

# HOUSING INSECURITY

IN THE

# UNITED STATES

AND THE

# ROLE OF LEGAL AID

ISSUE BRIEF

## Long-Term (or Extended Stay) Motel Rentals

### About the Legal Services Corporation (LSC)

Congress created the Legal Services Corporation (LSC) in 1974 to promote equal access to justice. Today, LSC operates as an independent 501(c)(3) non-profit corporation and serves as the nation's single largest funder of civil legal aid for low-income individuals. In 2022, more than 93% of LSC's total funding was distributed to 132 independent nonprofit legal aid organizations with more than 890 offices across the country. Attorneys with LSC grantees help low-income Americans access assistance to resolve civil legal matters involving safety, economic subsistence, housing and family stability. To learn more about LSC, please visit [www.lsc.gov](http://www.lsc.gov).

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### Introduction

“Stay a Nite or Stay Forever.” That’s how Efficiency Lodge, Inc., which owns a chain of motels in Georgia and Florida, advertises itself to potential customers.<sup>1</sup> Yet when long-term resident Lynetrice Preston fell behind on her rent at the start of the COVID-19 pandemic, the Efficiency Lodge in Decatur, Georgia, indicated that “forever” was over. According to the motel, it was time for Preston to leave the one-room unit she had shared for two years with two teenage daughters and a grandson, for whom she was the primary caregiver.

Preston was paying \$204 a week in rent before she lost her job in March 2020. Even after her unemployment benefits ended, she was still trying to pay the outstanding rent she owed. Nevertheless, the motel affixed a letter to her door threatening to evict her via court order, and the motel staff threatened to lock her and her family out of their room if she did not pay the total rent due.

After contacting attorneys with Atlanta Legal Aid Society, Preston and other long-term Efficiency Lodge residents<sup>2</sup> who had been locked out of their rooms or told to leave filed suit.<sup>3</sup> Their complaint alleged that they had the same rights as tenants in a rental home or apartment, and that they could not be removed from their units without a formal eviction process. In some cases, the motel had hired private security guards to evict previous residents at gunpoint.<sup>4</sup>

Ultimately, the Georgia Court of Appeals agreed that Efficiency Lodge is a

landlord and was acting illegally and had to go through the formal eviction process if it wanted long-term residents to leave.<sup>5</sup> “That was an important win,” said Lindsey Siegel, director of housing advocacy with Atlanta Legal Aid Society. At a time when housing is in short supply and costs have been rising fast, she said the court decision has put local motel owners on notice that they will face added scrutiny, and possible legal challenges, if they try to force long-term residents out without due process.

At the same time, however, Siegel said the Efficiency Lodge case illuminated how long-term motel residents in Atlanta and across the country—people like Lynetrice Preston and her family—are living on the edge. “In today’s tight rental market, a lot of people have nowhere to go except these (extended-stay motels),” said Siegel. “And that puts them at real risk of getting forced out on the street.”

**SPOTLIGHT**

**About this Housing Insecurity Series**

While the COVID-19 pandemic increased overall demand for civil legal assistance, the number of people seeking help with housing issues grew at a disproportionate rate. In 2021, legal aid organizations funded by the Legal Services Corporation (LSC) closed over 713,000 cases, including over 250,000 housing cases. It was the first time that LSC grantees handled more housing cases than any other legal problem area. During this period, LSC launched a [congressionally directed study](#) to investigate the unmet legal needs surrounding eviction in the United States, along with a [Housing Task Force](#) to document other challenges that low-income tenants and homeowners experience. The Housing Task Force is sharing what it learned about housing insecurity and the role of civil legal aid in helping low-income individuals and families achieve stability and security in a four-part series. Read and download the complete series, along with other LSC resources on unmet legal needs involving housing and eviction, by visiting [www.lsc.gov](http://www.lsc.gov).

**A RANGE OF CHALLENGES FOR RESIDENTS**

The 15 Efficiency Lodge locations in Georgia and the Florida panhandle are part of a sprawling, nationwide patchwork of extended-stay motels with owners ranging from large national companies to local and regional chains and mom-and-pop operations. In the five-county metropolitan Atlanta area alone, social service agencies and local officials have reported up to 30,000 working families living in motels.<sup>6</sup> Whether in Georgia or other states, these motels can reap big profits<sup>7</sup> even as they offer last-resort housing for a financially strapped client base.

