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*of Cleveland*  
*Since 1905*

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***Written Testimony of Matthew Vincel, Managing Attorney of the Housing Practice Group at the Legal Aid Society of Cleveland Regarding Senate Bill 245***

May 22, 2024

Chair Reynolds, Vice Chair Johnson, and members of the Senate Select Committee on Housing:

Thank you for the opportunity to testify in support of Senate Bill 245. My name is Matt Vincel, and I am the Managing Attorney of the Housing Practice Group at The Legal Aid Society of Cleveland. Legal Aid's mission is to secure justice, equity, and access to opportunity for people with low incomes through passionate legal representation and systemic advocacy.

One example of how Legal Aid pursues this mission is by representing tenants with low-income who face housing instability. Senate Bill 245 offers many potential benefits to families we serve.

Cleveland is home to the one of the first efforts to provide tenants a right to representation in eviction cases. The Legal Aid Society of Cleveland was involved in the creation of this right and is the legal services organization implementing the right today. Given this unique perspective, I will focus my testimony on the provisions of Senate Bill 245 that aim to mandate this right statewide.

In October 2019, the Cleveland City Council passed an ordinance establishing a right to counsel for families facing eviction who are at or below 100% of the federal poverty level and have at least one minor child in the household. The municipal legislation creating this right bears significant resemblance to the provisions of Senate Bill 245. Since this right took effect on July 1, 2020, Cleveland Legal Aid has been the provider of legal representation for eligible families, and we have been at the forefront not just in Ohio, but nationwide on the implementation of a right to counsel and assessment of the benefits of such a program to tenants and the community. Based on our experience in Cleveland, I would like to highlight two critical points for the committee:

1. The evaluation of the Right to Counsel Program in Cleveland has shown that it is a highly successful and cost-effective means of maintaining housing stability for low-income tenants facing eviction.
2. The impact of a right to counsel for tenants in eviction cases depends on a sustainable source of funding that can support full legal representation for a population of tenants with low-income facing eviction.

Cleveland's legislation requires that an independent entity evaluate the data collected regarding the implementation of the Right to Counsel and produce an annual report to City leaders detailing its conclusions. This requirement has given us a thorough and accurate glimpse of the impact of the Right to Counsel on low-income tenants in Cleveland. The results have been extraordinarily positive, and demonstrate a significant return on investment to the community. The evaluator's findings, which you can read in detail at [www.freeevictionhelpresults.org](http://www.freeevictionhelpresults.org), include:

1. **Eligible tenants are asserting their right to counsel:** The percentage of Cleveland residents facing eviction who were represented has increased eightfold since 2020. In 2023, more Cleveland residents who were eligible asserted their Right to Counsel: Legal Aid represented approximately 79% of all eligible Cleveland households facing eviction.
2. **The vast majority of represented tenants avoid being involuntarily removed from their homes.** Since July 2020, 86% of tenants who sought to avoid eviction were successful in doing so when represented by an attorney through Right to Counsel.
3. **Tenants who are represented by Right to Counsel attorneys reach their goals.** During the intake/interview process, Legal Aid attorneys ask tenants asserting their Right to Counsel to identify their goals for the case. Since Right to Counsel began in July 2020, Legal Aid has assisted clients in achieving approximately 85% of their goals.
4. **The Right to Counsel Program is a good community investment.** The independent evaluator estimated in the 2022 report that, between July 1, 2020 and December 31, 2022, Cleveland and Cuyahoga County likely realized combined economic and fiscal benefits of between \$11.8 million and \$14 million as a result of Right to Counsel. Over the same period, the total investment in Right to Counsel was \$4.5 million, resulting in an estimated return on investment between \$2.62 and \$3.11 per dollar invested.

In 2023, 40% of the funding for Cleveland's Right to Counsel came through local government. The rest of the needed funding came from philanthropy and Legal Aid's general operating funds. We are working with City and County leaders on long-term sustainability for full funding of this right. The current piecemeal approach is precarious, but we are committed to ensuring the right as we work with City and County leaders on a path to full funding.

SB 245 presents an opportunity to continue to build the infrastructure in Ohio to provide representation to tenants facing eviction. We know that growing this representation will increase housing stability and provide an excellent return on investment.

At the same time, SB245 does not allocate any funds to support what it describes as a right. Without sufficient funding, this runs the risk of burdening the already stretched legal aid network in the state. It would be unrealistic to expect organizations statewide to cobble together funds to provide representation to tenants facing eviction in all counties throughout Ohio.

We would encourage the committee to consider changes to the bill to ensure that it does not create unrealistic reporting and case acceptance requirements, and to consider it as a stand-alone statute rather than amending ORC 120.521 and 120.523. As a stand-alone bill, focused, perhaps, on creating

a series of pilots throughout the state, to learn more about the benefits and build support for right to counsel in evictions, SB245 could make a significant difference for Ohioans.

Over the past four years the Right to Counsel Program in Cleveland has demonstrated the right to representation in eviction cases is a powerful and cost-effective tool for maintaining housing stability for tenants with low income. The Legal Aid Society of Cleveland supports the extension of these crucial protections to all tenants across Ohio and encourages this Committee to consider a structure for funding and administering this right that would ensure its sustainability on a long-term basis. Thank you for your time and I'm glad to answer any questions that you have.