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A Comparative Analysis of Urban Eviction Prevention Policies in New York City, Philadelphia, and San Francisco

Abstract

Eviction crises nation-wide have led to housing instability amongst the impoverished and to increased rates of depression, substance abuse, and unemployment. However, eviction prevention has only recently been prioritized by municipal governments and there is a dearth of research on the subject by social scientists and legal scholars. To understand the approaches of urban cities to the issue of evictions, I have conducted a comparative analysis of the eviction prevention policies of New York City, Philadelphia, and San Francisco. I first researched the prevalence and consequences of evictions in the United States. I then analyzed the specific websites of municipal offices relating to eviction or homelessness to see what services are available for low-income tenants seeking eviction prevention resources in each city. The three main similarities found were universal legal representation for tenants, the administration of emergency rental assistance, and the number of programs administered in each city. The three key differences found were the level of collaboration between municipal government and community organizations, the implementation approaches for universal legal representation, and how accessible the services are online. It is difficult to conclude if one city's policies are more effective as all three cities show great promise yet have flaws. There is insufficient literature proving the efficacy of eviction prevention policies in each city. However, all three cities seem to have comprehensive approaches, addressing most legal and financial aspects of the eviction process. More research must be done, especially controlled studies, to determine if these programs constitute best practices.

Keywords

eviction, housing policy, urban studies

Disciplines

Social and Behavioral Sciences

**A Comparative Analysis of Urban Eviction Prevention
Policies in New York City, Philadelphia, and San Francisco**

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*Submitted to the Philosophy, Politics and Economics Program at the University of Pennsylvania
in partial fulfillment of the requirements for Honors.*

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ABSTRACT

Eviction crises across the country have led to housing instability amongst the impoverished and to increased rates of depression, substance abuse problems, and unemployment. However, eviction prevention has only recently become a priority for municipal governments and there is a dearth of research on the subject by social scientists and legal scholars. To understand the approaches of large urban cities to the issue of evictions, I have conducted a comparative analysis of the eviction prevention policies of New York City, Philadelphia, and San Francisco. I first prepared a literature review to determine the prevalence and consequences of evictions in the United States. To investigate each specific city's response, I analyzed the websites of municipal offices relating to eviction or homelessness to see what services were available for low-income tenants seeking eviction prevention resources. The three main similarities found were universal legal representation for tenants, the administration of emergency rental assistance, and the number of programs administered in each city. The three key differences found were the level of collaboration between municipal government and community organizations, the implementation approaches for universal legal right to counsel for tenants, and how easily accessible the services are online. Based on my results, it is difficult to conclude if one city's policies are more effective as all three municipalities have strategies that show great promise but have issues that need to be addressed. There is insufficient literature proving the efficacy of eviction prevention policies in each city. However, all three cities seem to have comprehensive approaches to eviction prevention, addressing most legal and financial aspects of the eviction process. Overall, more research must be done, especially controlled studies, to determine if the initiatives municipal governments are funding are worth the investment and are the most effective measures for combatting the prevalence of evictions.

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INTRODUCTION

While ending homelessness has now become the rallying call of many politicians in pursuit of elected office, few call for research into and the prevention of evictions. Evictions can be defined as “landlord-initiated forced moves from rental properties and are most often due to tenants not paying the agreed-upon rent or materially violating the lease in other ways.”¹ Indeed, evictions have failed to be a part of the larger discourse of poverty for far too long. There has been a dearth of research on the relationship between evictions and poverty, reflecting a national poverty strategy that has inadequately addressed this urban housing inequality. Indeed, until the 2010s, the last major literature review on housing studies was conducted in 1980, and featured more studies conducted by government staff than social scientists.² It is not only in the field of sociology that housing policy had waned as a subject of study, but also in legal scholarship. It is rare now to see an article on housing law in nationally recognized law reviews. This is a departure from the 1960s and 1970s, when these same journals would publish “groundbreaking work on landlord-tenant law.”³

In the United States, it took the publishing of *Evicted: Poverty and profit in the American city* by Matthew Desmond in 2016 for the nation to pay attention to this growing crisis. Desmond uses stories interwoven with statistics to analyze the power of evictions in Milwaukee right after the economic recession of 2008.⁴ Milwaukee was chosen as the center of his research because it

¹ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

² Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

³ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

⁴ Desmond, M. (2016). *Evicted: Poverty and profit in the American city*. New York City, New York: Crown. <https://doi.org/10.1177/0887403416644013>.

is representative of the fate of many impoverished households in urban centers today.⁵ There had been no tracking of evictions on a national scale by the federal government, so Desmond created his own database, the Eviction Lab, to fill this void. From his research, Desmond concludes that eviction is not a consequence of, but rather a factor of “concentrated poverty, segregation and racial isolation,” going so far as to claim eviction is the “hidden housing problem.”⁶

While the literature on evictions is sparse, the research on eviction prevention and the efficacy of specific policies is even harder to find. Generally, the process of an eviction begins with a landlord serving a tenant a “notice to quit.” If the tenant fails to respond, the next step is a summary process, and then on to court if the issue is still not resolved.⁷ There are many steps in that procedure in which intervention policies could stop the process altogether. As the gap between rising housing costs and stagnant wages becomes ever larger, investing in eviction prevention policies that are proven to work should be prioritized by policymakers. For example, in 2017, the national wage necessary to afford a two-bedroom rental unit was \$21.21 per hour, which “was more than 2.9 times higher than the federal minimum wage.”⁸ Another problem looms large- a significant reduction in affordable housing in the next ten years. The Low-Income Housing Tax Credit is “the largest national affordable housing program in the US,” and by 2030, nearly half a million units, or a quarter of the total stock, will no longer have federal rent-affordability and income restrictions apply. Some units will deteriorate without serious

⁵ Soederberg, S. (2018). Evictions: A global capitalist phenomenon. *Development and Change*, 49(2), 286–301. <https://doi.org/10.1111/dech.12383>.

⁶ Dickinson, G. (2015). Towards a new eviction jurisprudence. *Georgetown Journal on Poverty Law & Policy*, 23(1), 1–59. Retrieved from https://link.gale.com/apps/doc/A482055810/ITOF?u=upenn_main&sid=ITOF&xid=7527ce34. 45-46

⁷ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

⁸ Soederberg, S. (2018). Evictions: A global capitalist phenomenon. *Development and Change*, 49(2), 286–301. <https://doi.org/10.1111/dech.12383>.

renovations, while others will no longer be classified as “affordable” as they convert to market-rate rents.⁹ As the country readies to face this huge loss in housing options for low-income tenants, it is all the more necessary for cities to implement policies that ensure tenants are able to stay in their residences and do not face forced displacement.

In this paper, I examine the eviction prevention policies in the cities of New York, Philadelphia, and San Francisco. I have chosen these three cities because they are three of the largest metropolitan areas with long-standing eviction crises and comprehensive eviction prevention policies in place. These three cities are pioneers in eviction prevention policies and have had some of the longest-running programs out of any city in the nation. I am specifically looking at the services provided by the municipal government in each respective city, rather than endeavors community organizations are taking on their own because I am interested in the level of prioritization of eviction prevention by each government and their level of involvement in the movement to end the national eviction crisis.

I begin with an overview section that highlights the prevalence of evictions throughout the nation with specific statistics citing their pervasiveness in the three specific cities I am studying. Following this is a section on the effects of an eviction on the family, community, and government level, as well as a segment on the array of eviction prevention policies that have been adopted throughout the nation. I then outline the history of eviction prevention, as well as the current actions taken by municipal governments to prevent evictions in New York City, Philadelphia, and San Francisco. I then analyze the similarities and differences found in the

⁹ Affordable Housing Research Corporation, & National Low Income Housing Coalition. (2018, October 17). Balancing Priorities Report. Retrieved from <https://nlihc.org/resource/balancing-priorities-report>.

approaches taken by each city, as well as comment on the efficacy of their policies wherever there is research that strongly suggests that a policy is indeed worth the investment of human and capital resources. The last section consists of concluding thoughts based on my findings.

EVICTIONS IN AMERICA: AN OVERVIEW

The Prevalence of Evictions

Since the Great Recession of 2008, housing security in cities around the world has declined, “as evidenced by a rise in the rate of evictions.”¹⁰ The United States is a prime example of this. To understand how widespread the eviction crisis is, it is important to have a clearer picture of the circumstances that led to the exacerbation of this problem. The shortage of affordable housing in the US goes hand-in-hand with the eviction crisis and is caused by the convergence of three factors- the cost of housing is increasing rapidly, the incomes of the impoverished are stagnant, and the federal government has provided insufficient assistance to its constituents.¹¹ In the status quo, over half of low-income renting families in the US spend over 50% of their income on housing, with one in four families spending over 70% on housing costs.¹² This is the result of median rent increasing by over 70% in the last two decades and utilities and fuel having risen by over 50% since 2000, while wages remain stagnant.¹³ Not all poor families are affected in the same way by this staggering reality, Black and Hispanic families disproportionately shoulder the burden of rent and utility costs that wipe out their budgets.¹⁴ This

¹⁰ Soederberg, S. (2018). Evictions: A global capitalist phenomenon. *Development and Change*, 49(2), 286–301. <https://doi.org/10.1111/dech.12383>.

¹¹ Dickinson, G. (2015). Towards a new eviction jurisprudence. *Georgetown Journal on Poverty Law & Policy*, 23(1), 1–59. Retrieved from https://link.gale.com/apps/doc/A482055810/ITOF?u=upenn_main&sid=ITOF&xid=7527ce34. 35

¹² Desmond, M. (2018). Heavy is the house: Rent burden among the American urban poor. *International Journal of Urban and Regional Research*, 42(1), 160–170. doi: 10.1111/1468-2427.12529.

¹³ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

¹⁴ Desmond, M. (2018). Heavy is the house: Rent burden among the American urban poor. *International Journal of Urban and Regional Research*, 42(1), 160–170. doi: 10.1111/1468-2427.12529.

declining housing supply will only worsen unless action is taken, increasing “the number of households that experience acute residential instability related to eviction.”¹⁵

The gap between financial need and government assistance for housing has increasingly widened, as now three-fourths of renting families below the poverty line receive no housing assistance.¹⁶ Desmond furthers that in 2013, in a study conducted in Milwaukee, out of every eight impoverished families, one could not make rent and was forced to move.¹⁷ On a national scale, data collected on the Eviction Lab website shows that 2,350,042 evictions cases were filed in 2016, which is equivalent to about four filed each minute.¹⁸ In New York City alone, everyday three hundred to four hundred housing court judgments are entered.¹⁹ Evictions are clustered in neighborhoods as well because landlords tend to concentrate where they own properties. Thus, neighborhoods with similar demographics may have different eviction rates, so a tenant’s likelihood of eviction is determined partially by how often evictions occur in their neighborhood.²⁰

Desmond finds that “family size, job loss, neighborhood crime and eviction rates, and network disadvantage are identified as significant and robust predictors of eviction, net of missed

¹⁵ Dickinson, G. (2015). Towards a new eviction jurisprudence. *Georgetown Journal on Poverty Law & Policy*, 23(1), 1–59. Retrieved from https://link.gale.com/apps/doc/A482055810/ITOF?u=upenn_main&sid=ITOF&xid=7527ce34. 36

¹⁶ Housing Related Data. (n.d.). Retrieved from <https://nlihc.org/explore-issues/publications-research/research/housing-related-data>.

¹⁷ Soederberg, S. (2018). Evictions: A global capitalist phenomenon. *Development and Change*, 49(2), 286–301. <https://doi.org/10.1111/dech.12383>.

¹⁸ Eviction Lab. (2018). Eviction map & data. Retrieved from <https://evictionlab.org/map/#/2016?geography=states&type=er>.

