

briefly

STATED

RESEARCH SUMMARY

November 2019

Number: 19 –03

HOUSEHOLDS EXPERIENCING EVICTION IN CLEVELAND:

A Mixed Methods Study of Cases in Cleveland Housing Court*

Francisca G.-C. Richter, PhD, April Hirsh Urban, MSSA, and Claudia Coulton, PhD

Note: This study was made possible with support from the Legal Aid Society of Cleveland, Cleveland Municipal Court of Housing, the City of Cleveland, the Sisters of Charity Foundation, and the Ford Foundation.

Summary: *Between September and November, 2018, we conducted structured interviews and observed cases appearing in housing court related to an eviction filing. The defendants were disproportionately low-income, African American, female head of households with children, and experienced high housing-cost burdens. The average rent owed was under \$2000, and most lived in substandard housing conditions. Through data linkage we obtained a longitudinal portrayal of all low-income households with an eviction filing in 2013-2016, spanning two years before to two years after the filing. Residential mobility and homeless shelter use rose for all households following the eviction filing, but those households that received an eviction order experienced a significantly larger increase than those who were not evicted. In addition, children of households with an eviction filing had a higher risk of lead poisoning and experienced higher levels of school absenteeism following the filing. Our study illuminates the added hardship that eviction presents for families already facing housing affordability and quality challenges, pointing to the need to focus on eviction prevention in conjunction with an overall strategy to address the weaknesses in our social safety net and housing programs.*

*Research summary of “Urban, A., Tyler, A., Richter, F. G.-C., Coulton, C., Chan, T. 2019: The Cleveland Eviction Study: Observations in Eviction Court and the Stories of People Facing Eviction. Center on Urban Poverty and Community Development Report” and “Richter, F. G.-C., Urban, A., Coulton, C., Steh, S., Chan, T. 2019: The Cleveland Eviction Study: Downstream Paths of Evictions into Homelessness and Loss of Human Capital. Center on Urban Poverty and Community Development Report”.



JACK, JOSEPH AND MORTON MANDEL
SCHOOL OF APPLIED SOCIAL SCIENCES
CASE WESTERN RESERVE
UNIVERSITY

Center on
Urban Poverty and
Community Development

INTRODUCTION

There is growing awareness that eviction plays an important role in residential instability and has deleterious consequences for households and neighborhoods.^{1,2} Nationally, it is estimated that 2.3% of renter households experienced an eviction order in 2016, but about twice as many households were the subject of an eviction filing in court.³ These legal proceedings are costly for all parties involved, and even short of a court order, they often result in the household having to move. Tenants facing eviction seldom have legal representation, while landlords by and large are represented.⁴ Locally, there were more than 9,000 eviction filings in Cleveland Housing Court in 2016, representing nearly 10 percent of the renter occupied housing units in the city. About half those filings resulted in an eviction order, yielding an eviction rate in Cleveland of 4.2%, almost twice the national average.

Despite increased attention to the problem of eviction, little is known about how eviction is affecting households in Cleveland. To fill this gap, we used structured interviews, court observations, and analyzed eviction filings in the Cleveland Housing Court linked with administrative records. The particular focus of these studies was to describe the tenants' situations surrounding the eviction filing and to quantify the impact of an eviction order on subsequent markers of housing instability. The intention was to inform strategies to mitigate negative effects of eviction on families and communities, including the consideration of how legal representation during the eviction process could reduce downstream costs related to housing instability.

EVICTION PROCESS IN CLEVELAND HOUSING COURT

The process in housing court begins when there is an eviction filing brought by a landlord against a tenant. This is generally followed by an eviction hearing pre-

sided over by a magistrate.⁵ At this time the case may be found in favor of the landlord or tenant, dismissed or continued. If the judgment is in favor of the landlord, they will generally obtain a court order for the tenant to vacate the premises.

Over 90% of the 450 eviction cases that this research observed in court were for non-payment of rent, and the average rent owed was close to \$2000. Approximately 70% of cases had been delinquent for 3 months or less. Landlords appeared for 87% of the hearings, and were represented by legal counsel in 65% of the cases. Tenants appeared in only 39% of the cases and were represented by legal counsel less than 1% of the time. As shown in Figure 1 below, tenants' absence from court was associated with cases being decided much more quickly and more often in favor of the landlord.