It is hard to assess the degree to which extended-stay motels are contributing to housing insecurity in the United States, but they are an important factor. Legal aid providers reported that extended-stay motel residents faced an especially high level of lockouts, evictions and other challenges during the COVID-19 pandemic. The primary reason was that the Centers for Disease Control and Prevention eviction moratorium did not apply to evictions from a “hotel, motel or other guest house rented to a temporary guest or seasonal tenant.”<sup>8</sup>

Living in an extended-stay motel can pose a range of challenges for residents, from overcrowding and habitability issues, unreliable utilities, and other safety conditions, to adverse impacts on children to safety problems associated with elevated levels of criminal activity. Yet perhaps the biggest challenge for residents is the near-constant threat of eviction and homelessness.

Jyoshu Tsushima, a staff attorney with the Legal Aid Society of Columbus, Ohio, a component of the Ohio State Legal Services Association, reports that the lack of legal protections for extended-stay motel residents, pandemic or not, makes them uniquely vulnerable to housing insecurity. “If extended-stay hotels are as common as we think they are, we are creating a class of residents who are not protected by landlord-tenant law,” he said.

“If you’re behind on rent in one of these motels, owners are going to pursue whatever means they can to get you out,” said Siegel. “And the protections available to you just aren’t the same as they are for other renters.”

**WHO ARE EXTENDED-STAY MOTEL TENANTS?**

Extended-stay motels cater primarily to low-income individuals and families who cannot otherwise find affordable and stable housing. Two population groups make up a disproportionate share of extended-stay motel residents: families with children and elderly residents.

**Families with children.** During the 2017-18 school year, approximately 1.5 million students enrolled in the nation’s public schools were reported as homeless, according to data collected from states by the U.S. Department of Education.<sup>8</sup> Of these students, more than 105,000 (or 7%) identified a hotel or motel as their primary nighttime residence during the same school year. Even though the data on the housing status of students in several states was incomplete, the statistics confirm that large numbers of students and families across the country are relying on motels as long-term housing.<sup>9</sup>

- In Columbus, Ohio, the public school system classified 3,431 students as homeless in the school year ending in 2020, including 204 who lived in hotels or motels. A *New York Times* report stated that public school buses make 16 stops every school day at hotels and motels across Columbus.<sup>10</sup>

“To see parents and kids with toys piled in the middle of a shared room with no space for storage and no desks, one can only imagine the toll that takes on the kids,” said the Legal Aid Society of Columbus’s Jyoshu Tsushima.

Living in a motel can be an enormous barrier to a child’s successful development and growth, due to overcrowding with other family members, a lack of recreational space, faulty or nonexistent internet for homework completion, lack of privacy and unsafe conditions. Including criminal activity.<sup>11</sup>

Kimberly Boudreaux, CEO of Catholic Charities of Acadiana, said her agency regularly encounters situations where children are living in cramped motel rooms with other family members. “It’s just not a



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**If extended-stay hotels are as common as we think they are, we are creating a class of residents who are not protected by landlord-tenant law.**

good situation for kids when everyone is living in one room and when families are stressed and in crisis and when no one has any personal space,” she said.

Adding to the problems: motel owners often will cut off utilities and internet service (or threaten to do so) if residents fall behind on rent.<sup>12</sup>

Phil Storey, staff attorney with the Virginia Poverty Law Center, said he represented a single father living with his young son in a motel owned by an extended-stay chain. When the father fell behind on rent during the pandemic, the motel owner shut off power in the room and common areas. As a result, the son, who was supposed to be going to school online, was unable to keep up with his schooling.

A related issue affecting families living in these motels is food insecurity and hunger, given that motels typically lack full kitchens. This can have serious effects on parents’ ability to provide healthy meals for their children and, in turn, can negatively affect child development and growth.

**Elderly residents.** Another population group that is disproportionately represented among extended-stay motel residents is the elderly. According to Brittany Johnson, a counselor with the Tenant Rights Center at Nevada Legal Services, the rising cost of rental housing in the Las Vegas area has fallen hard on older residents living on fixed incomes. For the many seniors in the area holding month-to-month leases on regular apartments, the ability of landlords to raise rents on short notice means tenants are often forced into the burgeoning weekly motel rental market.<sup>13</sup>

“The motels are often the only thing these folks can qualify for, and so that’s where they end up,” Johnson said.