¹⁹ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

²⁰ Desmond, M., & Gershenson, C. (2017). Who gets evicted? Assessing individual, neighborhood, and network factors. *Social Science Research*, 62, 362–377. <https://doi.org/10.1016/j.ssresearch.2016.08.017>.

rental payments and other relevant factors.”²¹ While the majority of evictions are due to rent arrears, or failures to pay rent in a timely manner,²² these failures to pay are usually due to a complicated set of circumstances. The reasons may cover an array of different financial, social, health and relational factors, including unemployment, a lack of knowledge of available subsidies, and a lack of social support.²³

Desmond furthers that these evictions are oftentimes harsh reactions to families falling behind on rent. In fact, over a third of families are evicted for less than a month’s rent.²⁴ These small-money evictions vary by state but have serious impacts on the nation as a whole. In Virginia, for example, 1 in 2 evictions were for \$940 or less, and 1 in 10 evictions were for less than \$335.²⁵ Desmond concluded his presentation by explaining that the poor, as showcased by a case study in Milwaukee, pay about the same as those who are not impoverished for worse quality housing.²⁶ The landlords serving these impoverished communities, however, make almost double the profit. Desmond used data from the Milwaukee Rental Property Owners Survey from 2015 and the Rental Housing Finance Survey from 2012 to come to these findings.²⁷ While property values and land taxes are lower in lower-income neighborhoods, the rent rates are about the same as middle-class neighborhoods. Landlords will justify the rent

²¹ Desmond, M., & Gershenson, C. (2017). Who gets evicted? Assessing individual, neighborhood, and network factors. *Social Science Research*, 62, 362–377. <https://doi.org/10.1016/j.ssresearch.2016.08.017>.

²² Holl, M., van den Dries, L., & Wolf, J. (2015). Interventions to prevent tenant evictions: a systematic review. *Health & Social Care in the Community*, 24(5), 532–546. <https://doi.org/10.1111/hsc.12257>.

²³ Holl, M., van den Dries, L., & Wolf, J. (2015). Interventions to prevent tenant evictions: a systematic review. *Health & Social Care in the Community*, 24(5), 532–546. <https://doi.org/10.1111/hsc.12257>.

²⁴ Desmond, M. “Red lines, red tape: Combatting the housing crisis & ending residential segregation,” University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.

²⁵ Desmond, M. “Red lines, red tape: Combatting the housing crisis & ending residential segregation,” University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.

²⁶ Desmond, M., & Wilmers, N. (2019). Do the poor pay more for housing? Exploitation, profit, and risk in rental markets. *American Journal of Sociology*, 124(4), 1090–1124. <https://doi.org/10.1086/701697>.

²⁷ Desmond, M., & Wilmers, N. (2019). Do the poor pay more for housing? Exploitation, profit, and risk in rental markets. *American Journal of Sociology*, 124(4), 1090–1124. <https://doi.org/10.1086/701697>.

increases in lower-income neighborhoods by stating there is a higher risk of a tenant being unable to keep up with monthly payments. However, Desmond's study shows that landlords rarely face losses, which means the increased rent just means higher profits. In fact, the median rental unit in a lower-income neighborhood can provide \$98 in profit to a landlord, whereas in the same middle-class neighborhood there would only be \$3 in profit, and in affluent neighborhoods \$49 in profit.²⁸ To further this point, Desmond explains that if there is a 10% increase in the poverty level of a neighborhood, it can mean a 7% increase in profit for a landlord.²⁹ This indicates that the lack of affordable housing and the high eviction rate is not just an issue a physical lack of supply or the costs of maintenance for landlords, but also an outcome of landlord exploitation.

The legal process makes filing for an eviction easy for landlords, exacerbating the prevalence of evictions. In Chicago, for example, an average landlord-tenant hearing lasts two minutes long, and even less if the landlord is represented by an attorney and the tenant is *pro se*, or representing themselves in court.³⁰ Additionally, landlords often have minimal pleading requirements to make their case.³¹ The Chicago and Illinois State Bar Associations conducted a joint study that found that "housing was the second most common type of legal problem

²⁸ Desmond, M., & Wilmers, N. (2019). Do the poor pay more for housing? Exploitation, profit, and risk in rental markets. *American Journal of Sociology*, 124(4), 1090–1124. <https://doi.org/10.1086/701697>.

²⁹ Desmond, M., & Wilmers, N. (2019). Do the poor pay more for housing? Exploitation, profit, and risk in rental markets. *American Journal of Sociology*, 124(4), 1090–1124. <https://doi.org/10.1086/701697>.

³⁰ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d. 33.

³¹ Waks, A. (2018). Eviction and exclusion: An argument for extending the exclusionary rule to evictions stemming from a tenant's alleged criminal activity. *Georgetown Journal on Poverty Law & Policy*, 26(1), 185–210. Retrieved from https://link.gale.com/apps/doc/A573879690/LT?u=upenn_main&sid=LT&xid=9497b5c7.

experienced” low-income households, with only 16.4% actually having legal representation.³² This helps to explain why in most cities, tenants do not show up to court, leading to a default judgment in favor of the landlord.³³

If a tenant does come to court following a summons, they may feel pressured and enter into “agreed orders to vacate,” even there is no valid eviction claim.³⁴ These litigants are asked to engage in a side conversation with opposing counsel who may offer settlement agreements. Many attorneys have pushed these agreements by telling the tenant “Sign this and you will get out quickly... This is the best you can do... [and] If you don’t agree to this, you have 5 days to pay or you will be evicted.”³⁵ These legal documents are full of terms that a layperson would not be expected to understand and thus tenants fail to understand that signing these agreements is the same as having an eviction on their record.³⁶ Emphasizing this sentiment, a housing court judge in Manhattan explains that *pro se* tenants are often at a disadvantage, as they do not have the knowledge or tools to “assert their rights and assess their claims.”³⁷ However, not all judges act on this, as many will approve these agreements without explaining to the tenant what they are actually getting themselves into. Moreover, tenants are also often forced to move out through informal evictions outside of the court process. The number of informal evictions is severely

³² Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

³³ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

³⁴ The Committee on Legal Assistance. (1989). Preventing homelessness through representation of tenants faced with eviction. *The Record of the Association of the Bar of the City of New York*, 44(3), 234–253. Retrieved from <https://heinonline.org/HOL/P?h=hein.barjournals/rabbny0044&i=236>. 242-243.

³⁵ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

³⁶ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

³⁷ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

undercounted because there oftentimes is no documentation-the landlord may either tell the family to leave or just change the locks.³⁸

³⁸ Desmond, M., & Shollenberger, T. (2015). Forced displacement from rental housing: Prevalence and neighborhood consequences. *Demography*, 52(5), 1751–1772. Retrieved from <https://www-jstor-org.proxy.library.upenn.edu/stable/43697545>.

The Consequences of an Eviction

The mark of an eviction places a permanent and heavy burden on the shoulders of a low-income family. As Desmond explains, eviction is a *cause* and not a symptom of poverty.³⁹ While one potentially obvious effect of an eviction is that it paves the path to homelessness,⁴⁰ there are many other parts of a tenant's life, like credit and health that are severely impacted as well. For example, having an eviction on one's public record can harm the tenant's credit score, and may even make the individual ineligible for some emergency shelter assistance programs.⁴¹

Additionally, survey data has shown that if a low-income renter has an eviction on record, they are 11% to 22% more likely to be fired than comparable workers who have not experienced an eviction.⁴² This kind of housing instability has ripple effects, touching the tenant, her family, and the community at large.⁴³ The stress of an eviction can lead to higher risks of developing depression, substance abuse problems, and other mental health issues.⁴⁴ Evictions have also been identified as “a risk factor for suicide.”⁴⁶

³⁹ Desmond, M. (2016). *Evicted: Poverty and profit in the American city*. New York City, New York: Crown. <https://doi.org/10.1177/0887403416644013>.

⁴⁰ The Committee on Legal Assistance. (1989). Preventing homelessness through representation of tenants faced with eviction. *The Record of the Association of the Bar of the City of New York*, 44(3), 234–253. Retrieved from <https://heinonline.org/HOL/P?h=hein.barjournals/rabbny0044&i=236>.

⁴¹ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

⁴² Desmond, M., & Gershenson, C. (2016). Housing and employment insecurity among the working poor. *Social Problems*, 63(1), 46–27. Retrieved from <https://www-jstor-org.proxy.library.upenn.edu/stable/44014894>.

⁴³ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁴⁴ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

⁴⁵ Pfeiffer, D. (2018). Rental housing assistance and health: Evidence from the survey of income and program participation. *Housing Policy Debate*, 28(4), 515–533. <https://doi.org/10.1080/10511482.2017.1404480>.

⁴⁶ An, W., Desmond, M., Ferriss, T., & Winkler, R. (2013). Evicting children. *Social Forces*, 92(1), 303–327. Retrieved from <https://www-jstororg.proxy.library.upenn.edu/stable/43287526>.

Having even just one eviction on record and prevent tenants and their families from accessing food, affordable housing and even drive these families to substandard housing in disadvantaged neighborhoods.⁴⁷ Those that are evicted, who likely need housing assistance the most, are routinely denied public housing or rental vouchers because evictions count as a strike against them by housing authorities, which is why they end up in poorer housing.⁴⁸ In fact, a study conducted in 2013 found that forced moves were associated with “over a third of a standard deviation increase in neighborhood poverty and crime rates, relative to voluntary moves.”⁴⁹ Additionally, increases in housing costs have not seen a corresponding increase in housing quality. While in the 1970s and 1980s, housing prices mostly went up because of improvements to housing, more recently the prices have soared while the quality has remained unchanged. The American Housing Survey demonstrates that rental households with “severe physical problems” has remained at 3% for the last two decades, while rental prices have increased.⁵⁰ This kind of worse housing is often characterized by vermin infestations, lead-painted walls, and a series of building code violations. Such poor living environments have been shown to exacerbate asthma, lead poisoning, and malnutrition.⁵¹

⁴⁷ Waks, A. (2018). Eviction and exclusion: An argument for extending the exclusionary rule to evictions stemming from a tenant’s alleged criminal activity. *Georgetown Journal on Poverty Law & Policy*, 26(1), 185–210. Retrieved from https://link.gale.com/apps/doc/A573879690/LT?u=upenn_main&sid=LT&xid=9497b5c7.

⁴⁸ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

⁴⁹ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

⁵⁰ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

⁵¹ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

Those disproportionately affected by the consequences of an eviction are black women and low-income urban single mothers, who tend to rely on their surrounding social network for assistance.⁵²⁵³⁵⁴ These ties are severed or weakened when families must move because of an eviction notice. In a study conducted in 2015, Desmond found “two years after eviction, single mothers experienced higher rates of material hardship and depression than their peers as a result of eviction,” as well as “higher levels of poverty.”⁵⁵⁵⁶ A *Georgetown Journal on Poverty and Law* aptly describes the implications of evictions on marginalized communities in stating that “in light of the disproportionate representation of black women as defendants in dispossession proceedings, eviction records cluster low-income renters of color in run-down, unhealthy neighborhoods, perpetuating segregation, which in turn compounds poverty.”⁵⁷ Research has also show that low-income black women are “not only overrepresented on leases, but also tend to have a harder time making rent than male leaseholders from similar neighborhood.”⁵⁸ Single mothers are 29% more likely to violate a lease, and black heads of household are 68% more

⁵² Pfeiffer, D. (2018). Rental housing assistance and health: Evidence from the survey of income and program participation. *Housing Policy Debate*, 28(4), 515–533. <https://doi.org/10.1080/10511482.2017.1404480>.

⁵³ Brisson, D., & Covert, J. (2015). Housing instability risk among subsidized housing recipients: Characteristics associated with late or nonpayment of rent. *Social Work Research*, 39(2), 119–128. <https://doi.org/10.1093/swr/svv009>.

⁵⁴ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.ch

⁵⁵ Dickinson, G. (2015). Towards a new eviction jurisprudence. *Georgetown Journal on Poverty Law & Policy*, 23(1), 1–59. Retrieved from https://link.gale.com/apps/doc/A482055810/ITOF?u=upenn_main&sid=ITOF&xid=7527ce34.

⁵⁶ Desmond, M., & Tolbert, R. (2015). Eviction’s fallout: Housing, hardship, and health. *Social Forces*, 94, 295–324. Retrieved from <https://www-jstor-org.proxy.library.upenn.edu/stable/24754254>.

⁵⁷ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁵⁸ Desmond, M. (2012). Eviction and the reproduction of urban poverty. *American Journal of Sociology*, 118(1), 88–133. <https://doi.org/10.1086/666082>.

likely to violate a lease.⁵⁹ In Philadelphia alone, 70% of evictions affect black women.⁶⁰

Research on the demographics of evictions in Baltimore found that while black women are only 34% of the city's population, they represent 79% of eviction proceeding defendants.⁶¹ This trend is seen once again in Milwaukee, where black women make up 30% of eviction recipients, but only are 9.6% of the population.⁶² .⁶³ Landlords have significant discretion in who to evict, with few cities implementing a rule where a "just. cause" is needed to evict a tenant. Thus, a landlord may have biases that play into who they choose to evict, which can be difficult for a tenant to prove in court.⁶⁴ It is not just black women that are affected, either. Researchers found that Hispanic tenants in a majority-white neighborhood were approximately twice as likely to be evicted as those in predominantly non-white neighborhoods.⁶⁵ In fact, estimates of discriminatory acts in the rental market may be higher than four million every year.⁶⁶

⁵⁹ Brisson, D., & Covert, J. (2015). Housing instability risk among subsidized housing recipients: Characteristics associated with late or nonpayment of rent. *Social Work Research*, 39(2), 119–128. <https://doi.org/10.1093/swr/svv009>.

