



EVICTED IN ALLEGHENY COUNTY:

A MIXED-METHODS STUDY BY
THE PITTSBURGH FOUNDATION

President's Message

Over the past five years, The Pittsburgh Foundation has labored to understand the degree to which eviction destabilizes communities and creates a cycle of poverty from which few are able to escape. We wanted to understand not just who is being evicted, how often and from where, but also to illuminate the heavy social and emotional costs to those navigating the housing-search systems or facing the loss of their homes.

This report presents rigorous quantitative analytics of eviction data from the Allegheny County courts, and qualitative research capturing the lived experiences and observations of those closest to the issue: residents and landlords. Our goal is to provide a powerful narrative backed up by hard data to illuminate broken systems and policies that have real impact on individuals' lives. We anticipate and hope that housing advocates, legislators, officials in the court system and the philanthropic community will use this information to inform their work and investment in interventions, generate additional questions and work more effectively.

The COVID-19 pandemic and its economic fallout have led our nation to the brink of an eviction crisis. But in truth, the crisis is much more deeply entrenched than that. Federal housing assistance programs faced grave threats, particularly in recent years, even as the gap between rents and income grew exponentially. That gap yawns even wider for people of color who — due to decades of racist policies in credit, lending and housing — were largely excluded from programs that created stability and generational wealth for white Americans. Researchers are also finding that eviction filings disproportionately affect people of color: African American neighborhoods have eviction rates nearly four times those of the the national average,¹ and Hispanic tenants in predominantly white neighborhoods are roughly twice as likely to be evicted as those in predominantly non-white neighborhoods.²

For this report, we spoke directly to 45 residents, each of whom explained how eviction tears the connections among lives and neighborhoods, causes upheaval in families, and disrupts access to schools and services. Most spoke to us anonymously, fearing backlash from landlords and property managers. Some have lost their possessions; others have been prevented from finding new housing due to evictions on their record. We commend all residents who participated for their honesty and courage.

Landlords, too, are frustrated with the eviction process, often to the point that they opt out of affordable housing programs. This report includes some of their criticisms and ideas for improving the system.

Front cover: Mabel Duffy, 78, a longtime resident of East Liberty and the Penn Plaza Apartments, packs her belongings in advance of a March 31, 2017, eviction deadline. In 2015, after managing the property for decades, LG Realty Advisors issued a 90-day eviction notice to all residents. In response to public pressure, Mayor Bill Peduto intervened, and the result was a two-phase eviction process for the more than 200 residents of the two-building apartment complex. On March 31, 2017, the final eviction deadline, Mabel Duffy was one of approximately 20 remaining residents still living in Penn Plaza. Image by Maranie R. Staab.

The eviction initiative was led by Jane Downing, the Foundation's senior program officer for economic and community development. Data analysis in this report was made possible through a partnership with the Allegheny County Department of Human Services, which provided a multisystem understanding and documented the burden of eviction in Allegheny County for the first time. Rachel Rue, PhD, an analyst with the Homelessness and Housing team in the department's Office of Analysis, Technology and Planning, spent hundreds of hours compiling and sifting through eviction data in collaboration with Michael Yonas, DrPH, the Foundation's vice president of public health, research and learning. Ryan Rydzewski wrote this report, carefully mining the qualitative data and accurately representing the voices of those who took part in the study. Together, their persistence and thoughtfulness have made this report possible.

We also extend our gratitude to the 24-member Eviction Working Group made up of affordable housing advocates, magisterial district judges, sheriffs, tenant advocates, landlords and local government representatives. Led by Jane Downing, this coalition has been meeting regularly since 2016 to examine and reform the city and county housing-related systems.

Members of the working group were instrumental in the development of this report, and their recommendations have led to projects we now fund. This includes Pittsburgh's pilot housing court, which focuses solely on eviction and housing disputes, that could become a model for cities across Pennsylvania.

Our Foundation also continues to advocate for affordable housing, which falls 17,240 units short of demand. As we move into 2021, the coronavirus pandemic continues to fuel a financial crisis. While evictions are on hold as of this writing, the rent will come due, even if jobs have yet to come back.

To paraphrase Matthew Desmond, eviction isn't a symptom of poverty, but a cause of it. Despite the difficulties this report underscores, there is real opportunity on the housing front to make our communities more stable and humane. To do nothing would be far more costly — not only in dollar terms, but also in the incalculably more valuable currencies of public health, human potential and community spirit.



Lisa Schroeder
President & CEO

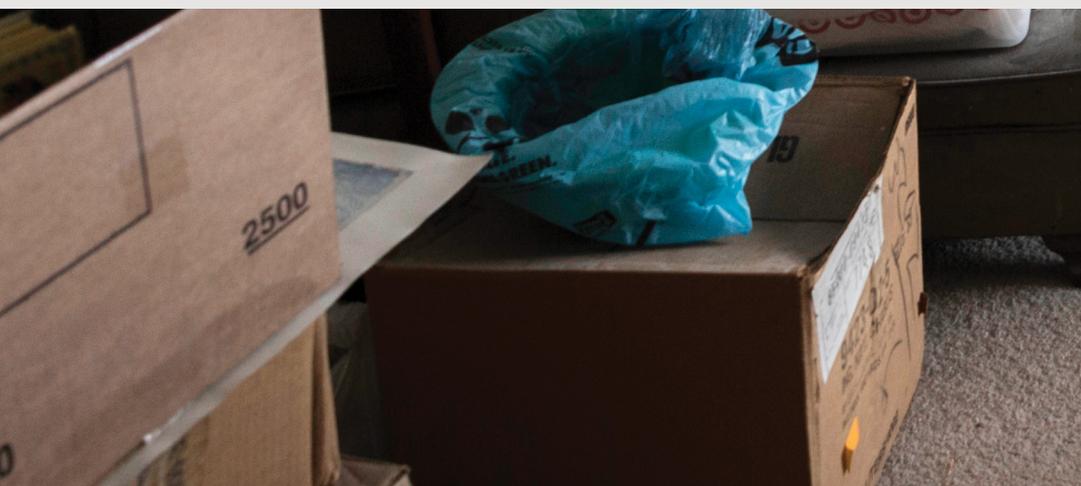
Published in spring 2021

¹ The Geography of Eviction in Richmond: Beyond Poverty, 2016, Benjamin F. Teresa, PhD.

² Discrimination in Evictions: Empirical Evidence and Legal Challenges, 2018. Deena Greenberg, Carl Gershenson and Matthew Desmond.



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Geary Rivers, a Vietnam Veteran and longtime resident of East Liberty, sits among his belongings at Penn Plaza Apartments hours after a team of volunteers packed his things into boxes to move him to Wilksburg in advance of a March 31, 2017, eviction deadline. Rivers was among the last residents of the Penn Plaza apartment complex to leave. Image by Maranie R. Staab.

Introduction

Over the past few years, Pittsburgh has been named the most affordable city for young people, the best place to retire on a budget, and the country's most affordable metro area. It's been named a top city for both home buyers and apartment dwellers. It might be the last mid-sized metro region where it's possible, on a five-figure salary, to own a home, raise a family, and have enough left over for a day at the museum or a night at the ballgame. No wonder it ranks so highly on measures of livability: For some demographics, it's a bargain that can't be beat.

But affordability and livability are relative. With Pittsburgh's rising affluence has come a wave of new development, from luxury apartment buildings to condominiums and quickly flipped homes. This has increased demand for the inexpensive rentals that remain, pushing up prices overall. According to data from Rent.com, five Pittsburgh neighborhoods — the North Side, North Shore, Allegheny Center, Squirrel Hill South and Banksville — saw rents rise by 7% or more from 2018 to 2019 — in some cases, more than triple the rate of inflation.³ These runaway rental costs, combined with stagnant salaries for some segments of the population and a minimum wage of just \$7.25 per hour, have created a city that's anything *but* affordable for many of our neighbors.

Despite the acclaim given to Pittsburgh's livability, about one-third of the region's population lives at or near the poverty line, surviving on \$50,000 a year or less for a family of four. These families are one car accident, job loss or health emergency away from financial disaster, and many more aren't too far behind. Perhaps nowhere are their struggles more evident than in Allegheny County courtrooms, where judges see thousands of eviction cases every year. There were on average, from 2012 to 2019, about 2,200 eviction filings annually by managers of public housing in Allegheny County. The U.S. Department of Housing and Urban Development describes public housing as an attempt to provide decent and safe rental housing for eligible low-income families, the elderly and persons with disabilities. Units range from single-family houses to high-rise apartments.⁴

In most cases, tenants simply can't afford their rent. Some have lost their jobs; others have had their hours reduced. Many have made choice after impossible choice, juggling the costs of child care, health care, food, transit and more until their funds ran dry. While individual eviction stories may differ, the basic plot remains the same: Every year, Pittsburghers are locked out of the region's prosperity, left to fend for themselves in Mister Rogers' neighborhood. This is more than just a setback — evicted families are more likely to end up in substandard or even dangerous homes. They're forced to move farther and farther from loved ones, schools, bus stops, churches and jobs. They have higher rates of illness, post-traumatic stress disorder and suicide, and they have lower rates of employment and academic achievement. Some end up homeless.

Eviction even affects Pittsburghers who aren't evicted. Landlords — especially private landlords, many of whom run small operations on thin margins — say court fees and lost revenue can drive them to the brink of bankruptcy. Meanwhile, in the neighborhoods that evicted families leave behind, support networks unravel. Strangers replace trusted neighbors, city blocks become revolving doors, and the constant churn can keep stability and a sense of community at bay.

Finally, eviction affects *you*. Whether or not you've come home to find an eviction notice taped to your door, you've paid part of the cost that evictions impose. When families lose their homes — and consequently, their jobs, their academic standing, their possessions and more, sometimes all at once — they're left with nowhere to turn but social services and antipoverty programs. Likewise, by forcing families to move, eviction further concentrates poverty, inviting crime, additional policing, incarceration and trauma. This is far more expensive, and far less effective, than simply keeping families homed. In fact, experts now see eviction as a cause of poverty, rather than merely a side effect.

³ <https://www.bizjournals.com/pittsburgh/news/2019/06/19/study-rent-rising-faster-than-inflation-in-at.html>

⁴ https://www.hud.gov/topics/rental_assistance/phprog

Project Background

In 2016, The Pittsburgh Foundation sponsored a public lecture and a workshop organized by Pittsburgh Arts & Lectures featuring sociologist Matthew Desmond, whose Pulitzer Prize-winning book, *Evicted: Poverty and Profit in the American City*, put the issue of eviction in the national spotlight. Following eight families in Milwaukee as they struggle to pay their rent, *Evicted* lays bare the brutality of housing insecurity. Tenants suffer cockroaches, broken windows and a lack of heat as they're forced to relocate again and again. Mothers struggle to keep their children safe. While addiction, abuse, trauma and illness affect people of every economic class, the outcomes become even more dire for families experiencing eviction and unstable housing. Social services strain beneath the weight of it all. Desmond writes, "There is nothing special about Milwaukee when it comes to eviction." The book is "set in Milwaukee, but it tells an American story."

It also tells the Pittsburgh story, as eviction takes a unique toll on low-income single women and their children — the two groups at the greatest risk of poverty throughout the region. While only 28% of Allegheny County's households are headed by single mothers, for example, they account for 72% of all families in poverty. Families of color are at particularly high risk: According to Pittsburgh's Gender Equity Commission,⁵ poverty rates for Black women and children are higher here than in 85% of comparable cities. Meanwhile, costs of living have climbed, and public assistance programs have been stretched thin, putting vulnerable people in increasingly precarious positions — and heightening their risk of eviction.

In response to these issues and more, The Pittsburgh Foundation adopted 100 Percent Pittsburgh, an organizing principle that commits the Foundation to meeting basic needs⁶ and providing economic opportunity for the people left out of Pittsburgh's resurgence. Guided by the values of racial equity, courage and community voice, 100 Percent Pittsburgh puts the people most affected by inequity at the center of creating solutions.

Under the umbrella of 100 Percent Pittsburgh, sparked by Matthew Desmond's visit, the Foundation sought the voices of those most impacted by housing insecurity. In a series of listening sessions, more than 40 tenants and landlords generously shared their stories and ideas, as did housing authority employees, government officials, judges, funders, advocates and others. Though some had met previously, the initiative marked the first time that every party affected by eviction came together to discuss ways the system could change. Their recommendations — combined with rigorous research conducted in partnership with the Allegheny County Department of Human Services — informed the report you now hold.

⁵ https://apps.pittsburghpa.gov/redtail/images/7109_Pittsburgh's_Inequality_Across_Gender_and_Race_09_18_19.pdf

⁶ <https://pittsburghfoundation.org/100-Percent-Pittsburgh>

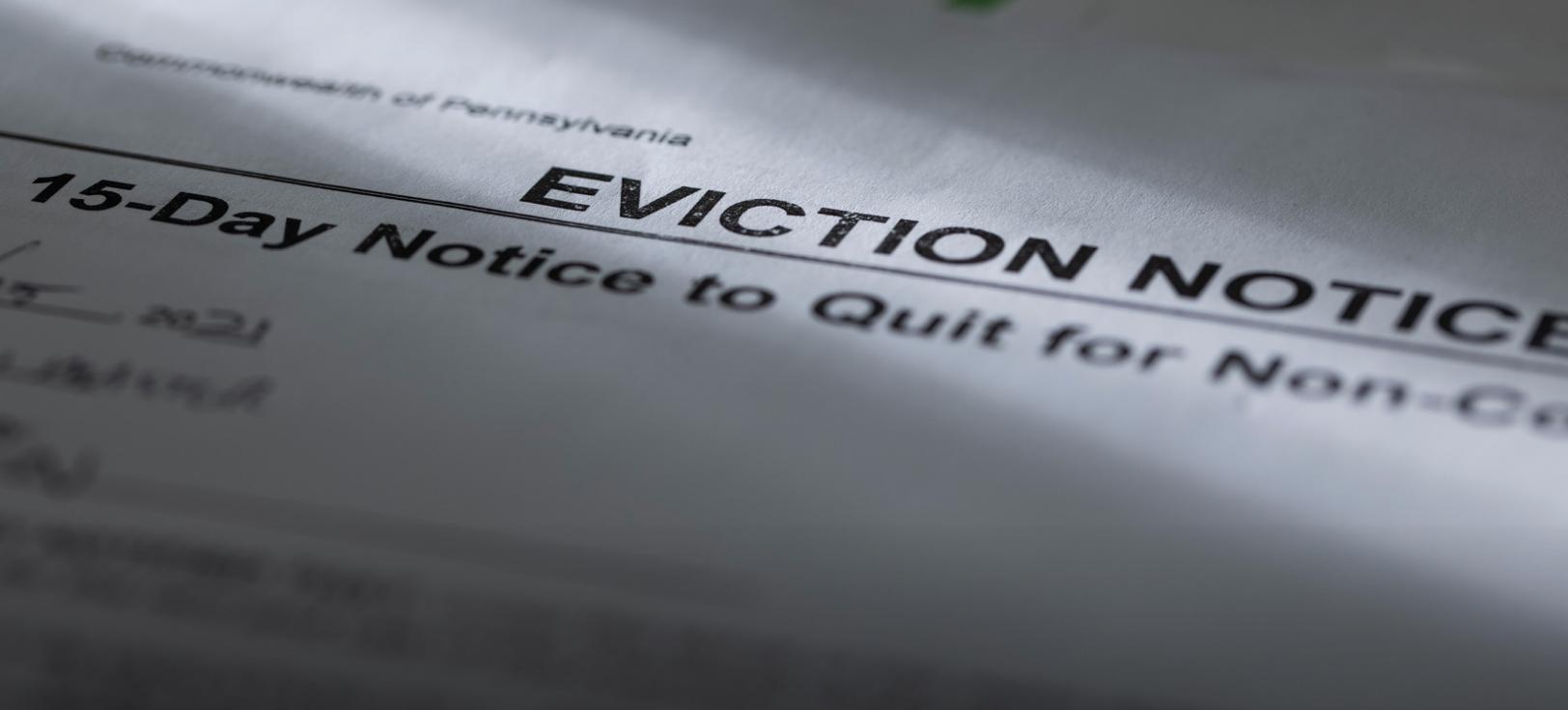


Image by Joshua Franzos.

