, 2021), pp. 1-19.

disabled tenants.<sup>39</sup> Renters then pay the difference between the actual market rent and the subsidy amount specified in the housing voucher.<sup>40</sup> Rental relief in the form of vouchers has been shown to have a strong effect on reducing the number of unhoused families and families in shelters.<sup>41</sup> A range of housing policy solutions should therefore be implemented to provide comprehensive options for families in need of stable housing.

## Interview Findings

Interview subjects identified increased affordable housing solutions as a necessary step in reducing the number of evictions and keeping families housed. The most common solutions raised during the interview process were increased rental assistance, rental debt relief from previous eviction moratoriums, and greater supply of affordable housing units. Investments in temporary shelters were also mentioned as a positive step.

# Affordable Housing Solutions

**Provide funding for affordable housing units**

**Expand rental assistance programs**

**Forgive rental debt accumulated during the pandemic**

Rental assistance was most frequently identified by interview subjects as a solution to reducing housing instability and evictions. Interviewees recommended a dedicated funding stream for rental assistance in local and state governments, rather than a one-time lump sum. Additionally, rental assistance should be available as a preventative measure, by supplementing

<sup>39</sup> “Housing Choice Voucher Program Section 8,” Housing Choice Voucher Program Section 8 | HUD.gov / U.S. Department of Housing and Urban Development (HUD), accessed May 7, 2021, [https://www.hud.gov/topics/housing\\_choice\\_voucher\\_program\\_section\\_8](https://www.hud.gov/topics/housing_choice_voucher_program_section_8).

<sup>40</sup> Ibid.

<sup>41</sup> Will Fischer, “Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-Term Gains Among Children,” Center on Budget and Policy Priorities, October 7, 2015, [https://www.cbpp.org/research/housing/research-shows-housing-vouchers-reduce-hardship-and-provide-platform-for-long-term#\\_ftn2](https://www.cbpp.org/research/housing/research-shows-housing-vouchers-reduce-hardship-and-provide-platform-for-long-term#_ftn2).



income before the eviction is filed. One provider noted that in some cases, rental assistance is only available once eviction is filed or a person becomes homeless. Having a dedicated rental assistance fund available to low-income renters before an extreme housing crisis would prevent some of the stress involved in the process. Rental assistance is also impactful as a temporary solution: in a survey of Bay Area housing instability or unhoused residents, 78% stated that they would have needed assistance for a year or less in order to stay housed.<sup>42</sup> Rental assistance has been made more available from COVID-19 relief packages, including the 2020 CARES Act.<sup>43</sup> However, once municipalities transition into post-pandemic life, streams of funding for rental assistance will still be needed to ensure housing affordability and prevent homelessness.

Another policy solution that many interview subjects suggested is rental debt forgiveness from COVID-19 eviction moratoriums. State-implemented moratoriums require renters provide 25% of their rent to avoid eviction, however the back rent will need to be paid once protections expire.<sup>44</sup> One provider noted that this is a large source of stress for people already struggling financially, as they could be thousands of dollars in debt once landlords are able to start collecting full rent once again. This debt may result in an eviction down the line, as well as affect the renter's credit reports in the future. The state of California has implemented some rental debt forgiveness through SB-91, in which the state will pay up to 80% of a renter's debt if the landlord agrees to pay the other 20%. However, there are concerns that this law puts too much power in the hands of the landlords, who can agree not to take the deal.<sup>45</sup> Expanded rental debt forgiveness that provides renters with more agency would be beneficial in reducing stress and avoiding future evictions and debt for renters.

Housing affordability can also be implemented by increasing the supply of affordable housing units through more construction and incentives for developers. Senate bill 9 was

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<sup>42</sup> Jennifer Friedenbach et al., et al. "Stop the Revolving Door: A Street Level Framework for a New System." (San Francisco, CA: Coalition on Homelessness, 2020.) <https://www.cohsf.org/wp-content/uploads/2020/11/Stop-the-Revolving-1.pdf>.

<sup>43</sup> "Update on the U.S. Treasury Emergency Rental Assistance Programs," City and County of San Francisco, April 7, 2021, <https://sf.gov/information/update-us-treasury-emergency-rental-assistance-programs>.

<sup>44</sup> "Governor Newsom Signs Statewide COVID-19 Tenant and Landlord Protection Legislation," Office of the Governor of California, September 1, 2020, <https://www.gov.ca.gov/2020/08/31/governor-newsom-signs-statewide-covid-19-tenant-and-landlord-protection-legislation/>.