⁶⁰ Gym, H. "Red lines, red tape: Combatting the housing crisis & ending residential segregation," University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.

⁶¹ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁶² Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁶³ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁶⁴ Desmond, M., Gershenson, C., & Greenberg, D. (2016). Discrimination in evictions: Empirical evidence and legal challenges. *Harvard Civil Rights-Civil Liberties Law Review*, 51(1), 115–158. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/hcrcl51&i=119>.

⁶⁵ Desmond, M., Gershenson, C., & Greenberg, D. (2016). Discrimination in evictions: Empirical evidence and legal challenges. *Harvard Civil Rights-Civil Liberties Law Review*, 51(1), 115–158. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/hcrcl51&i=119>.

⁶⁶ Desmond, M., Gershenson, C., & Greenberg, D. (2016). Discrimination in evictions: Empirical evidence and legal challenges. *Harvard Civil Rights-Civil Liberties Law Review*, 51(1), 115–158. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/hcrcl51&i=119>.

Indeed, the highest levels of default judgments against tenants in eviction cases occurs in areas of the highest concentrations of poverty.⁶⁷ When a landlord files an eviction case against a tenant, the eviction proceedings are noted in the tenant’s court records. This includes cases in which the tenant has won, or the judgment was vacated. Oftentimes, eviction proceedings can serve as serious barriers to tenants seeking housing because landlords will effectively blacklist any prospective tenants with eviction proceedings on record.⁶⁸ As one landlord anonymously noted, “it is the policy of 99 percent of our customers in New York to flat out reject anybody with a landlord-tenant record, no matter what the reason is and no matter what the outcome is, because if their dispute has escalated to going to court, an owner will view them as a pain.”⁶⁹ There are also companies that specialize in creating tenant screening reports for landlords, which include their court filings, previous evictions, criminal records and credit scores who do not face scrutiny from the government to produce accurate information.⁷⁰ Research has shown that renters that were evicted were “almost 25% more likely to experience long-term housing problems” compared to renters of the same demographic that had not been evicted.⁷² Currently, nearly 1 in 14 renters in Philadelphia have eviction proceedings filed against them in a typical

⁶⁷Larson, E. (2006). Case characteristics and defendant tenant default in a housing court. *Journal of Empirical Legal Studies*, 3(1), 121–144. <https://doi.org/10.1111/j.1740-1461.2006.00065.x>.

⁶⁸ Badger, E. (2018, April 7). In 83 Million Eviction Records, a Sweeping and Intimate New Look at Housing in America. Retrieved from <https://www.nytimes.com/interactive/2018/04/07/upshot/millions-of-eviction-records-a-sweeping-new-look-at-housing-in-america.html>.

⁶⁹ Caramello, E., & Mahlberg, N. (2017). Combating Tenant Blacklisting Based on Housing Court Records. *Sargent Shriver National Center on Poverty Law*. Retrieved from <http://povertylaw.org/clearinghouse/article/blacklisting>.

⁷⁰ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

⁷¹ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁷² Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

year.⁷³ This is not as surprising when understood in conjunction with the fact that Philadelphia ranks fourth in total number of evictions, and in some low-income neighborhoods as many as 15% of residents will have proceedings filed against them.⁷⁴

Having children in a household also increases the risk of eviction up to three times more than the risk for adult-only households.⁷⁵ A recent study found that over a third of evicted tenants were single mothers and 115 out of the 353 children that lived with the tenants received eviction judgments.⁷⁶ The resulting trauma of an eviction and resulting homelessness can have generational impacts. Children of mothers who had been homeless at some point before giving birth but now are in stable housing conditions, were 20% more likely to be hospitalized than children whose mothers had never been homeless.⁷⁷ An eviction can have effects on children that range from harming their academic performance and delaying their literacy skills, to causing children to enter the foster care system, to inducing violent behaviors and increasing the

⁷³ Terruso, J. (2018, April 19). Why 1 in 14 Philly renters faces eviction every year. Retrieved from <https://www.inquirer.com/philly/news/eviction-philadelphia-poverty-broke-in-philly-solutions-20180418.html>.

⁷⁴ Terruso, J. (2018, April 19). Why 1 in 14 Philly renters faces eviction every year. Retrieved from <https://www.inquirer.com/philly/news/eviction-philadelphia-poverty-broke-in-philly-solutions-20180418.html>.

⁷⁵ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

⁷⁶ Dickinson, G. (2015). Towards a new eviction jurisprudence. *Georgetown Journal on Poverty Law & Policy*, 23(1), 1–59. Retrieved from https://link.gale.com/apps/doc/A482055810/ITOF?u=upenn_main&sid=ITOF&xid=7527ce34. 62-64.

⁷⁷ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

likelihood they drop out of school or go to jail.⁷⁸⁷⁹⁸⁰⁸¹ Additionally, for households paying unsustainably high monthly rent that will likely lead to an eviction, children suffer from a lack of basic nutrition and routine health check-ups. A Joint Center for Housing Studies study found in 2012 that low-income families who were rent-burdened and paying at least half their income on housing costs, spent 39% and 65% less, respectively, for food and health care than comparable families that had affordable housing and spent 30% of their income or less on housing costs.⁸²

However, evictions are not just costly for tenants—they are expensive for landlords, hospitals, the government, everyone involved. In hospitals, for example, the top 5% of service users, that are “mostly poor and housing insecure,” consume nearly 50% of all of the health care costs.⁸³ For landlords, not only do they lose rent income from having a vacant residential property, but the legal process of an eviction itself can be costly in attorney and court fees. One report found that in Boston, one eviction could cost over \$10,021 for all parties involved, not including the \$26,620 the state would have to provide in emergency assistance.⁸⁴ Society tends to bear the brunt of the costs of evictions, as in many cities, like New York City, there is a mandate

⁷⁸ Nipped in the bud; Homelessness. (2015). *The Economist*, 415(8941), 24. Retrieved from https://link.gale.com/apps/doc/A416514612/UHIC?u=upenn_main&sid=UHIC&xid=52b3bb4c.

⁷⁹ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

⁸⁰ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.

⁸¹ Brisson, D., & Covert, J. (2015). Housing instability risk among subsidized housing recipients: Characteristics associated with late or nonpayment of rent. *Social Work Research*, 39(2), 119–128. <https://doi.org/10.1093/swr/svv009>.

⁸² Pfeiffer, D. (2018). Rental housing assistance and health: Evidence from the survey of income and program participation. *Housing Policy Debate*, 28(4), 515–533. <https://doi.org/10.1080/10511482.2017.1404480>.

⁸³ Desmond, M., & Sandel, M. (2017). Investing in housing for health improves both mission and margin. *Jama*, 318(23), 2291. doi: 10.1001/jama.2017.15771.

⁸⁴ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

that all those who need emergency shelter must receive it.⁸⁵ This can cost more than “\$100 per night for a family,” and in New York City in 2005, it was estimated that families usually stayed in these shelters for about “415 nights, on average.”⁸⁶ Municipal courts must also bear the costs of expanded court dockets and an increase in utilization of the Sheriff’s office to remove families from a landlord’s property.⁸⁷ Even on the meso level, evictions can have serious implications for the communities created in neighborhoods. Neighborhoods that experience high levels of evictions find that such instability “thwarts local collective efficacy and civic empowerment.”⁸⁸

⁸⁵ Nipped in the bud; Homelessness. (2015). *The Economist*, 415(8941), 24. Retrieved from https://link.gale.com/apps/doc/A416514612/UHIC?u=upenn_main&sid=UHIC&xid=52b3bb4c.

⁸⁶ Nipped in the bud; Homelessness. (2015). *The Economist*, 415(8941), 24. Retrieved from https://link.gale.com/apps/doc/A416514612/UHIC?u=upenn_main&sid=UHIC&xid=52b3bb4c.

⁸⁷ Desmond, M., Gershenson, C., & Greenberg, D. (2016). Discrimination in evictions: Empirical evidence and legal challenges. *Harvard Civil Rights-Civil Liberties Law Review*, 51(1), 115–158. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/hcrcl51&i=119>.

⁸⁸ Desmond, M., Gershenson, C., & Greenberg, D. (2016). Discrimination in evictions: Empirical evidence and legal challenges. *Harvard Civil Rights-Civil Liberties Law Review*, 51(1), 115–158. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/hcrcl51&i=119>.

Eviction Prevention Policy Landscape

Eviction prevention is an important part of any effort to end homelessness⁸⁹ and municipal and state governments that have attempted to carve out explicit eviction prevention policies have shown success in improving housing stability. In Virginia, a state with some of the highest eviction rates per city, the data presented by Matthew Desmond and a startling *New York Times* article⁹⁰ lead government officials and housing activists to create the Eviction Task Force. Through these series of programs recommended by the coalition, eviction rates fell 19% in Richmond, and 14% across the state in 2019, showcasing huge successes that only strengthen to call for eviction prevention programs around the country.⁹¹ The biggest factor in that reduction was that the Richmond Redevelopment and Housing Authority, one of the largest evictors in the state, implemented a freeze on “lease enforcement for nonpayment of rent...[resulting in a promise that] no public housing family will be removed from their home for debt owed to RRHA.”⁹²

Another policy implemented by the Virginia General Assembly in 2006 was a unique solution to the eviction crisis. They enacted legislation that gives tenants the ability to appoint a third party to also receive copies of eviction notices and summonses. Most of the tenants that

⁸⁹ Nugent, E., & Whiteley, P. (2006). Third-party notification of eviction actions: An opportunity for advocates to help end homelessness. *Clearinghouse Review*, 40(7-8), 431–440. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/clear40&i=447>. 431

⁹⁰ Badger, E. (2018, April 7). In 83 Million Eviction Records, a Sweeping and Intimate New Look at Housing in America. Retrieved from <https://www.nytimes.com/interactive/2018/04/07/upshot/millions-of-eviction-records-a-sweeping-new-look-at-housing-in-america.html>.

⁹¹ Capital News Service. (2019, December 17). Evictions, a focus of concern, fall 14% in Virginia. Retrieved from <https://www.virginiamercury.com/2019/12/17/evictions-a-focus-of-concern-fall-14-in-virginia/>.

⁹² Capital News Service. (2019, December 17). Evictions, a focus of concern, fall 14% in Virginia. Retrieved from <https://www.virginiamercury.com/2019/12/17/evictions-a-focus-of-concern-fall-14-in-virginia/>.

take advantage of this service are “vulnerable elderly, disabled, non-English speaking tenants.”⁹³ By designating family members or legal services agencies to receive these notices, tenants are more likely to take preventative measures to ensure they continue to have stable housing. While there is no specific study conducted on the efficacy of such a policy, New York City implemented a similar action but in regards to utility bills, and found great success in preventing permanent utility shutoffs.⁹⁴ The newest form of the Eviction Task Force is a coalition called the Campaign to Reduce Evictions,⁹⁵ which has released more recommendations for Virginia to implement in its efforts to reduce eviction rates.

A model heralded by Matthew Desmond as the “golden standard” is HomeStart, a comprehensive emergency assistance program located in Boston. HomeStart has helped almost 3,000 families living at or below the poverty line in the last 20 years avoid homelessness.⁹⁶ This program provides a step-by-step process to help tenants reduce the risk of eviction, which is outlined on their website. When a tenant receives an eviction notice, they have a one-on-one meeting with a HomeStart Advocate to understand what led to the situation and what specific steps can be taken to remove any potential obstacles. After this initial consultation, HomeStart advocates “negotiate directly with property owners on behalf of the tenant,”⁹⁷ paying a portion of the back rent owed and stopping the eviction.

⁹³ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

⁹⁴ Nugent, E., & Whiteley, P. (2006). Third-party notification of eviction actions: An opportunity for advocates to help end homelessness. *Clearinghouse Review*, 40(7-8), 431–440. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/clear40&i=447>.

⁹⁵ Campaign to Reduce Evictions. Retrieved from <https://www.reduceevictions.org/>.

⁹⁶ About Us. Retrieved from <https://www.homestart.org/about>.

⁹⁷ Eviction Prevention. Retrieved from <https://www.homestart.org/prevention>.