This report has two primary goals. The first is to provide both data about eviction and stories of the people affected by eviction. The numbers and quotes reveal the struggles of thousands of families each year who are trying to keep a secure roof over their heads in a system that often works against them. To protect their privacy and security, most quotes have been left unattributed, especially those that were shared during our listening sessions. Where people wished to speak on the record, we've used their real names and stories.

The second goal is to provide information that can help end the cycles of poverty that keep so many Pittsburghers from thriving. Although the Foundation has worked to alleviate homelessness and housing insecurity for 75 years, grantmaking alone cannot solve the problem. Ensuring that every Pittsburgher has a healthy, safe and comfortable place to call home requires systemic changes that meet the needs of tenants and landlords alike.

**“WE DO HAVE TO FOCUS
ON THE NEXT GENERATION
SO THEY’LL BE PREPARED.
WE GOTTA PASS THINGS
ON. WE HAVE TO DO THAT.
IF NOT, WE’RE GONNA
CONTINUE THIS PROCESS
[OF EVICTIONS].”**

- PARTICIPANT

Study Design

In 2017, the Foundation's Program Department launched the Eviction Prevention Initiative, designed to gather a first-person understanding of eviction from residents, landlords and providers in Allegheny County. A two-phase process was used, starting first with understanding the issue of eviction in the County from a quantitative perspective, followed by a qualitative phase designed to purposefully elicit and integrate an understanding of the context and influences that affect individuals impacted by eviction, both tenants and landlords. Including their voices is part of an intentional effort by the Foundation to amplify the often-missing voices of residents. We were especially interested in hearing from individuals who rely on public and assisted housing communities and the Housing Choice Voucher program, formerly known as Section 8, as these people are often some of the most economically vulnerable and are impacted long-term by the eviction filing and process.

The quantitative data presented here was conceptualized with and analyzed by the Allegheny County Department of Human Services.⁷ Residential landlord-tenant cases involving amounts of up to \$12,000 are filed in local Magisterial District Courts in Pennsylvania. The primary data source for this report is from the Magisterial District Judge System (MDJS), the statewide electronic database where Magisterial District Court case records are stored. We utilized data from two of Allegheny County's three housing authorities (the Allegheny County Housing Authority and the Housing Authority of the City of Pittsburgh) for information on the amount of monthly rent paid by tenants; U.S. Census data for statistics on rental housing; and the affordable housing database of the U.S. Department of Housing and Urban Development (HUD) for information on publicly subsidized properties with units for low-income tenants.

We also searched the websites of real estate companies to find out which properties were owned or managed by companies with large rental portfolios, and we presented information on the scope and prevalence of eviction in Allegheny County from 2012 to 2019 to help illustrate the outcomes and economic impact of eviction filings.

In addition to presenting these quantitative data elements, this study was designed to generate data from residents and landlords who have firsthand knowledge of the issue of eviction and of the systems that are involved in the process in Allegheny County. The theory of change guiding this work is that engaging individuals impacted by eviction in Allegheny County provides critical insight and direction that complements the existing quantitative data and will inform the Foundation's grantmaking, policy and advocacy, convening, and ongoing research activities. In addition, findings from this report will be used to help guide the efforts of the Eviction Workgroup, an interdisciplinary team of housing providers, legal advocates, courts, and Department of Human Services staff and researchers. Facilitated by Jane Downing of The Pittsburgh Foundation, the Workgroup has met regularly since the spring of 2017 to learn about the research and address the issue of eviction locally. Information and response to this report will be used to inform the Foundation's intervention and prevention strategies, to target grant-making opportunities, and to identify research, policy and advocacy actions needed to reduce the number of filings and involuntary evictions.

⁷ Eviction Cases in Allegheny County, 2012–2019: A Joint Publication from the Allegheny County Department of Human Services and The Pittsburgh Foundation (October 2020). https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/10/20-ACDHS-19-Eviction_v5.pdf

During the course of this research phase, five discussion groups were conducted: Three discussion sessions were held with 34 residents, primarily from housing authority properties. Also interviewed were six private property owners/managers who accept Housing Choice Vouchers, and staff and leadership from the Allegheny County Housing Authority and the Housing Authority for the City of Pittsburgh. Residents and landlords who participated were asked to reflect on a variety of topics, such as the factors leading up to an eviction, their experiences and reflections on the process and the impact of eviction on children and families, and the process and procedures of the Magisterial District Courts and the Court of Common Pleas, which handle eviction disputes.

Participants were also asked to share ideas for changes to the housing and benefits systems to better serve families and landlords. Discussion groups were planned and conducted in partnership with organizations that have established close relationships with residents at a time and place most convenient for them in the housing communities. The same principal applied to our meetings with landlords.

The powerful and insightful reflections gathered reveal the importance of respectfully listening and learning to understand the circumstances and factors affecting the quality of their lives. Our intent is to capture the way that eviction affects lives and families, many of which are headed by single women raising children, and to demonstrate how not including their voices in critical decisions about their housing leads us away from, and not toward, a just, respectful and transparent system.

The process and findings presented here are an intentional effort to operationalize the 100 Percent Pittsburgh organizing principle's values, particularly the concept of "voice," which places a priority on making sure that those affected by an issue are asked to provide insights on the cause of the issue and methods for addressing the issue. This approach — which purposefully engages key stakeholders, individuals, families and landlords — amplifies the voices of traditional and nontraditional experts to inform systems-change priorities. It provides a mechanism to gather and integrate new, unique insights and data, add them to existing sources, and bring all of that to the discussion of how to inform and prioritize prevention, intervention and policy-change opportunities in the housing and court systems that guide the eviction process and experience. This approach also establishes new, collaborative relationships and partnerships across and among agencies and the Foundation to design and implement effective and accountable intervention efforts. By implementing novel interventions and identifying culturally sensitive and tailored intervention opportunities, we hope to intervene early and prevent individuals and families from having to experience an eviction filing or eviction.

How Eviction Works

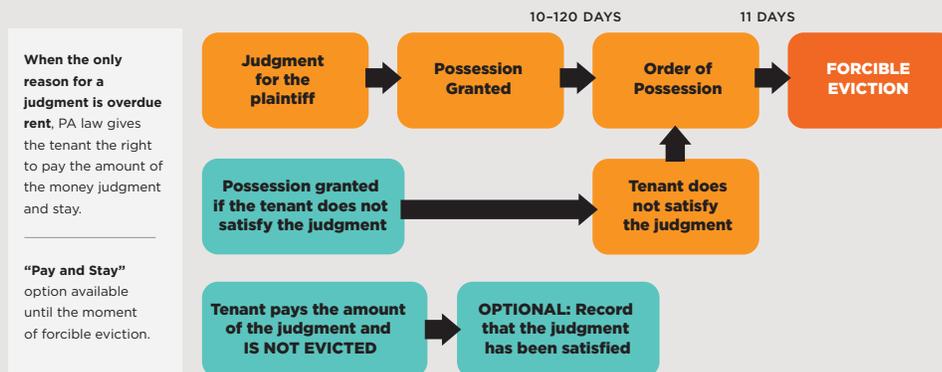
An eviction happens when a landlord removes people from property that he or she owns. Evictions are landlord-initiated involuntary moves that happen to renters, most often because renters cannot or do not pay their rent. Though landlords can evict renters for a number of other reasons, including having others living in the property that are not on the lease, damaging the property, causing a disturbance, or breaking the law in some way, eviction in general is based on a breach of a lease agreement. As is illustrated in this report, experiencing an eviction causes a family to lose their home and leave their community; children have to change schools and often lose their possessions. A legal eviction comes with a court record, which can prevent families from relocating to decent housing in a safe neighborhood, because many landlords screen for recent evictions. Eviction also has been shown to affect a person's mental health:⁸ One study found that mothers who experienced eviction reported higher rates of depression two years after their move.

Overview of the Eviction Process in Pennsylvania (except Philadelphia)

1. Complaint, Hearing and Disposition of Landlord-Tenant Cases



2. What Happens When There is a Judgment for Landlords?



⁸ <https://evictionlab.org/why-eviction-matters/#eviction-impact>

The Eviction Process in Western Pennsylvania

This guide provides a general walkthrough of how a Tenant can be removed from their private rental home through a court eviction process. This overview is a “worst case scenario” for the Tenant, in which they are not able to stop the eviction at any of the phases.

It does not cover all situations, including:

- If the lease has a “Notice Waiver”.
- If the Tenant is in public housing (not private).
- If the Tenant and Landlord work out a settlement or use a diversion program to end the case.
- If the Tenant is able to stop the process by fixing the violation (e.g., paying back rent) or successfully defending themselves in court.



PROBLEM

THE TENANT VIOLATES THE LEASE, OR THE LEASE COMES TO AN END.

This violation may be that the Tenant hasn't paid rent on time, or has acted in a way that 'materially' violates the lease. Or there could be no violation — but the lease has ended, or the landlord wants to end the lease & remove the Tenant.



NOTICE

THE LANDLORD GIVES A NOTICE WARNING OF A POSSIBLE EVICTION.

The Notice informs the Tenant of what they can do to fix the situation (like how much rent to pay by what date or by what date they have to leave) in order to avoid an eviction lawsuit. For non-payment of rent, it gives the Tenant a 10-day window (*unless the Lease has a different rule*).



LAWSUIT

THE LANDLORD FILES A LAWSUIT AGAINST THE TENANT.

If the Tenant has not fixed the situation or left the home by the Notice's date, the Landlord can sue the Tenant in a Magisterial District Court. They must have the Tenant “served” with the lawsuit by a third party. The tenant can raise counterclaims against the Landlord.



HEARING

THE COURT HOLDS A HEARING TO MAKE A JUDGMENT ON THE CASE.

The Tenant and Landlord (if they both appear) can present their claims, evidence and witnesses.

The Magisterial District Judge will rule on the issues: whether the Tenant must leave, who owes what money and other claims.



ORDER

THE COURT MAY RULE THAT THE LANDLORD CAN EVICT THE TENANT.

The Magisterial District Judge can issue a judgment for the Landlord. The Tenant has 10 days to appeal. If they don't, the Landlord can then get an Order for Possession that they can take to the Sheriff. The Sheriff gives the Tenant notice that they have 10 days (minimum) before a set-out occurs.



SET-OUT

THE SHERIFF PHYSICALLY REMOVES THE TENANT FROM THE HOME.

If the Tenant has not left the home by the set-out date, the Sheriff can then forcibly remove the Tenant and their possessions from the home.

Or, the Tenant may pay all the rent owed by the set-out date to stop the eviction. The Sheriff gives the Tenant notice that they have 10 days (minimum) before a set-out occurs.



MONEY

THE LANDLORD TRIES TO RECOVER MONEY FROM THE TENANT.

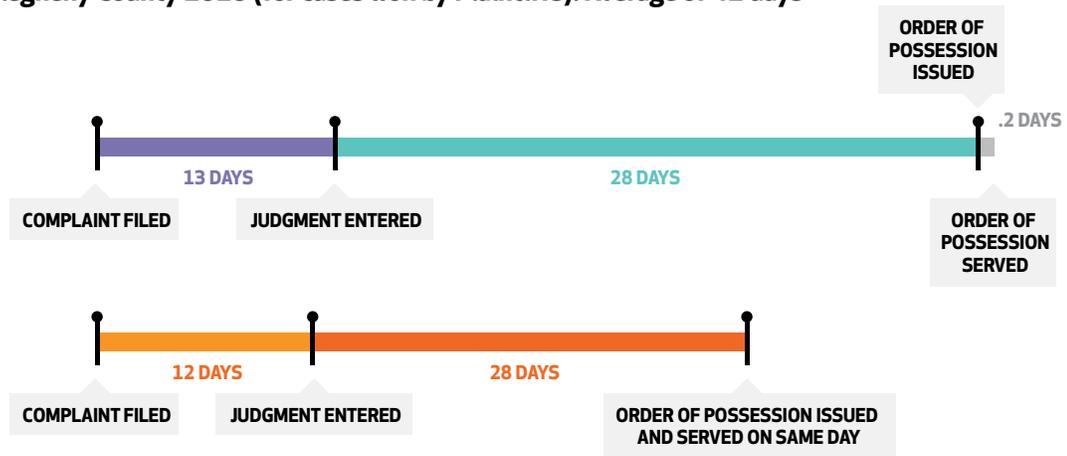
If the court ruled that the Tenant owes the Landlord money, the Landlord can try to collect it by retaining the Tenant's security deposit, getting an order to garnish their wages, or selling their property and keeping the proceeds.

How quickly could a Tenant be evicted from their home for not paying rent?



*Many Pennsylvania leases have a “Notice Waiver” that takes this 10-day Notice period away. In that case, an eviction can happen by Day 28.

Time from the day a landlord-tenant complaint is filed to the serving of an order of possession, Allegheny County 2018 (for cases won by Plaintiffs): Average of 42 days

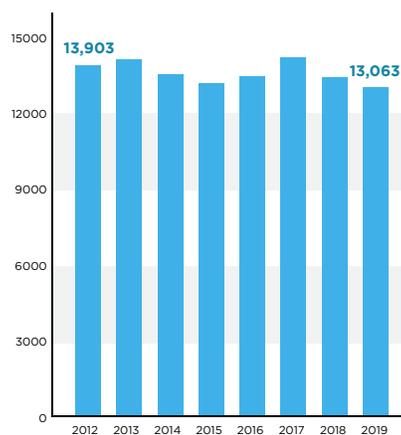


The Quantitative Data

Eviction cases in Allegheny County:

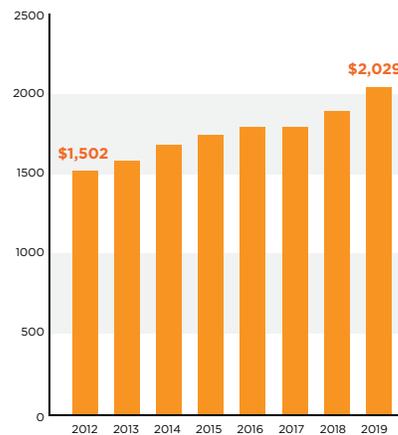
- **Evictions are common:** Between 2012 and 2019, landlords collectively filed an average of more than 13,000 cases a year.