### **WHY ARE SO MANY PEOPLE LIVING IN EXTENDED-STAY MOTELS?**

Legal aid providers point to three key reasons why so many individuals and families across the country find themselves living in extended-stay motels. These include: (1) the scarcity of affordable

housing in many markets; (2) stigmatizing background records that serve as an obstacle to rent other housing; and (3) being displaced from their homes because of a natural disaster.

**High costs for other housing.** High rents and tight housing markets are forcing more and more people into extended-stay motels. Jenimar Rodriguez, a counselor with Nevada Legal Services, estimates that one-quarter of client intakes each week at the agency’s Tenant Rights Center<sup>14</sup> are residents of long-term motels (mostly in Las Vegas) who are facing illegal evictions and other threats.

“There’s a real lack of affordable housing and lack of housing generally (in Las Vegas) and it’s really hard for people to find more stable options,” Rodriguez said. She added that most extended-stay motels in the region are operated by large motel chains.

Rodriguez noted that living in an extended-stay motel is not cheap; she estimated that it costs the average resident between \$300 and \$400 a week — “and landlords are still finding ways to raise rents all the time,” she added. Indeed, the monthly costs can even exceed those of a conventional rental unit.<sup>15</sup> But the fact that motels normally do not require deposits, advance rent payments or application fees makes them a feasible housing option for financially strapped residents.

“Landlords in Nevada are requiring outrageous deposits,” said Rodriguez. “And most of these folks just can’t afford to pay thousands of dollars up front just to move into an apartment.”

**Stigmatizing background records.** Sometimes, it is not just a lack of other housing or high housing costs that compel people to turn to extended-stay motels; it is that they would likely not be approved for other rental homes. Across the country, landlords who rent traditional homes and apartments regularly reject potential tenants with a record of eviction (including unlawful evictions where the landlord was at fault), credit issues and

**SPOTLIGHT**

## Key Issues Facing Extended-Stay Motel Residents

- **Threat of eviction and homelessness.** In most states, residents of extended-stay motels are not protected under landlord-tenant laws and can be evicted or locked out of their units without cause or legal process.
- **High costs.** Living in an extended-stay motel is not cheap; rents can be as high as \$300-400 a week, well above the average monthly income for many low-income workers and families. This can be almost double the monthly payment for individuals with disabilities or seniors receiving Supplemental Security Income (SSI).
- **Food insecurity.** The lack of full kitchens, refrigeration and space for food storage in motel rooms can have an adverse impact on residents' diets and contribute to poor health outcomes and higher costs as families are forced to buy more pre-prepared foods.
- **Child development issues.** Lack of privacy, lack of internet, lack of play space, unsafe conditions and crime can negatively affect child development and educational outcomes.
- **Habitability issues.** Residents of extended-stay motels often face overcrowded conditions, unreliable utilities, water leaks, pest issues and other conditions that pose safety and habitability issues. Owners can evict residents rather than make needed repairs, and residents are often afraid to report problems for fear of being kicked out.
- **Safety issues.** There is research suggesting a concentration of criminal and negative behaviors around extended-stay motels, including prostitution, vandalism, drug sales, sexual assault and more.<sup>17</sup> This can have negative effects on families and elderly residents who have no choice but to live in extended-stay motels where such problems exist.

criminal histories. This is true even though many credit issues are the result of debts related to medical problems or disability that have no bearing on the ability to pay rent or be a good tenant. Similarly, an individual's criminal record can include nonviolent crimes that are decades old but still impacts their ability to find housing and a job.

For many of these people, renting a motel room can be the only way to avoid homelessness. "Even if a tenant is successful and wins an eviction case against a landlord, it is still recorded and can still make other landlords wary about renting to them," said Lindsey Siegel at Atlanta Legal Aid Society.

According to a 2019 survey of extended-stay motel residents in the Atlanta suburb of Norcross, Georgia, 47% of respondents had a previous eviction or prior foreclosure on their record which was cited as the number-one barrier to transitioning back to traditional housing.<sup>16</sup>

**Natural disasters.** Another reason why so many people find themselves living in extended-stay motels is because of natural disasters. Kimberly Boudreaux, CEO of Catholic Charities of Acadiana in southern Louisiana, said the "overnight loss of housing" caused by hurricanes in her region is forcing a growing number of people to endure long-term motel stays.