Beyond the initial crisis, HomeStart keeps in contact with the tenant for the following 12 months, checking in to ensure the tenant is in a stable situation. This kind of long-term care works, as the program website boasts “95% of clients have not been evicted for non-payment 4 years later.”⁹⁸ A study was conducted by Wood-Boyle and Mulligan on the impact of HomeStart’s Court Intervention program from 2010 to 2012. They found that 383 forced evictions were prevented and over 1,000 tenants were helped through “negotiation payment arrangements..., job development and financial stability.”⁹⁹ While the program for those three years costs around \$700,000, the study estimates that over \$10 million was saved in expenses that would have been paid in emergency shelter and social services.¹⁰⁰ However, this program is a limited model, for not all housing organizations have the capacity to continue checking up on tenants because of the constant influx of clients.

Creating a right to counsel for tenants has also been a popular model for eviction prevention. In the District Court of Massachusetts, a study was conducted providing “unbundled” and “bundled” assistance to low-income tenants to determine the efficacy and the necessity of full legal representation. The researchers defined “unbundled” assistance as providing information on the eviction process, helping fill out legal forms, and giving legal advice that stopped short of a traditional attorney-client relationship. It was found that two-thirds of the

⁹⁸ Eviction Prevention. Retrieved from <https://www.homestart.org/prevention>.

⁹⁹ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619. e7

¹⁰⁰ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619. e7

tenants that received “bundled” assistance retained their tenancies, as opposed to only one-third of the tenants who had received “unbundled assistance.”¹⁰¹

Not only has this method proven to be effective through controlled studies, but there is also designated federal funding for states and municipalities to expand the representation of low-income tenants. Congress enacted the Stuart B. McKinney Homeless Assistance Act in 1987, which allowed the US Department of Housing and Urban Development to provide Emergency Shelter Grants for homelessness prevention. These funds could be used for “services such as short-term rent and utility subsidies... mediation services in landlord-tenant disputes and for legal services for low-income tenants facing eviction proceedings.”¹⁰² Additional funds for legal services for the poor and near-poor come from the Legal Services Corporation and the Interest on Lawyers Trust Accounts program.¹⁰³

Matthew Desmond has also made some recommendations that could help to reduce eviction rates in his book *Evicted*, which include actions such as “track eviction from subsidized housing, expand emergency assistance, and invest in mediation courts/programs to prevent unnecessary evictions.”¹⁰⁴ Additionally, he delved deeper at the Symposium specifically into the issues of serial evictions. Over 50% of evictions filed nationwide are associated with serial cases. In South Carolina, almost 1 in 25 households have faced evictions every month for a year. The

¹⁰¹ Greiner, J., Pattanayak, C., & Hennessy, J. (2013). The limits of unbundled legal assistance: A randomized study in a Massachusetts District Court and prospects for the future. *Harvard Law Review*, 126(4). Retrieved from https://link.gale.com/apps/doc/A321180181/AONE?u=upenn_main&sid=AONE&xid=e24291fc.

¹⁰² Nugent, E., & Whiteley, P. (2006). Third-party notification of eviction actions: An opportunity for advocates to help end homelessness. *Clearinghouse Review*, 40(7-8), 431–440. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/clear40&i=447>. 433

¹⁰³ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

¹⁰⁴ Desmond, M. (2016). *Evicted: Poverty and profit in the American city*. New York City, New York: Crown. <https://doi.org/10.1177/0887403416644013>.

finances and fees from these serial filings increase their housing costs by 22% on average. Some cities and counties make it easier to file an eviction, like Charleston County, which only has a filing fee of \$40, and no requirement for an attorney to be involved. This county faces a serial eviction proportion of 52.46% of total evictions.¹⁰⁵ On the other hand, Mobile County has a filing fee of \$256 and a requirement for an attorney to be present during the filing, which lends itself to only a 5.63% serial proportion.¹⁰⁶ Desmond's research shows that just adding the attorney requirement lowers the eviction rate by a third.¹⁰⁷

¹⁰⁵ Desmond, M. "Red lines, red tape: Combatting the housing crisis & ending residential segregation," University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.

¹⁰⁶ Desmond, M. "Red lines, red tape: Combatting the housing crisis & ending residential segregation," University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.

¹⁰⁷ Desmond, M. "Red lines, red tape: Combatting the housing crisis & ending residential segregation," University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.

METHODOLOGY

In order to first have a better understanding of the literature on eviction prevention, I searched the Penn Libraries database with the key words “eviction prevention.” I read every journal article in the results that were relevant to tenant-landlord issues and used the information to flesh out the background and eviction prevention policy landscape sections of this paper. I found very few city-specific eviction prevention policy pieces, and so I Googled “eviction prevention policy in _____” with New York City, Philadelphia, and San Francisco respectively. I first went to the official municipal government sites related to eviction and eviction prevention services and analyzed the sites listed. However, the majority of these sites did not touch on the efficacy of the policies each city had implemented. I then used Google Scholar and the Penn Libraries database to search for studies on the specific programs in New York, Philadelphia, and San Francisco that indicated if the eviction prevention policies had a significant impact on tenants in their cities. After collecting this data, I evaluated their similarities and differences to compile information on different ways large metropolitan centers are tackling their respective eviction crises.

OUTLINING MUNICIPAL RESPONSES IN NEW YORK CITY, PHILADELPHIA, AND SAN FRANCISCO

Eviction Prevention Policy in New York City

In New York City, the eviction crisis is especially serious, as approximately 47% of all families in homeless shelters became homeless because they were evicted.¹⁰⁸ For those seeking help to avoid receiving an eviction notice, they would go to the Human Resources Administration website. On this site, one would find the specific government-funded initiatives available, such as legal representation and rental assistance. New York City was actually the first city to implement a policy that guarantees any low-income tenant facing an eviction legal assistance.¹⁰⁹ Such an initiative was necessary, as only 10% of tenants would appear in court with attorneys before this policy was implemented, while almost 100% of landlords had legal representation.¹¹⁰

The first response to the eviction crisis in New York was by the court system, whose judges worked with the bar to increase free legal representation. While that was helpful, it was not nearly enough to fully address all unmet need, so Judge Jonathan Lippman, the chief judge of the State of New York and chief judge of the Court of Appeals created the Task Force to Expand Access to Civil Legal Services in New York in May of 2010. The task force, made up of stakeholders in the private and public sectors, was meant to determine the scope of the problem

¹⁰⁸ Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d. 75.

¹⁰⁹ Legal Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/legal-services-for-tenants.page>.

¹¹⁰ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619. e2.

and issue recommendations based on best practices. After several public hearings throughout 2010 and 2011 filled with powerful testimonies, the legislature increased funding for legal representation for tenants by \$12.5 million. In the first three months alone of this new funding, over 50,000 tenants received legal representation, and by the next fiscal year, the funding had increased to \$40 million.¹¹¹ The legislation to introduce a universal right to counsel for low-income tenants was introduced in 2014, and its largest advocates have come from the Counsel NYC Coalition—a group of tenant, legal, and civic organizations. The plan was to phase in the policy by zip code over five years. The coalition’s website explains that “half of evictions that take place wouldn’t be successful if tenants had attorneys.” Indeed, from 2015-2016 when legal services were first expanded, evictions dropped in New York City by 18%, and were at their lowest level in a decade.¹¹² Now, up to 27% of tenants in Housing Court are represented, a significant improvement.¹¹³

This program is being introduced in phases, focusing first on zip codes with the highest demonstrated need. The HRA’s Office of Civil Justice is the agency leading this charge through the “Universal Access to Legal Services initiative,”¹¹⁴ although the office has partnered with legal services agencies around the city to expand the resources available. Not only will an attorney represent a tenant in Housing Court, but they will also help the tenant fight for repairs in their apartment that the landlord may have been neglecting to take care of, they will ensure the

¹¹¹ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

¹¹² Mollot, S. (2017). Eviction friction: City move to give tenants legal aid draws ire of landlords. *Real Estate Weekly*, 62(42). Retrieved from http://bi.gale.com.proxy.library.upenn.edu/global/article/GALE%7CA500683285?u=upenn_main.

¹¹³ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

¹¹⁴ Legal Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/legal-services-for-tenants.page>.

tenant is paying an appropriate amount for rent, and they will help explain the full scope of rights their client has as a tenant. All of these are considered Anti-Eviction Legal Services.

Additionally, the OCJ helps “buildings and tenant associations to help preserve their housing and protect against harassment.”¹¹⁵ These legal services have preserved affordable housing in the city, “and led to the collection of hundreds of thousands in rental payments for landlords,” indicating that there are not only benefits for tenants, but all parties involved.¹¹⁶

Another set of programs available fall under the category of rental assistance for tenants. CityFHEPS is one supplement for rent that can provide up to five years of assistance for individuals and families. The creation of CityFHEPS helped to centralize and combine several previous supplement programs into one comprehensive service, making it “easier for people to get help, easier for landlords to get payments, and easier for DSS to manage cases.”¹¹⁷ Along similar lines, the Family Homelessness & Eviction Prevention Supplement (FHEPS) is a specific type of rental assistance that only applies to families with children who are recipients of Cash Assistance. While it originally only focused on families that were facing eviction or had already been evicted, the program was expanded to include survivors of domestic assault. The program switched from State to City management, and now families can reach out to community organizations that are FHEPS providers to receive assistance.¹¹⁸ The last rental assistance program listed on the website is HOME TBRA. This program is funded by the US Department of Housing and Urban Development but run by HRA. However, this service is meant specifically

¹¹⁵ Legal Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/legal-services-for-tenants.page>.

¹¹⁶ The Committee on Legal Assistance. (1989). Preventing homelessness through representation of tenants faced with eviction. *The Record of the Association of the Bar of the City of New York*, 44(3), 234–253. Retrieved from <https://heinonline.org/HOL/P?h=hein.barjournals/rabbny0044&i=236>. 235

¹¹⁷ Rental Assistance CityFHEPS. Retrieved from <https://www1.nyc.gov/site/hra/help/cityfheps.page>.

¹¹⁸ Rental Assistance FHEPS. Retrieved from <https://www1.nyc.gov/site/hra/help/fheps.page>.

for families or individuals who are currently staying in an emergency shelter and are applying for funds to help their initial rent for an apartment and thus is not as focused on eviction prevention for those who have been long-time tenants.¹¹⁹

Not found on the HRA eviction prevention site, but rather on the Department of Homeless Services “Prevention” site, is another rental assistance program, geared towards helping pay off rent arrears. This service is administered by the HRA but does not appear on the same site as the other rental assistance programs. The funding comes through grants and can help tenants who have been evicted but whose landlords would be willing to continue renting to them if they resolve past due payments. To apply for this grant, an adult or family must use the 311 Online portal to contact the HRA Job Center.¹²⁰ Also on the Department of Homeless Services’ “Rent Issues” page is the Homeless Prevention Fund, which provides emergency rent supplements for tenants who have received an eviction notice.¹²¹ The most comprehensive of the available services is Homebase, a one-stop shop for all of a tenant’s needs. Homebase staff work individually with tenants to help them come up with a plan to overcome housing emergencies. Their services include financial counseling and rental assistance.¹²² A Journal of Housing Economics study found that in its first four years of service, Homebase has reduced entries into homeless shelters by 5-11%.¹²³

¹¹⁹ HRA HOME tenant-based rental assistance program fact sheet. (2020, January). Retrieved from <https://www1.nyc.gov/assets/hra/downloads/pdf/services/homelessness-prevention/HRA%20HOME%20TBRA%20Fact%20Sheet.pdf>

¹²⁰ Rent Issues. Retrieved from <https://www1.nyc.gov/site/dhs/prevention/rent-issues.page>.

¹²¹ Rent Issues. Retrieved from <https://www1.nyc.gov/site/dhs/prevention/rent-issues.page>.

¹²² Homelessness Prevention Homebase. Retrieved from <https://www1.nyc.gov/site/hra/help/homebase.page>.

¹²³ Goodman, S., Messeri, P., & Oflaherty, B. (2016). Homelessness prevention in New York City: On average, it works. *Journal of Housing Economics*, 31, 14–34. doi: 10.1016/j.jhe.2015.12.001.

