

Photograph by Beverly Price

Eviction in Washington, DC: Racial and Geographic Disparities in Housing Instability

Brian J. McCabe
Eva Rosen

Fall 2020

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Acknowledgments

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Table of Contents

| | |
|---|-----------|
| Executive Summary | 5 |
| Background and Introduction: The Eviction Process in Washington, DC | 7 |
| Introduction | 7 |
| The Process of Eviction in Washington, DC | 8 |
| I. Eviction Filings and Executed Evictions | 11 |
| Eviction Filings | 11 |
| Serial Eviction Filings | 12 |
| Executed Evictions | 13 |
| II. The Uneven Geography of Evictions | 14 |
| Geography of Eviction Filings..... | 14 |
| Geography of Executed Evictions | 18 |
| III. Rents and Subsidies | 21 |
| Amount Due on Filing | 23 |
| Amount Due on Eviction | 24 |
| IV. Landlords and Evictions Filings | 25 |
| V. The Court | 27 |
| Legal Representation | 27 |
| Filing Fees..... | 28 |
| VI. Policy Implications | 29 |
| 1. Eviction prevention is an economic and racial justice issue..... | 29 |
| 2. Landlord-side interventions provide important stopgap measures <i>before</i> eviction filing | 29 |
| 3. Access to legal counsel helps to level the playing field for tenants facing eviction..... | 30 |
| 4. Record sealing is essential for mitigating eviction stigma | 31 |
| 5. Emergency rental assistance can serve as a tool of eviction prevention | 32 |
| 6. Subsidized housing is the most effective tool to combat housing instability | 34 |
| 7. Policymakers must act quickly to prevent a new eviction crisis..... | 34 |
| Appendix: Data and Methodology | 35 |
| Appendix Tables: | 36 |
| References | 37 |
| Notes: | 40 |

Table of Figures

| | |
|---|----|
| Figure 1: The Eviction Process for Nonpayment of Rent Cases | 10 |
| Figure 2: Annual Count of Eviction Filings 2014- 2018..... | 11 |
| Figure 3: Share of Households with a Filing in 2018 that Have Additional Filings..... | 12 |
| Figure 4: Number of Executed Evictions, 2014-2018..... | 14 |
| Figure 5: Eviction and Demographic Characteristics, by Ward | 15 |
| Figure 6: Share of Renter Households with at Least One Eviction Filing in 2018, by Ward | 16 |
| Figure 7: Share of Renter Households with Eviction Filings in 2018, by Census Tract..... | 17 |
| Figure 8: Eviction Filing Rate by Share of Black Residents in a Census Tract..... | 18 |
| Figure 9: Share of Renter Households with an Executed Eviction in 2018, by Ward | 19 |
| Figure 10: Share of Renter Households with an Executed Eviction in 2018, by Census Tract | 20 |
| Figure 11: Executed Eviction Rate by Share of Black Residents in a Census Tract..... | 21 |
| Figure 12: Share of Evictions Filed Against Subsidized and Unsubsidized Renters..... | 22 |
| Figure 13: Amount Due on Initial Eviction Filing in 2018 | 23 |
| Figure 14: Amount Due by the Put-Out (Form 6) | 24 |
| Figure 15: Share of Eviction Filings and of Units Owned..... | 25 |
| Figure 16: Eviction Filings per 100 Units Owned, by Landlord Size and Ward | 26 |
| Figure 17: Eviction Filing Rate by the Cost of Filing for an Eviction in Largest Cities..... | 28 |

Executive Summary

- **This report analyzes court records of every eviction filing from 2014 to 2018 in Washington, DC.** The fine-grained nature of these data provides an unusually nuanced look into the eviction process.
- **Eviction impacts the health and wellbeing, financial stability and housing opportunities for renters throughout Washington, DC.** Drivers of eviction include income volatility among low-income renters; rising rents relative to income; the lack for rental assistance for most eligible households; and the limited supply of affordable housing. Moving forward, future analyses should examine the unique impact of the Covid-19 pandemic.
- **Eviction filings are common in Washington, DC.** Each year, landlords file an average of about 32,000 residential eviction filings with the court. Since households regularly receive multiple eviction filings in a single year, this process impacts nearly 18,000 unique District households, or about 11 percent of renter households.
- **About 93 percent of eviction filings are filed for *nonpayment of rent*.** The remaining 7 percent are filed for a range of other reasons, some of which are related to the repeated failure to pay rent.
- **Serial eviction filings occur when tenants have more than one filing at the same address by the same landlord.** Among households with an eviction filing in 2018, nearly 60 percent had at least one additional filing against them at some other point between 2014 and 2018.
- **Most eviction filings do not result in a formal eviction.** In 2018, only about 5.5 percent of filings resulted in a formal eviction. However, many renters are forced from their homes in ways *not* captured by formal court records.
- **Neighborhoods east of the river are hit hardest by eviction filings.** Citywide, about 11 of every 100 renter households experienced an eviction filing in 2018. However, 25 out of every 100 renter households in Ward 8 received an eviction filing. By contrast, fewer than 3 out of every 100 renter households in Ward 2 received one.
- **Over 60 percent of executed evictions take place east of the river.** The rate of executed evictions is 13 times higher in Ward 8 than Ward 2.

- **Most tenants owe modest amounts at the time of their eviction filing.** The average tenant owes \$1,207 when he or she is summoned to court. 12 percent of households owe \$600 or less.
- **While subsidized housing aims to create residential stability, many subsidized renters face eviction.** Tenants in subsidized housing units comprise 23 percent of renters facing an eviction filing.
- **Evictions are concentrated in the hands of a small number of property owners.** Only 20 landlords in DC were responsible nearly half of all eviction filings in the District in 2018, but they owned only 21 percent of all rental units.
- **The fee to file for eviction in Washington, DC is the lowest of any major American city.** Landlords can file for eviction for just \$15 dollars. Lower filings fees are associated with higher rate of eviction filing.
- **Eviction prevention is an economic and racial justice issue.** Policymakers should consider several complementary proposals, including landlord interventions that create diversion programs *before* tenants experience an eviction filing; increased access to legal counsel to level the playing field for tenants in an eviction proceeding; immediate record sealing to remove stigma and prevent long-term harm to tenants; stronger emergency rental assistance programs to guarantee streamlined assistance to tenants; and a broad commitment to subsidizing housing for all eligible families. Policymakers must act quickly to prevent a new eviction crisis resulting from the COVID-19 pandemic.

Background and Introduction: The Eviction Process in Washington, DC

The Covid-19 pandemic and related economic crisis threaten to put thousands of families in DC at risk of eviction. But even before the crisis, low-income District residents were at high risk of eviction. Almost half of DC's 163,000 renter households are rent-burdened because they spent over 30 percent of their income on rent. Nearly one in four renters are severely rent-burdened because they spent over half their income on rent. These heavy cost burdens fall disproportionately on low-income Washingtonians. Importantly, the burdens of housing are not evenly distributed across wards. Wards 7 and 8 are home to the highest concentrations of housing-insecure renters.ⁱ Recent analyses estimate that tens of thousands DC residents could be at risk of eviction in the coming months.ⁱⁱ With housing instability and eviction concentrated in majority-Black neighborhoods located in Wards 7 and Ward 8, addressing housing inequality is an issue central to racial justice in Washington, DC.

Eviction is a key driver of housing instability, homelessness, and poverty

Introduction

Growing concern about the crisis of eviction has attracted increased attention from scholars and urban policymakers. Eviction is a key driver of housing instability, homelessness, and poverty.ⁱⁱⁱ Residential instability has detrimental consequences for children, families and neighborhoods as it disrupts social ties, interrupts peer networks and generates a loss of community.^{iv} But the impact of eviction is spread unevenly across the population. Low-income women with children are more likely to be evicted than other groups. There are enormous disparities by race in eviction rates.^v Other individual factors, such as family size, employment status, and household income, serve as important predictors of eviction, as well.^{vi}

Concern about inequality within cities has generated a renewed effort to understand the consequences of evictions. Eviction and the resulting housing instability lead to increased unemployment and worse health outcomes. This process often begins a cycle of instability for households that frequently results in bouts of homelessness. Children in households facing eviction experience challenges to their educational attainment, including increased absences from school, and detrimental effects on their physical and mental wellbeing.^{vii} Even the mark of an eviction filing can create barriers to finding new housing.^{viii} As a result, eviction filings may push

Recent research on eviction highlights the distinction between an eviction filing - the first legal step in the eviction process - and the terminal moment of eviction - physical expulsion from the property

tenants into lower quality housing units in disadvantaged neighborhoods, increasing the likelihood of subsequent moves beyond the initial displacement.^x As sociologist Matthew Desmond, author of *Evicted: Poverty and Profit in the American City*, has argued, eviction is not only a condition of poverty; it is also a cause of it.

Evaluating the crisis of eviction in the District must begin with an acknowledgement of the distinction between an eviction *filing* - the first legal step in the eviction process - and the terminal moment of eviction - physical expulsion from the property. Since many tenants pay the rent owed at some point during the eviction process, the vast majority of eviction filings do not result in an “executed” eviction - the moment where law enforcement arrives at the home to physically remove the tenant. However, eviction filings still result in a legal record that affect tenants’ future housing options. These filings also result in the legal threat of expulsion that often has negative consequences for tenants. Furthermore, filings affect a far greater portion of renters, and they occur much more frequently, than the terminal moment of the eviction process. As a result, this distinction between an *eviction filing* and an *executed eviction* is an important one for policy analysis.^x

Acknowledging the eviction crisis as a driver of poverty, there is a growing effort to document, measure and explain the eviction crisis in American cities. Researchers at Princeton University’s Eviction Lab have constructed the largest national database on evictions by accumulating tens of millions of eviction records from jurisdictions across the country. The Eviction Lab and other national groups have raised awareness about the magnitude of the eviction crisis and generated insight about differences in legal processes across cities. There are also a number of housing advocacy and legal groups in the District, including *Bread for the City*, *the Legal Aid Society of the District of Columbia*, *Legal Counsel for the Elderly*, *Neighborhood Legal Services Project*, *Rising for Justice*, *the DC Bar Pro Bono Center*, and *the Tenant Rights Center*, that continue to do critically important work on eviction. However, there has been little data-driven publicly-available research documenting the trends in the crisis of eviction. By focusing on evictions in the District, we offer a portrait of the current crisis and put forward a set of suggestions for policymakers.

The Process of Eviction in Washington, DC

The Landlord and Tenant Branch (LTB) of the Civil Division of the Superior Court is responsible for hearing all eviction cases. In the District, an eviction

can only be carried out with a court order issued for “just-cause,” which includes ten specific reasons detailed by statute.^{xi} The vast majority of residential filings involve landlords seeking to evict tenants for nonpayment of rent (see **Figure 2**). The remaining cases are for other lease violations.

As detailed in **Figure 1**, the eviction process begins with a written notice of violations - most commonly, nonpayment of rent. The landlord submits a written *Notice to Quit* to the tenant and provides the tenant thirty days to pay the outstanding rent or vacate the unit. Under DC law, landlords can write into the lease a waiver of this right to receive this thirty-day notice, such that many of these cases are filed without a notice to quit. After allowing the defendant time “quit” (leave) or to “cure” these violations (e.g. pay the rent owed), the landlord can proceed to file a *Verified Complaint for Possession of Real Property* with the court requesting that the court issue a judgment in favor of the plaintiff (or landlord) to evict the defendant (or tenant). The filing fee of \$15 for landlords is the lowest fee in the country (see **Figure 17**). This legal filing of the eviction suit results in a *Summons to Appear in Court and Notice of Hearing* to the tenant.

Typically, an initial hearing is scheduled within three weeks of the landlord filing the complaint. When tenants pay the rent owed prior to the scheduled hearing, their cases are dismissed. If there are not sufficient grounds for the suit, or if the landlord does not show up, the case is also dismissed. In 2018, 69 percent of cases filed for nonpayment of rent ended in a *dismissal*. However, if the defendant does not show up to court, a default judgment will ultimately be entered in the case. This results in an automatic decision in favor of the landlord. In 2018, 12 percent of filings resulted in a *judgment for plaintiff*, and only a handful of filings in a *judgment for tenant*.