When Hurricane Laura hit in 2020, Boudreaux said that as many as 10,000 people moved to local hotels from the affected area — and many are still unable to move back to their homes. "The housing crisis is profound in our region and when you combine that with the fact that hurricanes are displacing more and more people from their normal homes, these motels become a home of last resort."

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## STATE AND LOCAL PROTECTIONS

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As noted above, landlord-tenant laws in many states do not explicitly cover residents of extended-stay motels, making it difficult for these residents to successfully invoke the protections afforded tenants in the event of eviction or other disputes with

motel owners. In addition, there are few if any federal protections for these residents. As a result, motel owners and operators have a significant advantage in their relationship with long-term motel residents.

The applicable state laws affecting motel residents' rights in extended-stay motels cover two key topics: transient exclusion and protections from eviction and rent increases.

**Transient exclusion.** Many state laws (including the Uniform Landlord and Tenant Law<sup>18</sup>) specifically exclude from their coverage “transient occupancy” in a hotel, motel, or similar lodgings. However, such laws generally do not define what constitutes “transient occupancy.”

When states do include a definition in the law, it typically is related to the length of a resident’s occupancy. For example, in Nevada, residents living in a hotel or motel for less than 30 consecutive days are excluded from the protections of the landlord and tenant law. After 30 days, or if a resident shows an intent to remain for more than 30 days, they are considered a tenant under the law and cannot be evicted without a court order.<sup>19</sup>

Virginia law, by contrast, identifies a hotel or motel resident as a tenant after 90 days.<sup>20</sup> But Phil Storey of the Virginia Poverty Law Center said the law is poorly understood by motel residents and poorly communicated by motel and hotel owners and managers. “We had a lot of calls during COVID from people asking what they can do if a motel locks them out or cuts off services,” Storey said. “People just don’t understand their rights in these situations, and there is very little oversight or accountability.”

In other states, the legal timeframe for establishing tenancy is more subjective. “In Texas there are a number of factors a court will look at,” said Fred Fuchs, housing group coordinator with Texas RioGrande Legal Aid. “It gets to everything from how long the person has lived there to how often rent is paid to whether someone receives mail at that address.” (See sidebar.)

Still, Fuchs said length of residency is often the key factor in determining tenancy. “If you have been there three months and

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**What Constitutes a Landlord/Tenant Relationship?**

Texas RioGrande Legal Aid developed a helpful factsheet<sup>21</sup> explaining how and when eviction protections might apply to residents of an extended-stay motel in the state. The factsheet is based on Texas law<sup>22</sup> (it includes the following questionnaire to help residents determine what type of relationship exists):

<b>QUESTION</b>	<b>More likely an innkeeper/guest relationship</b>	<b>More likely a landlord/tenant relationship</b>
<b>How long has the occupant stayed there?</b>	A few days or weeks	Longer than a month
<b>What are the terms of the contract signed?</b>	Standard hotel occupancy agreement	Appears more like a residential lease (e.g., restrictions on guests, etc.)
<b>How often does the occupant pay to stay there?</b>	Nightly	Monthly
<b>Does the occupant receive mail at that address?</b>	No	Yes
<b>Does the motel/hotel provide cleaning service and towels?</b>	Yes	No
<b>Does the occupant have exclusive control over the unit?</b>	No; cleaning staff routinely enter	Yes; no one else regularly enters the unit

**SPOTLIGHT**

**Possible Resident Protections**

Enhancing state and local protections for residents of extended-stay motels include:

- Laws with clear standards for determining tenancy in extended-stay motels so more residents are protected against illegal evictions and other adverse owner actions (e.g., 30 days or more of continuous residence).
- Stronger, more extensive prohibitions on motel operator practices that put residents at risk of homelessness, including lockouts and utility shutoffs.
- Laws that allow for the expungement or sealing of eviction records so that more people are able to find stable rental housing.<sup>26</sup>
- “Ban the box” laws that limit the use of public criminal background records in rental applicant screening.<sup>27</sup>
- Laws requiring longer notice from owners to extended-stay motel residents about rent increases, evictions, etc.
- Stronger enforcement of code, safety and habitability issues at extended-stay motels.
- Targeted social services for residents of extended-stay motels to help meet their needs in areas from food security to child development and education.

are paying monthly, then it's a good bet the judge will say you established tenancy,” he said. “If you're there two weeks and pay weekly, then maybe not.”