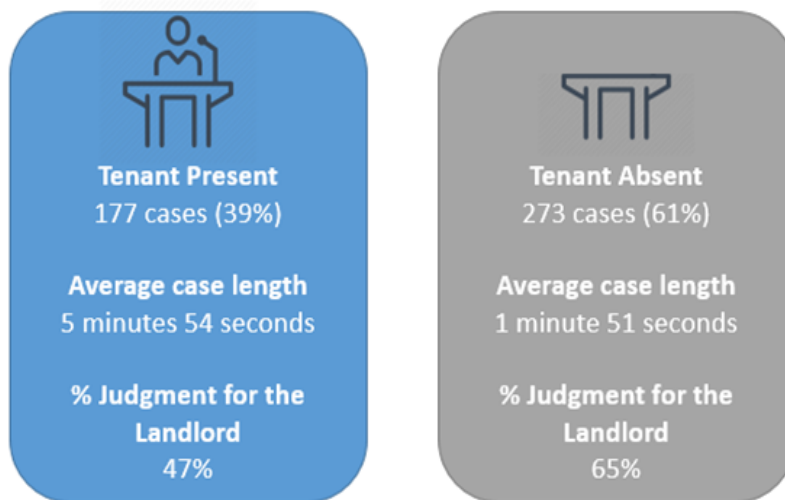


Figure 1: Average case length and case outcome by the presence of the defendant.

Among the 177 tenants who did appear in court, about one-third reported efforts to make partial rent payments that were not accepted by the landlord, or pointed to problems with the timely receipt of rental assistance that they were counting on to pay the rent. About one-third also suggested that their complaints about housing conditions were a factor contributing to the eviction. Illness, job loss, violence in the neighborhood and other emergencies were also pointed to by a number of tenants as contributors to their circumstances.

In-depth interviews with a sample of tenants that appeared in court (n=87) revealed more details about problems leading to the eviction filing. They described difficulties in landlord tenant communications, chronic problems with poor housing conditions, financial emergencies and challenges of obtaining emergency rental assistance, and safety concerns in the home and neighborhood. Generally, interviewees had limited understanding of how to manage such challenges or how to navigate the legal system related to rental housing.

The Cleveland Municipal Court of Housing uses mediation as a tool to help landlords and tenants come to an agreeable solution together. Of the cases we observed where the tenant was present in court, 26% went to mediation. Because of our focus on recording the final resolution of the case, this is likely an undercount. The court also employs a social worker to connect tenants to additional resources. Half of the cases where the tenant appeared in court were referred to the social worker, and noted in the court observation.

IMPACT OF EVICTION ON HOUSEHOLDS

Previous studies have found that households self-reporting an eviction show a higher incidence of health problems, including mental health, and residential instability.¹ However, these studies did not distinguish between households that received an eviction filing and those that actually were given an eviction court order and forced to move out. For the Cleveland study, we were interested in estimating adverse effects of a court-ordered eviction on households that had already received an eviction filing. Therefore, we focus on low income households that received an eviction filing in Cleveland Housing Court and look at selected signs of their housing instability for the 8 quarters before and after the filing. We then compare the changes on selected outcomes before and after filing for the two groups, one of which gets an eviction move-out order and the other which does not. This approach is often referred to as a difference-in-differences method. It can be considered a rigorous method to estimate the shift in the trend line due to

an eviction move-out order in a population of households that have an eviction filing and therefore may already have been experiencing some housing hardships. This same methodology has been used in studies completed in New York City⁶ and Chicago⁷ that similarly sought to determine the impact of an eviction order on households that received an eviction filing.

Study Data

The data for this part of the study come from several types of administrative records. We begin with all eviction filing records in Cleveland Housing Court in 2013 through 2016. For each filing, we determine whether there is a judgment in favor of the plaintiff along with a move out date.⁸ This is taken as evidence of an eviction order. Since the study requires linking the court records with other agency records, we undertake a match with Public Assistance (PA) records as a source of linking information.⁹ Because we link to PA data, we can assume that our linked data includes only low-income households, so that is the population to whom the study can be generalized. We link to additional data sources in order to examine the impact of an eviction order on rates of homelessness, residential instability, children's school absence, and lead testing results.¹⁰ Homeless shelter use data come from the Homeless Management Information System provided by the Cuyahoga County Office of Homeless Services. Residential mobility is calculated from addresses found in the monthly PA data. School attendance is determined using records from the Cleveland Metropolitan School District and some of the surrounding suburbs. Finally, we also link children with lead testing data from the Ohio Department of Health.