If both parties to a case are present for the initial hearing, they are often instructed to leave the courtroom to attempt to resolve their case with the help of a free court mediator. Parties that agree to terms to resolve their dispute file a *settlement agreement* or a *consent judgment agreement* with the court. While a *consent judgment agreement* allows the plaintiff to secure a *judgment for possession* against the defendant pending agreement terms (usually a payment plan), *settlement agreements* do not. Settlement agreements are less risky for tenants because non-compliance does not automatically set into motion the processes of eviction. In 2018, 18 percent of cases filed for nonpayment of rent ended in a *settlement* or *consent judgment agreement*.^{xii} If the parties do not resolve their dispute by making a *settlement* or *consent judgment agreement*, the case is called

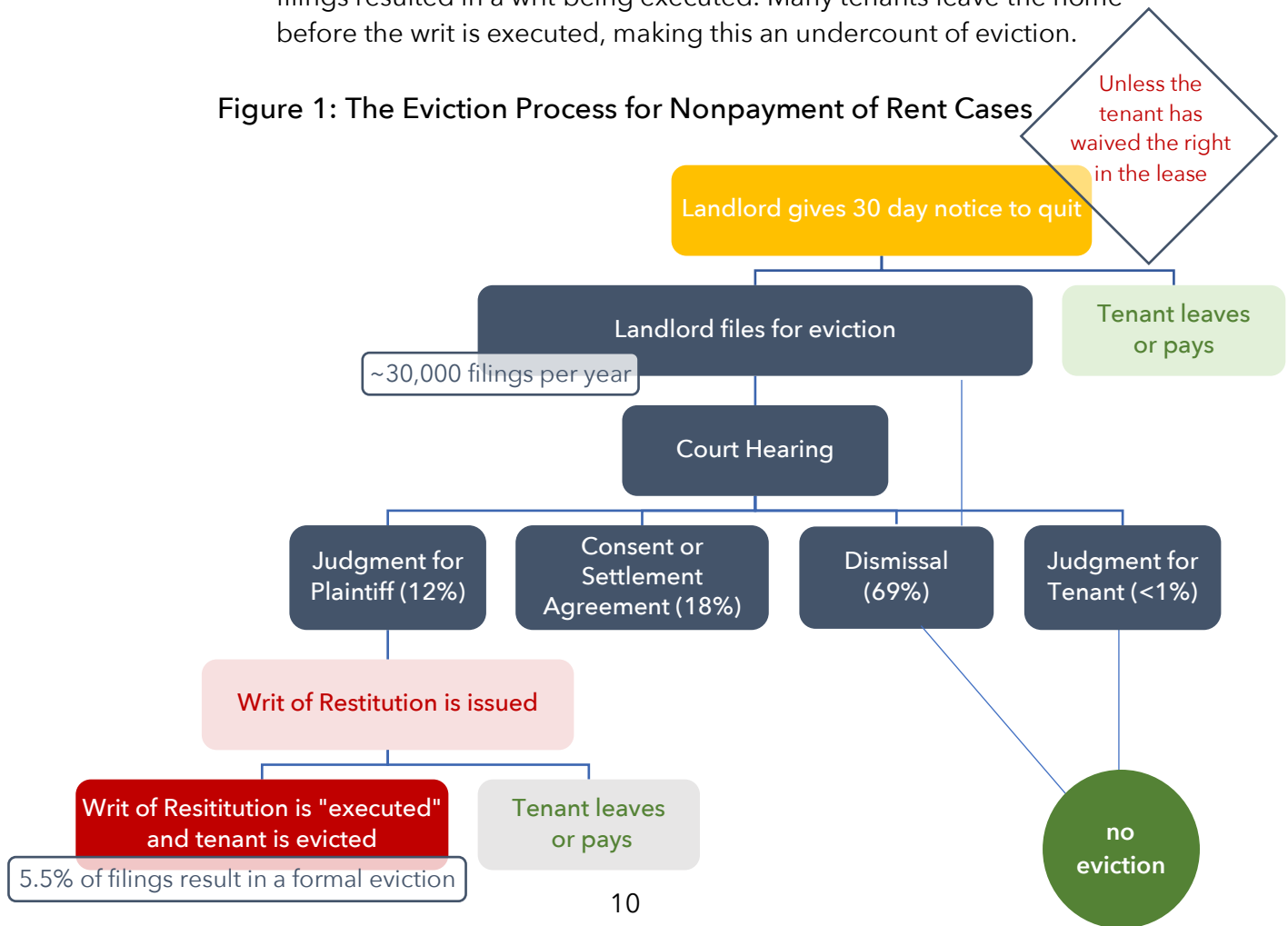
The fee for landlords to file for eviction is only \$15, the lowest fee in the country

Right to redemption allows tenants to redeem the tenancy by paying the amount owed to the plaintiff at any time up to (and including) the point at which the USMS arrives on site to complete the eviction

before the judge, who may enter a judgment or schedule the case for trial. Once a judgment for *Possession of Real Property* has been entered, the plaintiff must obtain a *Writ of Restitution* that authorizes the execution of the eviction. The court then files the writ with the United States Marshals Service (USMS) and a date is scheduled for the eviction to be carried out.^{xiii} While evictions are carried out by local law enforcement in most other jurisdictions in the country, the federal USMS that schedules evictions, sends eviction notices to tenants, and oversees the execution of the eviction in the District.

All evictions are scheduled on weekdays and cannot be rescheduled, except when there is precipitation or when the temperature is forecasted to fall below 32 degrees Fahrenheit. Notably, since the District has a *right to redemption*, most cases involving nonpayment of rent are subject to a *redeemable judgment for possession* that allows tenants to redeem the tenancy (i.e. stop the eviction) by paying the amount owed to the plaintiff at any time up to (and including) the point at which the USMS arrives on site to complete the eviction.^{xiv} In 2018, 5.5 percent of residential eviction filings resulted in a writ being executed. Many tenants leave the home before the writ is executed, making this an undercount of eviction.

Figure 1: The Eviction Process for Nonpayment of Rent Cases



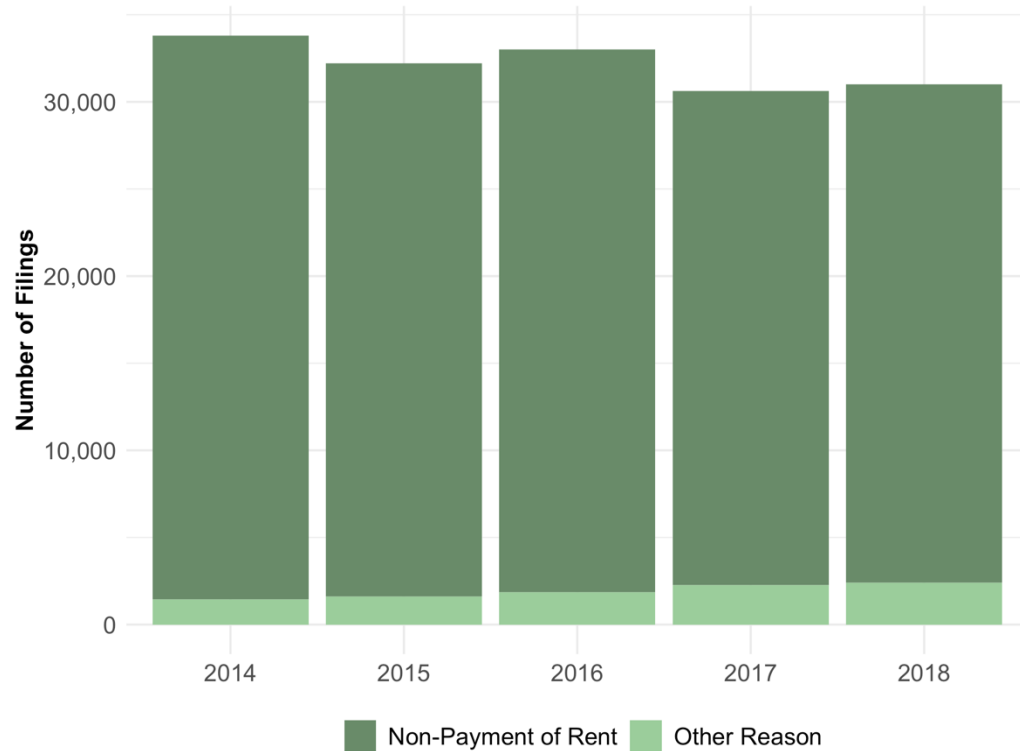
I. Eviction Filings and Executed Evictions

Eviction Filings

From 2014 - 2018, landlords in the District filed an average of 32,132 eviction filings each year. The number of filings remained relatively consistent over this five-year period, varying slightly across years, as shown in **Figure 2**. While there were modest declines in the number of eviction filings at the city level from 2014 to 2018, these declines were concentrated in Ward 8 (see: **Appendix Table 1**).

From 2014 - 2018, the DC Court reports about 32,000 filings annually

Figure 2: Eviction Filings Remain Relatively Consistent
Annual Count of Eviction Filings, 2014 - 2018



93% of eviction filings are for nonpayment of rent

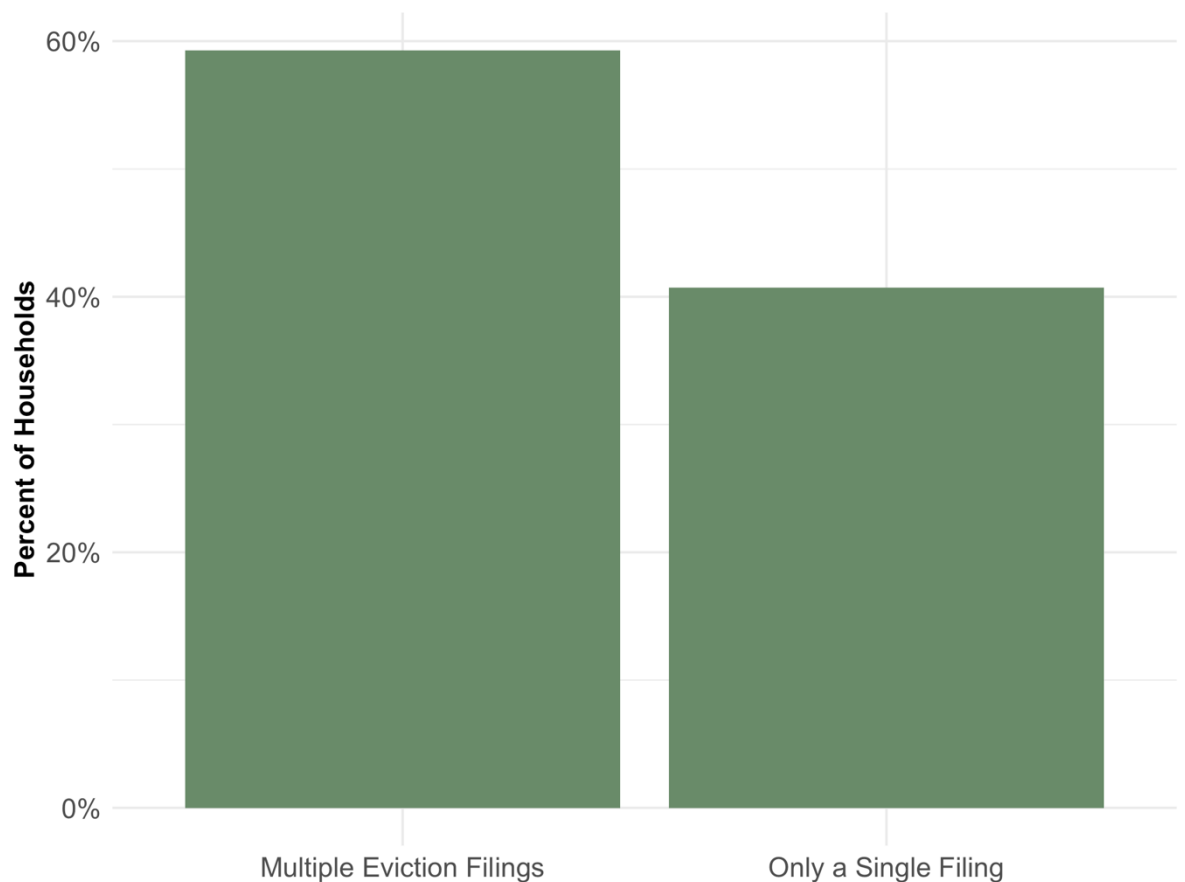
Figure 2 also shows that most cases involve landlords seeking to evict tenants for nonpayment of rent. During this five-year period, 93 percent of cases were for nonpayment of rent; the remaining cases were for any of the other nine legal reasons landlords can evict, including sale or demolition of the unit or breach of lease. While these nonpayment cases comprise the lion’s share of eviction filings, their proportion has declined slightly as eviction filings for other reasons has increased recently (**Appendix Table 2**).

The process of landlords repeatedly filing eviction filings against a single household at the same address is known as *serial eviction filing*

Serial Eviction Filings

Since many households receive multiple eviction filings at the same property, the number of *unique* households receiving a filing in a given year is less than the total number of filings. In an effort to collect rent, landlords repeatedly file eviction filings against a single household at the same address - a process known as *serial eviction filing*.^{xv} In 2018, there were 17,645 unique households that received at least one eviction filing.^{xvi} With approximately 163,000 renter households in the District, this means that 11 percent of DC renter households were impacted by the eviction process in 2018.

Figure 3: Most Households with any Eviction Filing Have Multiple
Share of Households with a Filing in 2018 that Have Additional Filings at the Same Address



59 percent of households with an eviction filing in 2018 also had at least one additional filing at the same address between 2014 and 2018

Figure 3 shows that 59 percent of households who received an eviction filing in 2018 had received *at least one additional* eviction filing at the same address between 2014 and 2018. Among households with an eviction filing in 2018, 27 percent received either one or two additional filings during this period. More than 11 percent had *three or four* additional filings during this five-year period. Remarkably, 21 percent of households with an eviction filing in 2018—or about 3,775 unique households in the District—received *five or more* additional eviction filings during this five-year period. Notably, **Figure 3** shows that only 41 percent of households with an eviction filing in 2018 had *no other* eviction filings at the same address from 2014 to 2018.

These data confirm that serial filings are pervasive for tenants in the District. Importantly, since the data stop at 2018, households who appear to have only one eviction filing in 2018 may, in fact, have additional filings in subsequent years.