**Protections from eviction and rent increases.** If a resident of an extended-stay motel is determined to be covered under a state's landlord-tenant law, then they should be subject to the legal protections in that state against arbitrary rent increases, illegal evictions and other adverse landlord actions. Many of these protections and remedies are described in another issue brief in this series from LSC's Housing Task Force.

In Nevada, recently enacted state laws require a seven-day notice for eviction (AB486<sup>23</sup>) as well as 30-day notice for rent increases (AB308<sup>24</sup>) for residents in weekly rentals. However, counselor Jenimar Rodriguez with Nevada Legal Services said even these minimal protections often are not followed by motel owners in the state, and residents usually are unaware of the notice provisions. “Most places will tell residents on a Tuesday that rents are going up next week, and the resident really has little power to do anything about it because they don't even have a formal lease,” Rodriguez said.

An additional protection for extended-stay motel residents in Texas, according to Fuchs, is the ability to file a “writ of re-entry” with the county Justice of the Peace allowing a resident to get back into a rental home in the event of an illegal eviction.<sup>25</sup> Fuchs said his agency recently succeeded in getting an elderly man back into his extended-stay motel room after he was forced out by the motel owner and had to live in his truck. After the man called Texas Rio Grande Legal Aid, his attorney worked with him to affirm that he had established tenancy at the motel. This allowed him to file a pro se writ-of-re-entry and obtain a court order ordering the motel owner to allow him back in the room he had been renting.

“We have had good luck with that,” Fuchs said of his agency's use of Texas's writ-of-re-entry process for individuals who are locked out of extended-stay motels and other rental housing.

**LEGAL AID SOLUTIONS**

Across the country, legal aid providers and private attorneys are joining with residents, organizers, policymakers and others to protect residents of extended-stay motels from homelessness and reduce the impact of these facilities on housing instability. Below are some possible civil legal aid interventions.

**Targeting “upstream” causes for extended-stay motel living.** Across the country, legal aid providers are working to help low-income residents find and remain in stable housing, so they do not end up having to live in extended-stay motels. These activities cover the full range of legal aid activities related to addressing the housing needs of low-income communities, including:

- Preventing home mortgage foreclosures and tax foreclosures.
- Providing eviction defense services and support.
- Expanding and protecting renters' access to subsidized housing.
- Supporting residents to file motions to seal past evictions so they are not on their permanent record.

**“Our priority is to keep people in federally subsidized, income-based housing so they don't end up in long-term motels.”**

**Fred Fuchs**

housing group coordinator, Texas Rio Grande Legal Aid

**Providing representation for extended-stay motel residents.** Legal aid providers are providing critical services that can protect residents of extended-stay motels and help them find safety and stability.

- Making extended-stay motels a focus in eviction defense work.



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**The housing crisis is profound in our region and when you combine that with the fact that hurricanes are displacing more and more people from their normal homes, these motels become a home of last resort.**

- Filing legal cases against motel owners who evict or lock out long-term residents, based on the residents' length of occupancy and other relevant factors under state law.
- Filing legal cases against motel owners who do not provide adequate notice (per state law) of rent increases and evictions.
- Reaching out to motel owners on behalf of residents affected by evictions, lockouts, arbitrary rent increases and other adverse actions.
- Filing legal cases seeking to hold motel owners financially liable for illegal evictions (through payment of damages, penalties and expenses) as a means of deterring the practice.

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**“We have taken on a number of these cases and gotten good outcomes and damages for clients for whom these motels are clearly a permanent home—and with every win motel owners are on notice that these clients have rights under the law.”**

**Lindsey Siegel**  
director of housing advocacy, Atlanta Legal Aid Society

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**Public education and outreach.** Legal aid providers and advocates can play an important part in laying the groundwork for added protections for extended-stay motel residents by launching outreach and public education campaigns focused on residents' rights under the law. While state laws do not always offer explicit protections for these residents, educational outreach can focus on whatever protections exist, including length-of-residency-related protections against illegal evictions, notice requirements for rent increases and evictions, and more.

Legal aid providers interviewed for this issue brief have employed various public education strategies (from YouTube videos to social media) for communicating with the public—and with low-income residents in particular—on these issues. Some have

offered “know your rights” training, fact-sheets<sup>28</sup> and other resources to motel residents, alongside education and outreach to motel owners about their obligations to long-term residents under the law.

