

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Supervisor Kathy Schulz and
Supervisor Shirley Williams
INITIATED BY



Josh Smith
DRAFTED BY

Planning & Development Committee
SUBMITTED BY

June 7, 2021
DATE DRAFTED

Allocating American Rescue Plan Act Funding to Provide for Tenant Legal Aid

- 1 **WHEREAS**, the COVID-19 pandemic has had a negative effect on some individuals and families,
2 including through job loss, and has exacerbated the difficulties of certain low-income individuals who
3 were already facing economic challenges; and,
4
- 5 **WHEREAS**, eviction moratoria and other measures to keep household utilities operating that were put in
6 place during the pandemic have kept many individuals and families safely in their homes, but the eviction
7 moratorium issued by the Centers for Disease Control will eventually not be renewed; and
8
- 9 **WHEREAS**, when this moratorium is removed, many individuals and families will have months' worth
10 of back-rent due without the ability to pay, which will likely lead to the commencement of eviction
11 proceedings; and,
12
- 13 **WHEREAS**, many landlords have not received rent payments while eviction moratoria have been in
14 place, creating hardships for these business owners, who will legally be entitled to seek such past-due and
15 future rent from tenants; and,
16
- 17 **WHEREAS**, statistics indicate that low-income and otherwise disadvantaged populations, who are more
18 likely to face eviction, have also been less likely to have received a COVID-19 vaccine, creating a
19 situation in which evictions may displace individuals into shared housing, shelters, or homelessness and
20 thereby increase the likelihood of spreading COVID-19; and
21
- 22 **WHEREAS**, the American Rescue Plan Act (ARPA) has provided funding that can be utilized to address
23 housing-related emergencies created or exacerbated by the COVID-19 pandemic; and
24
- 25 **WHEREAS**, while several community agencies may have sufficient funding currently from ARPA,
26 Community Development Block Grant (CDBG), and/or other sources for eviction and utility aid, there
27 may be a longer term need to address these issues with ARPA funding if currently available funds run
28 out; and
29
- 30 **WHEREAS**, a current gap in the system in Rock County is sufficient legal resources to assist those who
31 may lack the legal background or have insufficient resources to navigate the court eviction process; and
32
- 33 **WHEREAS**, tenants, in particular, lack the resources necessary for representation in an eviction
34 proceeding in court, putting them at a disadvantage; and
35
- 36 **WHEREAS**, Legal Action of Wisconsin provides free legal aid to low income people, including eviction
37 and other housing law matters; and
38
- 39 **WHEREAS**, Everyone Cooperating to Help Others (ECHO) has expressed interest in providing an in-
40 kind donation of office space to support staff from Legal Action who can operate this program; and
41
- 42 **WHEREAS**, there is a need for a long-term strategy to provide a landlord-tenant mediation program, and
43 to address homelessness, transitional housing, and affordable housing, all of which have been exacerbated
44 by the COVID-19 pandemic that will require future efforts of the County Board and that will be coming
45 forward in subsequent resolution(s).

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46 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
47 this _____ day of _____, 2021, does hereby allocate a total of \$444,000 (\$130,000
48 annually, including a prorated amount for 2021) of American Rescue Plan Act funding through 2024 to
49 contract with Legal Action of Wisconsin to provide free legal aid to low income renters facing eviction
50 and other housing issues to help solve their legal problems with the goal of securing and maintaining safe
51 and affordable housing. This funding would provide for \$100,000 annually for a full-time attorney and
52 \$30,000 annually for a part-time administrative assistant/outreach specialist, and would include all
53 funding needed to support the work of those positions, such as wages, benefits, supplies, and equipment.
54

55 **BE IT FURTHER RESOLVED**, this funding would also be utilized by Legal Action to provide legal
56 representation in court to Rock County tenants facing eviction who qualify under Legal Action’s income
57 eligibility guidelines.
58

59 **BE IT FURTHER RESOLVED**, the 2021 budget be amended as follow:
60

61 ACCOUNT	BUDGET 62 8/1/2021	INCREASE 63 (DECREASE)	AMENDED 64 BUDGET
65 <u>Source of Funds</u>			
66 19-1980-0000-42100 Federal Aid	\$5,000,000	\$444,000	\$5,444,000
67 <u>Use of Funds</u>			
68 19-1980-2501-62129 69 Legal Services	-0-	\$444,000	\$444,000

Respectfully submitted,

PLANNING & DEVELOPMENT COMMITTEE

Dissent
Alan Sweeney, Chair

Dissent
Wayne Gustina, Vice-Chair

Dissent
J. Russell Podzilni

/s/Wes Davis
Wes Davis

/s/Robert Potter
Robert Potter

Finance Committee Endorsement

Reviewed and approved on a vote of 3-1-1

/s/Mary Mawhinney 9/9/2021
Mary Mawhinney, Chair Date

Allocating American Rescue Plan Act Funding to Create a Landlord-Tenant Mediation Program and Provide for Tenant Legal Representation

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LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.01 and 59.51, Wis. Stats. As an amendment to the adopted 2021 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.

s/Richard Greenlee

Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

During the pandemic, housing issues have received much attention, particularly as it relates to the relationship between unemployment and the possibility for evictions once either federal aid or the eviction moratorium ends. As such, I would assess that this would be an eligible use of ARPA funds

/s/Josh Smith

Josh Smith
County Administrator

FISCAL NOTE:

This program will be funded by the County's ARPA allocation.
No additional County funds are required.

/s/Sherry Oja

Sherry Oja
Finance Director