

Eviction: Intersection of Poverty, Inequality, and Housing

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Abstract

Eviction from rental housing plays an active role in the reproduction of poverty and housing inequality in the United States. Yet, we do not know how many households are evicted each year. The Eviction Lab at Princeton University has collected, cleaned, standardized, and validated over 82 million individual-level court records in an effort to establish the first nationwide dataset of eviction cases filed in local courts across the United States. We find that, on average, 3.6 million eviction cases are filed in the United States each year. This results in approximately 1.5 million eviction judgments annually. Striking differences in eviction rates across states suggest that landlord-tenant legal code plays a strong role in shaping how frequently landlords file eviction cases. Landlord-tenant code should be amended and standardized to reduce the frequency of filings and discrepancies in filing rates across states.

Introduction

Eviction is a cause, not just a consequence, of poverty (Desmond 2016). Housing costs are rising for poor renting households (Desmond 2015), placing them at risk of eviction. Eviction has been linked to many negative economic, health, and housing outcomes. Despite this, we do not know how many households are evicted in the United States each year. This prevents us from assessing eviction prevalence and its effects on housing instability.

The Eviction Lab at Princeton University has collected, cleaned, standardized, and validated over 82 million individual-level court records in an effort to establish the first nationwide dataset of eviction cases filed in local courts across the United States. We used these records to estimate the number of eviction cases filed and eviction judgments, which restore legal possession of the property to the landlord, at the county level. This allows us to not only estimate the national prevalence of court-ordered eviction, but also compare eviction rates over time and across space.

We find that, on average, 3.6 million eviction cases are filed in the United States each year. This results in approximately 1.5 million eviction judgments annually. Eviction cases are most concentrated in the Southeastern region of the country, an area rarely featured in discussions of access to affordable housing. This concentration likely reflects differences in state-level landlord-tenant legal policy, which shapes how frequently landlords file eviction cases in the courts.

These are the first comprehensive estimates of eviction in the United States. In addition to increasing our understanding of the prevalence of eviction, this is the first comparative examination of eviction across large areas. This analysis reveals striking differences in eviction rates across states that are not visible in local studies of eviction. These differences have direct and tangible policy implications: Landlord-tenant code should be amended and standardized to reduce the frequency of filings and discrepancies in filing rates across states.

Eviction in the United States

An eviction occurs when a landlord forcibly expels a tenant from a residence. We do not know how frequently this occurs. There are no systematic efforts to compile official estimates of eviction by local or federal authorities. This lack of comprehensive data has long prevented a full assessment of the prevalence and impact of eviction in the United States (Hartman and Robinson 2003).

A few targeted research surveys have examined eviction prevalence in specific populations. The Michigan Recession and Recovery Survey found that 2.4% of households in the Detroit metropolitan area experienced an eviction or housing foreclosure during a 12-month period at the height of the Great Recession (2007-2009).¹ The Milwaukee Area Renters Study showed that 13% of Milwaukee renters experienced a forced move in the previous 2 years—a majority of those moves the result of an eviction (Desmond and Shollenberger 2015). Analyses from the

¹ An eviction occurs when a landlord forces or coerces a tenant to leave a rental property. Alternatively, a housing foreclosure occurs when a bank or other financial lender reclaims a property after a homeowner fails to make payments on an outstanding mortgage or home loan. Our data does not include home foreclosures.

Fragile Families and Child Wellbeing Study indicated that 14% of children born in large cities in the United States in 1998-2000 were evicted between birth and age 15 (Lundberg and Donnelly 2019).

Differences in how eviction was measured in these targeted studies (e.g., sampling population, time frame, distinguishability from other types of forced displacement) prevent us from directly comparing these numbers or extrapolating estimates across time or space. Estimates of eviction are affected by how and to whom survey questions are asked (Desmond and Kimbro 2015). Furthermore, economically disadvantaged renters, the residentially unstable, and the homeless—populations that are at high risk for or are likely to have experienced eviction—are not well captured in standard survey research methodology (Desmond 2012; Tourangeau, Edwards, and Johnson 2014). This raises important concerns about the reliability of survey estimates and highlights the need for a consistent and comprehensive measure of eviction.