Residential Instability

We plot the rates of residential instability for households with and without an eviction move-out order in Figure 2, where the quarter of filing is set to zero. For those without an order, we find that 12.2% of households had a move in the quarter of the eviction filing and 16.5% of households experienced a move in the quarter following the filing.

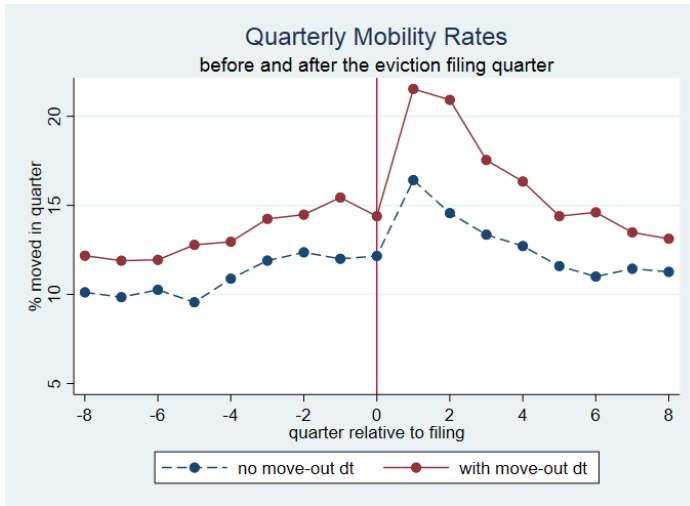


Figure 2: Average quarterly mobility rates for heads of household with an eviction filing in the City of Cleveland 2013-2016 linked to Public Assistance records. Quarter of filing is zero.

Thus, these households experienced a four percentage point increase in their moving rate, even if they did not receive an eviction move-out order. Next we look at residential mobility for households that receive an eviction order.

This group seems to follow a parallel trend relative to the non-evicted group before the filing, but evicted households clearly experience higher levels of mobility throughout the two years preceding the filing. Since the difference in mobility rates preceding the filing cannot be attributed to the subsequent eviction order, we estimate the eviction order impact using a differ-

ence in differences model that accounts for such pre-eviction filing gap.¹¹ According to the model, the largest impact occurs two quarters after the filing quarter (quarter = 2). For the non-evicted, the estimated moving rate increases by 3.4 percentage points relative to the quarter of filing. But for the evicted, the moving rate increases an additional 4.2 percentage points, more than double the increase experienced by the non-evicted. It takes four full quarters for the effect of the eviction to fade out, at which point, the difference in mobility for the evicted and the non-evicted returns to pre-filing levels.

Homeless Shelter Utilization

We examine the trends in patterns of shelter use for all heads of household who are served an eviction notice between 2013 and 2016. We focus on the quarterly average days in shelter, two years before and after the filing. The analysis is done separately for Public Housing eviction filing cases, as these households are, on average, more disadvantaged and lease contracts are different than those in the private market.¹²

In Figure 3a we display the quarterly homeless shelter days for households not in public housing. Based on results from our difference-in-differences model, prior to the eviction filing, shelter days are not significantly different for households with and without an eviction move-out order.