Eviction Prevention Policy in Philadelphia

Outside of Baltimore, Philadelphia is the most affordable city in the Northeast, which is why it can be puzzling that the city faces such a serious affordable housing crisis.¹²⁴ However, there is a serious imbalance between supply and demand, with there being insufficient supply of housing to meet the ever-growing demand. Not only is there not enough physical space for affordable housing as units have become 50% more scarce in the last ten years, but the median age for a house is 93 years old.¹²⁵ This means that many potential units are dilapidated and in need of serious repair. Before the 2008 foreclosure crisis, Philadelphia was actually a national leader in low-income and middle-income home ownership, helping to provide stability to these communities. However, by 2018, the city became a majority-renter city.¹²⁶ Paired with this situation is the fact that Philadelphia is the poorest big city in the country.¹²⁷ In fact, 80% of tenants in the city spend at least 50% of their income on housing, while the federal recommended portion to be spent on housing is 30% or less.¹²⁸

The Philadelphia Bar Association used court records to further clarify the injustices faced by tenants. In 2016, more than 24,000 landlord-tenant cases were filed in Municipal Court, but only the equivalent of six and a half full time legal aid attorneys were available to provide

¹²⁴The northeast is pricey but not unaffordable everywhere. (2018, October 2). Retrieved from <https://meyersresearchllc.com/the-northeast-is-pricey-but-not-unaffordable-everywhere/>.

¹²⁵ Kramer, A. (2018, July 25). Old homes, high poverty make Philadelphia housing less than affordable for some. Retrieved from <https://whyy.org/articles/old-homes-high-poverty-make-philadelphia-housing-less-than-affordable-for-some/>.

¹²⁶ Terruso, J. (2018b, August 8). In Philly, the renters keep on coming. Retrieved from https://www.inquirer.com/philly/business/real_estate/real-estate-housing-apartments-rentals-renters-home-owner-20180808.html.

¹²⁷ Lozano, A. V. (2018, September 27). 'No vacations from poverty' for Philadelphia's poor residents. Retrieved from <https://www.nbcphiladelphia.com/news/local/broke-in-philly/no-vacations-from-poverty-pew-report-broke-in-philly-philadelphia/212984/>.

¹²⁸ Kramer, A. (2018, July 25). Old homes, high poverty make Philadelphia housing less than affordable for some. Retrieved from <https://whyy.org/articles/old-homes-high-poverty-make-philadelphia-housing-less-than-affordable-for-some/>.

representation in court for low-income renters.¹²⁹ Furthermore, only 8.2% of tenants were not *pro se* in court last year, and only 1.45% of those tenants were represented by a Philadelphia legal aid provider. On the other hand, 81% of landlords were represented by counsel in 81% of these cases, indicating a stark power imbalance.¹³⁰ These statistics were presented during a Philadelphia City Council public hearing on March 20, 2017 to elucidate the city's eviction crisis and the importance of legal counsel for low-income tenants in combatting this issue.

In 2007, legal organizations came together to create the Philadelphia Pro Bono Landlord Tenant Project, which aimed to connect lawyers and law students with low-income tenants in need of representation in an eviction hearing.¹³¹ In 2009, the Civil Gideon and Access to Justice Task Force was formed, and providing tenants representation in court became a high priority. This coalition was established by the President Judge of the Philadelphia Municipal Court because public interest legal organizations came together and requested the creation of this network. At that time, in Philadelphia, there were less than seven legal services attorneys working on landlord tenant matters full time, and since they were all from different agencies, there was little communication and coordination.¹³² This working group helped to close that gap, and ensure that injustices found in landlord tenant matters were being addressed on a systemic

¹²⁹ Philadelphia Bar Association Civil Gideon Center. (2017, March 21). New development: Philadelphia city council eviction crisis hearing. Retrieved from <https://www.philadelphiabar.org/page/CivilGideonEviction>.

¹³⁰ Philadelphia Bar Association Civil Gideon Center. (2017, March 21). New development: Philadelphia city council eviction crisis hearing. Retrieved from <https://www.philadelphiabar.org/page/CivilGideonEviction>.

¹³¹ Fogel, E. D. (2017). Addressing the representation crisis in eviction matters —Philadelphia's Recent Experience. *Management Information Exchange Journal*, 23–26. Retrieved from <http://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/EvictionPhillyFogel.pdf>. 25

¹³² Fogel, E. D. (2017). Addressing the representation crisis in eviction matters —Philadelphia's Recent Experience. *Management Information Exchange Journal*, 23–26. Retrieved from <http://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/EvictionPhillyFogel.pdf>. 23

level. Not only were attorneys invested, but the Municipal court too, as the institution adopted practices that helped to correct the power imbalance between landlords and tenants in the courtroom.¹³³ The most recent large-scale eviction prevention measure before the introduction of the Philadelphia Eviction Prevention Project was the creation of the Landlord Tenant Help Center in 2012.¹³⁴ This service fell under the classification of “unbundled assistance,” and was an attempt by the Court to provide advice to tenants during the eviction process. Those who managed the Center included members of public interest legal organizations, as well as a law firm. While it was originally funded by the Philadelphia Trial Lawyers Association, more recently it has transitioned to mostly private foundations.¹³⁵ The City of Philadelphia also offers the Emergency Assistance and Response Unit (EARU) through the Office of Homeless Services. The EARU can help families in crises with cash assistance for rent and utility payments.¹³⁶

On January 30th, 2018, the Philadelphia Eviction Prevention Project came out of the Kenney administration as a response to the ongoing eviction crisis. The program aims to “reduce the number of evictions and provide more resources to tenants in danger of losing their home.”¹³⁷

¹³³ Fogel, E. D. (2017). Addressing the representation crisis in eviction matters —Philadelphia’s Recent Experience. *Management Information Exchange Journal*, 23–26. Retrieved from <http://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/EvictionPhillyFogel.pdf>. 25

¹³⁴ Fogel, E. D. (2017). Addressing the representation crisis in eviction matters —Philadelphia’s Recent Experience. *Management Information Exchange Journal*, 23–26. Retrieved from <http://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/EvictionPhillyFogel.pdf>. 24

¹³⁵ Fogel, E. D. (2017). Addressing the representation crisis in eviction matters —Philadelphia’s Recent Experience. *Management Information Exchange Journal*, 23–26. Retrieved from <http://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/EvictionPhillyFogel.pdf>. 24

¹³⁶ Homelessness Prevention. Retrieved from <http://philadelphiaofficeofhomelesservices.org/stay-in-my-home/homelessness-prevention/>.

¹³⁷ Managing Director’s Office, Office of the Mayor. (2018, January 30). Mayor Kenney announces Philadelphia eviction prevention project. Retrieved from <https://www.phila.gov/2018-01-30-mayor-kenney-announces-philadelphia-eviction-prevention-project/>.

City Council has allocated \$400,000 to the Project, while the Department of Planning and Development as added an additional \$100,000 of funding. The coalition implementing this initiative is led by Community Legal Services, which is joined by Clarifi, Legal Clinic for the Disabled, Philadelphia VIP, Regional Housing Legal Services, SeniorLAW Center, and Tenant Union Representative Network.

Included in the new services are a Tenant Legal Aid Referral Line that serves as a centralized line of communication between tenants and legal service organizations, a new website- www.phillytenant.org-¹³⁸ that offers information about tenants' basic rights, designated court navigators that can guide tenants when physically in the courtroom, and a volunteer 'lawyer of the day' to help *pro se* tenants navigate their trial.¹³⁹ Additional services include a statement by the Trial Commissioner explaining the court process to both parties, the marking of cases as non-compliant if Landlords do not have proper licensing or certificates, and judgment by agreements.¹⁴⁰ This initiative comes at the heels of the release of a report by the Eviction Task Force in 2017, which was created to study the eviction issue and recommend feasible solutions.

According to the website hosted by the Philadelphia Eviction Prevention Program, "tenants who see a PEPP advocate are more likely to show up to court, win their cases, and enter into an agreement than tenants who do not."¹⁴¹ Additionally, the American Bar Association

¹³⁸ Philadelphia Eviction Prevention Project (PEPP). (2019, December 18). Retrieved from <http://www.phillytenant.org/pepp/>.

¹³⁹ Romero, M. (2018, January 30). Philly's new eviction prevention project seeks to help tenants, curb eviction crisis. Retrieved from <https://philly.curbed.com/2018/1/30/16949848/philadelphia-eviction-prevention-tenant-legal-counsel>.

¹⁴⁰ Romero, M. (2018, January 30). Philly's new eviction prevention project seeks to help tenants, curb eviction crisis. Retrieved from <https://philly.curbed.com/2018/1/30/16949848/philadelphia-eviction-prevention-tenant-legal-counsel>.

¹⁴¹ Philadelphia Eviction Prevention Project (PEPP). (2019, December 18). Retrieved from <http://www.phillytenant.org/pepp/>.

conducted a study that suggests that for every \$1 invested into legal representation in Philadelphia for tenants, nearly \$13 would be saved in social services.¹⁴² PEPP has internally evaluated data quantitatively since January 2018, showing that "1,652 tenants learned about court processes and community resources from Courtroom Navigators," and that "3,708 tenants received live assistance and referrals from the Tenant Helpline."¹⁴³

Additionally, Philadelphia on November 14, 2019, pass a bill outlining a Right to Counsel for low-income tenants.¹⁴⁴ This movement was partially successful in light of a cost-benefit study conducted by the Philadelphia Bar Association. The study concluded that "if the city invested \$3.5 million per year to fund counsel for low-income tenants, the city would save \$45 million per year."¹⁴⁵ In other words, every \$1 invested would reap a \$12.74 benefit. They broke down the savings further, quantifying benefits including \$26 million saved in shelter costs, \$7.5 million saved in inpatient hospital care, \$1 million saved in Emergency Room costs, and \$7.5 million saved in mental health costs.¹⁴⁶ Not only would the city save money, but tenants would be helped in a substantial way. Having a lawyer helps reduce the rate of "disruptive displacement" from 78% to 5%, which means that 14,000 people would be assisted in avoiding

¹⁴² Philadelphia Eviction Prevention Project (PEPP). (2019, December 18). Retrieved from <http://www.phillytenant.org/pepp/>.

¹⁴³ Philadelphia Eviction Prevention Project (PEPP). (2019, December 18). Retrieved from <http://www.phillytenant.org/pepp/>.

¹⁴⁴ Right to counsel passes Philadelphia city council! (2019, November 15). Retrieved from <https://clsphila.org/housing/right-to-counsel-passes/>.

¹⁴⁵ Philadelphia Bar Association's Civil Gideon and Access to Justice Task Force. (2018). *Economic return on investment of providing counsel in Philadelphia eviction cases for low-income tenants*. Retrieved from <https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>.

¹⁴⁶ Philadelphia Bar Association's Civil Gideon and Access to Justice Task Force. (2018). *Economic return on investment of providing counsel in Philadelphia eviction cases for low-income tenants*. Retrieved from <https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>.

housing instability each year.¹⁴⁷ This policy recommendation was of the highest priority to the City-organized Eviction Prevention Task Force, which is why it was able to gain so much momentum.¹⁴⁸

¹⁴⁷ Philadelphia Bar Association's Civil Gideon and Access to Justice Task Force. (2018). *Economic return on investment of providing counsel in Philadelphia eviction cases for low-income tenants*. Retrieved from <https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>.

¹⁴⁸ Mayor's taskforce on eviction prevention and response. (2018, June 19). [Slides]. Retrieved from <https://www.phila.gov/hhs/PDF/Meeting%209.pdf>.

Eviction Prevention Policy in San Francisco

San Francisco’s high rent costs and lack of affordable housing making the city “one of the most expensive rental markets in the country.”¹⁴⁹ Furthermore, California has an accelerated eviction timeline that makes it difficult for tenants to seek help. Whereas general civil matters in the state allow for thirty days to respond to a complaint, “defendants in eviction proceedings have just five.”¹⁵⁰ This means that usually eviction cases reach a conclusion only six weeks after the initial filing, which is months faster than most civil matters.¹⁵¹ However, San Francisco does fund programs to help tenants with these tight timelines.

According to the Mayor’s Office of Housing and Community Development “Eviction Prevention Resources” website, the Office “funds community-based organizations that help San Franciscans handle eviction papers, threats of eviction, housing conflict, and financial help.”¹⁵² The Eviction Defense Collaborative, founded in 1996, was a pioneer in providing legal assistance to tenants facing eviction and rental assistance “as part of a coordinated, single agency anti-displacement strategy.”¹⁵³ EDC was also one of the first housing organizations to bring together resources for those in homeless shelters, tenants in publicly owned housing, and tenants in privately owned housing in one organization, “breaking traditional silos in the housing movement,”¹⁵⁴ to work towards an intersectional approach to eviction prevention and more broadly, housing stability. This organization has a rental assistance program and serves as a

¹⁴⁹ Impact. Retrieved from <https://evictiondefense.org/about/impact/>.