The lack of a comprehensive measure of eviction is particularly problematic given the range of negative consequences that have been associated with eviction. Experiencing an eviction is associated with poorer health outcomes, including increased risk of depression (Desmond and Kimbro 2015) and suicide (Fowler et al. 2014). Evictions also increase risk of job loss (Desmond and Gershenson 2016) and negatively impact credit scores (Greiner, Pattanayak, and Hennessy 2013), both of which can have serious economic consequences for tenants. Eviction also increases material hardship, limiting tenants' ability to obtain basic necessities and access quality housing (Desmond and Kimbro 2015).

The effect of an eviction on housing lasts well beyond the initial displacement. Tenants who have experienced eviction are more likely to relocate to disadvantaged neighborhoods (Desmond and Shollenberger 2015). Forced moves due to eviction displace tenants into lower quality housing, which encourages tenants to make subsequent moves, increasing residential instability (Desmond, Gershenson, and Kiviat 2015). An eviction record can disqualify tenants from federal housing assistance (including public housing and subsidized housing vouchers), limiting access to affordable housing (Greiner et al. 2013). Private landlords routinely reject tenants who have any record of previous evictions or landlord-tenant disputes (Kleysteuber 2006). Eviction and inability to pay rent precede homelessness (Burt 2001; Weitzman, Knickman, and Shinn 1990), in some cases for prolonged periods (Crane and Warnes 2000).

The concentration of eviction within particular communities contributes to the reproduction of residential inequality. Evictions have been consistently shown to disproportionately affect the economically disadvantaged, racial/ethnic minorities, and women (Bezdek 1992; Desmond 2012; Hartman and Robinson 2003; Philadelphia Eviction Task Force 2018). Experiencing an eviction further compounds economic and material disadvantage. In this way, eviction actively contributes to the reproduction of poverty (Desmond 2016). Without comprehensive measures of eviction, we cannot assess the full scope of forced displacement or its effects on housing inequality in the United States.

Data Collection and Analysis

Formal eviction occurs when a landlord uses the courts to legally remove tenants from a property. To start this process, landlords file a legal suit in civil courts. The case provides information on the tenants located at the residence and the location of the disputed property. As the dispute moves through the court system, subsequent legal actions related to the case are recorded. Not all cases that are filed end in judgments for eviction. Some cases may be dismissed or resolved before a judgment is entered. Eviction judgments, which legally restore possession of the property to the landlord, represent a more immediate threat of displacement than an eviction filing. Some households may receive multiple filings threatening eviction before finally being displaced (Garboden and Rosen Forthcoming). Case-level court records are required for a full accounting of the prevalence of and variation in eviction case filings and judgements across the United States.

To create a comprehensive measurement of eviction prevalence, the Eviction Lab at Princeton University compiled, standardized, and validated over 81 million individual-level court records initiated between 2000 and 2016. This is the first national database of eviction cases in the United States. We requested records directly from state- and county-level court systems and purchased proprietary records from LexisNexis Risk Solutions and American Information Research Services, Inc., two companies that perform manual and electronic collection of court records. These records contain information on when the case was filed, the tenants named in the case, as well as how the case was resolved. These case records are not available from all court systems due to technological and legal barriers. For this reason, we also requested aggregated counts of eviction cases filed annually in counties across all 50 states and Washington D.C. (DC).² We collected 26,353 aggregate filing counts from roughly 2,000 counties across 43 states for all available years. To create consistent metrics of comparison, we cleaned and aggregated individual-level case records to create counts of filings and eviction judgments at the county level.

We first modeled the number of yearly eviction filings for all counties, which can be estimated without individual-level case records.³ When we had reliable court records data, we calculated the number of filings directly from the data. When reliable data was unavailable, we applied Bayesian hierarchical modeling to predict yearly, county-level eviction filings. These models allowed us to borrow information from other strata (e.g., years within the same county, counties within the same state) for county-years in which we lack good measurement. We modeled filing count as a function of county demographic and court characteristics and county-, state-, region-, and year-level variation.