Executed Evictions

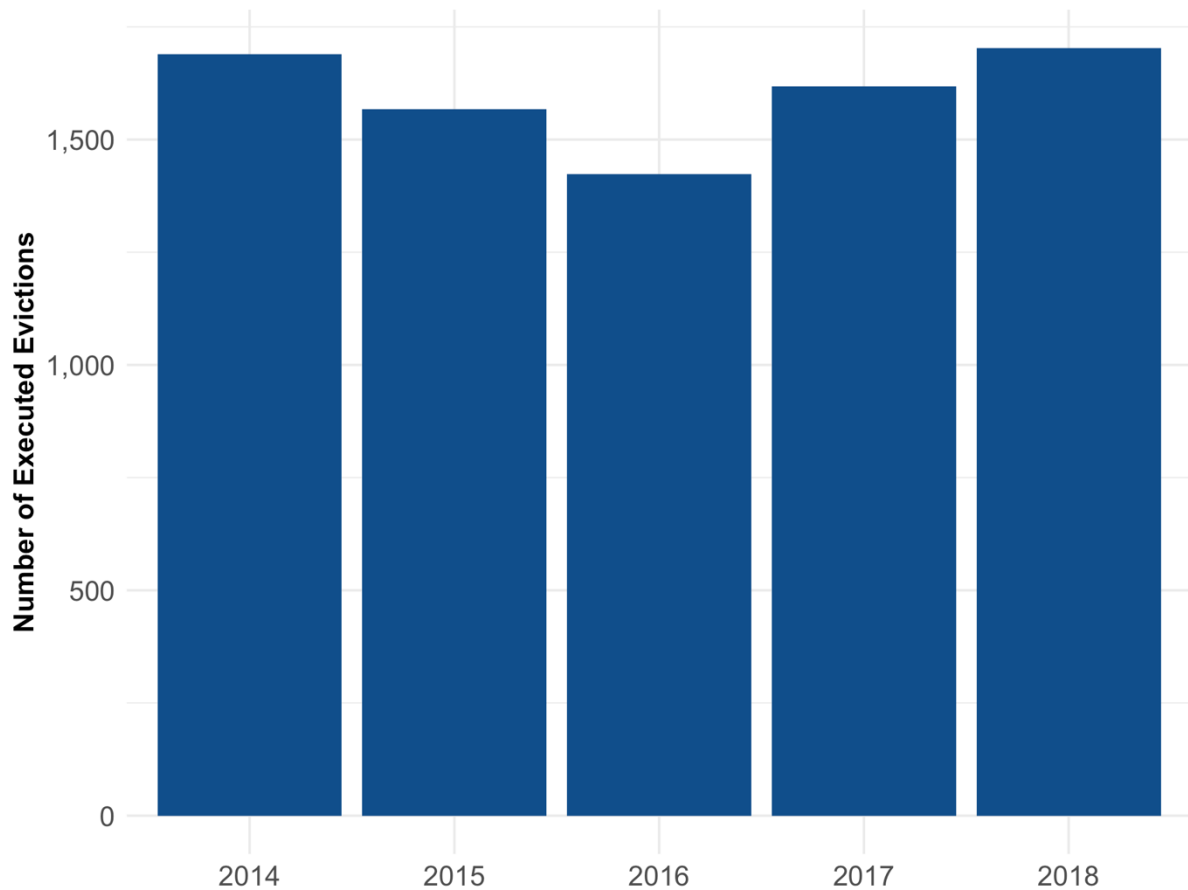
While eviction is often thought of as a process of *putting a tenant out*, the vast majority of eviction filings don't result in the tenant being removed, as noted in **Figure 1**. As in most cities, the majority of eviction filings in the District do not result in an “executed” eviction. Many cases are dismissed because the tenant pays rent owed, or they are dropped by the landlord after the suit is filed. Since tenants in DC have a *right to redemption*, they are allowed to pay at any point up until the moment at which the USMS arrives at the door to execute the eviction.

Figure 4 shows a relatively steady pattern of executed evictions between 2014 and 2018. On average, the court reported 1,600 executed evictions annually. While the number of cases filed fell slightly from 2016 to 2018, the share of executed evictions rose.

Among the 31,000 eviction filings in 2018, only about 5.5 percent of total filings ultimately resulted in an eviction executed by the USMS.^{xvii} This translates to about 1 out of every 100 renter households in Washington, DC being put out of their home through a court-ordered eviction. It is important to note that this figure undercounts the true number of evictions since many families facing an eviction leave the home before the Marshal arrives. It also does not account for informal evictions, where landlords threaten eviction and use intimidation to get tenants to leave the home informally.

Only 5.5 percent of eviction filings in 2018 ultimately resulted in an eviction

Figure 4: The District Averages 1,600 Executed Evictions Each Year
Annual Count of Executed Evictions, 2014-2018



The rate of both eviction filings and executed evictions is substantially higher in Wards 7 and 8. These wards have the largest share of Black residents and the highest poverty rates in the city

II. The Uneven Geography of Evictions

Geography of Eviction Filings

Eviction filings and executed evictions are spread unevenly across the city. The rate of both eviction filings and executed evictions is substantially higher in Wards 7 and 8. These wards have the largest share of Black residents and the highest poverty rates in the city. In Ward 8, the poverty rate is 34.2 percent and the share of Black resident is 90 percent. In Ward 7, the poverty rate in is 26.6 percent and the share of Black residents is 93.1 percent. By contrast, the wards with the lowest filing rate - Wards 2 and 3 - have among the lowest poverty rates and the smallest share of Black residents in the city. Figure 5 shows key characteristics of each ward, including their share of the citywide population and citywide renter-occupied housing units, alongside their share of eviction filings and executed evictions.

Figure 5: Evictions Disproportionately Impact Wards 7 & 8
Eviction and Demographic Characteristics, by Ward

| Ward | Share of Citywide Filings (2018) | Share of Citywide Executed Evictions (2018) | Share of Citywide Population (2018) | Share of Citywide Renter Housing Units (2018) | Poverty Rate (2018) | Percent Black (2018) |
|------|----------------------------------|---|-------------------------------------|---|---------------------|----------------------|
| 1 | 6.1 | 4.8 | 12.1 | 13.9 | 13.6 | 28.5 |
| 2 | 3.0 | 2.7 | 11.1 | 14.6 | 13.3 | 9.2 |
| 3 | 3.2 | 3.4 | 12.1 | 10.9 | 8.1 | 7.1 |
| 4 | 6.6 | 4.8 | 12.5 | 7.7 | 11.2 | 51.4 |
| 5 | 13.7 | 14.7 | 12.5 | 11.0 | 15.9 | 65.0 |
| 6 | 10.3 | 8.2 | 13.5 | 16.3 | 12.1 | 31.1 |
| 7 | 22.6 | 25.3 | 11.6 | 11.5 | 26.6 | 93.1 |
| 8 | 34.0 | 35.5 | 12.1 | 14.2 | 34.2 | 90.0 |

Most tenants experiencing eviction live in neighborhoods located east of the Anacostia River

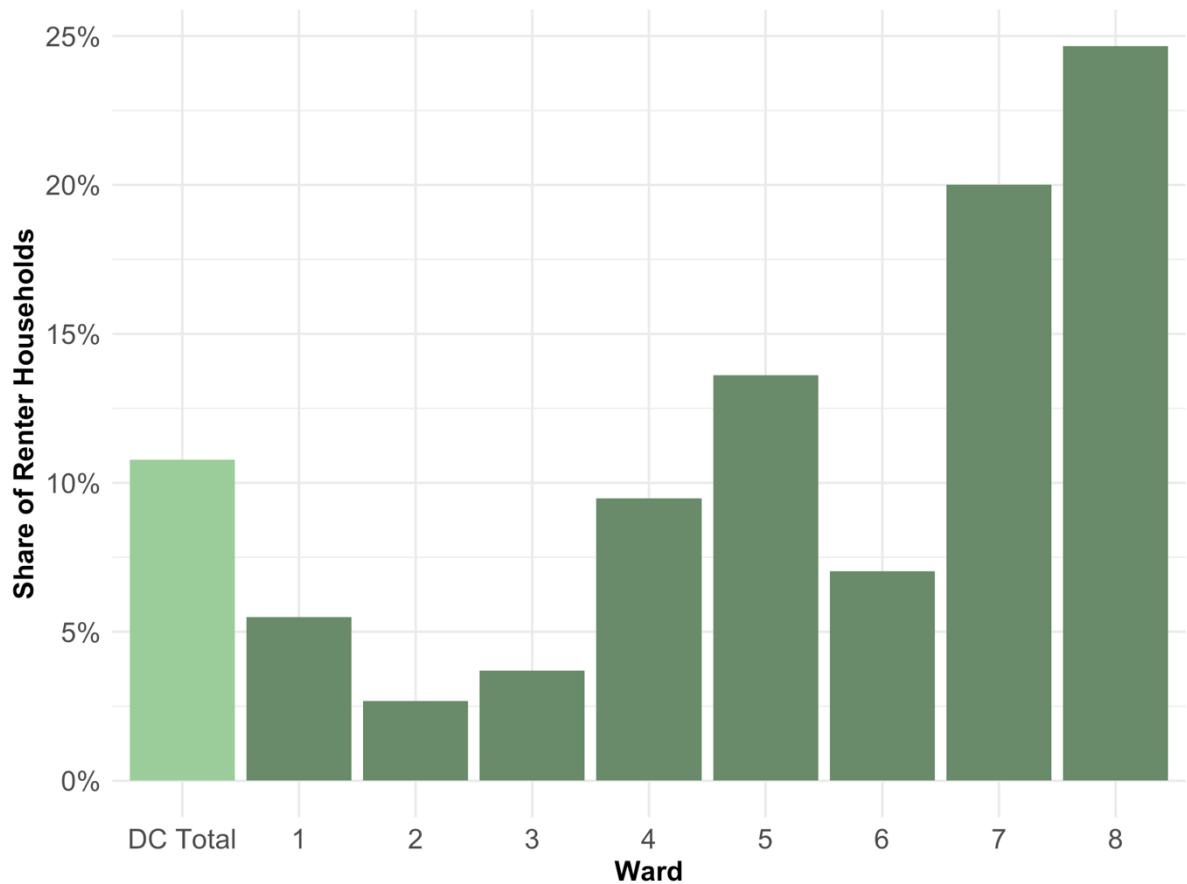
Wards 7 and 8 account for only one-quarter of renter-occupied households in the District, but they have nearly 57 percent of eviction filings

Most tenants experiencing eviction live in neighborhoods located east of the Anacostia River. While the renter population is relatively evenly distributed across wards, **Figure 5** reveals that eviction filings are disproportionately concentrated in these communities. About 14.2 percent of the District's renter-occupied housing units are located in Ward 8, but 34 percent of eviction filings took place in the ward. Likewise, while only 11.5 percent of renter-occupied housing units are located in Ward 7, 22.6 percent of eviction filings were filed in the ward. While these two communities together account for only one-quarter of renter-occupied households in the District, they account for nearly 57 percent of eviction filings. By contrast, 14.6 percent of renter-occupied housing units are located in Ward 2, but only 3 percent of evictions are filed in the ward.^{xviii}

Given the prevalence of eviction filings in Wards 7 and 8, households in these communities are more likely to experience eviction. **Figure 6** compares the share of households that received at least one eviction filing in 2018 across wards. Citywide, almost 11 out of every 100 renter households received an eviction filing during the calendar year. However, a substantially higher proportion of the renter population in Wards 7 and 8 received an eviction filing. In Ward 8, 25 out of every 100 renter households received at least one eviction filing in 2018. In Ward 7, 20 out of every 100 renter

households received at least one eviction filing in 2018. Notably, the rate at which renter households in Ward 8 received eviction filings is more than 10 times the rate in Ward 2.

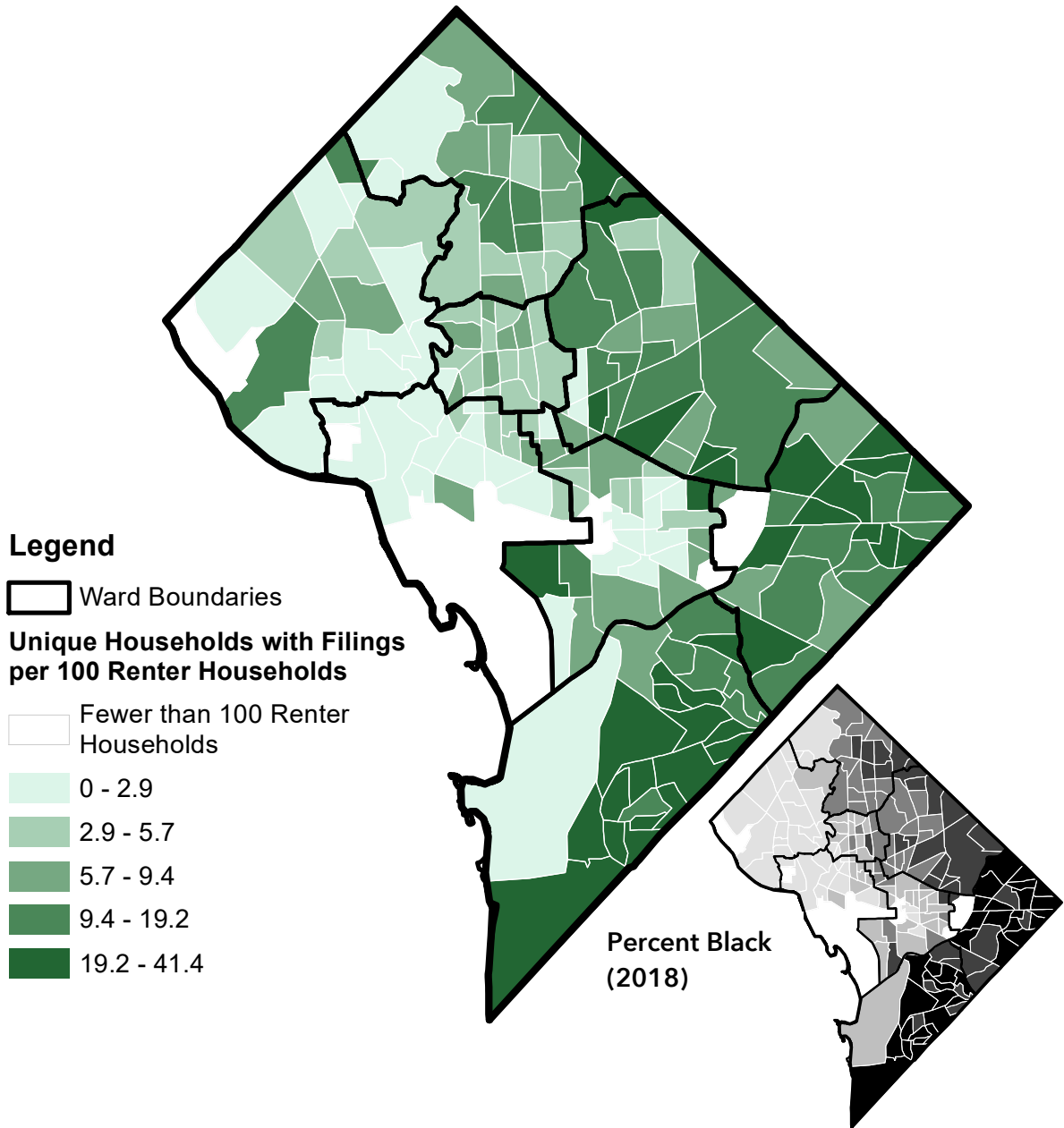
Figure 6: Renters in Wards 7 & 8 are Hit Hardest by Eviction Filings
Share of Renter Households with at Least One Filing in 2018, by Ward



In the neighborhood with the highest prevalence of eviction filing, more than 41 out of every 100 renter households received at least one eviction filing in 2018

Even within these wards, eviction filings are concentrated in a handful of neighborhoods. **Figure 7** maps the number of households within a census tract that experienced at least one eviction filing as a share of the renter population. This micro-analysis identifies a number of hotspots - largely concentrated in Wards 5, 7 and 8 - where renters disproportionately experience eviction filings. In the neighborhood with the highest rate of eviction filing, more than 41 out of every 100 renter households received at least one eviction filing in 2018.