¹⁵⁰ Fernandez, U. (2018). The housing clinic. *California Law Review*, 106(2), 571–576. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/calr106&i=587>.

¹⁵¹ Fernandez, U. (2018). The housing clinic. *California Law Review*, 106(2), 571–576. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/calr106&i=587>.

¹⁵² Eviction Prevention Resources. Retrieved from <https://sfmohcd.org/eviction-prevention-resources#displacement>.

¹⁵³ Legal Assistance. Retrieved from <http://evictiondefense.org/services/legal-assistance/>.

¹⁵⁴ Legal Assistance. Retrieved from <http://evictiondefense.org/services/legal-assistance/>.

centralized entry point for tenants seeking eviction prevention services, especially legal representation.

In November of 2018, Prop F, also known as the “No Eviction without Representation Act,” was passed in San Francisco, which cemented the right to counsel for tenants.¹⁵⁵ This effort was led by a coalition of tenant groups and legal services advocates who went by the name of SF Right to Counsel Committee.¹⁵⁶ The city allocated a total of \$9 million to allow for 47 attorneys to be hired over a period of 12 months to meet the needs of low-income tenants.¹⁵⁷ EDC serves as the Lead Agency in carrying out this voter mandate, and services began in July 2019. The municipal government is funding many non-profit organizations in a collective known as the Tenant Right to Counsel program to provide these services, with EDC helping to coordinate these efforts. The free legal service providers involved in this coalition include AIDS Legal Referral Panel, Asian Law Caucus, Asian Pacific Islander Legal Outreach, Bay Area Legal Aid, Homeless Advocacy Project, Justice & Diversity Center of the Bar Association of San Francisco, Legal Assistance for the Elderly, Open Door Legal, and Tenderloin Housing Clinic.”¹⁵⁸ At a hearing in February 2020, advocates shared that the program had been largely successful. The eviction filing rate in the city had decreased by 10% from 2018 to 2019, 67% of the two-thirds of

¹⁵⁵ Dineen, J. K. (2018, June 6). SF's Measure F wins, will give tax-funded legal help to tenants facing eviction. Retrieved from <https://www.sfchronicle.com/politics/article/SF-Measure-F-to-give-tax-funded-legal-help-to-12970924.php>.

¹⁵⁶ National Coalition for a Civil Right to Counsel. (2020, February 24). All about the right to counsel for tenants in San Francisco. Retrieved from http://civilrighttocounsel.org/major_developments/1179.

¹⁵⁷ Waxmann, L. (2019, December 19). Preston calls on The City to fulfill the promise of Prop. F. Retrieved from <https://www.sfexaminer.com/news/preston-calls-on-the-city-to-fulfill-the-promise-of-prop-f/>.

¹⁵⁸ Right to Counsel. Retrieved from <https://evictiondefense.org/services/right-to-counsel/>.

tenants who received full legal representation were able to retain their residences-with 80% of African American tenants being able to stay in their homes.¹⁵⁹

Another community organization that the San Francisco Mayor's Office of Housing and Community Development funds is the Tenants Union. This organization was created by and for tenants to ensure they are empowered with the knowledge and tools to protect themselves from predatory landlords. Rather than providing attorney services, the Tenants Union has online and phone counseling to help tenants advocate for themselves and has created a comprehensive "Tenants Rights Handbook." On its website, the Tenants Union explains to its members that the San Francisco Rent Ordinance, administered by the San Francisco Rent Board, provides rent control and mandates that there must be "just cause" for eviction.¹⁶⁰ The website then emphasizes that eviction procedures must go through the courthouse, and even if the landlord verbally issues an eviction, the tenant does not have to move out. This Union has "educated thousands of San Francisco renters on their rights"¹⁶¹ and uses organizing and counseling to empower tenants and help right the imbalanced relationship of landlords and tenants. The Housing Rights Committee of San Francisco provides free peer counseling for tenants, similar to the Tenants Union, except it is via telephone and in-person. The organization also works to organize buildings who seek to fight mass evictions, to lobby state and municipal legislatures for more housing protections for tenants, to plan "housing justice demonstrations," and host organizing workshops.¹⁶²

¹⁵⁹ National Coalition for a Civil Right to Counsel. (2020, February 24). All about the right to counsel for tenants in San Francisco. Retrieved from http://civilrighttocounsel.org/major_developments/1179.

¹⁶⁰ Just Causes. Retrieved from <https://www.sftu.org/justcauses/>.

¹⁶¹ About Us. Retrieved from <https://www.sftu.org/about-us/>.

¹⁶² About Us. Retrieved from <https://www.sftu.org/about-us/>.

While the Tenants Union and Housing Committee represent more tenant-organized groups, there are also more formalized legal and financial agencies involved in eviction prevention in San Francisco. One mediation program that has had success is Conflict Intervention Services, which is run by the Bar Association's Bay Area Mediation Services Program and funded by grant from the City and County of San Francisco.¹⁶³ CIS provides mediation among tenants, landlords, and social services staff to help "de-escalate conflict"¹⁶⁴ and reduce courtroom interactions. Through this option, tenants and landlords are able to have facilitated and structured conversations that can help clear up potential miscommunications and help all parties involved come to a consensus that benefits everyone.

There are three main community organizations that the City of San Francisco funds specifically to help with rental assistance. The first, Catholic Charities of San Francisco, is a leader in the Family Eviction Prevention Collaborative, which works to streamline the rental assistance process for at-risk families. The organization provides rental assistance for security deposits and back rent and refers tenants to other agencies that can provide other services. At the end of 2018, Catholic Charities had served over 1,000 clients, with 95% "of clients improving their housing stability because of the program."¹⁶⁵ The second and third groups are Compass Family Services¹⁶⁶ and Hamilton Families,¹⁶⁷ which provide income planning advice and temporary rent assistance. The last program listed on the MOHCD website is the Small Sites

¹⁶³ Conflict Intervention Services. Retrieved from <https://www.sfbar.org/adr-services/cis/>.

¹⁶⁴ Conflict Intervention Services. Retrieved from <https://www.sfbar.org/adr-services/cis/>.

¹⁶⁵ Homelessness prevention 2018 year-end impact report. Retrieved from https://www.catholiccharitiessf.org/file_download/inline/f6cb5e2a-ef70-42cd-b843-a69667a649a6.

¹⁶⁶ Get help. Retrieved from <https://www.compass-sf.org/get-help/>.

¹⁶⁷ Programs. Retrieved from <https://www.hamiltonfamilies.org/programs>.

Program. This service allows tenants to apply to have their building determined to be permanent affordable housing by having a nonprofit buy the building, so as to avoid mass displacement.¹⁶⁸

¹⁶⁸ Small sites program. Retrieved from <https://sfmohcd.org/small-sites-tenants>.

SIMILARITIES

New York City, Philadelphia, and San Francisco have varying affordable housing landscapes, but they all can be classified as large urban landscapes in coastal states. When analyzing their eviction prevention policies, there were four main similarities that were found. The first commonality found amongst all three cities is that they have implemented a right to counsel for tenants in Landlord-Tenant Court. While there is little city-specific data to support the efficacy of legal counsel as a mode of eviction prevention, there are controlled studies and pilot programs that suggest this program is a worthwhile investment. In 1989, a study was conducted in New York City¹⁶⁹ of cases in which full legal representation was provided to tenants. Out of 675 cases, over 60 families were able to return to their homes after having been previously evicted, 506 families were assisted in preventing eviction, and the government saved not only the costs of the project, but also an additional \$3.3 million.¹⁷⁰ Providing legal representation to tenants even helps to potentially reduce the number of evictions filed, as the Urban Justice Center in New York City found that in 80% of cases in which they provided attorneys, they were able “to force the landlords to abandon proceedings against the tenants—or not formally file them in the first place.”¹⁷¹ Similarly, in a study of eviction proceedings in New Haven, Connecticut, researchers found that legal services attorneys were able to prevent

¹⁶⁹ The Committee on Legal Assistance. (1989). Preventing homelessness through representation of tenants faced with eviction. *The Record of the Association of the Bar of the City of New York*, 44(3), 234–253. Retrieved from <https://heinonline.org/HOL/P?h=hein.barjournals/rabbny0044&i=236>.

¹⁷⁰ The Committee on Legal Assistance. (1989). Preventing homelessness through representation of tenants faced with eviction. *The Record of the Association of the Bar of the City of New York*, 44(3), 234–253. Retrieved from <https://heinonline.org/HOL/P?h=hein.barjournals/rabbny0044&i=236>. 234

¹⁷¹ Brescia, R. (2010). Line in the sand: progressive lawyering, “master communities,” and a battle for affordable housing in New York City. *Albany Law Review*, 73(3), 715–763. Retrieved from https://link.gale.com/apps/doc/A227460240/AONE?u=upenn_main&sid=AONE&xid=18f4c2e5.

evictions and tenants remain in stable housing. Other randomized experiments have found that tenants who are legally represented in court, are more likely to avoid eviction, “irrespective of the merits of their case.”¹⁷²

Another similarity is that all three cities offer emergency rental assistance for tenants at risk of an eviction. New York City provides several rental assistance programs, including CityFHEPS, FHEPS, HOME TBRA, and the Homelessness Prevention Fund. Philadelphia offers rental assistance through the Emergency Assistance and Response Unit, and San Francisco funds programs through Catholic Charities, Compass Family Services, and Hamilton Families. This kind of assistance can be crucial in times of need, as one study documents that when families are faced with a “financial shortfall, more than 30% decide to skip a housing payment,¹⁷³ which can prompt the eviction process. Providing emergency funds can help ensure that in times of crises when unexpected costs are incurred, a family does not lose their secure housing.

The third and final key similarity in the three cities is the number of programs available for tenants in search of eviction prevention resources. While New York City has about seven programs listed on different municipal government websites, Philadelphia houses eight programs (if each service provided by the Philadelphia Eviction Prevention Project is counted separately), and San Francisco also funds eight programs. Having an array of different services is important to help tenants in different parts of the legal process, as well as to ensure there are enough programs available for all low-income tenants in need.

¹⁷² Kleinman, R. (2004). Housing Gideon: The right to counsel in eviction cases. *Fordham Urban Law Journal*, 31(6), 1507–1532. Retrieved from https://link.gale.com/apps/doc/A131201330/LT?u=upenn_main&sid=LT&xid=9528e62d.

¹⁷³ Brisson, D., & Covert, J. (2015). Housing instability risk among subsidized housing recipients: Characteristics associated with late or nonpayment of rent. *Social Work Research*, 39(2), 119–128. <https://doi.org/10.1093/swr/svv009>.

DIFFERENCES

While many of the core services of New York City, Philadelphia, and San Francisco are comparable, the municipal responses of the three cities differ in three key ways. One major difference amongst the eviction prevention policies was the level of collaboration with community organizations. San Francisco seemed to give the most autonomy to community organizations to serve the eviction prevention role in the city, simply providing the funding to sustain the programs. As the Mayor's Office of Housing and Community Development states, they work by "funding nonprofit partner organizations to provide essential and high-quality public services."¹⁷⁴ In the 2016-2017 fiscal year, they provided over \$40 million to these nonprofits and helped almost 38,000 residents.¹⁷⁵ Philadelphia fell in the middle, with the rollout of policies being a true collaboration between municipal government actors and legal services providers. The government provided funding, but also participated in the working group and helped with the implementation of specific procedures and initiatives. New York City, unlike the first two cities, had eviction prevention policies that seemed to be administered mostly by the government, with community organizations playing a key role in communicating the resources available from the government. These differences could be due to differences in the number of staff available in each city's respective housing offices, as well as the level of capacity available for community organizations to take on the role of coordinating and providing eviction prevention resources.

The second difference is found in the implementation of the tenant's right to counsel.

While there is little data on when rental assistance programs began to be administered in each

¹⁷⁴ Services. Retrieved from <https://sfmohcd.org/services>.