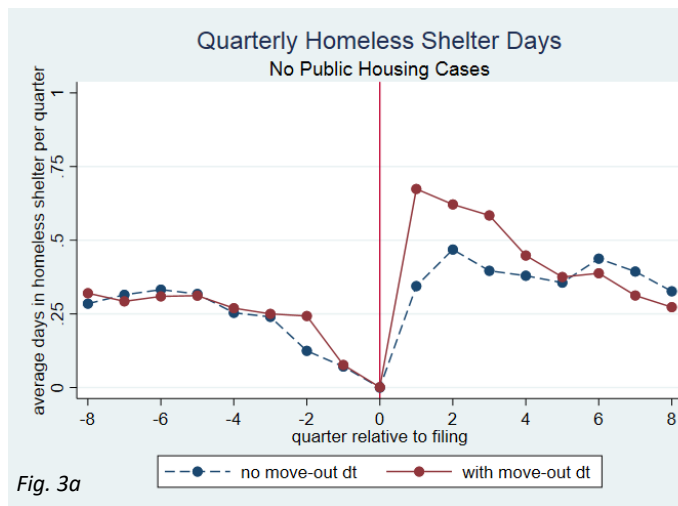


Fig. 3a

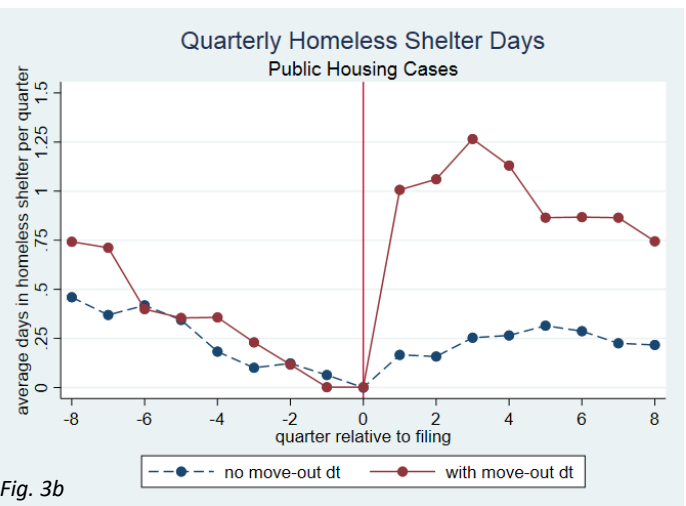


Fig. 3b

Figures 3a,b: Average quarterly days in emergency homeless shelter by heads of household with an eviction filing before and after the month of filing (zero). (a) no public housing cases; (b) public housing cases.

But after the filing and through the subsequent three quarters, households with an eviction order spend a significantly greater number of days in homeless shelter compared to those for whom the eviction does not lead to an eviction order. Our model estimates that in the year following the filing those with an eviction order experience a 60% higher increase in shelter days than those without an eviction order.

We perform a similar analysis of days spent in homeless shelter among public housing residents and present averages in Figure 3b.¹³ Homeless shelter stays for households with an eviction order from public housing are significantly longer lasting and more disparate from the public housing residents that are not evicted. For example, in the quarter following eviction, the households with eviction orders spend four times more days in shelter compared to those that are not evicted, and this disproportionate use of shelter days continues for many quarters.

Disruptions for Children

We examine the impact of eviction on children's school attendance. Missing more than 10% of school days is considered by experts as chronic absence. We focus on school attendance in the period ranging from two school years before and after the year of filing.¹⁴ Comparisons are made by the child's grade level in the year of the eviction filing, and by those with and without an eviction move-out order. Children in 7th to 12th grade at the time of filing start with an average share of missed days of about 15% a year prior to the filing. In the year of the eviction filing the rate has increased to 20%, and those in households with an eviction move-out order have absence rates 2.3 percentage points higher relative to children in households without an eviction move-out order. Children in grades K-6 are absent approximately 12% of the school year prior to the eviction filing. In the year following an eviction order, children experience absence rates that are 0.6 percentage points higher than their counterparts in households that are not evicted.

Another potential consequence of evictions might be disruptions in addressing health needs. We examine

this for children by looking at lead screening tests. According to the Ohio Department of Health,¹⁵ state law requires all healthcare providers to administer blood lead tests to children if they are enrolled in Medicaid, live in a high-risk ZIP code, or have other specified risk factors. Testing is required at ages 1 and 2, and up to age 6 if not tested previously. Children in households with eviction filings have lower screening rates and higher rates of testing positive for lead compared to all children born in Cleveland. These disparities are even greater for children in households with an eviction order. Only 48% of them were tested by age two, compared to a 66% testing rate for all Cleveland children in the same age range and during the same time period. Approximately 18% of children in evicted households and 17% of children in filed but not evicted households had lead levels exceeding the public health threshold compared to 10% of Cleveland children.

CONCLUSION

Approximately 10% of renter households in Cleveland receive an eviction filing in a year. Most filings allege non-payment of rent, with the typical case owing under \$2000. Most of the tenants are low-income, female-headed households with children, and report that they have been experiencing problems with the quality of their housing and are rent burdened. The majority of tenants do not appear in court for the eviction hearing, and, unlike landlords, almost none of them are represented by legal counsel.

However, not all eviction filings result in a court order for the tenant to move out, and this makes it possible to evaluate the impact of the eviction order on households' subsequent hardships by comparing cases with and without an eviction order on post eviction outcomes, controlling for pre-eviction trends. On markers of housing instability, such as residential mobility, homelessness, and school attendance, we find that households given an eviction order become significantly worse off compared to those who are not evicted.

This longitudinal comparative analysis suggests that extreme housing instability, and particularly the use of emergency homeless shelters, could be reduced for tenants even after an eviction filing, if an eviction order were avoided.