As mentioned above, filings represent the total number of cases initiated, but not the number of households that receive eviction judgments, which provide landlords with the legal authority to remove tenants from the property. We used negative binomial regression models to estimate the rate of case filings that resulted in eviction judgments. We modeled judgment rate as a function of county demographic and court characteristics and state- and year-level variation. We

² County is typically the smallest areal unit for which states tabulate aggregated filings.

³ Filings can be estimated from either aggregated filing counts, which do not include case-specific information, or the individual-level case records.

estimated the number of eviction judgments as a binomial random variable using filings as the number of trials and the predicted rate from the negative binomial model as the probability of success. We provide full details of the data collection, standardization, and analytic strategy in the Eviction Lab Methodology Report (Desmond et al. 2018).

Eviction Prevalence

Between 2000 and 2016, more than 61 million eviction cases were filed in the United States. This is an average of more than 3.6 million filings annually, representing approximately 9 eviction cases per 100 renter households nationwide. These filings resulted in an average of just under 4 in 100 renting households receiving eviction judgments. This equates to 1.5 million households with eviction judgments in an average year, a number that exceeds the 1.2 million completed foreclosures issued at the height of the 2010 foreclosure crisis (Core Logic 2017). In more tractable terms, more than 4,100 judgments granting the landlord legal authority to remove tenants from rental properties are issued on an average day across the United States.

The number of filings increased by 25.9% between 2000 and 2016, from 3,000,038 to 3,757,288 cases, annually (Figure 1). This seems like a significant increase in filings; however, the number of renter households increased by 27% during this same period. The eviction filing rate (the ratio of filings to renter households) showed a modest curvilinear trend, increasing between 2000 and 2008 before returning to approximately 2000 levels in 2016. Renter populations are increasing in cities across the United States due to expanding rental housing markets and delaying of home ownership among young Americans (Maciag 2019). This increase in renting households, as well as demographic shifts in the renting population, may be responsible for simultaneous decrease in eviction rate as the number of eviction cases filed increases.