¹⁷⁵ Services. Retrieved from <https://sfmohcd.org/services>.

city, tracking the history of the right to counsel for low-income tenants can help shed light on the rise of movements to protect tenants and promote eviction prevention efforts. New York City implemented this legal policy earlier than Philadelphia and San Francisco, beginning the rollout in August 2017 and became the first city to implement universal legal representation. More recently, San Francisco voted to implement this policy in November of 2018 and became the second city nationwide to adopt this initiative, while Philadelphia announced a legal right to counsel in November of 2019. Additionally, New York City chose the approach of a gradual implementation of this initiative, first focusing on the zip codes with the highest need and expanding from there.¹⁷⁶ This is unlike Philadelphia and San Francisco, in which the Mayors' Offices had the policy apply city-wide for low-income tenants. Another difference in the rise of the right to legal counsel in each city is found in how the actual policy came about, recognizing that all these movements were led by tenants. In New York City, while tenants provided testimonies and were organizing on the ground, it was actually the judiciary branch that really pushed forward the call to the legislature to administer this program.¹⁷⁷ Philadelphia, on the other hand, adopted the universal legal representation of low-income tenants through the efforts of Councilwoman Helen Gym, who served as a champion of this policy for her constituents.¹⁷⁸ In San Francisco, this program was voted on as a citizen initiative and applied to *all* tenants, not

¹⁷⁶ Legal Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/legal-services-for-tenants.page>.

¹⁷⁷ Lippman, J. (2014). New York's template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

¹⁷⁸ Jay, E. (2019, December 23). Councilmember Helen Gym Takes Aim at Philadelphia's Eviction Crisis. Retrieved from <https://citywidestories.com/2019/12/23/councilmember-helen-gym-takes-aim-at-philadelphias-eviction-crisis/>.

just low-income tenants.¹⁷⁹ The coalition of tenant advocates civically engaged denizens and rallied them to support this eviction prevention measure.¹⁸⁰

A third distinction amongst the eviction prevention approaches of New York City, Philadelphia and San Francisco is how accessible their services are on their official government websites. It may initially seem like a step in the right direction to separate eviction prevention from homeless services and have different municipal departments handle the services. However, from a consumer perspective, it can be difficult to navigate among different websites that may not link to the services available in other departments. New York City, for example, has the most confusing interface, with three different potential government websites that are centered on eviction and homelessness prevention. There is the “Rent Issues” page of the Department of Homeless Services,¹⁸¹ the “Rental Assistance” page of the Human Resources Administration,¹⁸² and the “Legal Assistance” page of the Human Resources Administration.¹⁸³ Additionally, on these pages where other services are mentioned, the links to the external websites are broken. This means a tenant would have to take the additional step of searching for the specific service online, rather than linking to it from the official government website. The City of Philadelphia has two main sites for eviction prevention services, the first being www.phillytenant.org,¹⁸⁴ the main website for the Philadelphia Eviction Prevention Project, and the second being the

¹⁷⁹ National Coalition for a Civil Right to Counsel. (2020, February 24). All about the right to counsel for tenants in San Francisco. Retrieved from http://civilrighttocounsel.org/major_developments/1179.

¹⁸⁰ Dineen, J. K. (2018, June 6). SF's Measure F wins, will give tax-funded legal help to tenants facing eviction. Retrieved from <https://www.sfchronicle.com/politics/article/SF-Measure-F-to-give-tax-funded-legal-help-to-12970924.php>.

¹⁸¹ Rent Issues. Retrieved from <https://www1.nyc.gov/site/dhs/prevention/rent-issues.page>.

¹⁸² Rental Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/rental-assistance.page>.

¹⁸³ Legal Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/legal-assistance.page>.

¹⁸⁴ Philadelphia Eviction Prevention Project (PEPP). (2019, December 18). Retrieved from <http://www.phillytenant.org/pepp/>.

Department of Homeless Services' "Homelessness Prevention" site.¹⁸⁵ The City of San Francisco has the most comprehensive and centralized list of resources on a site explicitly called "Eviction Prevention Resources" on the Mayor's Office of Housing and Community Development website.¹⁸⁶

¹⁸⁵ Homelessness Prevention. Retrieved from <http://philadelphiaofficeofhomelessservices.org/stay-in-my-home/homelessness-prevention/>.

¹⁸⁶ Eviction Prevention Resources. Retrieved from <https://sfmohcd.org/eviction-prevention-resources#displacement>.

CONCLUDING THOUGHTS AND LIMITATIONS

In the search for answers on what the eviction prevention policy landscape looks like, it became clear quickly that more literature is required in this field. There not only needs to be more research done on the efficacy of the policies in each of these cities, but there also needs to be more fieldwork in rural and Midwestern cities, as Matthew Desmond explains that especially cities in the Midwest have soaring eviction rates without the same progressive prevention policies. Additionally, most of the research relating to housing tends to focus on assisted households, or public housing, which only serves no more than 2% of the population.¹⁸⁷ Focusing on the private rental market is key to understanding the depth of the national eviction crisis. Moreover, until there are more empirical analyses documenting the successes and failures of experimental eviction prevention,¹⁸⁸ it is almost impossible to fully address the issue of homelessness, and of poverty overall. The few studies that do exist that look at eviction interventions throughout the nation posit that “debt advice, legal assistance, and intensive care management”¹⁸⁹¹⁹⁰ are the most effective methods.

There are important potential downfalls for each of the services administered by these three municipal governments in the status quo that are yet to be resolved. The emergency cash assistance services in each city, for example, have stringent requirements for formal

¹⁸⁷ Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.

¹⁸⁸ Brescia, R. (2010). Line in the sand: progressive lawyering, “master communities,” and a battle for affordable housing in New York City. *Albany Law Review*, 73(3), 715–763. Retrieved from https://link.gale.com/apps/doc/A227460240/AONE?u=upenn_main&sid=AONE&xid=18f4c2e5. 433.

¹⁸⁹ Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.

¹⁹⁰ Holl, M., van den Dries, L., & Wolf, J. (2015). Interventions to prevent tenant evictions: a systematic review. *Health & Social Care in the Community*, 24(5), 532–546. <https://doi.org/10.1111/hsc.12257>.

documentation of eviction notices, which means if tenants are being informally evicted, they cannot access this key resource. Another issue is sustainable funding for universal legal representation. The Legal Service Corporation, which is “the single largest source of funding for civil legal aid,” has faced significant budget cuts by Congress, leading to a series of layoffs in legal services organizations around the country.¹⁹¹ Additionally, the Interest on Lawyers Trust Accounts program also provides a large amount of funding for these organizations, but the “sluggish” economy has made these funds decline. In New York, for example, IOLTA only can provide one-fifth of what it used to provide in 2008.¹⁹² As these sources of funding decline due to the national climate, it is important that municipal and state governments create contingency plans and find alternative sources of funding. Additionally, for both rental assistance and legal assistance, although the service is available to everyone, there is both a capital and human resources cap on how many people can be helped annually. While there might be a “right” to counsel or access to emergency funds, they are not guaranteed to everyone who seeks these resources.

More generally, an issue with all of the services is outreach to those who need the assistance the most.¹⁹³ Any eviction prevention plan will not be effective if tenants do not know these resources exist. While understanding that many of these programs are well-utilized, the municipal governments can always be doing more to ensure the most vulnerable-immigrants, the

¹⁹¹ Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

¹⁹² Lippman, J. (2014). New York’s template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

¹⁹³ Nugent, E., & Whiteley, P. (2006). Third-party notification of eviction actions: An opportunity for advocates to help end homelessness. *Clearinghouse Review*, 40(7-8), 431–440. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/clear40&i=447>.

elderly, and the disabled- know of all the places they can turn to for help. Additionally, these one-time services do not help those who may face frequently face housing instability and are likely to be repeat consumers of the assistance available. Implementing proven effective policies, like debt advice, or even investing in programs modeled after Boston's HomeStart, where tenants are guided throughout the process and helped on a long-term basis, could dramatically improve efforts to mitigate evictions.

Matthew Desmond also reflected on his research and points to specific solutions that municipal governments should keep in mind. The first is that promoting home ownership in low-income communities could be more of a long-term solution to the eviction crisis, since in those neighborhoods the rent rates are usually much higher than mortgage payments. This would not only empower current tenants and allow them to have agency over their housing situation, but it would also save the government money used to fund legal representation for tenants and emergency rental assistance. The second is to account for the fact that landlords often increase the rent in low-income neighborhoods to account for the heightened risk and to thus create an insurance pool that renters could buy into that would help to lower the risk and subsequently the rent costs.¹⁹⁴

While there is still much progress to be made, New York City, Philadelphia, and San Francisco have made tremendous strides towards a comprehensive eviction prevention plan. They are all working towards evaluating the need of low-income tenants, and proving financial

¹⁹⁴ Desmond, M, & Wilmers, N. (2019). Do the poor pay more for housing? Exploitation, profit, and risk in rental markets. *American Journal of Sociology*, 124(4), 1090–1124. <https://doi.org/10.1086/701697>.

and legal assistance- as needed, which is key to preventing the occurrence of evictions.¹⁹⁵ As tenant groups and housing advocates continue to lobby for greater protections, and academics like Matthew Desmond help to bring the issue to the attention of a national audience, hopefully the momentum surrounding the eviction prevention movement will lead to a significant overhaul to the way housing policy is implemented today.

¹⁹⁵ Nugent, E., & Whiteley, P. (2006). Third-party notification of eviction actions: An opportunity for advocates to help end homelessness. *Clearinghouse Review*, 40(7-8), 431–440. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/clear40&i=447>. 433.

BIBLIOGRAPHY

- About Us. Retrieved from <https://www.homestart.org/about>.
- About Us. Retrieved from <https://www.sftu.org/about-us/>.
- Affordable Housing Research Corporation, & National Low Income Housing Coalition. (2018, October 17). Balancing Priorities Report. Retrieved from <https://nlihc.org/resource/balancing-priorities-report>.
- An, W., Desmond, M., Ferriss, T., & Winkler, R. (2013). Evicting children. *Social Forces*, 92(1), 303–327. Retrieved from <https://www-jstororg.proxy.library.upenn.edu/stable/43287526>.
- Badger, E. (2018, April 7). In 83 Million Eviction Records, a Sweeping and Intimate New Look at Housing in America. Retrieved from <https://www.nytimes.com/interactive/2018/04/07/upshot/millions-of-eviction-records-a-sweeping-new-look-at-housing-in-america.html>.
- Brescia, R. (2010). Line in the sand: progressive lawyering, “master communities,” and a battle for affordable housing in New York City. *Albany Law Review*, 73(3), 715–763. Retrieved from https://link.gale.com/apps/doc/A227460240/AONE?u=upenn_main&sid=AONE&xid=18f4c2e5.
- Brisson, D., & Covert, J. (2015). Housing instability risk among subsidized housing recipients: Characteristics associated with late or nonpayment of rent. *Social Work Research*, 39(2), 119–128. <https://doi.org/10.1093/swr/svv009>.
- Campaign to Reduce Evictions. Retrieved from <https://www.reduceevictions.org/>.
- Capital News Service. (2019, December 17). Evictions, a focus of concern, fall 14% in Virginia. Retrieved from <https://www.virginiamercury.com/2019/12/17/evictions-a-focus-of-concern-fall-14-in-virginia/>.
- Caramello, E., & Mahlberg, N. (2017). Combating Tenant Blacklisting Based on Housing Court Records. *Sargent Shriver National Center on Poverty Law*. Retrieved from <http://povertylaw.org/clearinghouse/article/blacklisting>.
- Conflict Intervention Services. Retrieved from <https://www.sfbar.org/adr-services/cis/>.
- Desmond, M. (2016). *Evicted: Poverty and profit in the American city*. New York City, New York: Crown. <https://doi.org/10.1177/0887403416644013>.
- Desmond, M. (2012). Eviction and the reproduction of urban poverty. *American Journal of*

- Sociology*, 118(1), 88–133. <https://doi.org/10.1086/666082>.
- Desmond, M. (2018). Heavy is the house: Rent burden among the American urban poor. *International Journal of Urban and Regional Research*, 42(1), 160–170. doi: 10.1111/1468-2427.12529.
- Desmond, M. “Red lines, red tape: Combatting the housing crisis & ending residential segregation,” University of Pennsylvania Carey Law School Journal of Law and Public Policy Symposium. Occurred on February 5, 2020.
- Desmond, M., & Bell, M. (2015). Housing, poverty, and the law. *Annual Review of Law and Social Science*, 11(1), 15–35. <https://doi.org/10.1146/annurev-lawsocsci-120814-121623>.
- Desmond, M., & Gershenson, C. (2016). Housing and employment insecurity among the working poor. *Social Problems*, 63(1), 46–27. Retrieved from <https://www-jstor-org.proxy.library.upenn.edu/stable/44014894>.
- Desmond, M., & Gershenson, C. (2017). Who gets evicted? Assessing individual, neighborhood, and network factors. *Social Science Research*, 62, 362–377. <https://doi.org/10.1016/j.ssresearch.2016.08.017>.
- Desmond, M., Gershenson, C., & Greenberg, D. (2016). Discrimination in evictions: Empirical evidence and legal challenges. *Harvard Civil Rights-Civil Liberties Law Review*, 51(1), 115–158. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/hcrl51&i=119>.
- Desmond, M., & Sandel, M. (2017). Investing in housing for health improves both mission and margin. *Jama*, 318(23), 2291. doi: 10.1001/jama.2017.15771.
- Desmond, M., & Shollenberger, T. (2015). Forced displacement from rental housing: Prevalence and neighborhood consequences. *Demography*, 52(5), 1751–1772. Retrieved from <https://www-jstor-org.proxy.library.upenn.edu/stable/43697545>.
- Desmond, M., & Tolbert, R. (2015). Eviction’s fallout: Housing, hardship, and health. *Social Forces*, 94, 295–324. Retrieved from <https://www-jstor-org.proxy.library.upenn.edu/stable/24754254>.
- Desmond, M., & Wilmers, N. (2019). Do the poor pay more for housing? Exploitation, profit, and risk in rental markets. *American Journal of Sociology*, 124(4), 1090–1124. <https://doi.org/10.1086/701697>.
- Dickinson, G. (2015). Towards a new eviction jurisprudence. *Georgetown Journal on Poverty Law & Policy*, 23(1), 1–59. Retrieved from https://link.gale.com/apps/doc/A482055810/ITOF?u=upenn_main&sid=ITOF&xid=7527ce34.