<sup>45</sup> Adam Beam, "California Measure Aims to Pay off 80% of Most Unpaid Rent," AP NEWS (Associated Press, January 26, 2021), <https://apnews.com/article/legislature-coronavirus-pandemic-california-gavin-newsom-state-legislature-7180696ef98110ed0ec80b932a2d24d3>.

identified as a positive solution to constructing more units classified as affordable housing, as it would create more duplexes and subdivide existing lots.<sup>46</sup> Adding to the supply in the market will be helpful in providing more options for families needing to find an affordable place to live. Increasing the number of Section 8 housing vouchers is also an option to increase the supply of affordable housing. However, some interview subjects noted that landlords may be less likely to rent to tenants holding Section 8 vouchers. Attaching the voucher to an existing unit rather than allocating it to a person would increase the supply of affordable units while avoiding some level of discrimination against low-income tenants.

Lastly, increasing the number of shelters and transitional housing options was mentioned as a temporary solution to housing instability. While shelters are generally not a long-term solution for stable housing, in crisis situations it is crucial to have enough room availability for residents and families. One interview subject discussed how policymakers need to rethink what shelter can look like; rather than having a number of beds in one large room, families can stay in individual rooms to have a more comfortable experience. The city of San Francisco has made thousands of hotel rooms available to people experiencing homelessness as part of the Project Roomkey Shelter In Place Hotel Program.<sup>47</sup> Along these lines, hotel-style shelters can be expanded to accommodate more residents experiencing acute housing instability after the pandemic. Expanding shelter availability to the same day for any pregnant person or family would also reduce the number of families on the street. Funding should thus be made available to expand the number of temporary shelters in extreme situations. The objective would be to provide short-term housing in order to keep families off the street, then increase options to maintain stable housing long-term.

## **II. Legal Protections**

### **Context**

Legal protections for tenants based on familial status are established through the Federal Fair Housing Act (FHA). Landlords are prohibited from discriminating against a person if they

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<sup>46</sup> “Bill Text - SB-8 Housing Crisis Act of 2019,” California Legislature, May 3, 2021, [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=20210220SB8](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=20210220SB8).

<sup>47</sup> “San Francisco's COVID-19 Response,” SF Department of Homelessness and Supportive Housing, April 26, 2021, <https://hsh.sfgov.org/covid-19/>.

have children or they are pregnant, meaning they cannot refuse to rent to a family if children are present or one member is pregnant.<sup>48</sup> However in practice, discrimination based on familial status is still existent. An audit from 2009 measuring familial status discrimination in rental applications found families with children faced discrimination in 7 out of 10 housing searches.<sup>49</sup> Families are not always protected from evictions. In California, a landlord must file an eviction through the court due to nonpayment of rent or other violations of the lease agreement. Landlords are prohibited from evicting based on a protected identity, i.e. due to a tenant's race, religion, gender, national origin, familial status and/or disability status.<sup>50</sup> The Fair Housing Amendments Act (FHAA) and the Americans with Disabilities Act (ADA) also require landlords to provide "reasonable accommodations" in housing based on disability status. This could include allowing late payment of rent, or more time vacating the property in the case of eviction.<sup>51</sup> Though tenants are not required to disclose the nature of their disability when requesting reasonable accommodations, it is important to note that pregnancy is not considered a disability under the ADA.<sup>52</sup>

Additional eviction protections have been implemented in the United States and California due to the COVID-19 pandemic. The state of California enacted AB-3088 in August 2020, which prohibited evictions due to nonpayment of rent between March and August 2020. The law also prohibited these evictions between September 2020 and January 2021, provided that tenants pay at least 25% of their rent each month. California then passed SB-91 in January 2021, which provides funds for rental assistance, as well as extends the 25% rent provision until June 30th, 2021.<sup>53</sup> Eviction moratoriums have proved to be positive solutions in both reducing

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<sup>48</sup> Beth Dillman, "Who's Protected Against Familial Status Discrimination?," [www.nolo.com](https://www.nolo.com/legal-encyclopedia/whos-protected-against-familial-status-discrimination.html) (Nolo, January 28, 2021), <https://www.nolo.com/legal-encyclopedia/whos-protected-against-familial-status-discrimination.html>.

<sup>49</sup> M. Desmond et al., "Evicting Children," *Social Forces* 92, no. 1 (May 17, 2013): pp. 303-327, <https://doi.org/10.1093/sf/sot047>.

<sup>50</sup> Beth Dillman, "Tenant Defenses to Evictions in California," [www.nolo.com](https://www.nolo.com/legal-encyclopedia/tenant-defenses-evictions-california.html) (Nolo, May 8, 2018), <https://www.nolo.com/legal-encyclopedia/tenant-defenses-evictions-california.html>.

<sup>51</sup> Kara Brodfuehrer, "Using Reasonable Accommodations to Prevent the Eviction of Elderly Tenants with Disabilities" (Washington, DC: National Housing Law Project, 2019), pp. 1-6.