Number of Landlord-Tenant Cases



Annual number of landlord-tenant cases filed, Allegheny County, 2012-2019

Average Claim Amount



Average claim amount cases in landlord-tenant, Allegheny County, 2012-2019

- **Eviction disproportionately affects people in poverty:** Although tenants at all income levels experience eviction, our poorest neighbors are evicted more frequently than anyone else. In 2016, households paying \$500 a month or less in rent accounted for just 15% of Allegheny County’s rental units, but more than 30% of its eviction cases. Among public housing tenants, the lowest-income renters — that is, those who pay \$100 a month or less in rent — were filed against at the highest rate.

Occupied Rental Units and Eviction Case Filings by Monthly Rent, Allegheny County, 2016

Monthly Rent	Number of occupied rental units	Percentage of occupied rental units	Number of eviction cases filed	Percentage of eviction cases filed
Less than \$500	27,051	15%	4,197	35%
\$500 to \$999	99,341	55%	7,087	59%
\$1,000 to \$1,499	40,166	22%	568	5%
\$1,500 or more	15,444	8%	154	1%
Total	182,002	100%	12,006	100%

- **Nationally, Black women face evictions at twice the rate of white people.**⁹ A 2020 study by the Eviction Lab found that Black and Latinx renters in general, and women in particular, are disproportionately threatened with eviction and disproportionately removed from their homes. Black, Latinx and women renters are thus disproportionately exposed to the many documented negative consequences of eviction, from homelessness and material hardship to job loss and depression.¹⁰ In Allegheny County, additional research is needed to examine and document the specific and disproportionate impact of eviction on Black and Latinx individuals, women and families.
- **In 2019, almost one-third of all landlord–tenant cases in Allegheny County involved just 15 landlords,** each of whom filed 100 cases or more. These landlords tend to house more low-income tenants than others. They include, for example, all three of the county’s housing authorities, as well as several private companies that manage market-rate and government-subsidized rentals. The county’s three housing authorities — the Housing Authority of the City of Pittsburgh, the Allegheny County Housing Authority and the McKeesport Housing Authority — account for three of every 10 eviction filings.

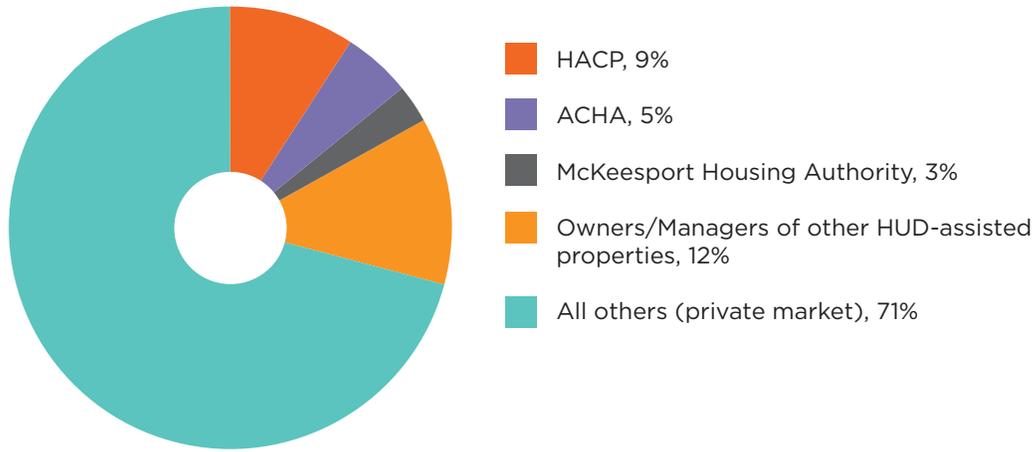
⁹ The Eviction Crisis (Winter 2021). https://www.aclu.org/sites/default/files/field_document/aclu_winter21_spreads-compressed.pdf

¹⁰ Racial and Gender Disparities among Evicted Americans, Eviction Lab (December 2020). https://sociologicalscience.com/download/vol-7/december/SocSci_v7_649to662.pdf.



The COVID-related eviction moratorium has not entirely halted legal difficulties for renters or landlords. Attorney Dianne S. Wainwright, deputy court administrator, Allegheny Court of Common Pleas, Civil Division, pauses to reflect between Housing Court cases. Image by Joshua Franzos.

Cases Filed in 2019, by Type of Landlord



Almost 3 in 10 eviction cases are filed against tenants of publicly assisted housing (not including tenant-based section 8).

- **But, most landlords file relatively few evictions:** More than 90% of Allegheny County landlords filed five cases or fewer in 2019; most filed just one or two. However, with more than 3,000 landlords filing evictions across the county, this still adds up to thousands of cases.
- **Evictions are frequently filed but are difficult to track:** Data limitations make it difficult to determine how many cases end in formal eviction. In 2016, for example, the Housing Authority of the City of Pittsburgh filed more than 1,200 eviction cases, yet evicted only 142 tenants. Once an eviction case has been filed, many tenants simply move out on their own to avoid losing their voucher or risk having an eviction on their record. Others manage to come to terms with their landlords; many “pay and stay.” However, because eviction filings remain on tenants’ records, the damaging effects of a case can linger for years, regardless of whether the eviction actually occurs.
- **Eviction filings involve small (but growing) sums:** Most eviction cases are the result of relatively small debts. In 2019, evicted tenants in Allegheny County owed an average of \$2,029 in back rent — an amount that has climbed by 35% since 2012.

Landlord–tenant cases in Allegheny County, 2012–2019: number of cases filed and non-zero money claims

Year	Number of Cases	Average Claim Amount	Median Claim Amount
2012	13,903	\$1,502	\$1,200
2013	14,100	\$1,564	\$1,295
2014	13,549	\$1,664	\$1,396
2015	13,235	\$1,728	\$1,440
2016	13,463	\$1,776	\$1,496
2017	14,182	\$1,779	\$1,493
2018	13,439	\$1,880	\$1,550
2019	13,063	\$2,029	\$1,645

- **Eviction costs tenants much more than unpaid rent:** The average cost of an Allegheny County eviction case for tenants in public housing paying \$100 or less in monthly rent is 12% over rental arrears, meaning tenants are ordered to pay the amount of back rent they owe plus an extra 12% — a figure that accounts for filing fees and more. Fines and fees are especially difficult for low-income tenants, meaning those who live at or below the federal poverty level of \$27,750 for a family of four per year in 2019¹¹ and in public housing.

Number and percentage of cases by filing fee tier, Allegheny County 2012–2019¹²

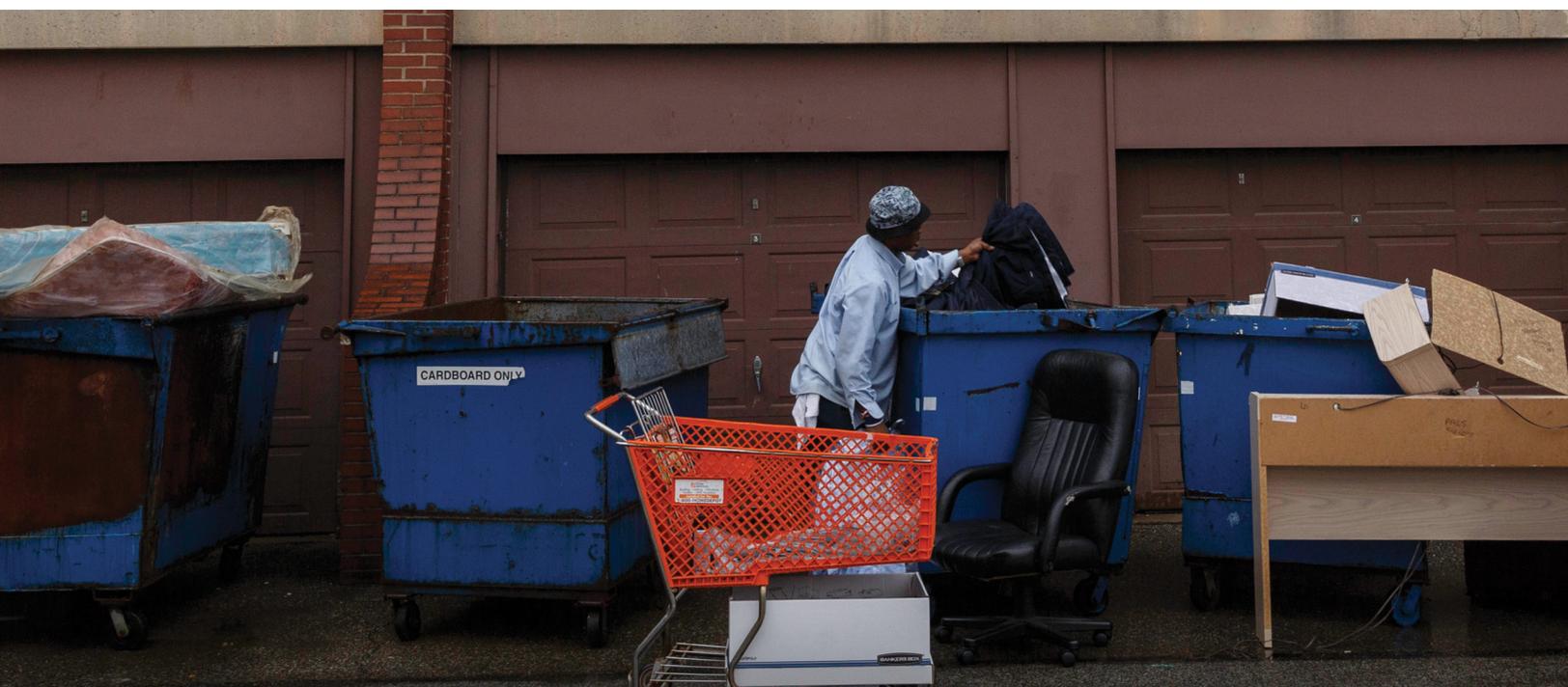
Filing Year	0–\$2,000	\$2,000.01–\$4,000	\$4,000.01–\$12,000	0–\$,2000	\$2,000.01–\$4,000	\$4,000.01–\$12,000
2012	11,304	2,036	564	81%	15%	4%
2013	11,308	2,205	587	80%	16%	4%
2014	10,433	2,490	626	77%	18%	5%
2015	9,961	2,564	710	75%	19%	5%
2016	9,928	2,795	740	74%	21%	5%
2017	10,337	3,053	793	73%	22%	6%
2018	9,414	3,140	885	70%	23%	7%
2019	8,653	3,407	1,003	66%	26%	8%

- **Eviction represents millions of dollars in lost revenue:** In 2019 alone, Allegheny County landlords claimed \$25 million in unpaid rent and other debts that are generally written off and never recovered.
- **Eviction doesn't *always* involve unpaid rent:** A small — but due to data limitations, uncertain — number of evictions are the result of the tenant or their family members or guests not adhering to the conditions of the rental agreement, or so-called “social evictions,” which landlords might initiate when a tenant and/or a tenant’s family does not care for the property, smokes in the unit, commits a crime or hosts disruptive company.

¹¹ <https://aspe.hhs.gov/2019-poverty-guidelines>

¹² Eviction Cases in Allegheny County, 2012–2019 A Joint Publication from the Allegheny County Department of Human Services and The Pittsburgh Foundation, page 18. https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/10/20-ACDHS-19-Eviction_v5.pdf

- **Judgments in tenant–landlord cases most often are for landlords:** From 2012 to or through 2019, landlords won about 85% of landlord–tenant cases. Tenants won fewer than 2%. Most of the remaining cases were settled or withdrawn. Landlords may choose to settle or withdraw a case if they’re unlikely to win the tenant–landlord filing, if they find a faster way to collect the rent they’re owed, or if withdrawing the case will convince a tenant to move. The courts generally seem to favor landlords because failure to pay rent is considered a breach of the lease, which leaves judges few options under Pennsylvania law but to grant the eviction.
- **Eviction rarely involves legal representation:** In Allegheny County, neither landlords nor tenants tend to hire lawyers. In fact, in 95% of landlord–tenant cases, neither side hires legal representation. Among the cases that do involve lawyers, about half are accounted for by the same three or four management companies every year.
- **Eviction varies from landlord to landlord:** Among the county’s 15 frequent-filing landlords — that is, those who filed more than 100 cases in 2019 — judgment is for some landlords in 97% of their cases; for other landlords, judgment was as low as 58%.
- **Eviction filings are costly and time-consuming for everyone involved:** In addition to the hefty court costs it imposes, the eviction process — which lasts an average of 42 days in Allegheny County — requires both tenants and landlords to miss work, find child care and transportation to hearings, and more. When tenants are evicted, additional costs incurred can include moving, storage and cleaning.



Penn Plaza Apartments residents, their family members and a small team of volunteers made frequent trips to the dumpster in the days leading up to a March 31, 2017 eviction deadline. Image by Marante R. Staab.



ALESIA GREEN
TENANT, EAST LIBERTY

Alesia Green, 51, of East Liberty, is a grandmother who for 22 years has worked in university food service. Her children are grown now and, though she babysits her grandchildren often, she lives on her own. She is one of the 5,000 people in Allegheny County¹³ who live in subsidized housing or receive a housing voucher. She's had a few brushes with eviction. Housing subsidies are calculated as a percentage of income, with people who earn the least paying no more than 30% of their income toward rent. Green's job provides benefits and decent wages, but every summer she is laid off when the students go on break.

When income goes down, so too should a tenant's contribution to rent payments. But Green's housing manager changed at least three times over a five-year period, and each one interpreted the landlord-tenant guidelines from the Housing Authority of Pittsburgh slightly differently. This led to communication breakdowns and surprise rent increases when Green was in no position to pay more.

"I was making rent payments, but the way I work, with four months off in the summer, my rent was always up and down," she explains. Bookkeeping was inconsistent and, at best, confusing. "We could never keep a full-time housing authority manager, so I had to keep showing paperwork to new housing managers. Then [the rent] statement would come and it would be wrong."

Green would then have to meet with the housing manager in person, which meant a full day off from work and anxiety about how her employer would react to her missing hours.

"A letter would arrive telling me when to go in for the meeting, and I would have to tell my manager when I had to go," said Green. "The meetings were way over to the North Side in Manchester, which is two buses each way or a \$25 jitney trip. We are docked points at work when we miss days. When you get nine points, you're fired."

Those housing manager meetings weren't always enough to resolve things. Green ended up in magisterial district court at least four times, each time paying court fees of \$141 along with back rent. For many renters, the court fees far exceed the rent they owe.