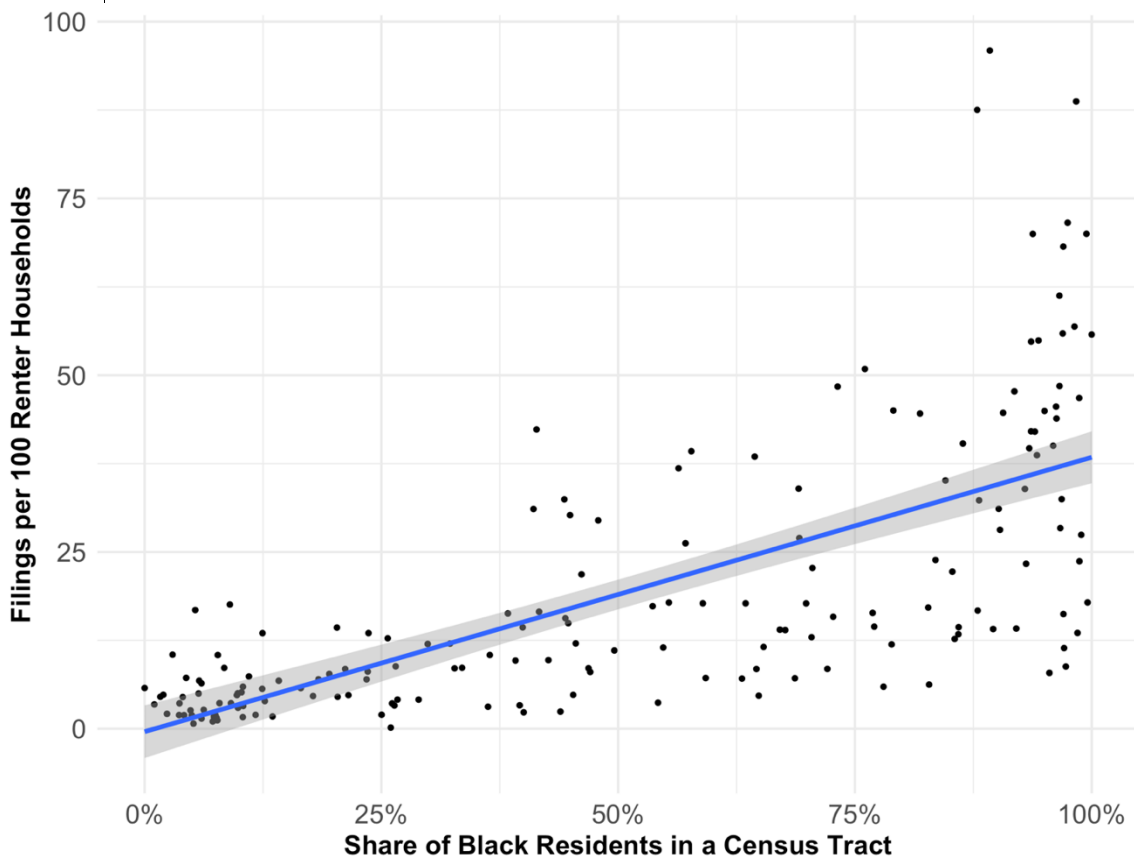
Figure 7: Neighborhoods in Wards 7 & 8 are Hotspots for Eviction Filings
Share of Renter Households with an Eviction Filing in 2018, by Census Tract



Extending this analysis of neighborhood-level differences in eviction filings, **Figure 8** reveals a strong, positive correlation between the share of Black residents in a census tract and the eviction filing rate. There are more eviction filings per hundred renter households in census tracts with a large share of Black residents compared to census tracts with a small share of Black residents.

Figure 8: Eviction Filing Rates are Higher in Tracts with Higher Share of Black Residents

Eviction Filing Rate by Share of Black Residents in a Census Tract



In 2018, 35.5% of executed evictions - more than a third of the citywide total - occurred in Ward 8 and another 25.3% occurred in Ward 7

Geography of Executed Evictions

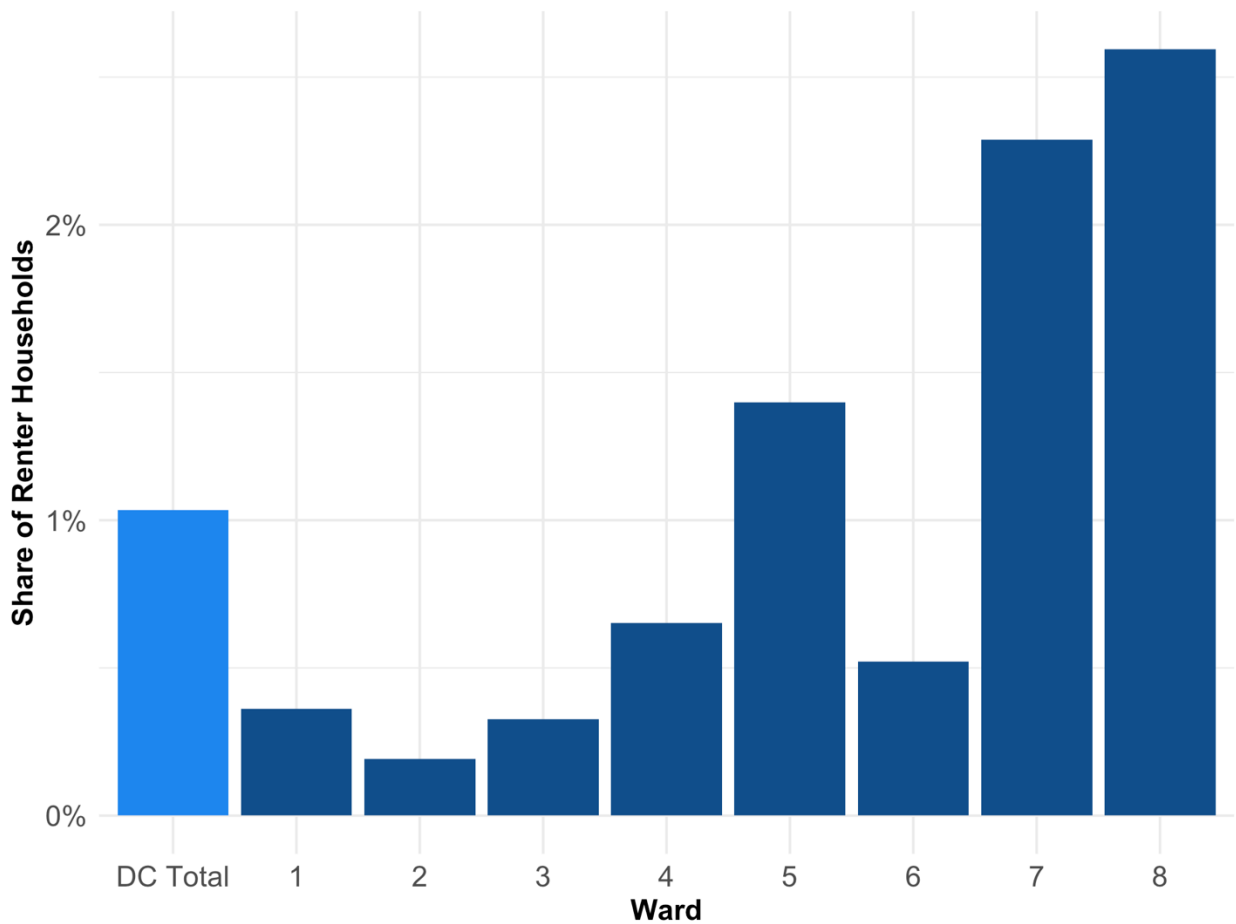
Like the geography of eviction filings, the number of *executed* evictions varies starkly across wards. **Figure 5** reveals that *executed* evictions are disproportionately concentrated in Wards 7 and 8. In 2018, only 2.7 percent of executed evictions occurred in Ward 2 and just 3.4 percent of executed evictions occurred in Ward 3. By contrast, 35.5 percent of executed evictions - more than one-third of the citywide total - occurred in Ward 8 and another 25.3 percent occurred in Ward 7.

Communities with a large share of Black residents experience significantly higher rates of executed evictions

Figure 9 shows that the share of renter households with an executed eviction carried out in Wards 7 and 8 is more than double the citywide average. Citywide, about 1 in every 100 renter households experienced an executed eviction in 2018. In Ward 2, where the fewest evictions took place, the rate of evictions was less than one-fifth the citywide average. There were about 0.2 executed evictions for every 100 renter households in Ward 2. By contrast, there were 2.6 executed evictions for every 100 renter households in Ward 8.

Figure 9: Renters in Wards 7 & 8 Experience a Higher Rate of Executed Evictions

Share of Renter Households with an Executed Eviction in 2018, by Ward



Like the earlier map of eviction filings, **Figure 10** shows the concentration of executed evictions in a handful of hotspot neighborhoods east of the River. In the neighborhood with the highest rate of executed evictions, about 6 out of every 100 renter households experienced an executed eviction in 2018.

Figure 10: Neighborhoods in Wards 7 & 8 are Hotspots for Executed Evictions
Share of Renter Households with an Executed Eviction in 2018, by Census Tract