Another option is to partner with the news media to spotlight the unique challenges facing these residents, as well as the lack of sufficient protections. Media attention can pave the way for expanded protections when policymakers hear from constituents about the problems facing residents and the need for action.

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**“A little demonstration from the client that they understand their rights can go a long way. We provide clients with materials they can show motel management about what’s in the law and how they will get sued if they don’t comply.”**

**Phil Storey**  
staff attorney, Virginia Poverty Law Center

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**Partnering with law enforcement.** Due to the central role of law enforcement in responding to disputes between motel owners and residents, educating police and sheriffs' departments about the rights of long-term motel residents can be critical to protect residents. More specifically, legal aid providers, housing advocates and others can encourage the dissemination of clear and consistent standards and training. Partnering with law enforcement on this issue also is an opportunity for police agencies and communities to build trust by working together on a common problem.

According to Lindsey Siegel at Atlanta Legal Aid Society, her organization successfully encouraged one county police department to adopt a 90-day residency test in response to evictions and lockouts at extended-stay motels. Police on the scene of a landlord-resident dispute are trained to determine if the resident has lived at the motel for 90 days or more—and if so, officers are trained not to support an eviction or lockout.

### Forging other community partnerships.

Legal aid providers can join with community agencies, groups of residents and other partners in a variety of ways to protect residents of extended-stay motels. For example, targeted partnerships with youth-serving nonprofits can help ensure that students living in these motels have access to tutoring, recreational activities and other critical support for healthy development. Similarly, legal aid providers can work with food banks and other charities to increase motel residents' access to healthy foods.

Legal aid providers and housing advocates also can forge partnerships to expand programs that help people transition out of living in motels to conventional rental properties through guidance services and access to rental assistance.

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## CONCLUSION

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Low-income residents of extended-stay motels face a range of challenges when it comes to living safe, stable and healthy lives. Among the biggest challenges is the ever-present possibility of losing what is for many of them the only home they can find and afford.

"These folks are really just one short step away from having to sleep in their car or pickup, or in shelters if there is space," said Fred Fuchs at Texas Rio Grande Legal Aid.

While state laws are often vague and vary in the protections they offer these residents, legal aid providers and others have tools and strategies to provide critical support. These include:

- **A broad range of legal aid services and education**, from "know your rights" training and guidance on how to find legal assistance for residents to eviction defense and other forms of legal representation and advocacy. "Any time these motel residents can have an attorney represent them and fight these battles; it will go better for them."  
– Gregory Paul, senior attorney, Nevada Legal Services

- **Coordinated advocacy for better policy protections** for residents to protect against lockouts, retaliation and related practices, and to expand access to damages and relief when illegal evictions happen.
- **Motel owner education and outreach** focused on what constitutes an illegal eviction.
- **Partnerships with law enforcement** to build awareness among police and sheriffs' departments about resident rights and proper law enforcement response.
- **Partnerships with and outreach to judges and court officials** to ensure proper enforcement of existing law by the courts.
- **Media outreach** on the problem, its impacts on underserved populations and the need for stronger protections.
- **Stronger and expanded partnerships** between civil legal aid providers, housing advocates, nonprofit service providers and other stakeholders who can offer coordinated responses and make an aligned case for protections.

The Legal Services Corporation's support for legal aid providers across the country encourages efforts to address housing insecurity issues; this issue brief seeks to bring increased awareness and stronger support for low-income people across in the United States.

### Acknowledgments

This series was made possible with the work of the Housing Task Force Co-Chairs and members. A complete list of Task Force members appears at [www.lsc.gov](http://www.lsc.gov). LSC is grateful for the group's energy, knowledge and commitment to understanding and addressing the needs of low-income people. LSC also would like to thank the legal aid providers and other advocates interviewed for and quoted in this issue brief, along with New York attorneys Michael Byowitz and Carol Miller for their research and other contributions.