<sup>52</sup> "Fact Sheet for Small Businesses: Pregnancy Discrimination," Fact Sheet for Small Businesses: Pregnancy Discrimination (U.S. Equal Employment Opportunity Commission), accessed May 7, 2021, <https://www.eeoc.gov/laws/guidance/fact-sheet-small-businesses-pregnancy-discrimination>.

<sup>53</sup> "Eviction Moratorium and Rental Assistance Update: SB 91 Enacts Changes for Landlords and Tenants," Meyers Nave, February 12, 2021, <https://www.meyersnave.com/eviction-moratorium-and-rental-assistance-update-sb-91-enacts-changes-for-landlords-and-tenants/>.

the spread of COVID-19,<sup>54</sup> as well as reducing food insecurity and improving reported household well-being.<sup>55</sup>

### Interview Findings

Interview subjects noted that COVID-19 eviction moratoriums were beneficial policies enacted by the state of California. Policy solutions to strengthen legal protections emphasized during the interview process were better enforcement and education of existing protections, as well as expansion of right to legal counsel laws during evictions.

## Enhancing Legal Protections

**Enforce existing protections**

**Educate residents on tenant rights**

**Expand Right to Counsel legislation**

Multiple interview subjects identified the need for better enforcement of existing protections as a potential policy solution. Though COVID-19 eviction moratoriums have been in place since August, many landlords are not complying with these laws. Interview subjects noted that some landlords have been blatantly ignoring the protections and evicting tenants regardless of the laws. In other cases landlords implement informal evictions by turning off the water and gas, rendering it impossible to live comfortably in the unit. In order to enforce these laws, one interview subject suggested a hotline staffed by city officials that tenants can call to report landlords violating these rules. An additional option would be to implement a fine for landlords

<sup>54</sup> Kathryn M. Leifheit et al., “Expiring Eviction Moratoriums and COVID-19 Incidence and Mortality,” *SSRN Electronic Journal*, November 30, 2020, <https://doi.org/10.2139/ssrn.3739576>.

<sup>55</sup> Xudong An, Stuart A. Gabriel, and Nitzan Tzur-Ilan, “More Than Shelter: The Effects of Rental Eviction Moratoria on Household Well-Being,” *SSRN Electronic Journal*, March 29, 2021, <https://doi.org/10.2139/ssrn.3801217>.

violating eviction moratoriums. Better education for existing rights and protections was additionally cited as a necessary step in enforcing legal protections. One provider noted that in many cases, landlords are not educated on current disability laws, and therefore may file for eviction or not provide reasonable accommodations in situations where ADA protections would apply. An option would be to provide streamlined information about existing protections, through a website or a pamphlet. Another suggestion provided would be to establish an oversight committee to review instances of discrimination (in terms of race, disability status or other protected identities) and inform tenants of their rights.

Interview subjects also suggested the expansion of Right to Counsel laws. San Francisco is one of the few cities in California that includes a right to counsel, which provides a free attorney for any tenant given an eviction notice.<sup>56</sup> Research on the impact of Right to Counsel indicates that it can reduce the number of evictions by 29% in zip codes where the law is implemented.<sup>57</sup> Multiple interviewees suggested that Right to Counsel be expanded across the state of California, which would provide more resources to tenants and reduce the number of evictions filed in California. Considering legal representation as a right available to all tenants would go far in bolstering protections and fortifying tenant rights.

Though some protections exist, in actuality pregnant women do not have many resources available outside of the Right to Counsel (if they live in San Francisco), or if they have additional disabilities beyond pregnancy through ADA accommodations. Classifying pregnancy as a disability under the ADA was not mentioned during the interview process as a solution, but it could be a potential step in providing more pregnant women with protections. More research is needed to determine the feasibility of this solution. Another problem to consider is that existing protections are not always enforced. Providing pregnant women with more protections may be beneficial, though if these protections are not enforced, their impact would be reduced. Lastly, it is important to highlight that the state of California faces an upcoming crisis when COVID-19 eviction moratoriums expire at the end of June. Many families are accumulating a large debt from unpaid rent, which may or may not be forgiven. More families will end up evicted or

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<sup>56</sup> "Tenant Right to Counsel," Eviction Defense Collaborative, July 9, 2019, <https://evictiondefense.org/services/right-to-counsel/>.

<sup>57</sup> Jared Brey, "Housing in Brief: Evictions Down Under Right to Counsel Laws in New York and San Francisco," Next City, February 28, 2020, <https://nextcity.org/daily/entry/housing-in-brief-evictions-down-under-right-to-counsel-laws-in-ny-and-sf>.

homeless if moratoriums are not extended, or additional assistance is not provided. Eviction moratoriums have proven to be beneficial in reducing evictions and improving tenant well-being when enforced; the state of California must consider if and how moratoriums can be successfully implemented in the post-pandemic future.

