

The Cost of Evictions

A home is the building block for a stable, successful life. Loss of housing impacts every facet of life and increases the prospects of job loss, physical violence, and transmission of infectious disease. It also disrupts children's education and well-being. A record of eviction, much like a past criminal record, significantly limits housing choice, often leaving unsafe and unhealthy housing as the only remaining choice.

Evictions in Tulsa are at crisis levels

- 42 percent (45,460) of Tulsa's households are rent-burdened, spending more than 30% of their income on rent¹
- An average of 1,200 evictions were filed each month in Tulsa County in 2019
- Tulsa had the 11th highest eviction rate in the United States in 2016²
- The U.S. Census Bureau estimates that 25% of renter households in Tulsa are at risk of eviction³

Tulsa tenants are put at risk when only landlords have the legal help to understand the eviction process

- **Tenants are being set up to fail without legal representation in court⁴**
 - Only 1 in 10 tenants who appear in eviction court in Tulsa County has legal representation
 - Tenants without legal representation were twice as likely to be evicted than those who received legal aid
 - Tenants without legal representation were forced to pay money judgements twice as often than those who received legal aid
 - Tenants without legal representation were forced to pay roughly \$800 more than those tenants with legal help
- **Many evictions are filed by a small segment of landlords, often on the same tenants⁵**
 - Plaintiffs who filed more than 100 evictions over 2019-2020 accounted for two of every five cases, despite being less than 2% of all plaintiffs who file evictions
 - The top ten eviction filers amongst landlords each filed at least 200 evictions against tenants in a two year period

Tulsa pays the price when tenants' rights aren't protected

- Eviction can cause individuals to lose the stability of their neighborhoods and communities, which results in lost income and increased reliance on government resources⁶
- Evictions have lasting negative effects on the physical and mental health of individuals, including children who face lost education⁷
- The U.S. Census Bureau estimates that costs of evictions in Tulsa alone equal at least \$63 million, negating nearly 15 percent of all the tax income Tulsa obtained during the 2018-2019 fiscal year⁸

¹American Community Survey, 5-year estimates, Public Use Microdata, 2018; IPUMS USA, University of Minnesota, www.ipums.org

²"Eviction Rankings," Eviction Lab, accessed April 14, 2021, <https://evictionlab.org/rankings/>

³Household Pulse Survey, U.S. Census Bureau

⁴Joel Auringer et al., "Advancing Housing Justice in Tulsa," Terry West Civil Legal Clinic, June 8, 2020,

<https://45e2ly1gtqp9jmqme2fw751-wpengine.netdna-ssl.com/wp-content/uploads/sites/3/2020/06/TWC-Eviction-Court-Report-FINAL.pdf>

⁵Ryan Gentzler, "High-Volume Tulsa Eviction Filers," Open Justice Oklahoma (blog), March 11, 2021,

<http://openjustice.okpolicy.org/2021/03/11/high-volume-tulsa-eviction-filers/>.

⁶"TU Law Experts Advocate for a Right to Counsel Program for Tulsa's Eviction Court," College of Law, January 13, 2021, <https://law.utulsa.edu/terry-west-right-counsel-eviction-court/>.

⁷"TU Law Experts Advocate for a Right to Counsel Program for Tulsa's Eviction Court."

⁸University of Arizona Cost of Eviction Calculator; American Community Survey, 5-year estimates, PUMS, 2018; Household Pulse Survey, U.S. Census Bureau, Week 20-21; "FY 2019-20 Budget," City of Tulsa, accessed April 14, 2021, <https://www.cityoftulsa.org/media/10451/section02-executivesummary.pdf>.

Right to counsel is an effort designed to promote a fair playing field in rental housing disputes. Many renters don't fully understand their legal rights as tenants, so ensuring their access to legal counsel helps prevent unscrupulous landlords from weaponizing the justice system against tenants. Right to counsel policies can help ensure tenants' rights, support the integrity of the justice system, and accrue benefits to city and state finances.

Right to Counsel provides much needed support for tenants who may not understand their legal rights

- **Tenants who are represented by an attorney are more likely to retain their homes**
 - In Minneapolis, represented tenants kept their homes twice as often compared to those without representation⁹
 - In Cleveland, Ohio, 93% of represented tenants avoided short-term displacement under right to counsel¹⁰
- **Right to Counsel gives tenants fairer trials and outcomes**
 - In Minneapolis, four out of five represented tenants who agreed to move did so without having their eviction placed on their record, compared to three out of fifty unrepresented tenants¹¹
 - In Cleveland, 83% of those seeking more time to move out obtained this outcome with Right to Counsel, and 89% were able to mitigate damage claims against them¹²

Right to Counsel is good for local governments and saves far more money than it costs

- **Cities save money by preventing citizens from landing in homeless shelters and using city resources**
 - In New York City, each eviction cost the city about \$8,000 during the first two years following an eviction filing because of tenants' increased use of homeless shelters and emergency rooms, in addition to lost earnings¹³
 - In Minneapolis, the city saved more than \$200,000 annually, primarily because fully represented tenants used homeless shelters four times less than unrepresented tenants¹⁴
 - In Baltimore, the city and state saved a cumulative \$6.24 for every dollar spent on legal representation for tenants, with the savings split evenly between the two government entities¹⁵

Right to Counsel can prevent bad faith evictions and filings

- **Powerful landlords take advantage of lax eviction rulings to use eviction filings as a rent collection mechanism, which fills courts with "junk" eviction cases that harm tenants and clog the court system**
 - In Baltimore City prior to implementing Right to Counsel, about 84 percent of eviction filings were in response to missing a single monthly payment¹⁶
 - Utilizing eviction filings as a rent collection mechanism lets landlords effectively increase their monthly housing income while tenants see their housing costs increase by 20 percent through fines and fees¹⁷

Legal Representation PDF: <https://www.minnpost.com/wp-content/uploads/2018/11/2018-Eviction-Representation-Results-Study-with-logos.pdf>
Annual Report PDF: <https://lasclev.org/wp-content/uploads/January-2021-report-on-initial-6-months-of-Right-to-Counsel-Cleveland-high-res.pdf>

⁹ "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>.

¹⁰ "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>.

¹¹ "Legal Representation in Evictions - Comparative Study," 2.

¹² "Annual Report to Cleveland City Council and Courtesy Report to Cleveland Mayor's Office," 4.

¹³ Robert Collinson and Davin Reed, "The Effects of Evictions on Low-Income Households," December 2018, 5.

¹⁴ "Legal Representation in Evictions - Comparative Study," 2.

¹⁵ "Stout Report: Impact of Eviction Right to Counsel in Baltimore City – Baltimore Renters United," 8, accessed February 10, 2021, <https://bmorerentersunited.org/rtc/stoutreport/>.

¹⁶ "Stout Report," 10.

¹⁷ Eviction Lab, "Serial Eviction Filings: How Landlords Use the Courts to Collect Rent," Eviction Lab, September 15, 2020, <https://evictionlab.org/serial-eviction-filings/>.

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