Policies such as a right to legal counsel for tenants in housing court, mediation, and emergency assistance programs have the potential to reduce the risk of an eviction order for households that face an eviction filing. Based on the findings of this study, we would expect such policies to lead to lower rates of residential instability, homelessness and related family disruptions in the low-income renter population facing eviction in Cleveland. Moreover, there are likely to be benefits with respect to other outcomes for health

and wellbeing that could not be measured in this study.

However, it is important to note that low-income households in Cleveland face considerable challenges related to housing affordability and quality, and that those that find themselves in housing court are especially vulnerable. We found elevated levels of housing instability, lead poisoning, and school disruptions even among those who avoided an eviction order. This suggests the need to simultaneously address the weaknesses in our social safety net and housing programs. More efficient and coordinated systems could help in preventing the threat of eviction and in providing more stable and healthy environments for families to thrive.

ENDNOTES:

1. Desmond, M. and Kimbro, R. T. (2015). Eviction's Fallout: Housing, Hardship, and Health. *Social Forces*, 94 (1):295–324.
2. Desmond, M., & Shollenberger, T. (2015). Forced displacement from rental housing: Prevalence and neighborhood consequences. *Demography*, 52(5), 1751-1772.
3. Desmond, M., Gromis, A., Edmonds, L., Hendrickson, J., Krywokuski, K., Leung, L., & Porton, A. (2018). Eviction Lab National Database: Version 1.0. Princeton: Princeton University. 2018.
4. Hartman, C. and Robinson, D. (2003). Evictions: The hidden housing problem. *Housing Policy Debate*, 14(4), 461-501.
5. In instances where tenants have representation, their representation may file for a “bench trial” instead of appearing at a hearing. However, conversations with the Cleveland Municipal Court of Housing indicate that this is atypical.
6. Collinson, R. and Reed, D. (2018). The Effects of Evictions on Low-Income Households. Accessed via https://robcollinson.github.io/RobWebsite/jmp_rcollinson.pdf
7. Humphries, J. E., Mader, N., Tannenbaum, D. and van Dijk, W. (2018). Does eviction cause poverty? Quasi-experimental evidence from Cook County, IL. Preliminary Report. Accessed via https://drive.google.com/file/d/1MV9vAJrnSFyTcAW2qC7M_-za7np3KPUq6/view
8. According to the Cleveland Municipal Court Housing Rules: “If judgment is for plaintiff on the eviction, unless otherwise ordered by the Court, the plaintiff may immediately purchase a writ of restitution and schedule a move-out with the Eviction Unit bailiffs.” We refer to this as the occurrence of an *eviction move-out order* or *eviction order* for short.
9. All linking on names and addresses uses Soundex to account for misspelled names, and fuzzy matching on dates of birth accounts for common data entry errors.
10. The lead data used in this report come from the Ohio Department of Health. This should not be considered an endorsement of this study or its conclusions by the Ohio Department of Health.
11. The model formally accounts for differences in mobility at the time of filing across groups, differences in the calendar quarter of filings, and time-invariant individual case characteristics that could be associated with residential mobility.

12. We call attention to the fact that every person seeking shelter in Cleveland is assessed via a Coordinated Assessment Program for interventions that may prevent shelter use. These interventions include family reunification, short-term rental assistance, landlord-tenant mediation, and community referrals. At the same time, a few shelter programs in Cleveland do not report to HMIS. These facts are relevant when interpreting our findings since the lack of evidence of emergency shelter use does not imply that a person facing eviction may not have required and even used other emergency housing services.
13. It is important to note that 47% of non-public housing cases end up with an eviction order, but for cases of households in public housing, the eviction move-out rate is lower, at 33%.
14. Attendance in the second year post eviction will be censored for children of parents with a filing in 2016 since we have attendance data up until the 2018 school year.
15. [https://odh.ohio.gov/wps/wcm/connect/gov/6ba9ce85-93a8-4fb9-aa8f-05cc8cd1ba53/Lead-Testing-Requirements-and-Zip-Codes.pdf](https://odh.ohio.gov/wps/wcm/connect/gov/6ba9ce85-93a8-4fb9-aa8f-05cc8cd1ba53/Lead-Testing-Requirements-and-Zip-Codes.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_M1HGGIK0N0JO00QO9DDDDM3000-6ba9ce85-93a8-4fb9-aa8f-05cc8cd1ba53-msoRcRh)MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_M1HGGIK0N0JO00QO9DDDDM3000- 6ba9ce85-93a8-4fb9-aa8f-05cc8cd1ba53-msoRcRh