### **III. Receiving Assistance: Administrative Process Improvements**

#### **Context**

In order to receive rental or housing assistance, families have a few points of contact in the city of San Francisco. They are able to contact the Family Coordinated Entry Access Points, where their eligibility will be determined and they can be connected to housing support or rental assistance.<sup>58</sup> Outside agencies also provide some rental relief, including the Salvation Army, Catholic Charities, and the AIDS Emergency Fund.<sup>59</sup> Demand is very high, therefore not all tenants in need will receive funding. East Bay residents have different options depending on their county and city of residence. For example, Contra Costa County does not run its own rental assistance program, though the city of Oakland has a program as does Alameda County.<sup>60</sup> Any California resident is also able to apply for rent relief through the Housing is Key program, established by the COVID-19 Tenant Relief Act.<sup>61</sup> In general, rental assistance is available through various channels, though there are different eligibility requirements depending on location, and it is unclear how many people in need are able to receive adequate assistance in the Bay Area.

#### **Interview Findings**

During the interview process, interview subjects touched on the administrative process, emphasizing the amount of red tape and the difficulty navigating available resources throughout

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<sup>58</sup> "Housing Assistance," SF Department of Homelessness and Supportive Housing, accessed May 7, 2021, <https://hsh.sfgov.org/services/how-to-get-services/referrals-and-housing-assistance/>.

<sup>59</sup> Get Assistance Paying Rent in San Francisco., "Rental assistance in the City of San Francisco, accessed May 7, 2021, [https://www.needhelppayingbills.com/html/san\\_francisco\\_rental\\_assistanc.html](https://www.needhelppayingbills.com/html/san_francisco_rental_assistanc.html).

<sup>60</sup> Ibid.

<sup>61</sup> State of California, "Program Overview - Housing Is Key," Housing is Key (BCSH, 2021), [https://housing.ca.gov/covid\\_rr/program\\_overview.html#renter](https://housing.ca.gov/covid_rr/program_overview.html#renter).

the Bay Area. Policy solutions suggested included hiring more navigators to help clients through the rental or shelter assistance process, as well as a centralized set of resources applicable to all Bay Area residents.

## **Reducing the Administrative Burden**

**Hire navigators to guide tenants through city services**

**Create a centralized set of resources for all Bay Area tenants**

**Provide flexibility in eligibility and documentation**

Multiple interview subjects described the complicated nature of receiving rental or income assistance through city or local agencies. One provider noted that when they tried to connect clients to resources, it was difficult to reach a social worker or another city employee able to help. A potential client will frequently reach a dead end on the phone, with no one available to follow up. Additionally, Bay Area counties have different eligibility requirements to receive assistance, and for people who live and work in different counties it can be difficult to understand the various rules and navigate the process.

Once people are able to access services, there is still a large amount of red tape to wade through in order to move through the system. Requiring clients to attend numerous meetings with disconnected agencies results in a greater burden on people trying to receive assistance. The main feedback from people who have received supportive services is they do not want to be a case, they would like to access what they need and then move forward with their lives. People are unable and unwilling to attend unnecessary meetings. It is important to move people through the system faster, and make clear what steps they need to take in order to receive services.

To address these problems, it was suggested that Bay Area counties hire navigators to direct clients through the assistance process. A navigator would walk potential clients through every step of the process, as well as follow up with clients to ensure they were able to receive

assistance. Additionally, a centralized set of resources available to all Bay Area residents would help reduce the confusion in determining eligibility based on their county of residence. This could include a single phone number or website to contact, where one could get in touch with navigators to assist potential clients.

Other methods of reducing the administrative burden of receiving assistance were suggested in a study analyzing best practices from Emergency Rental Assistance programs across multiple U.S. cities. Solutions included increasing tenant take-up by allowing more flexibility on required documentation, as well as hiring more staff (especially bilingual staff) to assist clients. The study also described frustrations among program assistants and clients regarding the confusing eligibility guidelines. In order to address this issue, it was suggested that local and state governments streamline their rules to provide more clarity and consistency. Additionally, rental assistance agencies can relax their eligibility requirements, thus allowing more people to receive assistance and eliminating some of the confusion.<sup>62</sup> In general, more staffing and more clarity regarding eligibility rules would be beneficial when providing rental assistance.

"There were so many committees I had to meet with. I had more meetings with community partners than I did at my regular job. There were meetings every day with supervisors, the planning committee... so many departments that were not connected."  
- Community Member on receiving rental assistance



"We have to be really careful about our systems and how they're resourced... When resources are limited we rely on prioritization, and that becomes a situation where you have to meet 10 different boxes on why you need to access a service that should be widely available."  
- Policy Director

<sup>62</sup> Claudia Aiken et al., "Learning from Emergency Rental Assistance Programs: Lessons from Fifteen Case Studies" (New York, NY: National Low Income Housing Coalition, 2021), pp. 1-19.