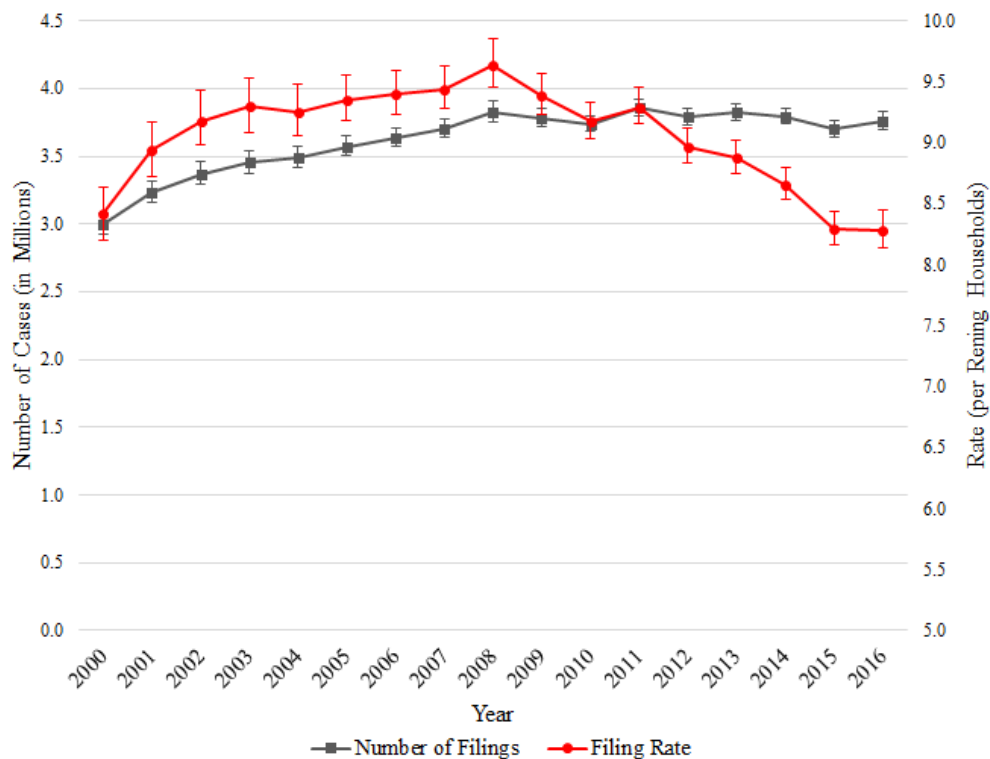


Figure 1. The number of filings and filing rate per renter households, 2000-2016

Concentrations of eviction filings are found all across the United States, including outside large cities, high cost of living areas, and high poverty areas (Figure 2). Case filing rates are highest in the Southeast region of the country, an area that rarely headlines in