

Legal Representation and Eviction Outcomes in Tulsa County

Analysis by Open Justice Oklahoma Data Analyst
Brancen Gregory / bgregory@okpolicy.org



Tulsa has the 11th highest eviction rate among American cities, with more than 14,000 cases filed each year and 7,000 granted. Evictions have enormous, long-term destabilizing effects on families, and cities and counties spend millions each year to address the emergency needs of displaced residents. Some cities and states have begun providing legal representation to all tenants who have an eviction filed against them in order to protect their rights and reduce displacement.

This research brief examines the relationship of legal representation and eviction case outcomes in Tulsa County. Statistical analysis of data collected by Open Justice Oklahoma of eviction cases in Tulsa County from 2010 through 2020 shows that legal representation is significantly associated with greater odds of a tenant remaining in their home.

Background

When tenants don't have access to legal representation, they are left on their own to navigate a complex and fast-moving legal process. Unlike in criminal cases, there is no right to counsel for tenants in eviction proceedings. Lack of legal representation puts tenants at a disadvantage since landlords and their attorneys have much more experience with the court processes and the judges that oversee them [1].

Other jurisdictions around the country have begun to provide attorneys to all defendants in housing court, and research suggests that this intervention improves outcomes for tenants. A study of the effects of tenant representation on eviction outcomes in Minneapolis found that represented tenants were twice as likely to keep their homes than those without representation [2]. Similarly, in Cleveland, 93% of tenants with legal representation were able to avoid short-term displacement [3]. Even when represented tenants ultimately lose their homes, legal representation can lead to more favorable circumstances. In Minneapolis, around 80% of represented tenants who lost their homes did so without an eviction being placed on their record, whereas approximately 6% of unrepresented tenants had the same outcome. In Cleveland, 83% of represented tenants were successful in obtaining additional time to move from their homes, and 89% were able to mitigate damage claims against them.

Methodology

This research brief examines the impact of legal representation on small claims eviction outcomes in Tulsa County District Court using data collected from online court records. To estimate the effect size of legal representation on eviction judgments in Tulsa County, we use a binary classification model with two binary predictors and one binary outcome variable. The predictors indicate whether or not a plaintiff has legal representation, and whether a defendant has representation. A value of zero indicates no representation, or a *pro se* case, while a value of one indicates that the party is represented in court. The outcome variable of the model indicates whether the case disposition results in a judgment against the tenant. A value of zero indicates a judgment favorable to the tenant, whereas a value of one indicates a case outcome which results in eviction.

Legal Representation and Eviction Outcomes

This analysis uses logistic regression to perform binary classification. Logistic regression is relatively lenient in its assumptions:

- The first condition, that our outcome variable be binary, has already been met.
- Second, logistic regression assumes a substantially large sample size relative to the number of predictors included in the model. Since we have only two predictors, and tens of thousands of observations, this assumption is easily met.
- A third condition is that our observations are independent of one another. Since each observation represents one case, and there are no repeated measures, our data satisfies this condition.
- Fourth, it is assumed that the predictors must be linearly correlated with the log-odds of the outcome variable.
- Finally, multicollinearity must not be present among our predictors. This condition was examined using a Chi-Squared test of independence and satisfactorily met, as discussed in the next section.

Results

Conducting a test of independence, as shown in the table below, we find that each variable independently contributes to the model. Defendant and plaintiff representation each respectively meet the highest level of statistical confidence at 99%, while their interaction term meets a satisfactory confidence level of 95%.

Additional independence tests were performed on the variables included in each model tested. These tests were not included here for brevity, but can be reviewed in the source code for this analysis.

Table 1: Independence Test

	Df	Deviance	Resid. Df	Resid. Dev	Pr(>Chi)
NULL			152,770	207,043.100	
rep_def	1	272.514	152,769	206,770.600	0
rep_plaint	1	2,722.790	152,768	204,047.800	0
rep_def:rep_plaint	1	3.905	152,767	204,043.900	0.048

Comparing model candidates, we observe variable significance within each model, as well as the Akaike Information Criterion (AIC) to make the best selection. A lower AIC signifies less prediction error, meaning better quality. We find that model 5, which includes the interaction term of defendant and plaintiff representation performs best according to the AIC, and maintains a high level of statistical significance across all included explanatory variables. This model will be used for all further results and interpretation.

Legal Representation and Eviction Outcomes

Table 2: Model Comparison

	<i>Dependent variable:</i>				
	(1)	(2)	granted (3)	(4)	(5)
rep_def		-1.055*** (0.066)		-1.279*** (0.067)	-1.395*** (0.090)
rep_plaint			-0.652*** (0.013)	-0.670*** (0.013)	-0.672*** (0.013)
rep_defTRUE:rep_plaint					0.266** (0.134)
Constant	0.355*** (0.005)	0.362*** (0.005)	0.866*** (0.012)	0.889*** (0.012)	0.891*** (0.012)
Observations	152,771	152,771	152,771	152,771	152,771
Log Likelihood	-103,521.500	-103,385.300	-102,218.400	-102,023.900	-102,021.900
Akaike Inf. Crit.	207,045.100	206,774.600	204,440.900	204,053.800	204,051.900

Note:

*p<0.1; **p<0.05; ***p<0.01

Using the coefficients from our selected model, we then exponentiate to derive the log-odds ratio for each explanatory variable. A log-odds ratio greater than one indicates a net positive effect on the odds of eviction being granted, controlling for all other explanatory variables. In contrast, a log-odds ratio less than one signifies a net negative effect on the odds of eviction being granted, controlling for all other predictors. To articulate our results in terms of a percentage change in the odds of a defendant remaining in their home, we simply take 1 minus the odds-ratio, then multiply by 100.

Table 3: Results

	term	estimate	odds_ratio
1	rep_defTRUE	-1.4	0.25
2	rep_plaintTRUE	-0.67	0.51
3	rep_defTRUE:rep_plaintTRUE	0.27	1.31

Conclusion

We conclude that legal representation for a defendant is associated with a 75% increase in the odds of remaining in their home. Similarly, legal representation for a plaintiff is associated with a 49% increase in the odds of a defendant remaining in their home.

Legal Representation and Eviction Outcomes

References

[1] “Leveling the Playing Field: Legal, Economic and Policy Considerations in Establishing an Access to Counsel Program for Tulsa’s Eviction Docket,” Jan. 13, 2021, <https://45e2ly1gtqp9jmqme2fw751-wpengine.netdna-ssl.com/wp-content/uploads/sites/3/2021/01/Right-to-Counsel.pdf>.

[2] “Legal Representation in Evictions - Comparative Study,” 2018, 1, <https://www.minnpost.com/wp-content/uploads/2018/11/2018-Eviction-Representation-Results-Study-with-logos.pdf>.

[3] “Annual Report to Cleveland City Council and Courtesy Report to Cleveland Mayor’s Office,” January 31, 2021, 4, <https://lasclev.org/wp-content/uploads/January-2021-report-on-initial-6-months-of-Right-to-Counsel-Cleveland-high-res.pdf>.