## Housing Families and Protecting Pregnant Women: A Policy Roadmap

A diverse array of policies is needed to provide housing for families and alleviate the health impacts of housing instability. Funding for Bay Area solutions may come through different tax and revenue streams, most notably through Proposition C passed in San Francisco, which allocates roughly \$300 million per year to address housing and homelessness.<sup>63</sup> This section examines different policy implementations to effectively house families and pregnant women.

### Metrics

It is difficult to quantify the exact number of housing unstable pregnant women and families in the Bay Area, though an approximate number can be estimated. The Point-in-Time count provides demographic information on the unhoused population, including familial status. The Federal definition of homelessness includes “individuals and families living in a supervised publicly or privately operated shelter, or those with a primary nighttime residence that is a public or private place not designed for regular sleeping accommodations such as cars, parks, abandoned buildings, bus or train stations, airport, or camping grounds”.<sup>64</sup> San Francisco and Alameda Counties are included in order to measure the Bay Area population; all figures were estimated in 2019.

	<b>San Francisco County</b>	<b>Alameda County</b>
<b>Unhoused Residents (total)</b>	8035	8022
<b>Unhoused Families</b>	208 households, 631 total persons <sup>65</sup>	170 households, 524 total persons <sup>66</sup>

As of 2019, 378 families and 1155 individuals within families were counted as homeless in San Francisco and Alameda Counties. The number of housing unstable families is likely larger, as

<sup>63</sup> Annika Hom, “\$492 Million in Prop. C Money Unlocked for SF’s Homeless,” Mission Local, September 29, 2020, <https://missionlocal.org/2020/09/prop-c-supreme-court/>.

<sup>64</sup> SF LHC and Applied Survey Research, “San Francisco Homeless Count and Survey Comprehensive Report” (San Francisco, CA: City and County of San Francisco, 2019), pp. 1-77.

<sup>65</sup> Ibid.

<sup>66</sup> EveryOne Home and Applied Survey Research, “Alameda County Homeless Count and Survey Comprehensive Report” (San Leandro, CA: EveryOne Counts!, 2019), pp. 1-87.

some may live in informal arrangements with family or friends, or other congregate living facilities.

The number of pregnant women facing housing instability can also be approximated. The California Department of Public Health provides data on characteristics of pregnant women through their Maternal and Infant Health Assessment Survey, which includes women who at some point during their pregnancy were homeless or did not have a place to sleep. From 2013-2014, the number of these women was estimated to be 300 in San Francisco,<sup>67</sup> and 600 in Alameda County.<sup>68</sup> More recent data is unavailable.

Examining eviction records would be another potential method of measuring housing instability by pregnancy status, though California eviction records are not as comprehensive as other states. This is due to AB-2891, a law that permanently masks all unlawful detainer actions unless the property owner filing for eviction is successful.<sup>69</sup> However, if these court records were provided for research purposes, one could match birth records and eviction records by maternal name and address to determine pregnancy status. This method was implemented in a study measuring the impact of eviction exposure on adverse birth outcomes in Georgia, a state that provides more complete public data.<sup>70</sup>

For the purposes of quantifying the size of the affected population in this report, the number of housing unstable families in need of assistance in San Francisco and Alameda Counties is estimated to be **378**,<sup>71</sup> and the number of housing unstable pregnant women in need of assistance is estimated to be **900**.<sup>72</sup> It is important to note that these numbers are presumably lower than the real numbers, as some people may be in informal arrangements with family and friends and therefore not counted as officially unhoused. Certain policies listed in this section

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<sup>67</sup>“MIHA Data Snapshot, San Francisco County, 2013-2014,” *MIHA Data Snapshot, San Francisco County, 2013-2014* (Sacramento, CA: California Department of Public Health, 2014).

<sup>68</sup>“MIHA Data Snapshot, Alameda County, 2013-2014,” *MIHA Data Snapshot, Alameda County, 2013-2014* (Sacramento, CA: California Department of Public Health, 2014).

<sup>69</sup>“AB-2819 Unlawful Detainer Proceedings,” California Legislative Information, November 22, 2016, [https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill\\_id=201520160AB2819&showamends=false](https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201520160AB2819&showamends=false).

<sup>70</sup>Gracie Himmelstein and Matthew Desmond, “Association of Eviction With Adverse Birth Outcomes Among Women in Georgia, 2000 to 2016,” *JAMA Pediatrics* 175, no. 5 (March 1, 2021): p. 494, <https://doi.org/10.1001/jamapediatrics.2020.6550>.

<sup>71</sup> There are 208 unhoused families in San Francisco County, and 170 in Alameda County per the Count-in-Time Data

<sup>72</sup> This number is based on the MIHA assessment data estimating 300 unhoused pregnant women in San Francisco County, and 600 in Alameda County.

can be targeted to pregnant women or families, such as rental assistance. Other policies would impact all unhoused or housing unstable residents.