"I would keep my pay stubs to show the judge, but you still have to pay court costs, and the judge is always going to believe the landlord. You really don't have time to say anything. It's like BOOM, the hearing is over, and they raise [the rent]. And people are all up behind you listening to your business. It's uncomfortable," said Green.

At one point in 2015, the court fees coupled with rent increases topped \$700, too much for Green to handle on her own. Her landlord suggested asking the Salvation Army for help. "The Salvation Army sent \$400 to the landlord for me. That resolved the issues with that landlord for a few months. Then my rent got raised again from working, and I got late fees. I paid what I could," said Green. "But the eviction notice is right on your door where everyone can see it. No envelope or anything, and everyone can see how much you owe. That's embarrassing."

"You really don't have time to say anything. It's like BOOM. The hearing is over, and they raise [the rent]."

She's been in a new place since May of 2019 and she loves it. It's peaceful and has a balcony and is within walking distance of groceries and a dollar store. She babysits her grandchildren there. She hasn't met her new housing manager yet because of the coronavirus pandemic. Her job is also in transition. A new catering company has taken over at the university, and Green and her coworkers are receiving unemployment while they wait to interview with new management.

When asked how she wished the system would change, she said, "I wish the world would be better. Period. I wish that everyone would just learn that people don't have as much money as we make in our checks. They look at the gross income. Thirty percent of income is still more than most people can pay. I would hate to see people in shelters. I want to see families together, keeping food on the tables and loving each other, taking care of each other. Life is just hard, and I just wish everyone peace in the world."

Image by Joshua Franzos.

¹³ <https://www.achsng.com/about.asp>

Evictions in Pittsburgh: Context and Qualitative Narrative

There was a time in America when removing a family from a home was considered an unconscionable act, especially if it happened when wages fell or rents rose too steeply. Evictions were so rare, in fact, that when they *did* happen, they sometimes drew crowds. In 1912, the Pittsburgh-based Great Lakes Coal Company attempted to cut the wages of its miners, most of whom lived in company-owned homes. When the miners refused, the company evicted them — all 2,500 men, women and children. The scene that followed grew so tense that it attracted a reporter from the *New York Times*. The miners who refused to move received a “severe clubbing” from the troopers who’d been called to evict them. Others carried their belongings into the nearby hills, aided by sympathetic railroad workers who’d come to offer support. There, the displaced families set up camps, their lots lit by fires and strewn with household items. According to the *Times*, a delegation of Pittsburghers brought newly homeless children back to the city, “where homes [could] be found for them until the parents are in better circumstances.”¹⁴

More than a century later, evictions have become commonplace. Across America, millions of families lose their homes every year. In Allegheny County alone, courtrooms receive some 50 eviction filings a day on average. (A 2018 *Post-Gazette* article found one judge hearing nearly 30 eviction cases in 90 minutes.¹⁵) And while evictions still draw the occasional crowd, today’s onlookers aren’t always there to be helpful. “You got neighbors looking, laughing,” said a tenant in one of our listening sessions. “They think it’s cute, it’s funny. But it ain’t. It ain’t cute, it ain’t funny when it’s you.”

Indeed, evictions inflict a long line of humiliations, indignities and financial burden — it’s an emotional, embarrassing experience that can scar a family for years. But in many ways, eviction’s trauma starts long before a tenant falls short on rent. The trauma begins, you might say, in the housing market itself.

In Pittsburgh, many of the households paying the lowest rent live in publicly assisted housing. In Allegheny County, two-thirds of these households live in private-market rental units, subsidized through housing vouchers. Most of the rest live in properties owned by the County’s three housing authorities: the Housing Authority of the City of Pittsburgh, the Allegheny County Housing Authority and the McKeesport Housing Authority.

There are thousands of individuals on the waiting lists for a public housing unit or the Housing Choice Voucher program in the City of Pittsburgh and Allegheny County. The wait for affordable housing will likely be measured in years. The lists open for short, sporadic windows and fill up almost immediately. During a 13-day application window in December 2018, the

¹⁴ <https://timesmachine.nytimes.com/timesmachine/1912/06/02/100585091.html?pageNumber=7>

¹⁵ <https://www.post-gazette.com/local/city/2018/09/06/evictions-pittsburgh-pay-stay-housing-authority-poverty-judgments-court-costs/stories/201808300097>

Housing Authority of the City of Pittsburgh received nearly 10,000 applications before closing the waiting list again.

Even if you finally secure a housing voucher, your options in Pittsburgh are scarce, even though plenty of units are vacant. Many landlords do not accept vouchers; the regulations and inspections required for receiving government subsidies are often deemed too burdensome to countenance, especially in a crowded, competitive rental market. The landlords we spoke with described wait times of several weeks or longer for inspections and approvals. Often, this means landlords go several months at a time without receiving rent — an untenable prospect for many. Why bother with slow-moving government agencies when landlords could simply rent to higher-income tenants?

As a result, affordable units — whether subsidized or not — are increasingly hard to find. When affordable housing is available, it is increasingly in suburbs and exurbs, making it inaccessible via public transportation and far from human services supports. In some areas, such housing is vanishing altogether, making way for newer development and higher rents. In 2017, the Penn Plaza apartment complex in East Liberty was demolished, displacing more than 200 tenants and changing the face of the neighborhood.

Meanwhile, as the supply of available, low-cost housing dwindles, demand continues to climb. In such a market, this means “the incentive [for landlords] to lower the rent, forgive a late payment, or spruce up your property [is] extremely low,” Desmond explains. Likewise, landlords have less incentive to rent to tenants they see as risky — a perception that disproportionately falls on single women with children. Although discrimination against such tenants is illegal, evidence suggests that it’s still widespread. One study found that nationwide, tenants with children are turned away about 70% of the time.

All of this means that, more often than not, poor families rent homes that consume a precariously high proportion of their income. Experts say rent and utilities should account for no more than 30% of a family’s budget, yet the majority of poor families spend at least 50% on housing. Some spend 70% or more. They simply don’t have any alternative.

High rents leave families with little or nothing left over. And that’s *before* the other costs of everyday life, from transit to medical costs and school supplies. On top of all that, there’s also the eventual price of deferring preventive maintenance (on human bodies, vehicles and more) and the myriad costs extracted from the poor through late fees, overdraft penalties and high-interest payday loans. The old saying is right: Being poor is expensive.

These costs can force gut-wrenching choices on women with children. As one discussion group participant told us, “I can no longer pay this \$800, but I have nowhere else to go. I’m trying to juggle: Do I pay some rent? Do I feed my kids? What do I do?”

Or, as another put it: “The barriers are so strong. [Mothers] don’t know which way to go. If they don’t pay the rent, they have to leave. If they have to leave, they lose their kids. Then they have to go through so many [agencies] to get those kids back.”

The stress of decisions like these can take an enormous toll on people and their families. Toxic stress — that is, stress that occurs during prolonged and frequent periods of adversity — can disrupt everything from digestion to sleep to memory formation. It’s been linked to depression, heart disease, cancer and every other human calamity. It even affects decision-making: Scientists say that what is sometimes called “scarcity mindset” can wreak havoc on the human brain.¹⁶

“Scarcity consumes cognitive resources such as attention, working memory, and executive control, and elicits a range of systematic and even counterproductive cognitive and behavioral responses as a result,” write psychologists Jiaying Zhao and Brandon Tamm.¹⁷ When day-to-day existence becomes a fight just to survive, people tend to prioritize their immediate problems first — even if doing so will cost them dearly in the long run. Of course, this only tightens poverty’s grip.

Another problem is a circumstance known as “the benefits cliff.” In public housing programs, tenants’ rent is generally based on their income. When tenants’ income rises — whether due to a raise, a new job or increased hours — their rent can rise with it if they’re in public housing or receiving a housing voucher. They may also lose additional benefits, such as a child care subsidy that makes child care affordable. And, these benefits decrease almost immediately, leaving families without a buffer to adjust to the loss. Despite making more money, stability falls even further out of reach. As one of the project’s advocates explained, “[You’re] penalized for every single dime [you] make. They jack up the rent and they back-charge \$1,000. You’re working and you report it, and five months down the line, you’re tacked on another \$1,000. So it’s not a win-win situation.”

Another tenant participant agreed: “No matter how much money we make, we still lose out.”

Housing authority employees, however, said that there are procedures in place for preventing this problem — as long as tenants file the proper paperwork, they can accrue extra income without paying more in rent. Since few tenants are aware of this program, the benefit often goes unused. “And what happens all too often,” one employee explained, “is people don’t come to report the increase, because [they] don’t want [their] rent to go up. But then we find out ... and I come to you saying, ‘I now need to back-charge you \$2,000 because you didn’t report an increase in income a year ago.’ You know they can’t come up with that kind of money. So the communication stream is critically important.” If a tenant cannot pay the back rent, the property has the discretion and authority to initiate an eviction filing. Filings are often used as a tool for getting tenants in public housing to pay their rent.

This also applies to the inverse situation: Tenants who experience a decrease in income while living in public housing or receiving a housing voucher may be eligible for a rent reduction. However, several of the tenants in our listening sessions said burdensome paperwork and unresponsive housing managers made rent reductions difficult to obtain.

The inescapable nature of generational poverty — combined with confusing bureaucracy, stifled communication and a lack of affordable units — can push even the most resilient tenants toward hopelessness.

¹⁶ <https://medium.com/bhpn-crosswalk/unstable-unsafe-housing-damages-childrens-brains-9da54b267d50>

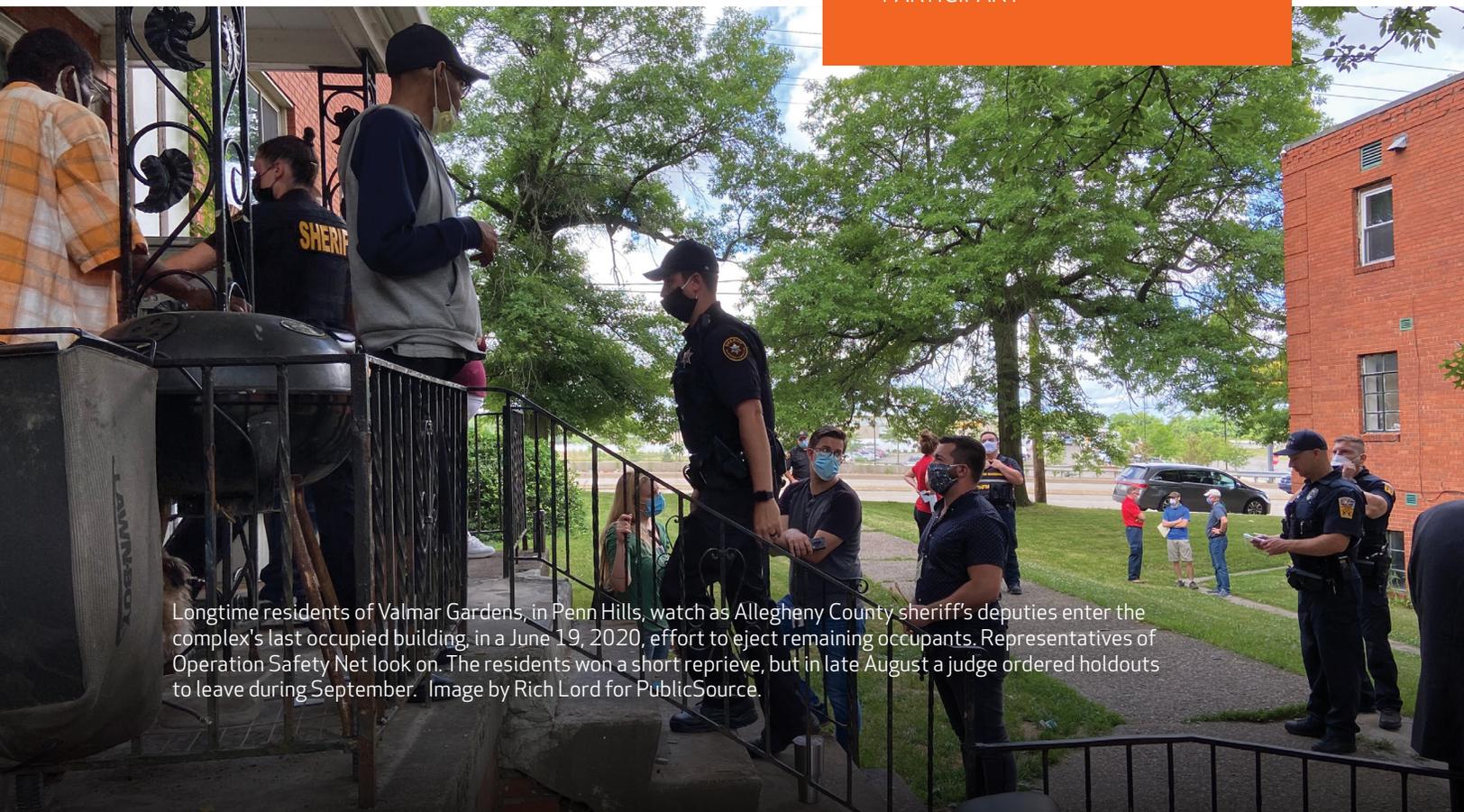
¹⁷ https://zhaolab.psych.ubc.ca/pdfs/Zhao_Tamm_2018.pdf

But while individual choices certainly play a part — “[We] gotta be responsible, too,” as one tenant participant said — eviction rarely results from personal actions alone. Housing insecurity itself is a symptom of something larger: a series of policy failures that converge at the doorsteps of Pittsburgh’s poorest residents. There’s the shortage of public housing units; the minimum wage that hasn’t been raised since 2009; the skyrocketing costs of child care, health care and rent; the lack of paid sick leave; the patchwork of public transit that serves some neighborhoods well and leaves others disconnected; and the benefits cliff that forces families to choose between additional income and essential benefits. Black Pittsburghers, in particular, have to contend with the legacy of redlining policies that prevented them from purchasing homes for more than a century, as well as the lingering effects of “urban renewal,” which saw whole Black neighborhoods bulldozed in favor of highways, sports stadiums and parking lots.

As the list of challenges grows, low-income Pittsburghers fall further and further behind. From 2012 through 2019, the average dollar amount claimed in Allegheny County eviction cases climbed by 35%, reflecting the increases in rental costs in the local housing market over this period.

**“NO MATTER HOW MUCH
MONEY WE MAKE, WE STILL
LOSE OUT.”**

- PARTICIPANT



Longtime residents of Valmar Gardens, in Penn Hills, watch as Allegheny County sheriff's deputies enter the complex's last occupied building, in a June 19, 2020, effort to eject remaining occupants. Representatives of Operation Safety Net look on. The residents won a short reprieve, but in late August a judge ordered holdouts to leave during September. Image by Rich Lord for PublicSource.

Reasons for Eviction

Though a tenant's inability to pay rent is by far the most common reason for eviction, it's not the only reason. Tenants sometimes lose their homes for violating their leases in other ways. In public housing, especially, "You gotta follow a lot of rules," one tenant told us. "It's like ... you've got Big Brother watching over you in your house."