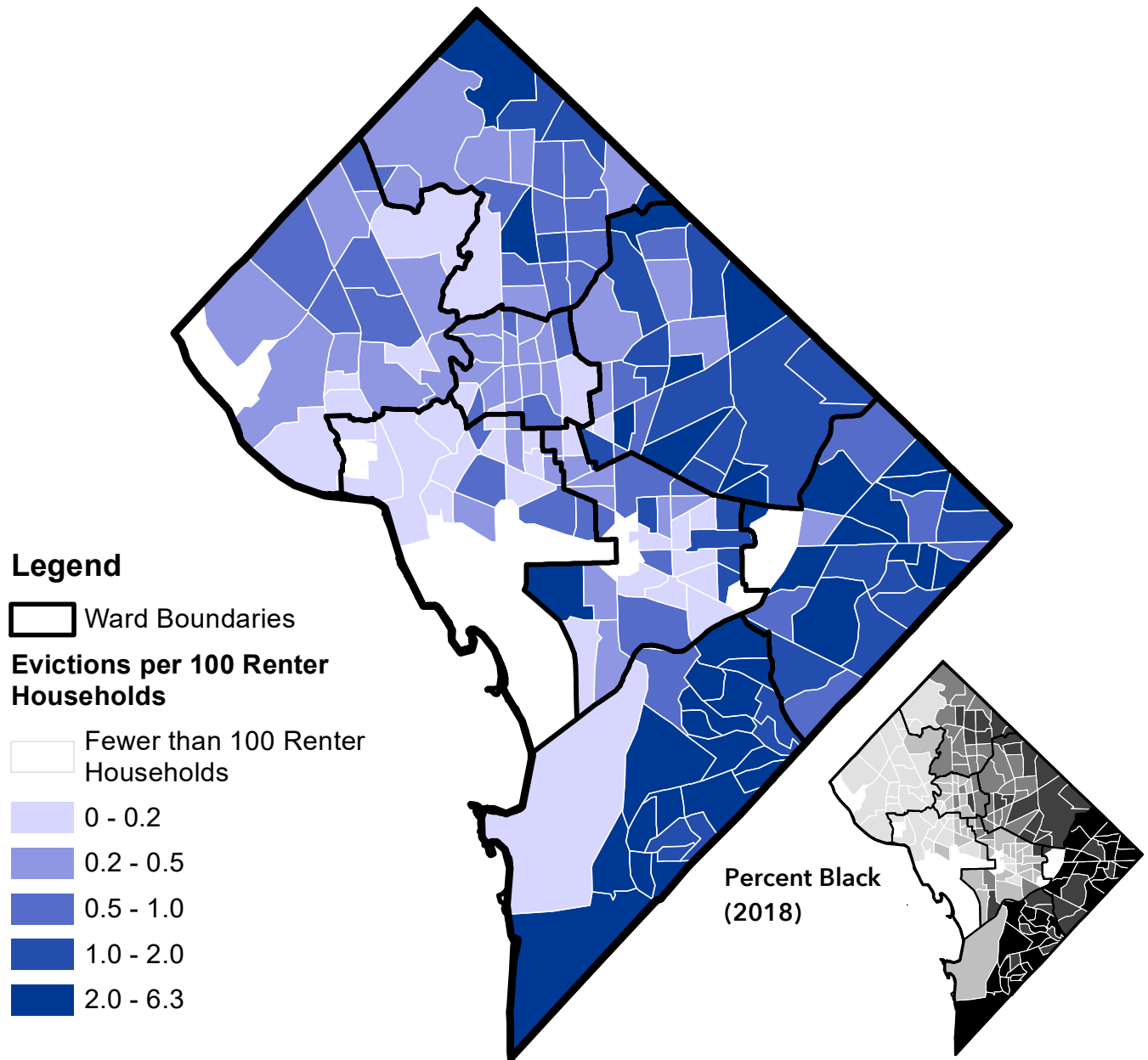
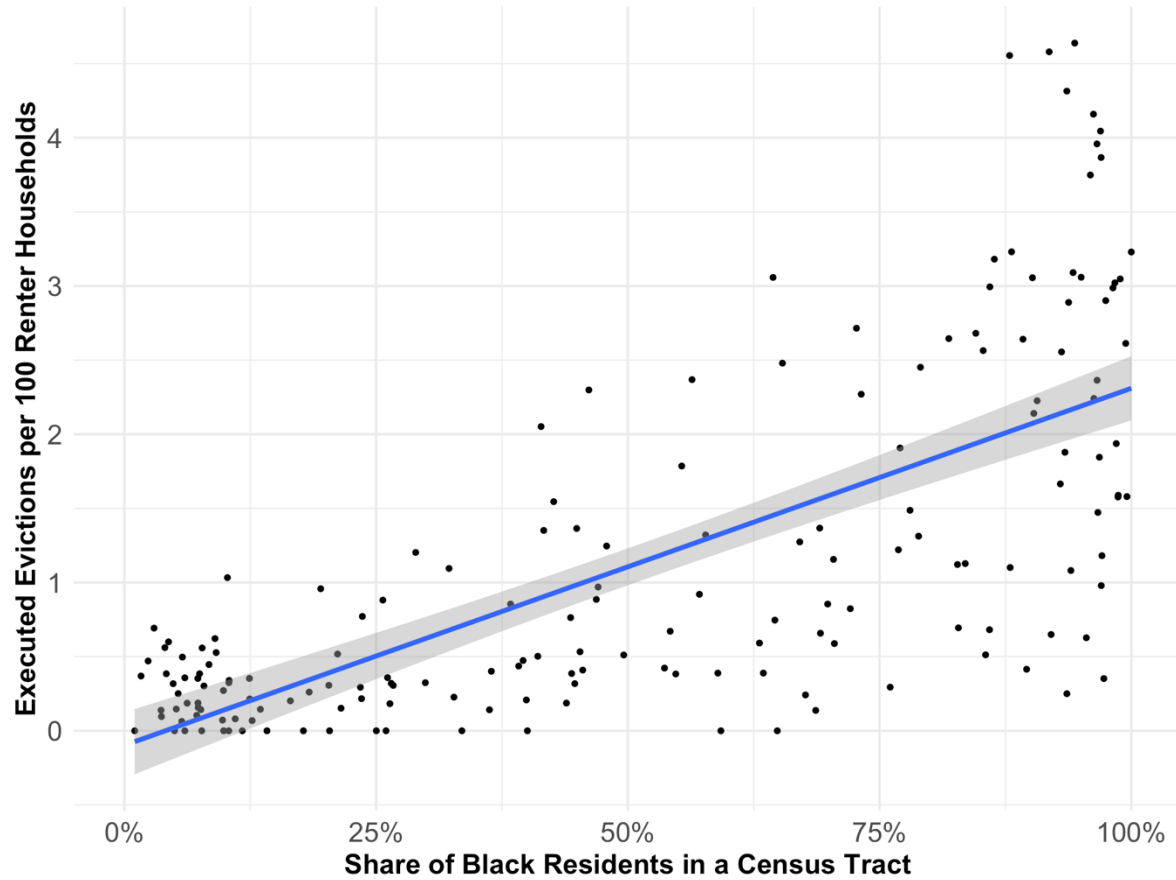


Figure 11: Executed Eviction Rates Higher in Tracts with Higher Share of Black Residents

Executed Eviction Rate by Share of Black Residents in a Census Tract



Once again, **Figure 11** reveals a strong, positive correlation between the racial composition of a census tract and the rate of executed evictions. Communities with a large share of Black residents experience significantly higher rates of executed evictions than communities with a small share of Black residents.

III. Rents and Subsidies

One of the main drivers of eviction is rising rents paired with limited housing subsidy for low-income households. The median rent in the District has grown considerably in recent years. In 2010, the median renter paid \$1,224 (in real 2018 dollars) to their landlord; by 2018, rent had climbed to \$1,487.^{xix} The District offers a number of affordable housing subsidies and

23% of eviction filings in 2018 were filed against subsidized renters, including those living in public housing, receiving a housing voucher, or living in a LIHTC building

programs, including local vouchers and public housing, but they leave most eligible renters unassisted. In 2018, fewer than 12,000 households received a housing voucher through the Housing Choice Voucher program and slightly more than 3,000 households received rental assistance through the tenant-based Local Rent Supplement Program (LRSP). There were about 7,500 units of public housing maintained by the District of Columbia Housing Authority (DCHA).^{xx} Additional housing constructed through the low-income housing tax credit (LIHTC) and the city’s housing production trust fund (HPTF) provide units of housing for low- and moderate-income renters, but they fall short of providing affordable housing to every eligible renter.

While affordable housing subsidies are meant to create housing stability, many subsidized renters still end up in court and experience eviction. **Figure 12** reveals that 23 percent of eviction filings in 2018 were filed against subsidized renters, including those living in public housing, receiving a voucher or living in a LIHTC building.^{xxi}

Figure 12: Nearly 25% of Filings are Against Subsidized Renters
Share of Evictions Filed Against Subsidized and Unsubsidized Renters

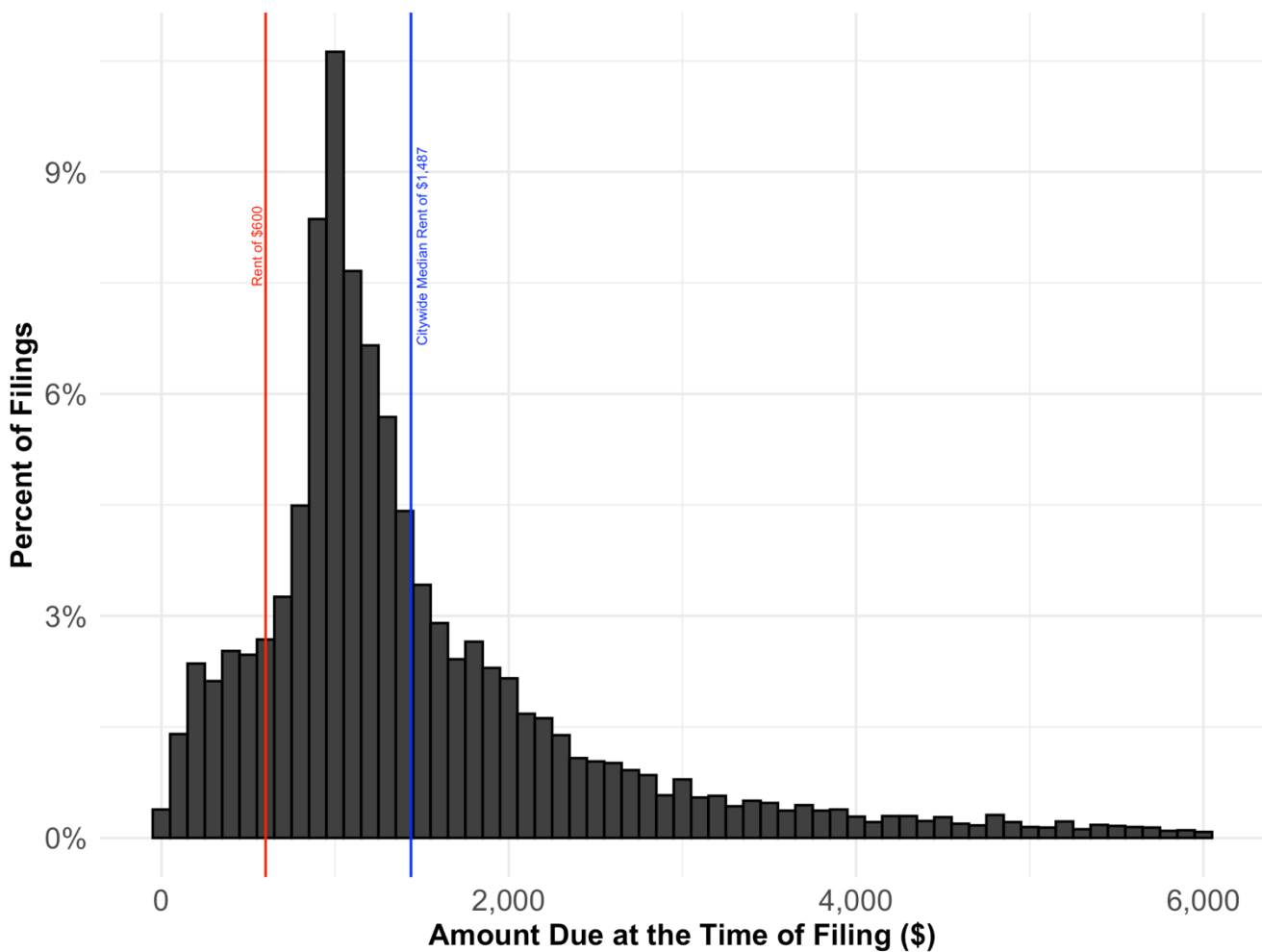


About 64 percent of households owe less than the median citywide rent of \$1,487 when they are summoned to court

Amount Due on Filing

Overall, households owe around \$1,207 at the time the eviction suit is filed. **Figure 13** plots the amount due when renters receive a Summons to appear in Landlord-Tenant Court.^{xxii} Overall, 12 percent of renters summoned to court in the District owe less than \$600. About 64 percent of households owe less than the citywide median rent of \$1,487 when they are summoned to court.

Figure 13: The Typical Household Owes \$1,207 at Time of Filing
Amount Due on Initial Eviction Filing in 2018



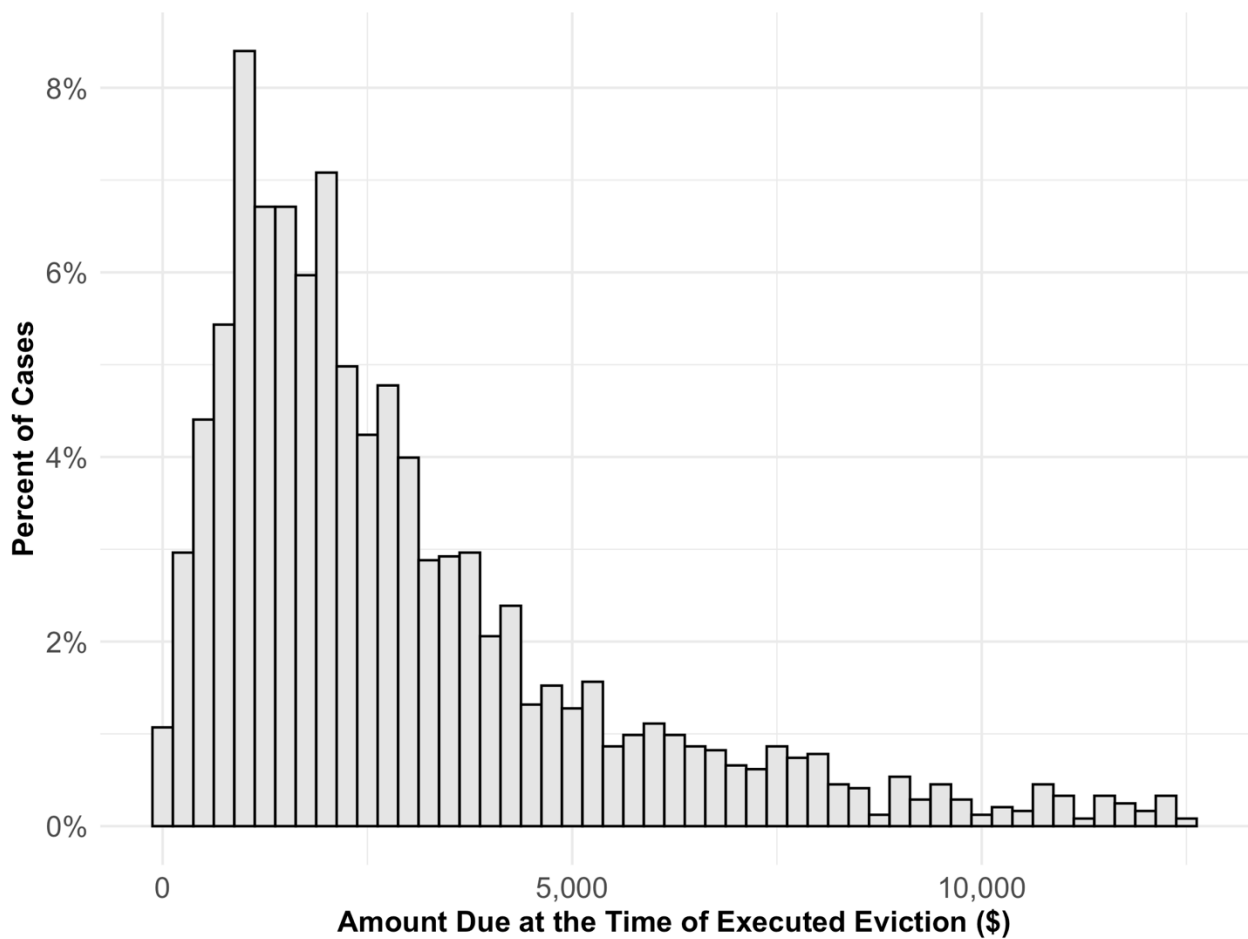
Notably, subsidized renters owe substantially less than unsubsidized households when their cases are filed with the Court. At the time of their initial filing, the median subsidized renter owed \$900 in unpaid rent while the typical unsubsidized renter owed about \$1,290.