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### Endnotes

- <sup>1</sup> See Efficiency Lodge, <https://www.eflodge.com/> (last visited Oct. 21, 2022).
- <sup>2</sup> There are various terms used to describe occupants of long-term motels, including resident, tenant, renter, lodger, roomer, boarder, and guest. The proper term may vary depending on the length of stay, the type of motel, and state law. For consistency throughout this paper, "resident" will be used universally to refer to someone who stays at a motel for an extended period.
- <sup>3</sup> See Zachary Hansen & J.D. Capelouto, *Extended Stay Motel with Ties to Former Governor Facing Lawsuit from Residents*, Atlanta Journal-Constitution (Oct. 7, 2020), <https://www.ajc.com/news/extended-stay-motel-with-ties-to-former-governor-facing-lawsuit-from-residents/V62FVAETNNAH5F5PV27I7SHRHQ/>.
- <sup>4</sup> Zachary Hansen, *Court: Evictions Were Illegal at Extended Stay Motel with Ties to Former Governor*, Atlanta Journal-Constitution, (Mar. 9, 2022) <https://www.ajc.com/neighborhoods/dekalb/court-evictions-were-illegal-at-extended-stay-motel-with-ties-to-former-governor/BT4A4BKU6RC23LW3NO36FFGRUU/>.
- <sup>5</sup> *Efficiency Lodge, Inc. v. Neason*, et al., 363 Ga. App. 19 (2022).




## ISSUE BRIEF Long-Term (or Extended Stay) Motel Rentals

- 6** See J.D. Capelouto, *Families forced out of extended stay motel in south DeKalb as activists sound alarm*, The Atlanta Journal-Constitution, (Sept. 11, 2020), <https://www.ajc.com/news/atlanta-news/families-forced-out-of-extended-stay-motel-in-south-dekalb-as-activists-sound-alarm/ZE3DOSM7QVGM3C4FV7IDFWQDBY/>; See also Sean Keenan, *Precariously housed residents of metro Atlanta's extended-stay hotels need more help*, Atlanta Civic Circle, (Oct. 6, 2022), <https://atlantaciviccircle.org/2022/10/06/atlanta-extended-stay-hotel-residents-need-help/>.
- 7** See Jena Tesse Fox, *How the extended-stay hotel segment is leading the recovery*, Hotel Management, (Jul. 8, 2021), <https://www.hotelmanagement.net/content/how-extended-stay-hotel-segment-leading-recovery>.
- 8** *Federal Data Summary: Schools Years 2015-16 through 2017-18 — Education for Homeless Children and Youth*, National Center for Homeless Education, (January 2020), <https://nche.ed.gov/wp-content/uploads/2020/01/Federal-Data-Summary-SY-15.16-to-17.18-Published-1.30.2020.pdf>.
- 9** A 2010 HBO documentary, *Homeless: The Motel Kids of Orange County*, provides a first-hand perspective of the difficulties faced by families and children trying to make it in one of the wealthiest places in the country.
- 10** Maya Frazier, *When No Landlord Will Rent to You, Where Do You Go?*, New York Times, (May 20, 2021), <https://www.nytimes.com/2021/05/20/magazine/extended-stay-hotels.html>.
- 11** In Vermont, police found an “unacceptable” amount of criminal activity in and around motels where people experiencing homelessness were being housed during the COVID-19 pandemic. Problems included drug use, drug sales, overdoes, assaults, prostitution, human trafficking and domestic violence. See Ellie French, *Officials worry about crime rates at Vermont motels used to house homeless*, VT Digger, (Feb. 2, 2021), <https://vtdigger.org/2021/02/03/officials-worry-about-crime-rates-at-vermont-motels-used-to-house-homeless/>.
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- 13** Landlords in Nevada must provide month-to-month tenants with 60-day notice of plans to increase rent once a lease is up. For weekly renters, the notice requirement is 30 days. See Crystal Carr, *Rising rent forcing some Las Vegas area residents to weekly motels, commissioner says*, KTNV, (Mar. 15, 2022), <https://www.ktnv.com/news/rising-rent-forcing-some-las-vegas-residents-to-weekly-motels-commissioner-says>.
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- 21** *Hotels/Motels vs. Residential Tenancies: When Eviction Protections Apply*, Texas RioGrande Legal Aid, <https://www.trla.org/hotelsmotels-vs-residential-tenancies-when-eviction-protections-apply> (last visited Dec. 13, 2022).
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- 23** Assemb. B. No. 486, 81st Sess. (Nov. 2021), <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8216/Overview>.
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- 25** *Writ of Reentry*, Tarrant County, Texas, (last modified Dec. 30, 2021), <https://www.tarrantcounty.com/en/justice-of-the-peace-courts/justice-1/civil-cases/writ-of-reentry.html>.
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