Depending on the unit, those rules can run the gamut from unpopular but understandable (no smoking indoors) to questionable (no grilling) to patronizing (a 10 p.m. curfew). Rules aren't always enforced consistently, and tenants often complain of housing managers who play favorites. In some cases, tenants run afoul of their landlords by breaking a rule they hadn't even known about. In listening sessions, landlords and tenants alike noted a lack of awareness when it comes to the terms of a lease. "That's the major problem we have with eviction," one landlord told us. "[Tenants] don't read the lease. Everything that's pertaining to a possible eviction is in the lease. And they don't read it."

Many of the tenants who spoke with us said they found lease agreements to be overly complicated. Leases are many pages long at a minimum and typically written in dense legalese. Highly educated, highly paid renters rarely read the entire document, and people in search of affordable homes are no different. We heard several stories about tenants who'd experienced eviction because they simply could not read and hadn't otherwise been informed about their rights and responsibilities as tenants. "When you go to sign your lease," one advocate told us, "the person will say, 'On this page is such and such and such.' But they've highlighted what's important to *them*, not what's important to the tenant, okay? And that's the importance of reading before you sign. And if there's something you don't understand, ask the question. There's no harm in asking questions. The harm is when you do *not* ask the question."

Another tenant described the process this way: "Here's this, sign this, where's your deposit, go on about your business." As a rule, tenants and landlords don't sit down with one another to review a lease in full — an oversight that can lead to frustration and eventual eviction.¹⁸

There's also the issue of, as one tenant put it, "the company you keep." So-called "social evictions" can occur when a tenant (or a tenant's child or grandchild) causes the landlord to file for eviction for reasons other than non-payment of rent, such as committing a felony, damaging property, drug use and abuse on the property, persistent disturbance of neighbors, obstructing sidewalks, areaways, stairways. Tenants who experience social eviction can face extraordinary challenges when trying to rent another unit — in some cases, due to mandates by HUD, public housing tenants convicted of crimes are added to what's known as the Exclusion List, which bars them from entering public housing premises.¹⁹ "Social eviction is the worst eviction," one tenant told us, "because you can't get back in."

¹⁸ Qualitative data for this report found that, despite best practice and intention, institutional landlords and tenants rarely reviewed this document together.

¹⁹ Page 77 of <https://hacp.org/app/uploads/2019/11/ACOP-October-2019.pdf>

**“SOME PEOPLE THEY WORK WITH, SOME PEOPLE THEY DON'T
WORK WITH.”**

- PARTICIPANT

Social eviction is just one practice that tenants and landlords described. Another was the issue of making — or not making — essential repairs. In listening sessions, several tenants noted issues with their units that ranged from inconvenient to dangerous: broken toilets, faulty fire alarms and “rats [that] have more space than you have.” Long wait times for repairs were a common complaint; some renters waited weeks or months. “You got some landlords where you pay rent and they still won’t fix things,” said one tenant. Another agreed, noting different standards for landlords and tenants: “If I call my maintenance man, it takes a whole two weeks for [landlords] to come fix the problem. But as soon as I’m a day late on that rent, they’re putting that [eviction notice] on my door.”

Under Pennsylvania law, tenants can legally withhold rent if maintenance issues threaten their home’s habitability. For serious defects, such as a broken furnace, tenants can also pay for repairs themselves and deduct the costs from their rent. However, the procedures for doing so are murky — tenants might not know, for example, that they should inform their landlords in writing. Likewise, they might make repairs without notifying their landlords of the problem or allowing enough time for landlords to respond. All of this can cost tenants money and even spark a lawsuit that tenants have little chance of winning. As such, housing experts consider long wait times for repairs to be a form of illegal eviction, as landlords may intentionally avoid maintaining units as a way of forcing renters out. In cases like these, moving is sometimes a tenant’s easiest and least expensive option.

Finally, there’s the issue of alternative payment arrangements. In listening sessions, several tenants discussed landlords who’d given them a break or lowered the rent during times of scarcity. While this ad hoc flexibility is undoubtedly helpful, it isn’t without its downsides. For one, helping some tenants and not others can spark distrust and accusations of favoritism. “Some people they work with, some people they don’t work with,” one tenant in the study told us.



SAMANTHA GILLCRESE

FUTURE HOMEOWNER,
EAST LIBERTY

Samantha Gillcrese, 47, of East Liberty, is upbeat and focused. She's a career advisor with PA CareerLink. She excels in this work because she's committed to helping people overcome barriers, just as others have helped her. In a few months, if she's able to fully execute her plans, she'll be a first-time homeowner. Gillcrese's dream of owning her own place was nearly derailed in 2016, when she and all of her neighbors learned that their building in East Liberty Gardens, an affordable housing complex, owned by a consortia of nonprofits, was going to be torn down.

"When we first moved in there in December of 2013, they told me it would be five years until they were ready to renovate. My plan was to spend those five years building my credit," she said. Gillcrese was among the last to leave the building.

"There were only five or six people in there by the time I left. It was dark and scary with hardly anyone there and the lights all off," said Gillcrese. To ease the financial and emotional stress of relocation, the Housing Authority covered the cost of moving expenses and a security deposit for all tenants. "But I wasn't trying to move back into some sort of project. I wanted to get a house," she said.

In September of 2016, with the help of her housing manager, she found a new place, a rental property managed by the nonprofit East Liberty Development Inc. (ELDI). Her rent was subsidized, but wage

“The best thing would be to stop treating people like numbers, and act like people exist and that they matter.”

increases and job promotions almost cost her that subsidy.

“[The Housing Authority] adjusted my rent up in the fall, but they wouldn’t tell me until December. So, right at Christmas, I got a notice that I owed back rent to October that was already three months late,” she said. “There was no time to catch up.”

Gillcrese was lucky. Her new landlords at ELDI waived her late fees and set up a payment plan, which helped her avoid eviction proceedings.

ELDI also connected her to the Circles Program, a financial literacy and networking program that helps people develop the skills they need to move toward self-sufficiency. She credits ELDI and the program with helping her transform the loss of her apartment to a pathway to homeownership. But she wishes she had learned much earlier about all of the programs meant to help people like her move from being renters to owners.

Her hope is that others don’t have to lose their homes, as she nearly did, before discovering these opportunities. She wishes for more humanity and a system that focuses on people. “If you are going to readjust someone’s income, you need to give notification and not work it back three months. If you can’t come up with that money, you could end up in court and be evicted,” Gillcrese said. “The best thing would be to stop treating people like numbers, and act like people exist and that they matter.”

The Landlord Perspective

Landlords are well aware of the statistics and stories. They understand that they — and their profession — can be easily cast in a negative light, especially when discussing eviction and the suffering it inflicts. In listening sessions, however, they emphasized that accusations of greed and cold-heartedness are largely unfair. “They look at us as the villain. We’re not the villain,” one landlord shared. “We’re the guys who are giving you the property. We’re the guys hanging in there with [tenants’] low income and trying to make it work and give decent housing.”

Several landlords described their efforts to work with struggling tenants while also paying bills of their own: mortgages, maintenance costs, taxes, leasing fees and more. For many, eviction is a tool of last resort, to be used only when everything else has been tried. “I don’t believe there’s any landlord out there that’s snickering, laughing, saying, ‘I love this,’” one landlord said. “I think all of us can relate. I put a girl out ... I feel bad about it. I sit and talk to people about it, you know? I try to walk in people’s shoes. I have probably a small mortgage’s worth [of unpaid rent] that I would love to get paid for.”

Landlords also described their challenges with navigating the Housing Choice Voucher program, formerly known as Section 8. Any property subsidized by housing vouchers has to submit to a range of federal standards and inspections. Although these are meant to ensure that tenants receive safe housing, they also create delays that make participating in the program overly burdensome. In listening sessions, landlords described waiting several weeks or more for required inspections. “We have the units available,” said one landlord participant, “but the tenants can’t get into them because the [housing authorities] can’t get through the process fast enough.” Others expressed frustration that the voucher program holds landlords responsible for tenant behavior. If an inspector finds a filthy oven, for example, the landlord risks not receiving a subsidy until it’s been cleaned, even if the tenant made the mess.

This tension — wanting to work with tenants and provide quality housing on one hand, and needing to get paid in full and on time on the other — has led some landlords to adopt a “strictly business” mindset. These landlords emphasize that evictions aren’t personal; rather, it all comes down to a landlord’s bottom line. “When you’re in there,” said one, “I’m not your mother. I’m not your nanny. I’m not your best friend. I’m your landlord. I’m going to provide you with good, clean housing and I’m going to provide maintenance and I’m going to work with you the best I can.”

Another landlord put it directly and shared that they are not a program or tenant support organization, stating, “We say we’re in this for the money, which is accurate. I want to get paid.”

However, landlords on both ends of the sympathy spectrum say they go out of their way to avoid evicting tenants. “We’re not in the business of evicting people,” said one. “Let me say that again: We are *not* in the business of evicting people.” Legal fees and other costs incurred while pushing some tenants out and bringing new tenants in can be prohibitive, and most landlords would rather avoid the court system altogether.

“The law is totally against our side,” said one. “Our tenants just decide not to pay, and I have no backing,” said another. “I try my best to help them, but the court system is not on our side as landlords.”

This prompts an understandable question: How could landlords feel so aggrieved by a system that consistently finds in their favor? One reason is that when judges rule in favor of landlords, they almost always charge court fees and unpaid rent to the tenant.

However, a judgment is only the first step; *collecting* on that judgment is something else entirely. “I, in the end, will win” an eviction case, one landlord told us. “But that means nothing, because they’re living in my unit rent-free. I end up paying their utilities. Do you think I’m going to get money from them? I won’t get any money from them. Not a dime. I win, but they don’t pay me.”

Beyond withholding a tenant’s security deposit, landlords typically have limited recourse when it comes to recouping what they’re owed. They can garnish their tenant’s wages and bank accounts, but a lack of wages is often what caused the eviction in the first place. Meanwhile, a quarter of U.S. households are unbanked or underbanked, meaning they don’t have or don’t use bank accounts, typically because they lack the necessary funds.²⁰ Often, a landlord’s only hope is to obtain a judgment that prevents a tenant from buying property of his or her own until past debts have been paid (with interest). In cases like these, landlords may wait years to recoup their costs, if they ever recoup them at all.

As a result, landlords generally lack enthusiasm for going to court. The overwhelming majority of Allegheny County’s landlords file very few eviction cases (see page 15). As stated earlier in this report, almost one-third of the county’s landlord-tenant cases in 2019 involved just 15 landlords, each of whom filed 100 cases or more. Among these landlords, several described evictions as a sort of balancing act: “We’ve got a really robust waiting list,” said one City of Pittsburgh Housing Authority employee. “So you have two ends of a scale that you’re trying to balance. Of course, if we evict people, then we can let more people in.”

Another put it this way: “The last thing a landlord wants to do is evict. It’s a nuisance, it’s time-consuming and everyone loses.”

Still, when tenants can’t pay rent, landlords risk falling behind on their own bills and even losing their properties. Evictions, landlords argue, are a necessary evil — a last resort that they’d rather avoid altogether. A few have found that despite their dislike for the process, evictions are sometimes the only way to get paid. After filing for eviction, one landlord told us, “Lo and behold, all of a sudden, money comes in from an aunt.”

**“WE ARE NOT IN
THE BUSINESS OF
EVICTING PEOPLE.”**

- PARTICIPANT

²⁰ <https://www.cnn.com/2019/03/08/25percent-of-us-households-are-either-unbanked-or-underbanked.html>

The Process and Cost of Eviction

Even the most straightforward eviction cases can stretch out for weeks or months, costing far more than what's owed and inflicting untold suffering on the families involved. To truly grasp the degree to which "everyone loses," it's helpful to follow an eviction from start to finish.

Imagine a tenant whose surroundings are starting to change. Down the street from her building, a few flipped homes sell for three or four times what their owners paid. A new condo complex goes up on the next block, along with a brewery, a coffee shop and a restaurant reviewed in the *New York Times*. The neighborhood's property values start to climb. Eventually, the tenant's landlord raises the rent accordingly, both to cover the costs of regular wear and tear and to maintain a steady profit. The tenant may find herself unable to afford such an increase, especially if she loses her job or encounters an unexpected expense.

A number of nonprofits, churches and government agencies may be able to help such tenants, offering short-term rental assistance and help with emergency bills.²¹ Several of the tenants in our listening sessions extolled these programs, which number more than a dozen throughout the Pittsburgh region and can often be reached by dialing 2-1-1 — the United Way of Southwestern Pennsylvania's telephone number for health and human services needs.

However, these services are not long-term solutions. Many can be used only once a year, and several tenants said they hadn't been aware of such programs in the first place. "Well, they got this program, they got that, but who knows about it?" said one. "Some people can read and some people can't... if somebody don't tell you about it, you don't know nothing about it. So you are caught in the system [and] you don't know what to do."²²

When a landlord decides to evict a tenant, Pennsylvania law requires them to send the tenant a written notice of their intent. In legal terms, this is what's known as a "notice to quit." However, the law *also* lets landlords waive this requirement in their leases, meaning that some landlords are under no obligation to inform their tenants of a pending eviction. Some tenants learn they're being evicted only *after* their landlord has filed a complaint, at which point court costs have already been incurred and the filing has been logged on the tenant's record. Some of the tenants we spoke with had been evicted by landlords who hadn't bothered to warn them; at least one was called before a magisterial district judge without understanding why.

Not surprisingly, tenants and landlords in our listening sessions both stressed that communication is critical, especially during the early stages of an eviction. State law doesn't always require it, and both parties may try to avoid it as frustrations mount and relationships sour. Tenants might also hesitate to speak up when there are potential financial consequences: "Say my boyfriend lives with me and he's not on the lease," one tenant told us. "There's that struggle of, do I put him on the lease? Because my rent's gonna go up. And I really can't afford that increase. So folks struggle with that."

²¹ https://www.needhelp-payingbills.com/html/pittsburgh_rental_assistance.html

²² Qualitative data for this report found that knowledge and understanding of and access to assistance programs and other resources are often barriers to residents.

But open communication could thwart some evictions before they officially start, housing experts say. Ensuring that tenants have every opportunity to work out a deal with their landlord could prevent the kind of suffering that's all but guaranteed once an eviction reaches the courts. "I honestly think that [landlords] should give people more opportunity — more advance notice — before they file" for eviction, one advocate said.

Another concurred, noting that once landlords file, "They throw the tenants ... on a time frame that's impossible."

To initiate an eviction, a landlord goes to a district's magisterial court to formally present a complaint. This action alone can cause severe and long-lasting problems for a tenant even before the case reaches a judge. It can also be a bully tactic: Many tenants move out once the notice is received to avoid an eviction on their record. The moment a landlord files, the amount of money involved increases. Although a tenant may owe only a small amount of back rent, court fees can quickly add hundreds of dollars. The landlord must pay these fees up front, knowing that if a magisterial district judge finds in their favor, the fees will be added to the tenant's original debt. And because these fees are fixed costs (as opposed to a percentage of what a tenant owes), they hit low-income tenants especially hard.