By the end of the eviction process, the median household owes substantially more than they owed at the beginning of the filing process

Amount Due on Eviction

Renters facing a court-ordered eviction owed substantially more by the time their case made it through the process pending the execution of the writ (put-out). **Figure 14** uses data from the court form called *notice to tenant of payment required to avoid eviction* ("Form 6"), filed after the judgment against the tenant, to show that the median renter owes \$2,241 by the time they are facing eviction. This is substantially more than they owed at the beginning of the filing process.^{xxiii} Since tenants are even more in debt by the time the eviction filing works its way through the court system, the amount owed increases between the summons and the eviction. This increased debt results from both court fees, as well as rent withholding from tenants who are typically fighting the eviction process without legal counsel.^{xxiv}

Figure 14: The Typical Household Owes \$2,241 Before Eviction
Amount Due by the Put-Out (Form 6)

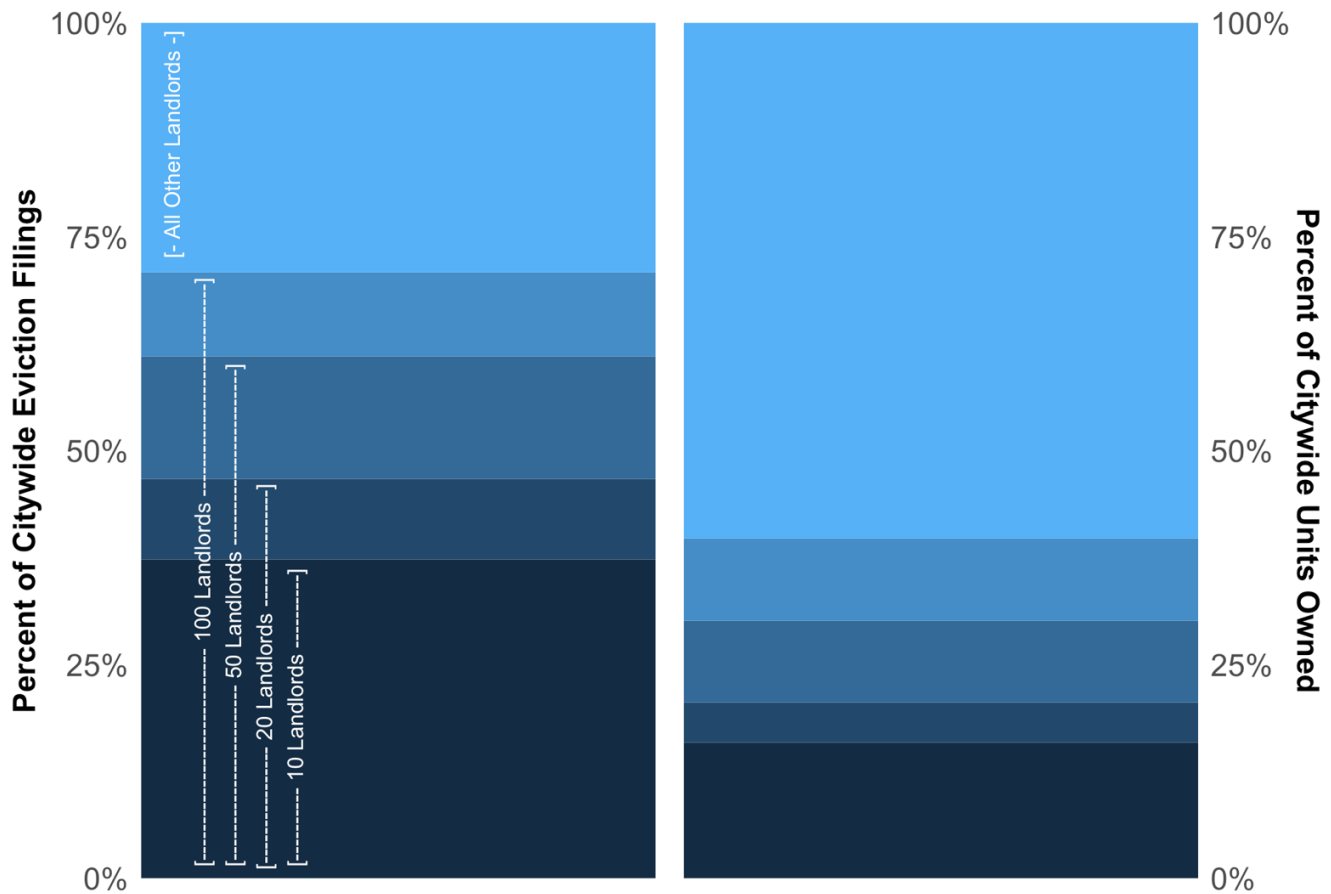


The 20 landlords with the most eviction filings are responsible for 47 percent of eviction filings even though they own less than 21 percent of units

IV. Landlords and Evictions Filings

In 2018, about 2,700 unique landlords filed at least one eviction filing with the court. However, **Figure 15** shows that just a handful of landlords were responsible for the majority of these filings. The bar on the left-hand side of **Figure 15** identifies the share of eviction filings from landlords with the most filings; on the right-hand side, the bar identifies the share of total rental units owned by those landlords in the District.

Figure 15: A Small Number of Active Landlords File Most Evictions
Share of Eviction Filings (left) and Share of Units Owned (right) for Landlords with the Largest Number of Eviction Filings



Just 10 landlords were responsible for more than 37 percent of all filings in the District, but they owned only 16 percent of the rental housing units in the city.^{xxv} Twenty landlords were responsible for 47 percent of filings even though they owned less than 21 percent of units. The 100 landlords with the

Larger landlords in the District file for eviction at higher rates against their tenants than smaller landlords

most eviction filings were responsible for 71 percent of all eviction filings, but they owned less than 40 percent of units. These comparisons suggest that a small number of landlords are filing disproportionately relative to the share of property they own.

In Wards 7 and 8, the concentration of eviction filings among a handful of landlords is even more stark. In those communities, the 10 landlords with the largest number of eviction filings were responsible for 50 percent of all eviction filings. However, they only owned 30 percent of the rental units. The hundred landlords in Wards 7 and 8 with the most eviction filings filed 86 percent of the filings even though they owned just 66 percent of the rental units.

Larger landlords in the District file for eviction at higher rates against their tenants than smaller landlords. Within each ward, **Figure 16** depicts the eviction filing rate for landlords categorized by the number of units owned.^{xxvi} "Very large" landlords are classified as those that own more than 100 units. According to records from the Office of Tax and Revenue, there are 377 property owners classified as "very large" landlords. Another 411 "large" landlords own between 30 - 99 units. "Medium" landlords own 6-29 units and "small" landlords own between 2 and 5 units.

Figure 16: "Very Large" Landlords File at Disproportionately High Rates, Especially in Wards 7 and 8

Eviction Filings per 100 Units Owned, by Landlord Size and Ward

| Landlord Size | All Wards | Ward 1 | Ward 2 | Ward 3 | Ward 4 | Ward 5 | Ward 6 | Ward 7 | Ward 8 |
|---------------------------|-----------|--------|--------|--------|--------|--------|--------|--------|--------|
| All with 2+ properties | 3 | 1 | 1 | 1 | 2 | 4 | 1 | 8 | 9 |
| "Small" (2 - 5 Units) | 2 | 1 | 0 | 0 | 1 | 3 | 1 | 5 | 6 |
| "Medium" (6 - 29 Units) | 8 | 5 | 2 | 2 | 6 | 6 | 2 | 14 | 14 |
| "Large" (30 - 99 Units) | 12 | 5 | 4 | 5 | 16 | 14 | 7 | 23 | 20 |
| "Very Large" (100+ Units) | 14 | 7 | 3 | 4 | 14 | 21 | 8 | 40 | 39 |
| 100 Largest Owners | 16 | 8 | 4 | 5 | 13 | 27 | 8 | 55 | 42 |

Figure 16 reveals that "very large" landlords file for eviction at a substantially higher rate than smaller landlords across the District. In fact, in 2018, the typical "very large" landlord filed approximately 14 times for every 100 units they owned. By contrast, "small" landlords filed two eviction filings for every 100 units they owned. But **Figure 16** also reveals striking disparities across wards. In 2018, the typical "very large" landlord in Wards 7 and 8 filed 40

While “very large” landlords file for eviction at higher rates, “large” landlords evict at higher rates

and 39 eviction filings (respectively) for every 100 units they owned in those wards. The hundred largest landlords in the city filed at even higher rates.

Landlords who file at disproportionate rates relative to the number of units they own are likely to be using eviction filing as a means to impose a legal threat on tenants in order to collect rent, rather than as a tool to actually evict them.^{xxvii} Landlords that file at disproportionately higher rates merit additional attention from policymakers to understand and curtail their eviction filing practices.

While “very large” landlords file for eviction at the highest rates, relative to the number of properties they own, it is “large” landlords who actually evict their tenants most frequently. The highest rate of *executed* evictions is among “large” landlords – those with 30 - 99 units – rather than among “very large” landlords. Policymakers should also focus on landlords with the highest rate of executed evictions.

V. The Court

While nearly all landlords are represented by legal counsel when they appear in court, very few tenants come to Court with an attorney

Legal Representation

While nearly all landlords are represented by legal counsel when they appear in court, very few tenants come to court with an attorney. In fact, only 2 percent of tenants who receive an eviction filing are represented by legal counsel when they arrive in court. The remaining tenants are represented *pro se*, or on their own behalf. Once they arrive at court, tenants can get access to “day-of” legal representation, advice, and services through the Landlord-Tenant Resource Center and the Court’s Attorney of the Day Program for their case, however, this access is not consistently documented in court records.^{xxviii}

While a small number of landlords file most evictions in the District, an even smaller number of *attorneys* represent landlords in these cases. Lawyers from just three firms represented the plaintiff in more than 62 percent of all cases. Lawyers from fifteen firms were responsible for a full 95 percent of all filings in 2018.

When landlords or their attorneys spend a lot of time in court, they experience high visibility and form connections with other court actors. This social proximity generates familiarity with other court actors and some of the court’s more idiosyncratic procedures. Ultimately, this proximity confers

In the largest American cities, the median filing fee for landlords to file an eviction filing is \$106. But in DC, the filing fee is just \$15

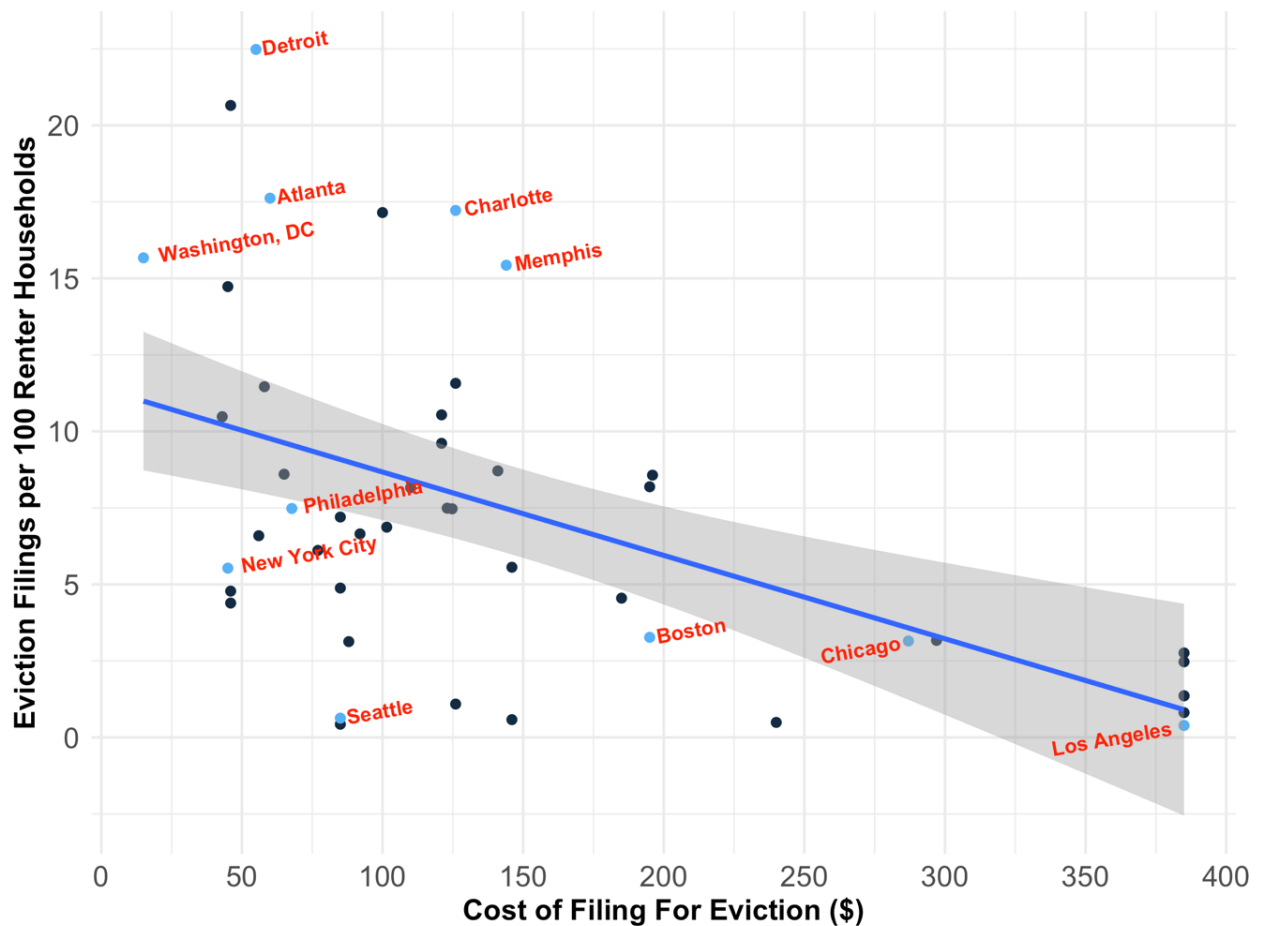
systematic advantages on landlords that are not enjoyed by tenants, most of whom do not have legal representation.^{xxix}

Filing Fees

The cost to a landlord to file for eviction varies substantially across the country. In the largest American cities, the median filing fee for landlords to file for eviction is \$106. However, the filing fee in Washington, DC is just \$15. This is the lowest fee to file an eviction in the country. As shown in **Figure 17** corresponding to the low filing fee, the District also has one of the highest filings rates. While these data alone do not provide evidence of a causal relationship between filings fees and filings rates, the strong association suggests that landlords may be filing at higher rates because the cost of doing so is relatively low.