discussions of housing affordability and displacement. Concentrations of filings in the Southeast could reflect increased prevalence of eviction in African American communities, which have been identified as having greater risk of eviction (Desmond and Shollenberger 2015; Philadelphia Eviction Task Force 2018).

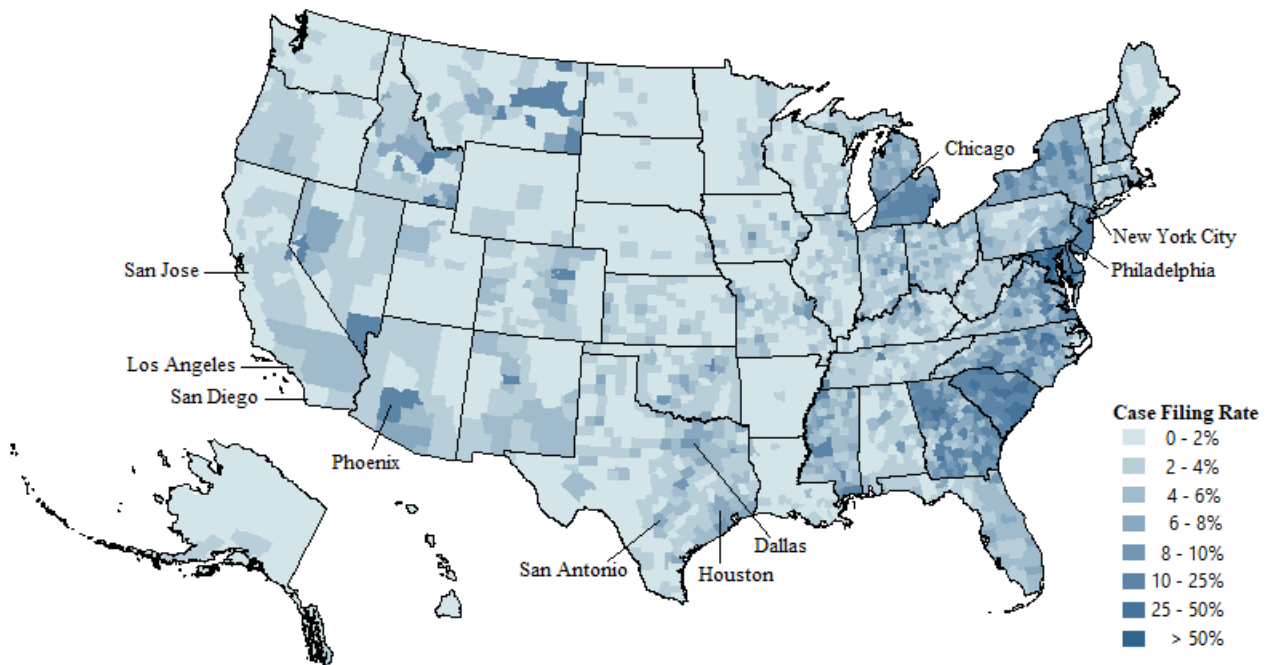
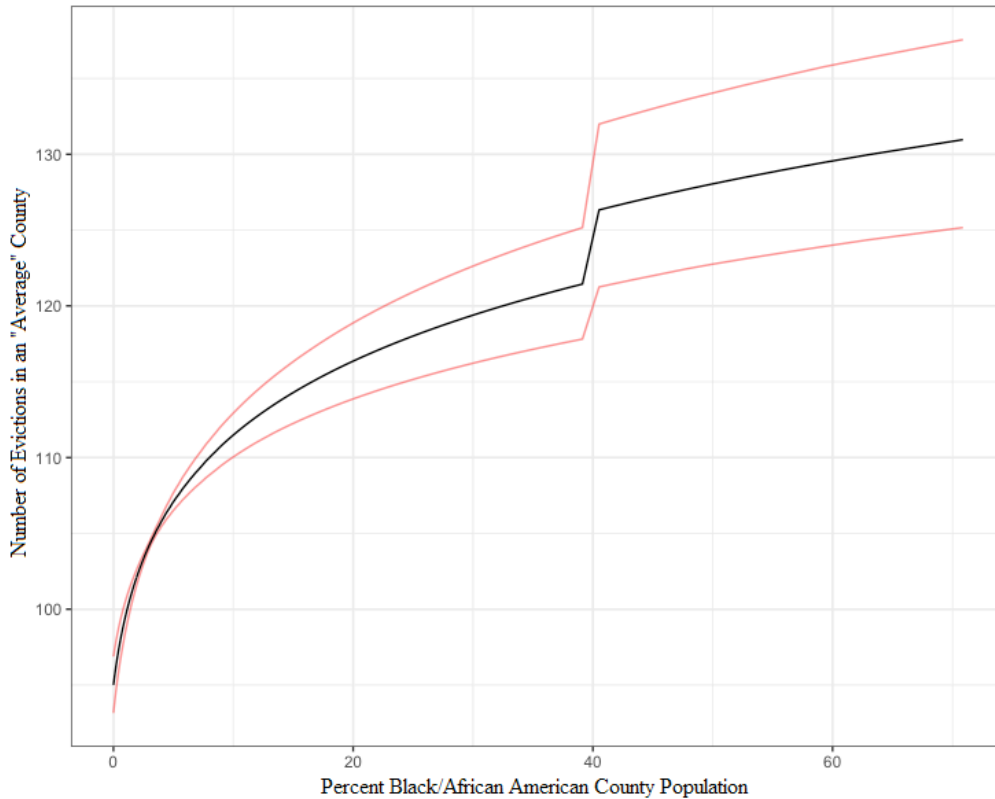