Average judgment amounts for low-income tenants, May 2014–April 2017

Tenants paying ≤\$100/month in rent: Average costs

Landlord Type	Total Judgment	Rental Arrears	Costs + Fees	Total Judgment/ Rental Arrears
Housing authorities	\$359	\$208	\$138	173%
Other HUD owners/ managers	\$1,021	\$837	\$145	122%
All others (private)	\$712	\$509	\$153	140%

Tenants paying \$201–\$300/month in rent: Average costs

Landlord Type	Total Judgment	Rental Arrears	Costs + Fees	Total Judgment/ Rental Arrears
Housing authorities	\$667	\$505	\$138	132%
Other HUD owners/ managers	\$1,295	\$1,096	\$150	118%
All others (private)	\$1,128	\$897	\$154	126%

The tenants in our listening sessions put this in perspective. “You could be going to court for just \$10!” said one. “Oh, but now you have to pay \$150 on top of the \$10 because you went to court for it. So it went from \$10 to close to \$200.” Indeed, the average amount owed by the lowest-income housing authority tenants is \$208, while the average cost of their court fees is \$138. Meanwhile, due to state rules, many tenants aren’t allowed to cover court fees with funds they receive from eviction-prevention programs. This means fees push low-income tenants even further into poverty, making it ever more difficult to find a stable foothold.

“You know, if you don’t pay the rent one month, it piles up,” another tenant told us. “And with court costs coming, you’re not going to be able to pay all that.”

Tenants’ problems don’t stop there. Every eviction filing is logged on a tenant’s record, where it’s visible to future landlords *even if the tenant ultimately wins the case*. A single eviction filing can prevent a tenant from renting another unit, because landlords often hesitate to rent to tenants who’ve been filed against. “If it’s within five years, I don’t want to hear the [tenant’s] story,” one landlord admitted. “I don’t even care, if I’m being honest. If I see [a tenant] was filed against and they won, I still won’t take them.”

(Fortunately, other landlords were less rigid. “I’ll listen to [the tenant’s] story,” said one. “I’ll look at the value of that.”)

When a landlord files an eviction complaint, the complaint has to be personally handed to the tenant or — as is far more common — posted on the door. The public nature of the notification process can be humiliating, tenants said. “They’ll put it right on the door. With tape!” one tenant told us. “It’s nobody’s business!”

A notice must also be mailed by court, stating the reason for the eviction and the date and time of the scheduled hearing. Typically, landlords and tenants are expected in court seven to 15 days after the landlord files a complaint. Attendance is absolutely essential: If one party is late for the hearing or fails to show up altogether, judges usually find in favor of who is present. Magisterial District Court Judges are required to have a hearing for an eviction filing case, and they also have the right to take an appeal.

Given the high stakes of an eviction hearing, one might assume that both parties almost always attend. In reality, there are several reasons why tenants might miss a court date. For one, they might be unaware that the hearing has even been scheduled. When notices from the court aren’t personally served, they can be easy to miss: They might be posted on the wrong door, or on a common door in an apartment complex. They might be mistaken for junk mail or accidentally thrown away. Likewise, tenants might receive a notice but not understand it — as with leases, the dense language of housing law can be hard to comprehend. Magisterial District Courts are prohibited by law from offering legal services, though tenants can access information about such services from other providers, if available.

Participants in our listening sessions noted other reasons, too. Attending a court hearing requires both tenants and landlords to miss work and find child care. For low-income tenants who are less likely to have a vehicle, a flexible work schedule or the ability to sacrifice a few hours' pay, these challenges can be especially daunting. Others have had prior experiences with the legal system that make going to court a terrifying, even traumatic ordeal. One tenant recalled a mother of three who'd been recently released from jail when she learned she was being evicted. "They gave her, like, a 10-day notice and she was scared to go to the magistrate and defend herself, so she didn't show up," the tenant said. "She was so intimidated by the system that was serving her that she didn't do anything. She was already traumatized by what happened."

Other tenants saw little point in attending a hearing, since tenants almost always lose anyway. "Most court judges," one participant said, are going to find for the landlord "because the landlord is always right. You should have paid the rent."

Tenants are also less likely than landlords to have legal representation. This is true across the country. In Philadelphia, for example, landlords have historically had legal counsel in about 80% of eviction cases, compared to just 11% for tenants. The differences were even starker in New York City. However, both cities have passed right-to-counsel legislation in recent years, effectively guaranteeing representation for low-income tenants in eviction cases. In listening groups, some tenants called for a similar law in Pittsburgh. "I mean, I've heard people say, 'The judge didn't even hear from me. He just listened to the landlord,'" one tenant said. "So a lot of [tenants] need representation so they can understand what's happening."

As noted on page 17, however, in Allegheny County, neither landlords nor tenants tend to hire lawyers. Among the few cases that do involve lawyers, outcomes vary, making it impossible to predict how a right-to-counsel law might play out in the Pittsburgh region. And some landlords took issue with the idea of free representation for tenants. "What about a landlord's legal help?" asked one. "We're paying for the [court system] ... Like I had to tell one magistrate, 'I'm not here because I want to do this. I'm here because I have to do this.' I have bills. Our taxes keep going up. It's tough. Insurance goes up."

When both parties are present in court, several outcomes are possible. The first is when the landlord and tenant agree to settle, either on their own or with the assistance of a lawyer or a mediator. The second, called a continuance, simply means postponement — something that either the landlord or the tenant may request of the judge. It's up to the court whether or not to grant such requests.

The third outcome is mediation. In some cases, courts will send tenants and landlords to a mediation room, where they're asked to work out a deal. If tenants and landlords manage to do so, they sign what's called a judgment by agreement — a binding contract approved by the judge that outlines the terms for moving forward. If a tenant violates the agreement, the landlord can move to evict. Conversely, if a landlord violates the agreement, the tenant may be able to seek damages.

If mediation is not successful, the landlord and tenant appear before a judge to state their cases and present evidence. Many of the tenants in our listening sessions expressed pessimism about these hearings. “[The judge] don’t listen. He don’t give a damn,” said one. “[As] long as he gets his money.” Others saw the outcome as dependent on a judge’s mood. And while impressions like these are admittedly subjective, it’s undeniable that in Allegheny County, tenants lose cases far more frequently than landlords. And while tenants viewed some judges as unfair or uncaring, they noted that others give renters a “second, third, fourth [or] fifth chance.”

In Pennsylvania, the Landlord and Tenant Act of 1951 gives three options to evict: nonpayment of rent, end of lease and breach of lease. A landlord may win the case, but if the only reason for an eviction is unpaid rent, tenants are given the option to pay the full amount owed — plus court costs and other fees — and remain in their unit. This is informally called the “Pay and Stay” option.

According to the 2020 report “Eviction Cases in Allegheny County, 2012–2019, A Joint Publication from the Allegheny County Department of Human Services and The Pittsburgh Foundation,”²³ 73% of evictions filed are for overdue rent, meaning that in the vast majority of cases, filing for eviction is a way to collect the rent. In 2018, Allegheny County judges, in accordance with the law, gave tenants the Pay and Stay option 73% of the time, provided there were no other reasons the landlord filed for eviction. Tenants who received the option to Pay and Stay are typically given 20 days or more to pay the rent they owe plus court costs. Pay and Stay is beneficial to tenants because it provides them with more time to produce the rent they owe through rental assistance or help from relatives. If a tenant fails to pay by the deadline, the landlord can file for possession of the property.

Tenants may appeal the court order for eviction to Common Pleas court. The process of simply filing an appeal guarantees that people can stay in their homes until the proceeding is over. But filing an appeal has hard costs, which many low-income tenants find all but impossible to scrape together. Many fall further behind than before: In their scramble to stay in their homes, they may miss shifts at work or even lose their jobs.

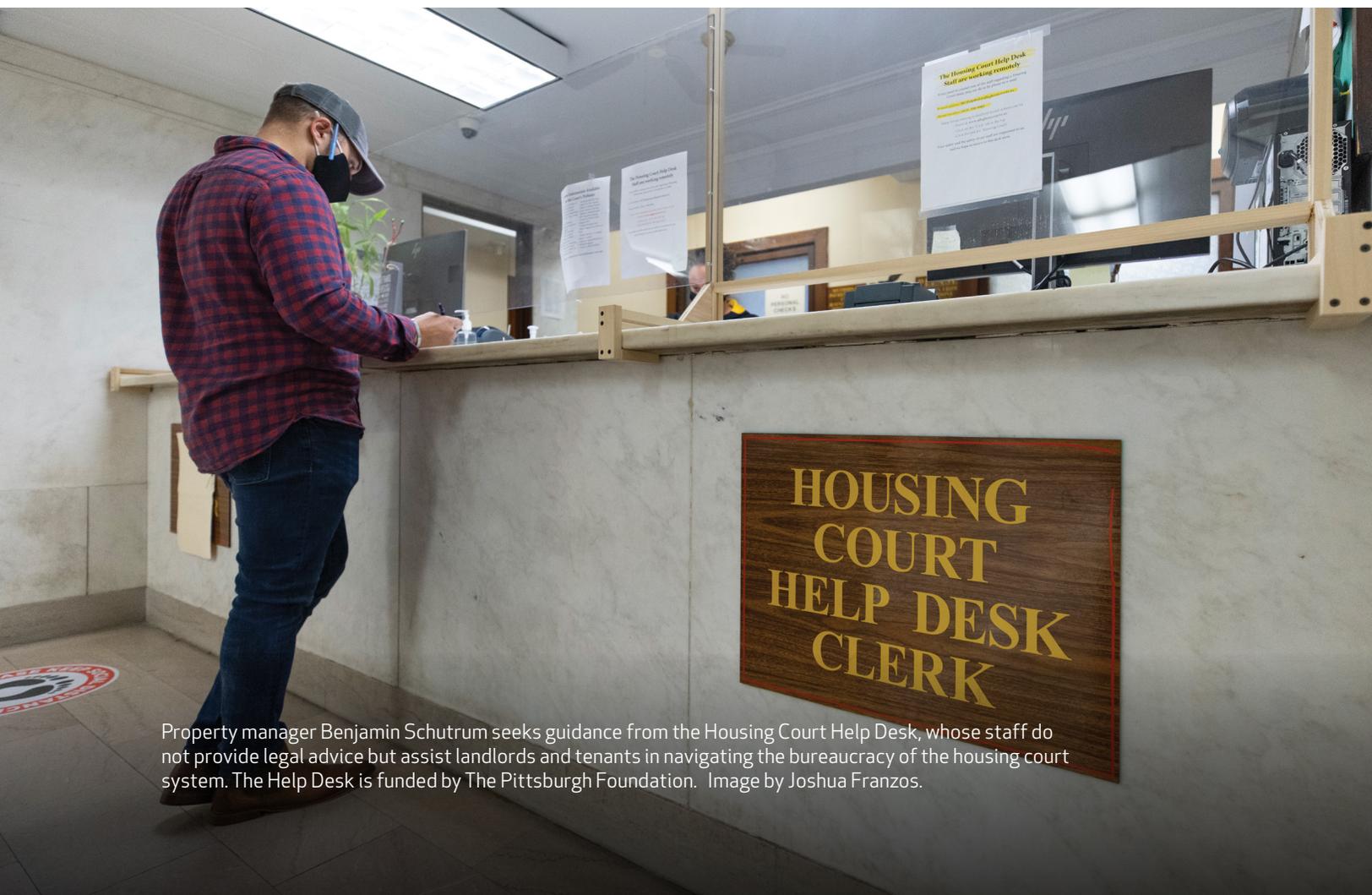
Pennsylvania offers low-income people the opportunity to appeal the court order in the Court of Common Pleas. Appeals involve tenants filing an affidavit stating that they are an eligible low-income person and do not have the ability to pay the required amount, typically one-third of rent owed or the monthly rent in escrow. Common Pleas Court has developed a Housing Court, which offers help with filling out the affidavit and with applying for rental and legal assistance, including mediation with the landlord, to tenants before the hearing.

The other landlord-favoring judgment is a ruling “without condition,” meaning that the tenant must vacate immediately and that there is no opportunity to resolve the situation. If the landlord lists additional reasons for evicting a tenant, such as damage or criminal activity, the court can find for the landlord without condition — that is, the eviction can proceed even if the tenant is able to pay. Tenants then have 10 days to appeal the court’s decision, which temporarily stops the eviction. However, filing an appeal can be complicated and expensive, and tenants without representation are very unlikely to do so.

²³ https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/10/20-ACDHS-19-Eviction_v5.pdf

And even if they *are* able to pay what they owe, they may still suffer financial consequences. Because landlords are not required to record when debts have been paid, the court judgment appears in the public record as a debt even if it has been discharged. Tenant screening companies can and do use this information to lower a prospective tenant's rating. Landlords can prevent this from happening by completing a simple, one-page form; however, this mechanism is little known and rarely used.

If a tenant cannot pay past-due rent and does not file an appeal, the landlord can request a Writ of Possession from the court. This notifies the tenant that she'll be evicted 11 days or more from the date the Writ is issued. If the tenant does not leave the property on her own within that time frame, the landlord can request an Alias Writ of Possession, which authorizes a sheriff or a landlord-tenant officer to forcibly evict the tenant from the unit. Pennsylvania law requires landlords to store any left-behind belongings for 30 days at their own expense; if a tenant wants to retrieve them, they have to do so at the landlord's convenience.



Property manager Benjamin Schutrum seeks guidance from the Housing Court Help Desk, whose staff do not provide legal advice but assist landlords and tenants in navigating the bureaucracy of the housing court system. The Help Desk is funded by The Pittsburgh Foundation. Image by Joshua Franzos.



ROBERT UTTER

LANDLORD

“The last thing a landlord wants to do is evict. It’s a nuisance, it’s time-consuming and everyone loses.”

Eviction is the last thing that landlord Robert Utter, 35, of Shadyside, wants to do. It’s a process that he dislikes “not only because it is an unkind thing to do” but because the costs to both landlords and tenants are significant. He’s not referring to the \$150 filing fee. “I pencil in about \$3,500 on average in losses if I have to eject someone, and that doesn’t include the money I’ve lost getting to that point.”

Utter took a circuitous path to renting properties. He graduated from law school in 2009 with aspirations to be a real estate lawyer. Then the real estate market crashed. After practicing civil litigation for a few years, he realized he wanted to work for himself. In 2010, he bought his first rental property, a duplex, and his business has since grown to about 250 rental units, mostly residential, in Allegheny County. About half are rented to people with Housing Choice Vouchers, a program previously known as “Section 8.” A federal Housing and Urban Development program administered through local housing authorities, the Housing Choice Voucher program helps low-income people, the elderly and people with disabilities afford safe, decent housing on the private market. Under the Housing Choice Voucher program, tenants pay a portion of the rent roughly equivalent to 30% of their income.