## **Affordable Housing**

### *I. Units*

A high-level need for all Bay Area residents beyond families and pregnant women is more affordable housing units. There should be an influx of supply of affordable housing units to add to the Bay Area housing market. Specific unit and funding requirements were determined by the CASA Compact, or the Committee to House the Bay Area, which put forward a 15-year plan to supply adequate housing for Bay Area residents.<sup>73</sup>

#### **Objective: Build 35,000 housing units/year**

Example Methods:

- Establish an expedited review process for new units.
- Provide financial incentives for developers to offset costs.
- Provide property tax increment abatement.
- Provide density bonuses.
- Increase the number of affordable housing permits.
- Repeal the Ellis Act, which allows landlords to evict tenants in order to “go out of business” and reduces the supply of units on the market.<sup>74</sup>

Funding Estimates:

- Current funding per the CASA proposal is \$1.5 billion per year. There is an additional \$1 billion per year needed to fully fund these policies noted in the CASA compact.<sup>75</sup>

### *II. Rental Assistance*

Rental assistance provides cash assistance to tenants and families, and can be targeted based on need.

#### **Objective: Provide rental assistance to housing unstable pregnant women and families**

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<sup>73</sup> Fred Blackwell, Leslye Corsiglia, and Michael Covarrubias, “CASA COMPACT: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area” (San Francisco, CA: CASA: The Committee to House the Bay Area, 2019), pp. 1-34.

<sup>74</sup> “Ellis Act Evictions,” sftu.org (San Francisco Tenants Union, February 2018), <https://sftu.org/ellis/>.

<sup>75</sup> CASA COMPACT: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area

#### Example Methods:

- Increase the pool of funding to assist all families in need of rental assistance.
- Pass SB-65 California “Mmnibus” Act, which provides a stipend to low-income pregnant women that can be used for housing.<sup>76</sup>
- Hire navigators to guide tenants through the rental assistance process.

#### Funding Estimates:

- The CASA Compact recommends a range of \$5,000-\$10,000 in rental assistance per family or individual.<sup>77</sup>
- The cumulative demand for rental assistance in the Bay Area was approximately \$42 million as of December 2020.<sup>78</sup>

### III. *Rental Debt Forgiveness*

Californians need cash assistance to pay back rental debt owed from COVID-19 Eviction Moratoriums.

**Objective: Provide monetary assistance to Bay Area residents experiencing rental debt**

#### Example Methods:

- Distribute cash to compensate residents for rental debt accumulated during the COVID-19 pandemic.
- Require a simple, one-time application process.
- Extend eviction moratoriums past June 30th, 2021 to avoid mass evictions before this debt is paid.

#### Funding Estimates:

- The average debt per household is approximately \$4,000 per household in Alameda County and San Francisco County.<sup>79</sup>

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<sup>76</sup>“Sen. Skinner Announces California 'Mmnibus' Act,” Senator Nancy Skinner, March 15, 2021, <https://sd09.senate.ca.gov/news/20210311-sen-skinner-announces-california-%E2%80%98mnibus%E2%80%99-act>.

<sup>77</sup> CASA COMPACT: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area

<sup>78</sup>Juan Carlos Lara, “SF Rental Assistance Program Is Slow, Cumbersome - and Forces Recipients to Pay Increased Future Rent, Activists Complain,” Mission Local, December 21, 2020, <https://missionlocal.org/2020/12/sf-rental-assistance-program-is-slow-cumbersome-and-forces-recipients-to-pay-increased-future-rent-activists-complain/>.

<sup>79</sup>“The Coming Wave: COVID-19 Evictions,” *The Coming Wave: COVID-19 Evictions* (San Francisco, CA: Bay Area Equity Atlas and PolicyLink, 2021).

- The cumulative estimated rental debt in Alameda County is \$175.4 million as of January 2021.<sup>80</sup> The cumulative estimated rental debt is \$131.8 million in San Francisco.<sup>81</sup>

#### IV. *Shelter*

Expanding shelter will provide adequate temporary housing for residents, to reduce the number of individuals on the street. Though most housing unstable families are sheltered (95%) versus unsheltered (5%) in the Bay Area,<sup>82</sup> demand outpaces supply for all unhoused individuals and there are approximately 1000 people on the waiting list to receive shelter services in San Francisco.<sup>83</sup> The *Our City, Our Home* coalition on Proposition C provides a comprehensive overview of new shelter needs.<sup>84</sup>

#### **Objective: Expand shelter opportunities to eliminate the shelter waiting list**

##### Example Methods:

- Build new shelter facilities and convert vacant structures to add 1000 new beds to the San Francisco shelter system.
- Expand shelter facilities in Alameda County to accommodate more individuals. Figures from 2018 estimate that there are 10 unsheltered individuals for every 1 shelter bed.<sup>85</sup>
- Increase the number of single-room shelters, converting hotels and similar building styles to accommodate families and provide a more comfortable shelter experience.