Figure 2. County-level eviction case filing rate, 2016

Note: Filing rate calculated as the number of filings divided by total renter households.

Several demographic characteristics are positively associated with the number of filings within a county, including African American population, number of renting households, household density, median income, and median rent. In particular, controlling for other demographic characteristics and setting aside county, state, regional, and yearly variation, the number of expected evictions increases as the African American population increases (Figure 3). If compositional differences in demographic population are sufficient to explain concentrations of filings across space, accounting for demographic characteristics should significantly decrease these disparities.

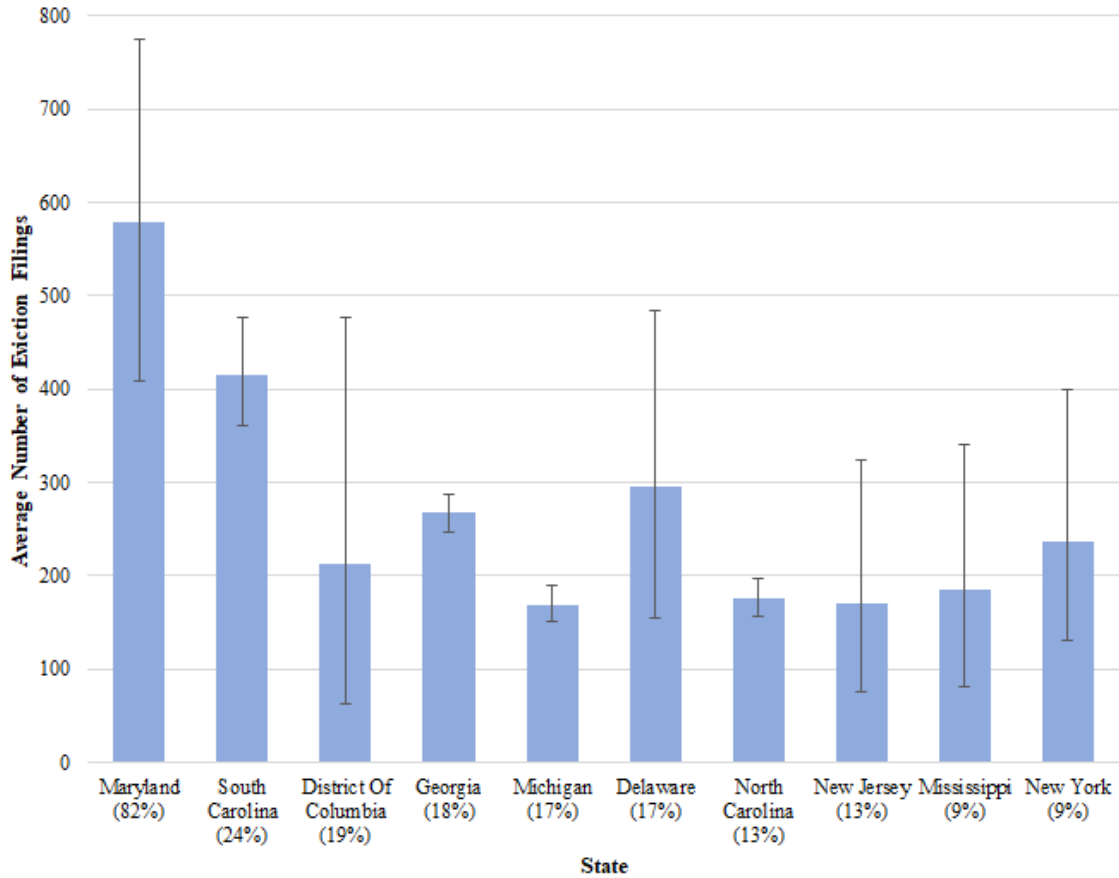


Note: Red lines show 95% credible interval

Figure 3. Predicted number of evictions by African American population

Note: All other model covariates are set to their overall population mean values and variation across counties, states, regions, and years are controlled for. This is akin to asking: If every other demographic or court measure included in the statistical model were the same for a county, how would an increase in the share of African American population affect the number of eviction filings? The spike that occurs at 40% African American population represents a non-linear increase in eviction case filings that occurs when counties become approximately majority African American.

Although significant, demographic differences are not sufficient to explain the uneven distribution in eviction filings across space. Adjusting the predicted filing rate in each state to hold all demographic and county characteristics constant at their overall population means does not eliminate disparities across states (Figure 4). We continue to observe high adjusted numbers of eviction cases for states with high unadjusted filing rates that do not account for demographic composition. These differences are stable from year to year, reflecting enduring disparities in eviction filings across states.



Note: Error bars show 95% credible interval. Unadjusted filing rate shown in parentheses following state name.

Figure 4. Estimated average number of evictions in demographically-identical counties

Note: For space considerations, only the 10 states with the highest case filing rates are shown.

The disparities between eviction case prevalence across states likely reflect differences in landlord-tenant policy across states. In the United States, the core of landlord-tenant policy, which guides the filing and prosecution of eviction cases, is set at the state level (Hatch 2017). The seemingly impossibly high filing rate in Maryland (82%) reflects the landlord-tenant legal code, which allows landlords to file for eviction immediately following non-payment; however, if the tenant pays the balance of the rent due, plus any late fees or court costs incurred, the complaint is considered satisfied and the tenant remains in the property (Hartman and Robinson 2003; Public Justice Center 2015). In the states with the highest filing rates, many cases are regularly filed against the same households (Figure 5). Alternatively, in states with the lowest filing rates, cases are less likely to be repeat filings against the same households and are often more likely to result in eviction judgments. These trends suggest that differences in landlord-tenant code, constructed at the state level, play a significant role in shaping how frequently landlords use the courts to threaten tenants with legal eviction.