The program provides real benefits to landlords, including guaranteed rental income and annual inspections to make sure properties meet HUD standards for safety and cleanliness. While some landlords bristle at the inspections, Utter considers Housing Choice Voucher quality standards “more than fair, but sometimes quirky,” which means landlords have to take time to learn the standards and ask a lot of questions.

“Someone gives you a free inspection. You find out if there are massive holes in the wall. Yes, you have to fix them, but you just learned, for free, that your

tenant is beating up the place. To me, inspections are an asset not a liability," he said.

According to Utter, the shortage of landlords who accept Housing Choice Vouchers isn't attributable to disruptive or late-paying tenants. Bureaucratic delays and inconsistencies are what lead landlords to quit the system or never join in the first place. Allegheny County's three housing authorities each have slightly different rules, directors and inspectors. If a tenant with a voucher moves and transfers from one housing authority to another, landlords and tenants must deal with both agencies.

Rent payments also take longer through the Housing Voucher Program. For Utter's non-voucher tenants, the turnaround time from first meeting to leasing can be a matter of days. But with housing voucher tenants, there is a lengthy process of paperwork, meetings and inspections that can take one to three months to complete. It can then be another month or two until landlords are paid. While this isn't an issue for larger property owners like Utter, "if you are a small mom-and-pop landlord with a duplex and a mortgage to pay, it's not really feasible."

He also believes that recent changes in Allegheny County landlord-tenant appeals have swung the process too far in favor of tenants.

"I am perfectly fine with making my case to an objective judge. The district magistrates do a great job of knowing the rules and giving everyone a fair shake. But on appeal there are no rules anymore. Tenants game the system and wait until the last minute to file an emergency motion to appeal and get at least 10 more days before the motion is heard, which is more time they don't have to pay rent. Their motion is almost always

granted, regardless if there actually was an emergency," Utter said.

Because he anticipates that late appeals will always be granted, Utter is now quicker to file eviction, a process he previously delayed as long as possible.

"Because I assume that all magistrate judgments will be late-appealed, I file eviction complaints faster than I used to. A few people are undeservedly granted extra time, and it hurts everyone else."

When asked how the Housing Choice Voucher system could improve, he acknowledges that the housing authorities have made great strides in improving communications, but he wishes that there was faster, more consistent processing of vouchers, performance of inspections and initial payment of rents.

He believes strongly that communication and mutual respect are key to the landlord-tenant relationship.

"The only time where we are nonamenable to payment plans is with problem tenants who damage the unit, are disruptive to other tenants or are disrespectful to my staff," Utter said. "Otherwise, we will make any accommodation to work with a tenant and keep them in a unit. It's in their best interest to be able to stay in the unit, and it's in my best interest as well."

Impact and Consequence of Eviction

It's no coincidence that the white picket fence figures so prominently in the American Dream. Every promise this country makes — that hard work will be rewarded; that opportunities will be doled out equally; that we all have a right to life, liberty and the pursuit of happiness — requires four walls and a roof that doesn't leak. A safe and stable place to live is the foundation for any family's health, happiness and hope for the future. It is the wellspring from which human potential flows; without it, life is little more than a fight for survival. No community, no city, no society can expect to improve — or to call itself livable — while condemning so many of its members to such an existence.

Eviction denies these basic rights to the very people who've been denied them in the first place. Low-income tenants and their families *already* face higher rates of social, economic and environmental stress, preventable illness, and other hardships that poverty creates. Housing insecurity compounds and amplifies the impact of these problems on individuals, families and communities.

Eviction's cascading effects cannot be overstated. Consider, for example, the simple act of having to vacate a unit: The average cost of moving locally is \$1,250.²⁴ Right away, evicted families find themselves in a bind. "If I ain't got the money to pay the rent, I don't have money for a truck," local housing activist Ronell Guy told the *Post-Gazette*. "I don't have money to get my things ... People don't understand that other [hardships] come from that."

Indeed, the material losses that come with eviction can be devastating, affecting families long after a Writ of Possession is issued. When tenants lose their homes, they often lose their possessions, too: furniture, clothes, kitchenware and more, none of which is easily replaced when tenants are thousands of dollars in debt.

All of this erodes the mental health of people who've been evicted. "It was very hard after I got put out," one tenant participant told us. "[There was] no kind of help for me. I had five kids at the time. So it was very hard." This hardness comes in many forms: embarrassment, anxiety and depression, just to name a few. It also leads to loneliness — after an eviction, tenants may feel isolated and adrift, separated from the people and places that had supported and nurtured them. One of our most fundamental human needs, scientists say, is the need to belong: to feel that we're included, accepted and wanted. But to be evicted is to be told the opposite: that you're not worthy of your home, your school, your church or your community. It's to be told that you don't matter.

²⁴ <https://www.moving.com/movers/moving-cost-calculator.asp>

People who've been rejected this way start to question their self-worth. This can be debilitating and even deadly. Though the link between eviction and self-harm has yet to be extensively studied in the United States, a 2016 study in Sweden compared people who'd been evicted to the country's population at large. The proportion of suicides among the former group was 10 times higher than in that of the latter. Eviction, the researchers wrote, is a "traumatic rejection" — "an exquisitely shameful experience in which one's most basic human needs are denied." As a tool, evictions ought to be examined in light of its consequences, the scientists argued. "Is suicide a reasonable outcome in relation to rent arrears of €1000–€2000 [USD \$1,400–\$2,800]?"²⁵

Lastly, eviction affects more than individuals. An eviction on one's record means that a tenant will almost always be rejected by landlords who screen their applications. As one landlord told the *Post-Gazette*, "The only reason you would take [a tenant with a prior] eviction is if you don't screen." Moreover, an evicted family from Pittsburgh can't simply start over in Cleveland — their debts and eviction records will follow them. Over time, landlords' rejections start to shape the health and wellness of children, families, communities and whole cities. And, a record of eviction can lead to ejection from the Housing Voucher Program.

Those variations can have profound effects on tenants and their children. Research led by Harvard economics professor Raj Chetty has revealed that children's neighborhoods are closely linked to their future trajectories. Based on one's childhood census tract, scientists can predict an adult's income, employment rate, incarceration rate and more.²⁶ In Pittsburgh's heavily segregated neighborhoods, children who grow up just blocks away from one another can have wildly different lives as adults. For example, "children born about 40 years ago in the Larimer tract are now adults earning less than half of what adults from the Shadyside tract now earn, on average," reports a 2019 article on PublicSource. "And the Larimer group was more than six times as likely to have been incarcerated."²⁷

Neighborhoods can even predict residents' health and longevity. Life expectancy in most of Highland Park is about 86 years, reports the *Post-Gazette*. In nearby Larimer, however, it's 62 — a difference of 24 years. Extreme disparities like this one exist throughout the region.²⁸

By pushing low-income families toward census tracts that provide fewer opportunities, less mobility and shorter lifespans, evictions effectively sentence children to poverty and poor health, putting a new generation at risk of losing their homes. This is how the cycle of poverty starts. And it's this cycle that the Foundation has set out to end.

²⁵ <https://jech.bmj.com/content/70/4/409>

²⁶ <https://opportunityatlas.org/>

²⁷ <https://projects.publicsource.org/pittsburgh-neighborhood-success/>

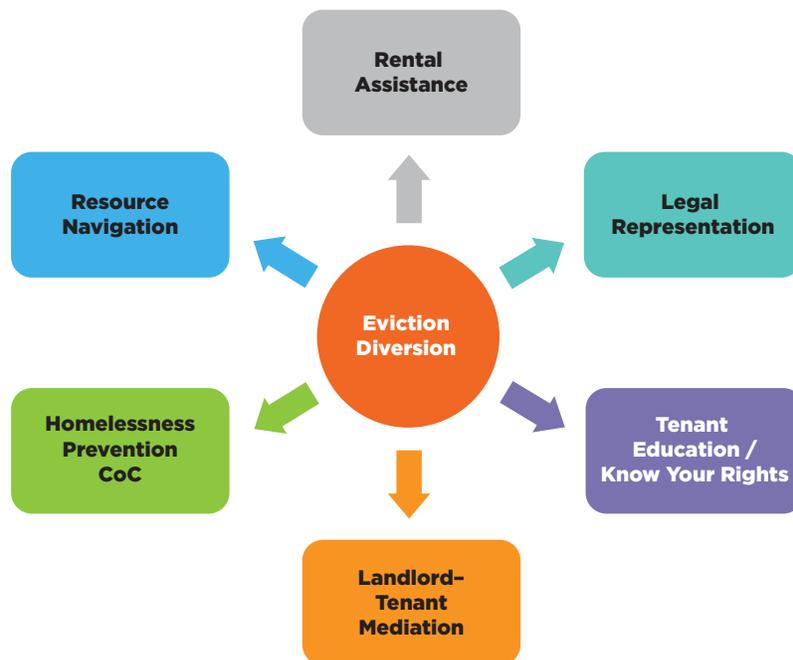
²⁸ <https://www.post-gazette.com/news/health/2019/09/16/Life-expectancy-Pittsburgh-neighborhoods-citizen-scientists-Live-Longer-project/stories/201909120184>

Recommendations

The proposals below come from dozens of hours of careful listening. Through consultation with tenants, landlords, housing advocates, judges and others — all of whom graciously shared their time and expertise — we’ve developed a series of recommendations that, if enacted, would reduce housing insecurity and alleviate the suffering that evictions inflict. While these recommendations are by no means comprehensive, we believe they’re essential first steps toward building a region where safe, stable and comfortable homes are a basic human right.

The recommendations have also been informed by what members of the foundation’s Eviction Work Group has learned during the coronavirus pandemic and through participation in a National League of Cities and Stanford University Legal Design Lab Eviction Cohort. In mid-March 2020, the coronavirus pandemic precipitated the closure of nonessential businesses and loss of jobs for millions of Americans. Courts issued moratoria on the filing and processing of evictions but did not stop the payment of rent. Funding provided by federal and state government for rental assistance and other supports offered an opportunity to test the beginnings of a local eviction prevention system as city and county agencies scrambled to provide emergency rental, legal and mediation assistance.

Elements of a Local Eviction Prevention System²⁹



²⁹ National League of Cities and The Pittsburgh Foundation’s Eviction Work Group

RECOMMENDATION 1:

Work with Partners to Create a Coordinated Eviction Prevention/Diversion Program in Allegheny County.

The core elements of a system to prevent evictions and potential homelessness should include rental assistance, landlord-tenant mediation, legal representation and resource navigation. Supporting activities include tenant education and “know your rights” workshops and incentives for landlords.

RENTAL ASSISTANCE

- Support development of a coordinated and publicly funded rental-assistance program. Evaluate the short-term programs funded through the CARES Act to develop an approach that is humanizing, respectful and grounded in the contexts in which tenants live.
- Support long-term coordination of rental assistance with case management through Allegheny County’s Family Support Centers and other contracted human services nonprofits.
- Provide timely access to rental assistance to tenants who appeal the ruling of the Magisterial District Court Judge to Allegheny County Common Pleas Court.
- Expand rental assistance through other programs:
 - Explore financial stability and capacity-building models (examples include third-party payee models such as those used at The Open Door and direct deposit from Social Security or bank accounts to the landlord).
 - Consider creating a new emergency rental assistance fund model that could be funded through Foundation donors, the public and the corporate community.

Relevant comments from focus group participants include:

“Lord knows, as you get older, you forget things. So you know, I have them automatically take rent out of my check.”

“[Are] there programs that can help them pay? That we can be aware of when these things happen, that we can direct them to? Or are they affiliated with different case workers who can help?”

“I know there are programs in housing, like the Urban League, they would help. There’s programs [like] Neighborhood Legal Services ... Their programs are really good.”

RECOMMENDATION 1 (continued):

Work with Partners to Create a Coordinated Eviction Prevention/Diversion Program in Allegheny County.

LANDLORD-TENANT MEDIATION:

- Develop a coordinated mediation system that helps resolve landlord-tenant issues before evictions are filed and prior to Magisterial District Court hearings.
- Train local residents and advocates to serve as community mediators to help resolve tenant issues as they arise and to support tenants in Magisterial District Courts.
- Help tenants and landlords resolve conflicts before they get to court by strengthening tenant advocacy and supporting community mediation programs that work in collaboration with legal aid organizations.

LEGAL REPRESENTATION

- Support establishment of a pilot project to assist tenants who are facing eviction. The program could include coordination of legal representation, rental assistance, a tenant hotline, a Magisterial District Court help center, community trainings and educational materials created in collaboration with Neighborhood Legal Services, Community Justice Project, Regional Housing Legal Services, Pennsylvanians for Modern Courts, private *pro bono* attorneys and students from the law schools. (See Philadelphia Eviction Prevention Program.)³⁰
- Using information from the Stanford Legal Design Lab program,³¹ work with partners, including Pennsylvanians for Modern Courts and Magisterial District Court Judges, to develop tenant training modules about court procedures in the eviction process. The modules should include legal defenses, ruling options, implications and timetables for use by Community Mediators and Resource Coordinators to:
 - Assure that tenants understand their rights and are clear about what is required in various leases and agreements before signing.
 - Provide education about the eviction process and timing.
- Develop a pilot evaluation project to test the efficacy of legal representation at eviction hearings for low-income tenants in Magisterial District Courts where there are the greatest number of filings. Based on the findings, if appropriate, advocate for sustainable public funding.