##### Funding Estimates:

- To provide enough shelter beds for San Francisco residents, \$30 million is needed per the *Our City, Our Home* planning commission.<sup>86</sup> A significant investment would also likely be necessary in Alameda County to expand shelter resources.

#### **Legal Protections**

##### *I. Right to Counsel*

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<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

<sup>82</sup> San Francisco Homeless Count and Survey Comprehensive Report

<sup>83</sup> "Proposition C - Our City, Our Home: Implementation Plan," Yes on Prop C San Francisco 2018 – Our City Our Home, 2018, [https://www.ourcityourhomesf.org/san\\_francisco\\_prop\\_c\\_2018\\_explained](https://www.ourcityourhomesf.org/san_francisco_prop_c_2018_explained).

<sup>84</sup> Ibid.

<sup>85</sup> Steven Brown et al., "Final Report and Recommendations on Homelessness in Alameda County, California" (Washington, DC: Urban Institute, 2018), pp. 1-43.

<sup>86</sup> Proposition C - Our City, Our Home: Implementation Plan

Providing all tenants with an attorney through Right to Counsel laws has been an effective method of reducing eviction rates. The law is in effect in San Francisco, and is also being implemented in Los Angeles and Santa Monica.<sup>87</sup>

**Objective: Fully fund the Right to Counsel program and expand outside of San Francisco**

Example Methods:

- Supply enough funding to the San Francisco Right to Counsel program in order to close the funding gap.
- Pass Right to Counsel laws outside of San Francisco.

Funding Estimates:

- As of 2020, San Francisco has allocated approximately \$10.55 million to fund the Right to Counsel program.<sup>88</sup> There is an additional \$3.25 million needed, as the program is currently underfunded.<sup>89</sup> Implementing this program in Alameda County would presumably require a similar dollar amount.
- However, cost-benefit analyses indicate that passing Right to Counsel laws saves money for jurisdictions in the future, by avoiding City and County-funded case management services for unhoused residents. An analysis of Right to Counsel in Los Angeles demonstrated that investing 47.3 million into the program would save the county 226.9 million overall.<sup>90</sup> Similar returns are likely in San Francisco and Alameda County.

## *II. Enforcement and Education of Existing Protections*

Enforcing existing eviction and housing protections will be beneficial in helping tenants avoid eviction.

**Objective: Clarify tenant rights regarding anti-discrimination and pandemic-era protections, establish firm repercussions for landlords who violate these rights**

Example Methods:

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<sup>87</sup> “Major Developments and Specific Rights to Counsel,” National Coalition for a Civil Right to Counsel, 2021, [http://civilrighttocounsel.org/major\\_developments?jurisdiction=California](http://civilrighttocounsel.org/major_developments?jurisdiction=California).

<sup>88</sup> Laura Waxman, “S.F. Tenant Right-to-Counsel Program Receives Funding amid Threat of Budget Cuts,” San Francisco Business Times, August 28, 2020, <https://www.bizjournals.com/sanfrancisco/news/2020/08/28/sf-tenant-right-to-counsel-program-receive-775k.html>.

<sup>89</sup> Ibid.

<sup>90</sup> Stout Risius Ross, LLC, “Cost-Benefit Analysis of Providing a Right to Counsel to Tenants in Eviction Proceedings” (Los Angeles, CA: The Los Angeles Right to Counsel Coalition, 2019), pp. 1-77.

- Develop a standard “Know Your Rights” document and distribute widely across the Bay.
- Provide contact information for an attorney-staffed hotline, where tenants can report FHA violations and unlawful evictions.
- Establish an Oversight Board to review acts of landlord discrimination due to disability status, race, familial status, and others.

#### Funding Estimates:

- The costs of creating and managing an attorney-staffed hotline depend on salaries, equipment used and location. Oversight Board salaries will also need to be determined by the City and County.

### **Reducing the Administrative Burden**

#### *I. Streamlined Information:*

Tenants often find it difficult to locate information on how to receive rental assistance or other services, based on differing eligibility guidelines in the Bay Area by location.

**Objective: Create a centralized set of well-advertised resources for tenants seeking assistance**

#### Example Methods:

- Develop a website with clear guidelines for receiving rental assistance, including eligibility based on income and criteria, the documentation required, and an overview of the process.
- Provide this information via phone and drop-in clinics to account for people who do not have computer access.
- Increase advertising of the 211 Bay Area number, as this is a single phone number where people can be connected to many different resources.

#### Funding Estimates:

- Funding will be needed in the form of advertising investments.

#### *II. Hiring Navigators*

Hiring navigators to guide tenants through the process of receiving assistance and case management services would increase uptake of assistance programs. These navigators should

connect with clients throughout the process to clarify guidelines and documentation requirements.