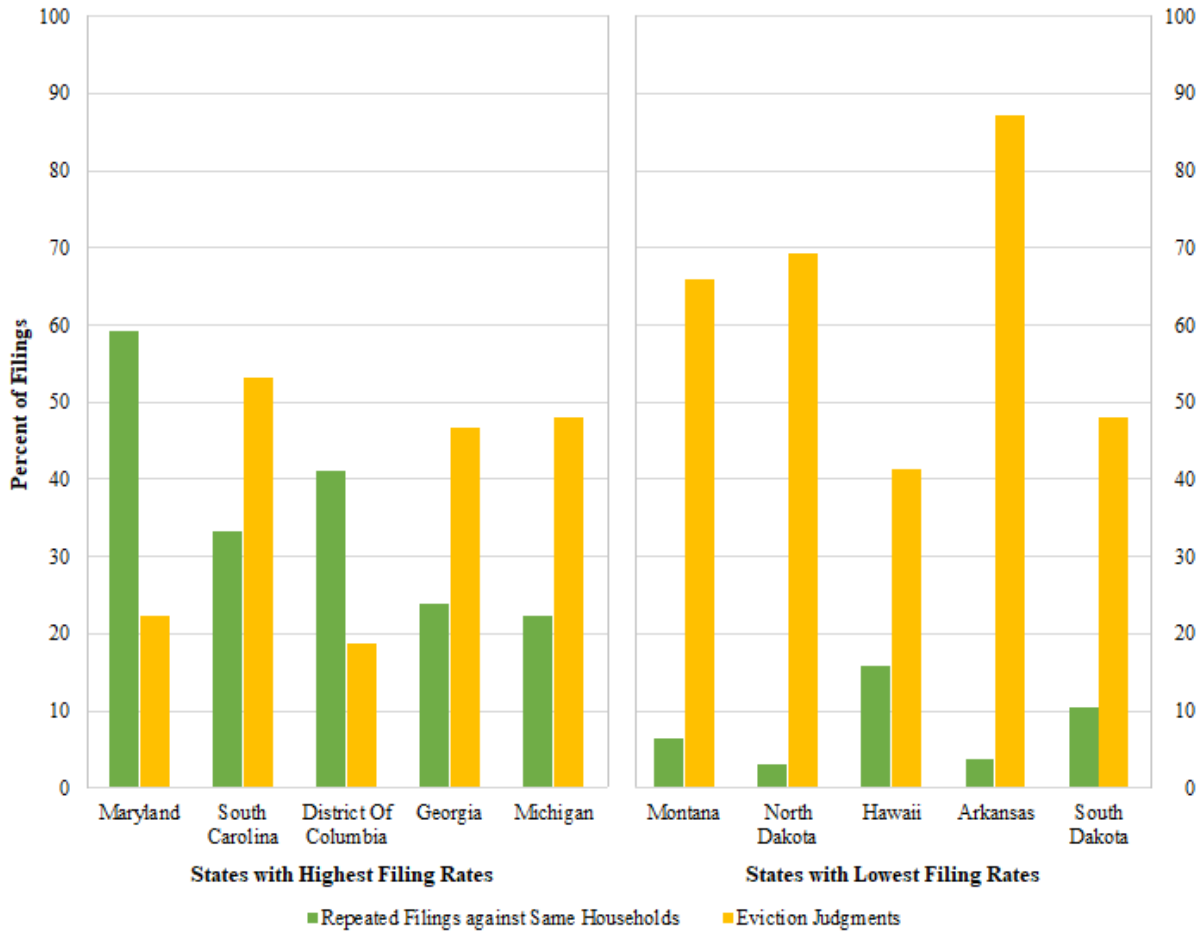


Figure 5. Percentage repeat filings and eviction judgments, 2016

Note: For space considerations, only the states with the 5 highest and 5 lowest filing rates are shown.

Conclusion

These data provide the first nationally comprehensive estimates of the prevalence of eviction in the United States. Evictions are common in many areas across the country, but particularly in the Southeast, a region not regularly featured in discussions of affordable housing. While evictions are more common in counties with higher concentrations of African American population, demographics are not the most significant driver of differences in eviction rates across space. Stark differences in the frequency of eviction case filings and how often filings result in eviction judgments across states suggest that state-level landlord-tenant code has a strong role in shaping eviction prevalence. This has direct and tractable policy implications: Landlord-tenant code should be amended and standardized to disincentive landlords from repeatedly filing cases against the same household, likely with the intention of collecting past-due rent or using the threat of eviction to exercise control over tenants (Garboden and Rosen Forthcoming). Landlord-tenant policy should provide a fair balance of legal power between landlords and tenants and should not burden tenants with unnecessary eviction records.

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