Figure 17: The Eviction Filing Rate is Higher in Cities where the Cost of Filing for an Eviction is Low

Eviction Filing Rate by the Cost of Filing in the Largest American Cities



VI. Policy Implications

1. Eviction prevention is an economic and racial justice issue

The stark racialized geography of evictions in the District highlights a remarkable overlap between residential segregation and housing instability. Eviction filings are spatially concentrated in majority Black neighborhoods with the highest poverty rates in the city. The geographic concentration of eviction filings in these neighborhoods suggests clear opportunities for funders and policymakers to strategically target communities for eviction prevention interventions. Limiting eviction filings and keeping tenants in their homes is a central racial justice issue for Washington, DC.

Notably, our findings point to significant variation within District neighborhoods that generate important messages for research and policy. While much previous eviction research focuses on comparing rates between cities, we identify variation *within* the District that highlights stark racial and economic inequality in our city.

From these findings, we offer several key areas for policy reform, including landlord-side interventions to generate alternatives to eviction filings; preventative measures to keep tenants out of court; access to legal counsel once tenants get to court to ensure fairness in the judicial process; record sealing to prevent further damage to residential trajectories; and long-term permanent rental assistance to improve housing stability.

2. Landlord-side interventions provide important stopgap measures *before* an eviction is filed

Interventions on the landlord side are essential to eviction reform. Landlord behavior and decisions shape patterns of eviction in important ways. Acknowledging that only a small number of filings actually result in executed evictions, the data in this report support previous research that finds many landlords file for eviction as a tactic to collect rent, rather than to remove a tenant.^{xxx} The city should consider policy steps that disincentivize landlords from using the court system as a rent collection tool.^{xxxi}

One important reform is to change the cost incurred by landlords when they file for an eviction. In the District, landlords pay only \$15 when they file an eviction with the court. This filing cost is among the lowest in the country. By increasing the fee, the court would discourage landlords from filing with

such frequency. This would reduce administrative burden on the court, lower the number of filings and keep tenants from experiencing the negative impact of eviction filings, including the detrimental consequences for their credit and residential histories.

Policymakers should also consider banning evictions that involve rent owed under a certain threshold. For example, *The Eviction Lab* has shown that significant proportions of evictions are filed for under \$600.^{xxxii} In the District, about 12 percent of households summoned to court owe less than \$600. Banning evictions below this amount, or a similar threshold, would keep a substantial number of cases out of court to be resolved independently by the parties involved.

The city should consider banning lease language inserted by landlords that waives a tenant's right to the 30-day notice of eviction filing. Providing tenants with more time and a formal notice allows them the opportunity to come up with rent money to prevent an eviction filing prior to the filing being entered onto their record.

Policymakers in Washington, DC should focus on landlords who file for eviction or evict tenants at disproportionately high rates. Since only a handful of landlords file most eviction filings in the city, an intervention targeted at these landlords could have enormous consequences for tenants. To this end, some cities have adopted "eviction diversion" programs which seek to help landlords and tenants find alternatives to the eviction process.^{xxxiii}

Although these landlord-side measures do not necessarily solve the underlying problems of the affordability crisis, they can act as stopgap measures to protect tenants from harmful housing instability and reduce the stigma stemming from eviction filings.

3. Access to legal counsel helps to level the playing field for tenants facing eviction

Tenants in the District overwhelmingly navigate the legal process without any legal representation. More than 98 percent of tenants in the District served an eviction filing navigate the process without the formal assistance of an attorney. The *DC Access to Justice Commission* was created in 2005 by the DC Court of Appeals with the strong support of the City Council. It aims to provide legal services, resources and representation to thousands of

District residents to ensure equal access to justice.^{xxxiv} Because the number of cases in Landlord-Tenant Court is so high, efforts to provide legal representation only reach a small share of tenants facing eviction proceedings. Most tenants face eviction without representation.

Legal counsel can play a critical role in the eviction process, especially when cases involve a lease violation or a dispute over the rent owed. Even in more straightforward nonpayment of rent cases, counsel can ensure that a tenant's rights are protected, guarantee that tenants have adequate time to try to come up with the money, and ensure that any counterclaims are properly heard. Often, lawyers have experience that can be useful in settling or mediating disputes in a manner that is agreeable to both parties and helps protect tenants' rights.

There is a consensus among scholars and advocates that tenants fare better with the assistance of legal counsel. A right to counsel for tenants would ensure that they are fairly represented and fully understand the minutia of the legal process. This is especially important in eviction proceedings because tenants' housing is at stake. Many argue that the right to counsel also saves cities money.^{xxxv} Washington, DC should follow the lead of places like New York,^{xxxvi} Cleveland, Newark, and San Francisco in providing tenants with a right to counsel in eviction proceedings. Following recent legislation in New York City, tenants in certain high-poverty neighborhoods with incomes below 200 percent of the poverty line are entitled to counsel in eviction proceedings. Evidence from San Francisco shows a decline in the filing rate and an increase in the share of tenants with legal representation following passage of the city's Right to Counsel legislation.^{xxxvii}

4. Record sealing is essential for mitigating eviction stigma and preventing harm to tenants

Currently, all eviction records in Washington, DC are publicly searchable on the court website. Full names and addresses of tenants and landlords are publicly available. This public availability of eviction records means that landlords can and do access them—often with the help of third-party data aggregating companies—to legally discriminate against tenants who are looking for housing after receiving an eviction filing or being evicted.^{xxxviii} Public eviction records thus create a sort of “blacklist,” leaving a lasting mark on tenants who have experiences of the eviction process. Since many low-income tenants experience economic shocks and income volatility, having an eviction filing that does not result in an eviction is a frequent occurrence.

Since the overwhelming majority of tenants with an eviction filing do *not* ultimately get evicted and have no legal judgment against them, public records may mischaracterize the experiences of low-income tenants. Public records follow tenants through their residential records and often through their credit records, and have been shown to have a negative impact on their future housing opportunities.^{xxxix}

Sealing records is a process by which names and addresses are stripped from public record, though they may still be available to researchers. Record sealing is key to preventing the stigma of a past eviction from marring a tenant's chances of finding stable housing in the future. In order for record sealing to be effective, it needs to occur at the moment of the filing—not later—since third-party companies frequently scrape these records and sell the data to property owners for screening purposes. Credit reporting companies also frequently use these data, adversely affecting tenants' credit reports. Even in places where record sealing exists, a delay in the sealing often allows outside companies obtain these records in the interim.

Councilmember Mary Cheh's *Eviction Record Sealing Authority Amendment Act of 2019* would give the courts the authority to seal tenants' records.^{xl} This would help prevent landlord discrimination against tenants with an eviction history, thereby allowing tenants a fresh start. Record sealing is common in other jurisdictions. In California, for example, eviction records are sealed for 60 days and they are kept permanently sealed if a judgment is rendered in favor of the tenant. Pending legislation in Massachusetts proposes to seal all pending cases, seal no-fault evictions and ensure that open eviction records are sealed after three years.^{xli}

5. Emergency rental assistance can serve as a tool of eviction prevention

Eviction triggers cycles of housing precarity and homelessness that devastate tenants' physical and emotional wellbeing. For this reason, expanding emergency rental assistance is an important investment that will pay dividends down the road. DC's Emergency Rental Assistance Program (ERAP) is an essential tool to prevent eviction. ERAP provides financial assistance to low income households (measured at 125 percent of the Federal Poverty Level) facing eviction, covering up to \$4,250 of back rent for five months.^{xlii} The program is currently funded for \$7.4 million in the FY2019-20 budget, and will go up to around 15 million in FY2020-21. However, in its current form, ERAP is inadequate to meet the full demand for

assistance and has burdensome requirements that exclude many households from receiving aid.

When tenants receive an eviction filing in the District, they typically owe about \$1,200 – less than the median monthly rent of \$1,487 in the city. In fact, nearly two-thirds of filings involve sums owed under the median rent. That fact that tenants are filed on for modest sums of money suggests that emergency rental assistance should play a significant role in preventing eviction in the District.

Our results have several implications for policy. First, since tenants on average owe less than the median rent, ERAP can effectively be used to keep tenants out of court for less than the price of a month's rent. This, however, hinges on getting tenants emergency rental assistance *early* in the process. Second, because our findings show that many tenants receive multiple eviction filings in the same year, the program should not preclude assistance multiple times in the course of a year. While certain tenants would ideally receive more sustainable rental support – e.g. a housing voucher – such permanent rental support is in short supply. Emergency assistance – given its limited budget – should be targeted at those most in need, who have the fewest outside resources and social support to help them ward off housing instability. Efforts to make the program more accessible to tenants would result in a substantial decrease in cases filed against tenants each year.

In addition to emergency rental assistance, the District also has a Rapid Rehousing Program designed to help chronically homeless residents find long-term stable housing. The program is a research-based intervention predicated on the idea that subsidizing housing on a temporary basis is foundational to assisting homeless households as they address other issues, such as employment and healthcare. The hope is that once these issues are addressed, participants would be able to pay for their rent moving forward.^{xliii}

Given the high cost of housing in DC, participants in rapid rehousing programs risk eviction and a return to homelessness when their subsidy expires. With additional data from the Department Human Services, policymakers can craft better policy to prevent the return to homelessness. While the Rapid Rehousing Program aids households to exit shelters more quickly,^{xliv} it may be contributing to eviction rates in the District.^{xlv} More long-term solutions like permanently affordable housing can be more effective at achieving housing stability.

6. Subsidized housing is the most effective tool to combat housing instability in the long-term

Ultimately, the most effective way to prevent eviction and housing instability is to invest in long-term rental assistance programs, including housing vouchers. The federal Housing Choice Voucher program helps fewer than 12,000 households afford their monthly rent in the District. The Local Rent Supplement Program (LRSP) assists another 3,200 families. There are about 7,500 households in public housing managed by the housing authority. Several other subsidies exist, as well.^{xlvi} However, there are currently more than 41,000 families on the DC Housing Authority waiting list, which has been closed since 2013.^{xlvii} Ultimately, to combat housing instability and guarantee an adequate home for all District residents, policymakers need to develop long-term housing assistance for every eligible family, rather than the lucky few. Only by guaranteeing affordable housing through a range of programs targeted at families of varying income brackets can policymakers prevent eviction before it reaches the courtroom.

7. Policymakers must act quickly to prevent a new eviction crisis during the Covid-19 pandemic

While the District currently has an eviction moratorium to protect tenants during the COVID-19 pandemic, policymakers must act decisively to ensure that renters are not quickly put out as the crisis recedes. They should begin by extending the eviction moratorium to enable renters to remain in their homes through the economic recovery. When the moratorium on evictions is lifted, the city should consider temporarily halting eviction filings for amounts less than \$600 to ensure that the most vulnerable renters are not displaced. Policymakers should incentivize landlords to proactively work with tenants who owe back rent to access city resources and create long-term payment plans that guarantee the stability of renters in their units. To do so, the city should also establish a fund to cover the partial reimbursement of landlords who are owed back rent by tenants impacted by COVID. Landlords could draw from this fund to cover rent owed by existing tenants, thereby allowing tenants a clean slate moving forward. Landlords should be encouraged to abide by a set of conditions established by the city, including an extended moratorium on evictions and a proactive effort to mediate with tenants outside of the court system, in exchange for reimbursement from this fund. Finally, COVID-related eviction filings must be immediately sealed so tenants experiencing filings or broader housing instability are not negatively impacted in their future housing searches.

Appendix: Data and Methodology

We draw on several data sources for the analysis in this report. Primarily, we utilize an administrative dataset of eviction filings provided by the DC Superior Court System. While we focus on filings between January 2018 and December 2018, our broader analysis includes the full universe of filings from January 2014 - December 2018. Our dataset contains information on the names and addresses of plaintiffs and defendants in each case, as well as legal action taken during the case. We geocode these data to map the address associated with each eviction filing within Washington, DC. We match these records to property records provided by the Office of Tax and Revenue (OTR) that identify property owners for every residential unit in the District. Court records of eviction filings may list management companies as plaintiffs. By matching to the OTR data on address, we are able to accurately identify property owners in the analysis. These records enable us to clarify landlord names, identify the number of units owned by landlords, and create accurate eviction rates for individual landlords.

While these records are extensive, they don't include certain key pieces of information, including legal representation for landlords, subsidy status of tenants, or the amount of rent owed by the tenant. To collect these data, we hand-coded various samples of publicly-available, electronic records from the *DC Superior Court's eAccess System*. We began with a random sample of over 14,000 records from the *Verified Complaint for Possession of Real Property* form and the *Summons to Appear in Court and Notice of Hearing* filed with the Court. These forms are the first step in the legal process of eviction taken by landlords, and they include information on the amount of alleged outstanding rent and fees, the dates over which rent was not paid, any subsidies on the defendant's rent, and the court fees associated with the filing. This data offers important insight into the eviction process that has not been previously captured by other data sources. Additionally, we hand-coded a random sample of 2,560 forms of the *Notice to tenant of payment required to avoid eviction* (Form 6). This form is the final notification received by tenants experiencing an eviction proceeding. Finally, we draw on five-year estimates of the 2014-2018 American Community Survey (ACS) to identify demographic characteristics of census tracts and wards in Washington, DC.