**Objective: Hire navigators to guide tenants through the rental assistance process**

Example Methods:

- Contract bilingual staff to provide information to potential clients and connect with them throughout the process.

Funding Estimates:

- The average social worker earns approximately \$70,000 per year.<sup>91</sup> Staffing needs must be determined by City and County services.

### *III. Standardizing Eligibility and Documentation Requirements*

It can often be difficult for clients to navigate the different eligibility requirements based on location in the Bay Area.

**Objective: Create a standard set of guidelines and eligibility requirements for Bay Area tenants seeking rental assistance and case management services, increase uptake of these services**

Example Methods:

- Increase the number of documentation and identification types allowed.
- Work with community organizations to reach groups that experience barriers, such as the undocumented community.
- Relax eligibility requirements to accommodate more clients.

Funding Estimates:

- No significant investments are anticipated in this area.

Investing in housing assistance and services will have a positive impact on pregnant women and families in the Bay Area. Funding estimates listed above are very general and based on a synthesis of various sources; more research is needed to determine the exact dollar amounts to implement these solutions. Specific funding breakdowns of housing policies for all Bay Area

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<sup>91</sup> "Social Worker Salary in California," Indeed, accessed May 8, 2021, <https://www.indeed.com/career/social-worker/salaries/CA>.



residents can be found in the *Our City, Our Home* implementation plan for Proposition C,<sup>92</sup> or the *CASA Compact: 15-Year Plan to House the Bay Area*.<sup>93</sup>

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<sup>92</sup> Proposition C - Our City, Our Home: Implementation Plan

<sup>93</sup> CASA COMPACT: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area

## **Afterword**

Housing and social welfare policies are historically underfunded in the Bay Area. With the passage of Proposition C, this region has a chance to effectively address the housing crisis. Pregnant women and families with children remain particularly vulnerable to health impacts from housing instability, and therefore should be prioritized in the implementation of new policies. Policymakers must additionally consider existing racial and socioeconomic inequalities in order to design equitable and effective solutions. Insight from community members outlined in this report proves that housing instability deeply impacts all aspects of a person's health and well-being. If we reimagine our housing and safety net systems, a healthier and more equitable Bay Area is possible.

## **Appendix A: Opportunities for Further Research**

This report primarily uses qualitative research methods to understand housing instability and family health outcomes in the San Francisco Bay Area. However, the link between housing and health has larger implications outside of this region. Research areas that would further develop this link are listed below:

- Quantitative analyses of evictions and preterm births stratified by geographic location, race, education, and income.
- Quantitative analyses of eviction impacts on childhood health outcomes.
- Cross-examination of birth and eviction records to determine the number of evicted pregnant mothers in the Bay Area and California.
- More comprehensive survey data to define an exact number of housing unstable pregnant women and families in the Bay Area and California.
- Program evaluation of rental assistance and cash assistance programs in the Bay Area and elsewhere.
- Feasibility of redefining the Americans with Disabilities Act to include pregnancy status.

## Acknowledgements

This report would not have been possible without the guidance of many individuals. I would first like to thank the UCSF Preterm Birth Initiative for the opportunity to take on this project and conduct this analysis. Particular thanks to everyone on the Mentorship Team: Selina Lao, Shanell Williams, Jonathan Fuchs, and Deepa Varma. I deeply appreciate everyone's time and support in developing this project. I would also like to thank my advisor at the Goldman School of Public Policy, Hector Cardenas, for his feedback during this process.

Special thanks to everyone who agreed to be interviewed for this report and provided valuable insight into the nature of housing instability and health:

Adrienne Hall ..... Anti Eviction Mapping Project Collective - SF Bay Area Chapter

Anne Kat Alexander ..... The Eviction Lab, Department of Sociology, Princeton University

Francisco Dueñas ..... Housing NOW!

Hope Williams ..... PTBi Community Advisory Board

Jennifer Braddock .... PTBi Community Advisory Board

Jennifer Friedenbach ..... Coalition on Homelessness

Kathryn M. Leifheit, PhD MSPH ..... UCLA Fielding School of Public Health

Mary Kate Bacalao ..... Compass Family Services

Michelle Kim ..... Housing Action Coalition

Monta Vaca ..... CalWORKs Families Rising (FaR)

Sophia Tupuola ..... PTBi Community Advisory Board

TaNefer Camera ..... PTBi Community Advisory Board

Vince Leus, MURP ..... Prevention Institute

Will Dominie ..... Bay Area Regional Health Inequities Initiative (BARHII)

And everyone else who shared their stories and knowledge during the interview process.

I would also like to thank Alex Thibodo, Anna Garfink, Anna Larson, Cheyda Arhamsadr, Delaney Green, Elena Rein, Jessica Li, and Liliane Nienstedt for all their support, and for being the smartest and most hardworking people I know.

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