- Dineen, J. K. (2018, June 6). SF's Measure F wins, will give tax-funded legal help to tenants facing eviction. Retrieved from <https://www.sfchronicle.com/politics/article/SF-Measure-F-to-give-tax-funded-legal-help-to-12970924.php>.
- Eviction Lab. (2018). Eviction map & data. Retrieved from <https://evictionlab.org/map/#/2016?geography=states&type=er>.
- Eviction Prevention. Retrieved from <https://www.homestart.org/prevention>.
- Eviction Prevention Resources. Retrieved from <https://sfmohcd.org/eviction-prevention-resources#displacement>.
- Fernandez, U. (2018). The housing clinic. *California Law Review*, 106(2), 571–576. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/calr106&i=587>.
- FindLaw. (2014, October 14). Is it possible to get an eviction expunged? Retrieved from <https://realestate.findlaw.com/landlord-tenant-law/is-it-possible-to-get-an-eviction-expunged-.html>.
- Fogel, E. D. (2017). Addressing the representation crisis in eviction matters —Philadelphia's Recent Experience. *Management Information Exchange Journal*, 23–26. Retrieved from <http://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/EvictionPhillyFogel.pdf>.
- Get help. Retrieved from <https://www.compass-sf.org/get-help/>.
- Gold, A. (2016). No home for justice: How eviction perpetuates health inequity among low-income and minority tenants. *Georgetown Journal on Poverty Law & Policy*, 24(1), 60–85. Retrieved from https://link.gale.com/apps/doc/A488711843/LT?u=upenn_main&sid=LT&xid=5a1dc90d.
- Goodman, S., Messeri, P., & Oflaherty, B. (2016). Homelessness prevention in New York City: On average, it works. *Journal of Housing Economics*, 31, 14–34. doi: 10.1016/j.jhe.2015.12.001.
- Greiner, J., Pattanayak, C., & Hennessy, J. (2013). The limits of unbundled legal assistance: A randomized study in a Massachusetts District Court and prospects for the future. *Harvard Law Review*, 126(4). Retrieved from https://link.gale.com/apps/doc/A321180181/AONE?u=upenn_main&sid=AONE&xid=e24291fc.
- Herman, M. (2006, June 21). *Pro Se* Statistics. Retrieved from https://nacmnet.org/sites/default/files/04Greacen_ProSeStatisticsSummary.pdf.

- Holl, M., van den Dries, L., & Wolf, J. (2015). Interventions to prevent tenant evictions: a systematic review. *Health & Social Care in the Community*, 24(5), 532–546. <https://doi.org/10.1111/hsc.12257>.
- Homelessness Prevention. Retrieved from <http://philadelphiaofficeofhomelessservices.org/stay-in-my-home/homelessness-prevention/>.
- Homelessness Prevention Homepage. Retrieved from <https://www1.nyc.gov/site/hra/help/homebase.page>.
- Homelessness prevention 2018 year-end impact report. Retrieved from https://www.catholiccharitiessf.org/file_download/inline/f6cb5e2a-ef70-42cd-b843-a69667a649a6.
- Housing Related Data. (n.d.). Retrieved from <https://nlihc.org/explore-issues/publications-research/research/housing-related-data>.
- HRA HOME tenant-based rental assistance program fact sheet. (2020, January). Retrieved from <https://www1.nyc.gov/assets/hra/downloads/pdf/services/homelessness-prevention/HRA%20HOME%20TBRA%20Fact%20Sheet.pdf>.
- Impact. Retrieved from <https://evictiondefense.org/about/impact/>.
- Jay, E. (2019, December 23). Councilmember Helen Gym Takes Aim at Philadelphia's Eviction Crisis. Retrieved from <https://citywidestories.com/2019/12/23/councilmember-helen-gym-takes-aim-at-philadelphias-eviction-crisis/>.
- Jones, D. (2016, October 6). Urban agenda: Eviction prevention is good housing policy. Retrieved from <http://amsterdamnews.com/news/2016/oct/06/eviction-prevention-good-housing-policy/?page=2>.
- Just Causes. Retrieved from <https://www.sftu.org/justcauses/>.
- Kleinman, R. (2004). Housing Gideon: The right to counsel in eviction cases. *Fordham Urban Law Journal*, 31(6), 1507–1532. Retrieved from https://link.gale.com/apps/doc/A131201330/LT?u=upenn_main&sid=LT&xid=9528e62d
- Kramer, A. (2018, July 25). Old homes, high poverty make Philadelphia housing less than affordable for some. Retrieved from <https://why.org/articles/old-homes-high-poverty-make-philadelphia-housing-less-than-affordable-for-some/>.
- Larson, E. (2006). Case characteristics and defendant tenant default in a housing court. *Journal*

of *Empirical Legal Studies*, 3(1), 121–144. <https://doi.org/10.1111/j.1740-1461.2006.00065.x>.

Legal Assistance. Retrieved from <http://evictiondefense.org/services/legal-assistance/>.

Legal Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/legal-services-for-tenants.page>.

Lippman, J. (2014). New York's template to address the crisis in civil legal services. *Judges Journal*, 53(1). Retrieved from https://link.gale.com/apps/doc/A356849818/LT?u=upenn_main&sid=LT&xid=d7e1b9f2.

Lozano, A. V. (2018, September 27). 'No vacations from poverty' for Philadelphia's poor residents. Retrieved from <https://www.nbcphiladelphia.com/news/local/broke-in-philly/no-vacations-from-poverty-pew-report-broke-in-philly-philadelphia/212984/>.

Managing Director's Office, Office of the Mayor. (2018, January 30). Mayor Kenney announces Philadelphia eviction prevention project. Retrieved from <https://www.phila.gov/2018-01-30-mayor-kenney-announces-philadelphia-eviction-prevention-project/>.

Mayor's taskforce on eviction prevention and response. (2018, June 19). [Slides]. Retrieved from <https://www.phila.gov/hhs/PDF/Meeting%209.pdf>.

Mayor's Office of Housing and Community Development. (n.d.). Eviction Prevention Resources. Retrieved April 10, 2020, from <https://sfmohcd.org/eviction-prevention-resources>.

Mollot, S. (2017). Eviction friction: City move to give tenants legal aid draws ire of landlords. *Real Estate Weekly*, 62(42). Retrieved from http://bi.gale.com.proxy.library.upenn.edu/global/article/GALE%7CA500683285?u=upenn_main.

National Coalition for a Civil Right to Counsel. (2020, February 24). All about the right to counsel for tenants in San Francisco. Retrieved from http://civilrighttocounsel.org/major_developments/1179.

Nipped in the bud; Homelessness. (2015). *The Economist*, 415(8941), 24. Retrieved from https://link.gale.com/apps/doc/A416514612/UHIC?u=upenn_main&sid=UHIC&xid=52b3bb4c.

Nugent, E., & Whiteley, P. (2006). Third-party notification of eviction actions: An opportunity for advocates to help end homelessness. *Clearinghouse Review*, 40(7-8), 431–440. Retrieved from <https://heinonline.org/HOL/P?h=hein.journals/clear40&i=447>.

NYC Human Resources Administration. (n.d.). Rental Assistance.
<https://www1.nyc.gov/site/hra/help/facing-eviction.page>.

Pfeiffer, D. (2018). Rental housing assistance and health: Evidence from the survey of income and program participation. *Housing Policy Debate*, 28(4), 515–533.
<https://doi.org/10.1080/10511482.2017.1404480>.

Philadelphia Bar Association Civil Gideon Center. (2017, March 21). New development: Philadelphia city council eviction crisis hearing. Retrieved from
<https://www.philadelphiabar.org/page/CivilGideonEviction>.

Philadelphia Bar Association’s Civil Gideon and Access to Justice Task Force. (2018). *Economic return on investment of providing counsel in Philadelphia eviction cases for low-income tenants*. Retrieved from
<https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>.

Philadelphia Eviction Prevention Project (PEPP). (2019, December 18). Retrieved from
<http://www.phillytenant.org/pepp/>.

Programs. Retrieved from <https://www.hamiltonfamilies.org/programs>.

Rent Issues. Retrieved from <https://www1.nyc.gov/site/dhs/prevention/rent-issues.page>.

Rental Assistance. Retrieved from <https://www1.nyc.gov/site/hra/help/rental-assistance.page>.

Rental Assistance CityFHEPS. Retrieved from
<https://www1.nyc.gov/site/hra/help/cityfheps.page>.

Rental Assistance FHEPS. Retrieved from <https://www1.nyc.gov/site/hra/help/fheps.page>.

Right to Counsel. Retrieved from <https://evictiondefense.org/services/right-to-counsel/>.

Right to counsel passes Philadelphia city council! (2019, November 15). Retrieved from
<https://clsphila.org/housing/right-to-counsel-passes/>.

Romero, M. (2018, January 30). Philly’s new eviction prevention project seeks to help tenants, curb eviction crisis. Retrieved from
<https://philly.curbed.com/2018/1/30/16949848/philadelphia-eviction-prevention-tenant-legal-counsel>.

Services. Retrieved from <https://sfmohcd.org/services>.

Small sites program. Retrieved from <https://sfmohcd.org/small-sites-tenants>.

- Soederberg, S. (2018). Evictions: A global capitalist phenomenon. *Development and Change*, 49(2), 286–301. <https://doi.org/10.1111/dech.12383>.
- Terruso, J. (2018b, August 8). In Philly, the renters keep on coming. Retrieved from https://www.inquirer.com/philly/business/real_estate/real-estate-housing-apartments-rentals-renters-home-owner-20180808.html.
- Terruso, J. (2018, April 19). Why 1 in 14 Philly renters faces eviction every year. Retrieved from <https://www.inquirer.com/philly/news/eviction-philadelphia-poverty-broke-in-philly-solutions-20180418.html>.
- The Committee on Legal Assistance. (1989). Preventing homelessness through representation of tenants faced with eviction. *The Record of the Association of the Bar of the City of New York*, 44(3), 234–253. Retrieved from <https://heinonline.org/HOL/P?h=hein.barjournals/rabbny0044&i=236>.
- The northeast is pricey but not unaffordable everywhere. (2018, October 2). Retrieved from <https://meyersresearchllc.com/the-northeast-is-pricey-but-not-unaffordable-everywhere/>.
- Tsai, J., & Huang, M. (2018). Systematic review of psychosocial factors associated with evictions. *Health & Social Care in the Community*, 27(3), e1–e9. doi: 10.1111/hsc.12619.
- Waks, A. (2018). Eviction and exclusion: An argument for extending the exclusionary rule to evictions stemming from a tenant’s alleged criminal activity. *Georgetown Journal on Poverty Law & Policy*, 26(1), 185–210. Retrieved from https://link.gale.com/apps/doc/A573879690/LT?u=upenn_main&sid=LT&xid=9497b5c7
- Waxmann, L. (2019, December 19). Preston calls on The City to fulfill the promise of Prop. F. Retrieved from <https://www.sfexaminer.com/news/preston-calls-on-the-city-to-fulfill-the-promise-of-prop-f/>.