While these data include information on formal eviction filings and executed evictions recorded in the court system, we are unable to identify informal evictions in the District. While DC law prohibits "self-help" or "informal" evictions where the landlord attempts to evict a tenant without the involvement of the U.S. Marshals Service, these types of evictions do occur. Landlords may prefer to coerce or pay tenants to vacate a property rather than navigate the costly and time-consuming formal eviction process. Research from other jurisdictions suggests that informal evictions are more common than formal evictions. For example, the Milwaukee Area Renters (MARS) study estimates that informal evictions are about twice as common as formal evictions in Milwaukee.^{xlviii} These informal evictions are not reflected in our data because they do not appear in court records.

Appendix Tables:

Appendix Table 1:

Percentage change in the number of eviction filings from 2014 to 2018, by Ward

| | Ward 1 | Ward 2 | Ward 3 | Ward 4 | Ward 5 | Ward 6 | Ward 7 | Ward 8 |
|--|--------|---------|--------|--------|--------|--------|--------|---------|
| Percentage Change in Eviction Filings 2014 - 2018 | -9.25% | -14.29% | 15.14% | -0.39% | -1.72% | 8.01% | -2.33% | -18.08% |
| Number of Evictions Filings in 2018 | 1,903 | 942 | 996 | 2,042 | 4,234 | 3,195 | 7,010 | 10,526 |

Appendix Table 2:

Percent of Eviction Filings for Nonpayment vs. Other Reasons, by Year

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|---------------------------|--------|--------|--------|--------|--------|
| Nonpayment of Rent | 95.71% | 95.02% | 94.40% | 92.57% | 92.25% |
| Other Reason | 4.29% | 4.98% | 5.60% | 7.43% | 7.75% |

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Notes:

ⁱ Jenny Schuetz, Mike Bailey, and Eric LaRose, "What Will It Cost to Save Washington, D.C.'s Renters from COVID-19 Eviction?" (Washington, D.C.: Brookings Institute, July 23, 2020), <https://www.brookings.edu/research/what-will-it-cost-to-save-washington-d-c-s-renters-from-covid-19-eviction/>.

ⁱⁱ Schuetz, Bailey, and LaRose; Emily Benfer et al., "The Covid-19 Eviction Crisis: An Estimated 30-40 Million People in American Are at Risk," August 7, 2020, https://nlihc.org/sites/default/files/The_Eviction_Crisis_080720.pdf.

ⁱⁱⁱ Matthew Desmond, "Eviction and the Reproduction of Urban Poverty," *American Journal of Sociology* 118, no. 1 (July 1, 2012): 88-133; Matthew Desmond, *Evicted: Poverty and Profit in the American City* (New York City: Crown, 2016), 201; Chester Hartman and David Robinson, "Evictions: The Hidden Housing Problem," *Housing Policy Debate* 14, no. 4 (2003): 461-501; Gretchen Purser, "The Circle of Dispossession: Evicting the Urban Poor in Baltimore," *Critical Sociology* 42, no. 3 (2016): 393-415.

^{iv} Maxia Dong et al., "Childhood Residential Mobility and Multiple Health Risks during Adolescence and Adulthood: The Hidden Role of Adverse Childhood Experiences," *Archives of Pediatrics & Adolescent Medicine* 159, no. 12 (2005): 1104-1110; Jeffrey D. Morenoff, Robert J. Sampson, and Stephen W. Raudenbush, "Neighborhood Inequality, Collective Efficacy, and the Spatial Dynamics of Urban Violence," *Criminology* 39, no. 3 (2001): 517-558; Shigehiro Oishi, "The Psychology of Residential Mobility Implications for the Self, Social Relationships, and Well-Being," *Perspectives on Psychological Science* 5, no. 1 (January 1, 2010): 5-21; Shana Pribesh and Douglas B. Downey, "Why Are Residential and School Moves Associated with Poor School Performance?," *Demography* 36, no. 4 (November 1, 1999): 521-34; Patrick Sharkey and Robert Sampson, "Destination Effects: Residential Mobility and Trajectories of Adolescent Violence in a Stratified Metropolis," *Criminology* 48 (2010): 639-82; Kathleen M. Ziol-Guest and Claire C. McKenna, "Early Childhood Housing Instability and School Readiness," *Child Development* 85, no. 1 (January 1, 2014): 103-13.

^v Timothy A. Thomas, "Forced Out: Race, Market, and Neighborhood Dynamics of Evictions" (Ph.D. Dissertation Department of Sociology, University of Washington, 2017); Desmond, "Eviction and the Reproduction of Urban Poverty"; Elaina Johns-Wolfe, "'You Are Being Asked to Leave the Premises': A Study of Eviction in Cincinnati and Hamilton County, Ohio, 2014-2017" (Cincinnati, Ohio: University of Cincinnati, Department of Sociology, 2018).

^{vi} Desmond, "Eviction and the Reproduction of Urban Poverty"; Matthew Desmond and Carl Gershenson, "Who Gets Evicted? Assessing Individual, Neighborhood, and Network Factors," *Social Science Research* 62 (February 2017): 362-77.

^{vii} Karl L. Alexander et al., "Achievement in the First 2 Years of School: Patterns and Processes," *Monographs of the Society for Research in Child Development* 53, no. 2 (1988): i-157; Philip Garboden, Tama Leventhal, and Sandra Newman, "Estimating the Effects of Residential Mobility: A Methodological Note," *Journal of Social Service Research* 43, no. 2 (March 15, 2017): 246-61; Amy Ellen Schwartz, Leanna Stiefel, and Sarah A. Cordes, "Moving Matters: The Causal Effect of Moving Schools on Student Performance," *Education Finance and Policy*, May 18, 2016, 1-47; Ziol-Guest and McKenna, "Early Childhood Housing Instability and School Readiness."

^{viii} Matthew Desmond and Tracey Shollenberger, "Forced Displacement from Rental Housing: Prevalence and Neighborhood Consequences," *Demography* 52, no. 5 (October 2015): 1751-72; Matthew Desmond, Carl Gershenson, and Barbara Kiviat, "Forced Mobility and Residential Instability among Urban Renters," *Social Service Review*, no. 89 (2015): 227-62.

^{ix} Desmond and Shollenberger, "Forced Displacement From Rental Housing."

^x Philip Garboden and Eva Rosen, "Serial Filing: How Landlords Use the Threat of Eviction," *City & Community* 18, no. 2 (2019): 638–61.

^{xi} The ten reasons are: Nonpayment of rent; The tenant has violated an obligation of tenancy and has failed to correct that violation after notice; The tenant, or a person occupying the premises with or in addition to the tenant, has performed an illegal act within the rental unit or the housing accommodation; Landlord seeks in good faith to recover possession of the rental unit for the person's immediate and personal use and occupancy as a dwelling; Landlord has in good faith contracted in writing to sell the rental unit or the housing accommodation in which the unit is located for the immediate and personal use and occupancy by another person; Landlord seeks to complete alterations or renovations to a rental unit, which cannot safely or reasonably be accomplished while the rental unit is occupied; Landlord seeks to demolish rental unit and replace it with new construction; Landlord seeks to complete immediate, substantial rehabilitation of the housing accommodation; Landlord seeks to discontinue the housing use and occupancy of the rental unit; or Landlord seeks to recover possession of a rental unit or housing accommodation to convert the rental unit or housing accommodation to a condominium or cooperative.

^{xii} Some proportion of the cases that end in a judgment for plaintiff also passed through a settlement or consent judgment agreement.

^{xiii} <https://www.usmarshals.gov/district/DC-sc/general/evictions.htm>

^{xiv} Importantly, if the tenant leaves the home (without paying) before the Marshal arrives to "execute" the eviction, the eviction may not be counted in the data as executed. Thus, "executed evictions" undercount the degree of housing instability that results from the eviction process.

^{xv} Garboden and Rosen, "Serial Filing: How Landlords Use the Threat of Eviction"; Dan Immergluck et al., "Evictions, Large Owners, and Serial Filings: Findings from Atlanta," *Housing Studies* 35, no. 5 (May 27, 2020): 903–24; Lillian Leung, Peter Hepburn, and Matthew Desmond, "Serial Eviction Filing: Civil Courts, Property Management, and the Threat of Displacement," *Social Forces Online* (2020).

^{xvi} To identify unique households from our administrative records, we matched cases based on tenant names and their building of residence (e.g., residential address). Two alternative matching specifications using tenants' names in combination with an apartment number within buildings or census tract yield substantively similar results.

^{xvii} Since some proportion of tenants leave before the Marshal arrives (and after the writ is issued), this figure underestimates the overall instability resulting from the eviction process.

^{xviii} Because a small number of eviction filings could not be geocoded, these numbers aggregate to slightly less than 100 percent.

^{xix} This is \$1,063 in nominal (2010) dollars.

^{xx} Yesim Sayin Taylor, "Appraising the District's Rentals" (Washington, D.C.: D.C. Policy Center, March 17, 2020), https://www.dcpolicycenter.org/wp-content/uploads/2020/03/Rental-Housing-Report.Final_.March-15.pdf.

^{xxi} We cannot identify which subsidy a tenant has because the hand-coded court data does distinguish between subsidy types.

^{xxii} Figure 11 excludes cases where the tenant owed more than \$6,000; however, these cases are included in calculations of the descriptive statistics in the text.

^{xxiii} Only a small portion of those with filings make it through the eviction process to the stage where they would receive Form 6.

^{xxiv} This amount is also higher than the Eviction Lab reports as the median of \$1,253 (between 2014 and 2016) across the 22 states for which they have data.

^{xxxv} We utilize data from the Office of Tax and Revenue (OTR) to identify property ownership for properties with an eviction filing and aggregate the number of units owned by landlords. To identify the total number of rental units in the District, we use a Census estimate of 172,369 units. This number is slightly lower than estimates of the rental housing stock from the DC Policy Center.

^{xxxvi} This table excludes owners of only one residential unit. In this category of single-unit owners, roughly two-thirds are single-family homeowners, and one-third are condominium owners. Many single-unit owners own only the property they reside in, and thus rarely interact with the evictions system. Citywide, one-unit property owners have a filing rate of .007, or seven filings per one-thousand units. Given that single-unit owners make up the largest category of owners (124,159 out of 144,722 total unique property owners), an average across all owners would be misleadingly low.

^{xxxvii} Garboden and Rosen, "Serial Filing: How Landlords Use the Threat of Eviction"; Immergluck et al., "Evictions, Large Owners, and Serial Filings"; Leung, Hepburn, and Desmond, "Serial Eviction Filing."

^{xxxviii} Additional tenants who received legal aid at a later stage in the eviction process are not identified with the measures in our data.

^{xxxix} Isaiah Fleming-Klink, Brian McCabe, and Eva Rosen, "'Gimme the Eviction': The Punishing Disadvantages of Hidden Procedures in in Landlord-Tenant Court," *Unpublished Manuscript*, n.d.

^{xxx} Garboden and Rosen, "Serial Filing: How Landlords Use the Threat of Eviction"; Immergluck et al., "Evictions, Large Owners, and Serial Filings"; Leung, Hepburn, and Desmond, "Serial Eviction Filing."

^{xxxxi} Doug Donovan and Jean Marbella, "Dismissed: Tenants Lose, Landlords Win in Baltimore's Rent Court," *Baltimore Sun*, April 26, 2017; PJC, "Justice Diverted: How Renters in Baltimore Are Processed in the Baltimore City Rent Court" (Baltimore, MD: Public Justice Center, 2015).

^{xxxii} <https://www.nytimes.com/2019/12/12/upshot/eviction-prevention-solutions-government.html>

^{xxxiii} See for example, Philadelphia: <https://phlevictiondiversion.org>

^{xxxiv} "Delivering Justice: Addressing Civil Legal Needs in the District of Columbia" (The District of Columbia Access to Justice Commission, 2019),

https://www.dcccesstojustice.org/assets/pdf/Delivering_Justice_2019.pdf.

^{xxxv} <https://www.bloomberg.com/news/articles/2019-12-13/the-fight-to-boost-tenant-right-to-counsel-laws>

^{xxxvi} <https://www.cssny.org/news/entry/nyc-right-to-counsel>

^{xxxvii} http://civilrighttocounsel.org/major_developments/1179

^{xxxviii} Katelyn Polk, "Screened Out of Housing: The Impact of Misleading Tenant Screening Reports and the Potential for Criminal Expungement as a Model for Effectively Sealing Evictions" 15 (2020).

^{xxxix} Desmond and Shollenberger, "Forced Displacement From Rental Housing."

^{xl} <https://marychek.com/release/eviction-record-sealing-authority-amendment-act-of-2019/>

^{xli} https://www.passthehomesact.org/uploads/2/7/0/4/27042339/homes_bill_supporters_1-27-20_.pdf

^{xlii} https://dhs.dc.gov/sites/default/files/dc/sites/dhs/service_content/attachments/ERAP%20Fact%20Sheet_0.pdf

^{xliii} See https://www.urban.org/sites/default/files/publication/99153/rapid_re-housings_role_in_responding_to_homelessness_3.pdf for more research on Rapid Rehousing.

^{xliv} Daniel Gubits et al., "Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families" (Washington, D.C.: Department of Housing and Urban Development, 2016), <https://www.huduser.gov/portal/sites/default/files/pdf/Family-Options-Study-Full-Report.pdf>.

^{xlv} <https://www.legalclinic.org/wp-content/uploads/2018/03/Set-up-to-fail-2nd-edition.pdf>

^{xlvi} Sayin Taylor, "Appraising the District's Rentals."

^{xlvii} Committee on Housing and Community Development, FY 2016 Budget Report.

^{xlviii} Desmond, *Evicted*.