³⁰ <http://www.phillytenant.org/pepp/>

³¹ <https://law.stanford.edu/organizations/pages/legal-design-lab/>

RESOURCE NAVIGATION

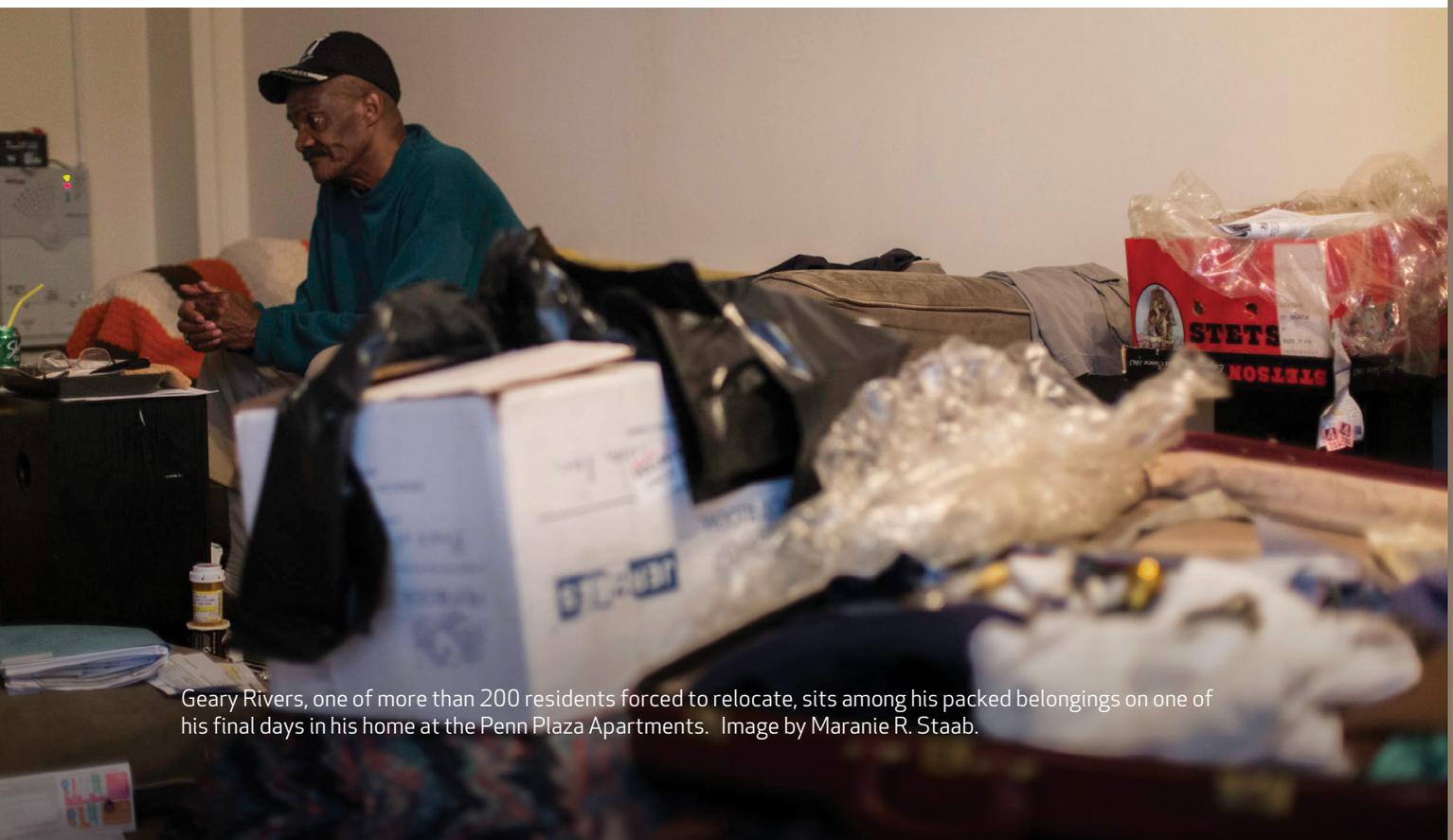
For tenants:

- Support training opportunities for community mediators and mediation programs that are designed to divert the eviction process away from the courts and toward community-based mediators.
- Support mediation programs and training opportunities designed to support and divert the eviction process.³²
- Evaluate CARES Act-funded efforts through the Community Justice Project and Just Mediation Pittsburgh, the Community Ambassadors program of the Allegheny County Economic Development Department, the United Way's 2-1-1 program, and the 22 service providers supported by Allegheny County Department of Human Services. The evaluation should determine the most effective way to communicate information about eviction prevention resources to low-income tenants and the providers who serve them.

For landlords:

- Support marketing efforts to encourage landlords to seek assistance before filing for eviction:
- Provide landlords with information on United Way's 2-1-1 program and to the Allegheny LINK programs, which provide connections to resources such as housing, utility and rental assistance to help tenants navigate their crises.
- Provide landlords with information on best practices to prevent eviction, such as Allegheny County Housing Authority / ACTION Housing notification and lease practices.

³² <https://www.paprobono.net/calendar/event.745547>



Geary Rivers, one of more than 200 residents forced to relocate, sits among his packed belongings on one of his final days in his home at the Penn Plaza Apartments. Image by Maranie R. Staab.

RECOMMENDATION 1 (continued):

Work with Partners to Create a Coordinated Eviction Prevention/Diversion Program in Allegheny County.

TENANT EDUCATION

- Support efforts by the City of Pittsburgh's Human Relations Commission and Fair Housing Partnership to develop annual fair housing anti-discrimination training programs for community-based organizations, tenant organizations, DHS-funded providers, community mediators, Magisterial District Court Judges and landlords.
- Provide funding for a coalition of tenant and community organizers and legal aid organizations to develop a curriculum for helping tenants understand important clauses in their leases. These include how to file habitability complaints against landlords and information about the eviction process generally. The curriculum should also provide recommendations for effectively using methods such as social media, texting, closed-circuit television and community meetings to disseminate the curriculum.

Direct quotes from focus group participants included:

"My educational piece would be life skills, being able to manage their own money, able to make wise decisions. When I was coming up, my parents taught me. When I had my apartment, it was, 'Pay my rent first. Your utilities. You need food and transportation to get back and forth from work. Without those four walls, if you fall, you're out.' So, my thing is ... educate them where they're at."

"We do have to focus on the next generation so they'll be prepared. We gotta pass things on. We have to do that. If not, we're gonna continue this process [of evictions]."

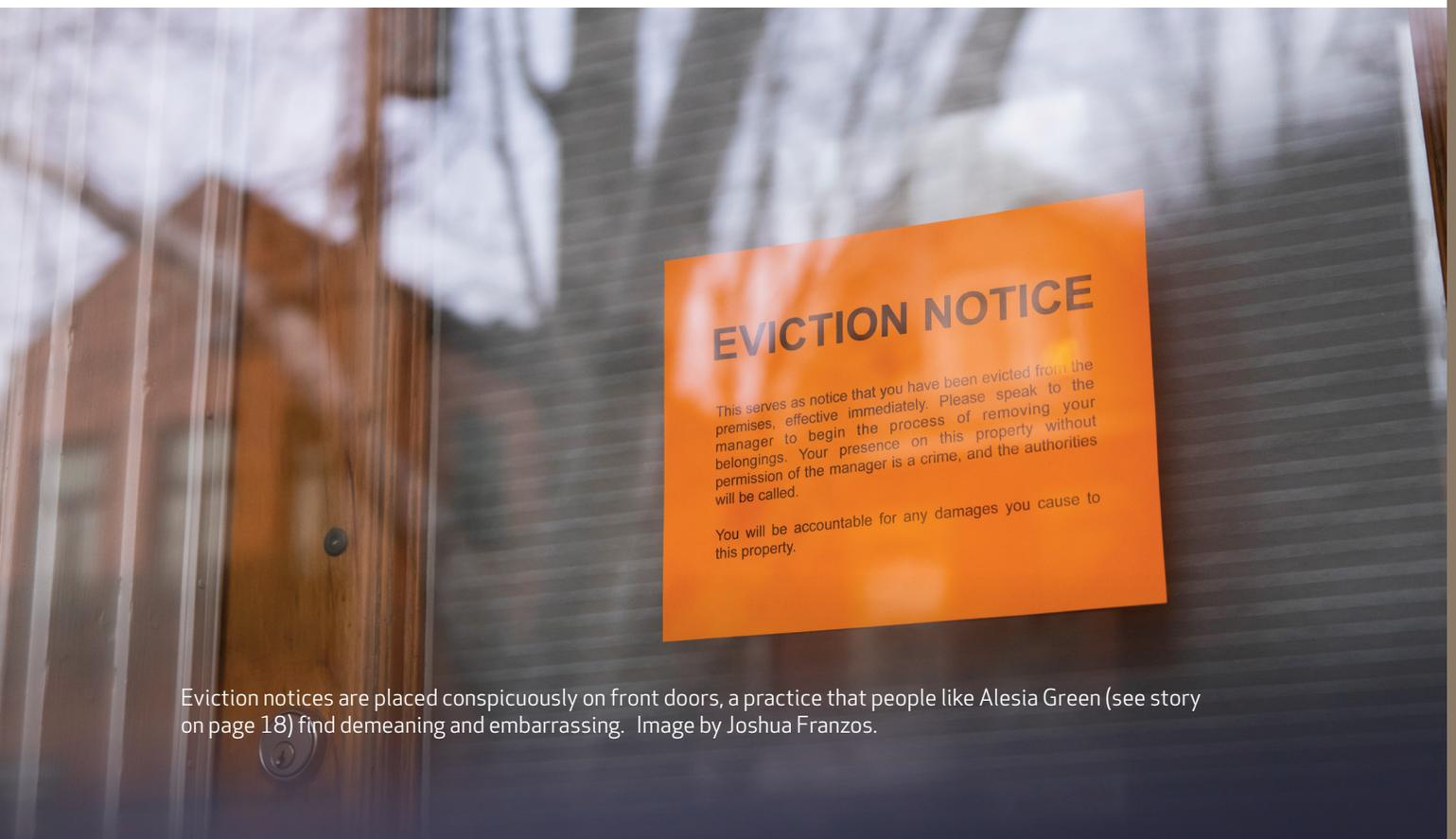
INCENTIVES FOR LANDLORDS

- Support expansion of existing Allegheny County Department of Human Services programs:
 - The Housing Navigation Unit works to increase the number of units in the private market available to clients of DHS-funded organizations. The organization provides support services while DHS provides rental assistance, including Housing Choice Vouchers.
 - Landlord Risk Mitigation Funds can be used to offset costs associated with excessive damage or abandonment by tenants.
 - Support the Urban Redevelopment Authority's Small Landlord Fund through the Housing Opportunity Fund, which provides loans for landlords who need to make repairs to five or fewer rental units in the city of Pittsburgh.

Direct quotes from focus group participants included:

"In order for us to accept the people who are in need, [the Risk Mitigation Fund] is a much cheaper way to do it."

"Having [the Risk Mitigation Fund] has been an excellent way to improve tenant-landlord programs."



Eviction notices are placed conspicuously on front doors, a practice that people like Alesia Green (see story on page 18) find demeaning and embarrassing. Image by Joshua Franzos.

RECOMMENDATION 2:

Increase the Supply of Affordable Housing Units.

- Advocate for increased public funding to create more units of affordable rental housing, specifically by rehabilitating existing housing stock rather than building new units.
- Support efforts to incentivize landlords to accept Choice Vouchers. See Recommendation # 1, Incentives for Landlords.

RECOMMENDATION 3:

Revise/Evaluate/Revisit Court Policies and Procedures.

- Create a uniform eviction filing system and standard operating procedures that integrate demographic information — such as age, gender, race, ethnicity and other factors — and information on actual evictions. This will allow for tracking the burden of evictions in the City of Pittsburgh and Allegheny County.
- Eliminate court fees and fines, or advocate for a sliding scale, as court costs hurt the tenants who have the lowest incomes.
- Support legislation to seal and expunge previous eviction filings from tenants' records except in cases where the eviction is actually completed and the landlord actually retakes possession of the property. This would help reduce discrimination by landlords against tenants who have experienced an eviction filing.

Direct quotes from focus group participants included:

“Why don't they sort of make some kind of thing where you can do community service where he can [pay off] money that way? Instead of having these people underneath all this stress like that?”

“You're caught in the system and you don't know what to do.”

RECOMMENDATION 4:

Reform Public Housing Administrative Processes and Procedures, including the Housing Choice Voucher Program.

- Undertake a detailed system-mapping study to identify exactly how the Housing Choice Voucher program is carried out in Pittsburgh, Allegheny County and McKeesport, including an examination of all procedures and policies.
- Examine and revise current housing authority and Housing Choice Voucher program administrative practices to reveal how these practices positively and negatively impact eviction by housing authorities and the top five private landlords who use vouchers.
- Based on that study and a survey of how other communities — including Boston, Massachusetts, and Charleston, West Virginia — are managing Housing Choice Voucher programs,³³ recommend ways to redesign the program to better meet the needs of renters and landlords. Consider seeking outside support to provide a deeper analysis of voucher program reform practices and to help make local recommendations.
- Pilot strategies that are evidence-based, local best practices to make it easier to identify affordable and voucher-accepting units for tenants, and easier to secure units for landlords.
- Institute policies for making Housing Choice Voucher program procedures and policies clear and transparent.
- Improve the process of navigating and reporting changes in income by changing to annual recertification and/or adopting an electronic system of reporting income changes and commit to approvals within five days.
- Improve eviction warnings and notification processes to be more streamlined and less stigmatizing.
- Collect names of emergency contacts to notify when a tenant is at risk of eviction.
- Institute provision of real-time receipts for monthly rent payment.
- Ensure that all timing and procedural steps associated with the eviction process are transparent.
- Examine social eviction policies and revamp them to be less punitive and dangerous for tenants and their families. Align social eviction policies with those used in tax credit-financed units.

Direct quotes from focus group participants included:

“I feel like there should be warnings before you’re sent to the actual magistrate, you know what I mean? You know, warnings about why they’re being sent.”

“I mean, this putting stuff on your door ... I mean, it’s embarrassing.”

“Get some type of payee system you guys can maybe administer. And you say, OK, we’re going to collect money from you, tenant, and we’re going to make a deal here and we’re going to get this on track.”

³³ <https://www.theatlantic.com/business/archive/2015/06/section-8-is-failing/396650/>

RECOMMENDATION 5:**Advocate for Policy and Legislative Changes.**

- Support legislative initiatives meant to make eviction policies fairer and more equitable. The current priorities include:
 - Changing the Landlord and Tenant Act to eliminate the waiver clause for the “notice to quit” in private leases
 - Endorsing and proposing bills that forbid discrimination against tenants based on source of income to prevent landlords from refusing to rent to people with housing vouchers
 - Advancing eviction sealing and expungement to prevent discrimination by landlords against people who have been evicted previously. This is critical given the way the current system does not distinguish between eviction filings and actual orders of possession/evictions.
- Advocate for increased state funding for legal representation at the Magisterial District Court level and rental assistance to prevent evictions.
- Support a statewide analysis on the impact of fees and fines through the eviction process on low-income families.



Anne Grayson, of the United Neighborhood Defense Movement, holds a “Stop Evictions” sign in front of a stop sign during a protest outside the Penn Hills municipal complex on Friday, Aug. 21, 2020. The small group held the protest to demand answers about a June eviction attempt at the Valmar Gardens apartment complex by an unknown landlord. Image by Kristina Serafini / *Pittsburgh Tribune-Review*.

Conclusion

Eviction's century-old roots in racist housing policy and structural poverty make the issue difficult to untangle. Almost everyone who spoke with the Foundation, landlords included, said the system is broken; no one *wants* to evict or be evicted. And yet it still happens with alarming frequency.

To better understand the prevalence of eviction and its financial impact on individuals and families living in Allegheny County, Foundation staff conducted this mixed-methods research effort in collaboration with the Allegheny County Department of Human Services Division of Analytics. The Allegheny County Department of Human Services provided a multisystem understanding of the breadth of this issue and documented the burden of eviction in Allegheny County for the first time, which has a significant and disproportionate impact on the most economically vulnerable residents of the County.

The second, qualitative phase of this research effort involved listening and learning directly from individuals impacted by eviction, learning directly from 57 residents of the City's Housing Authority and eight landlords. These individuals communicated a strong desire and commitment to paying their rent on time but shared that they are often unable to do so due to not understanding the lease process, and issues often out of their control, such as car repairs, medical bills for family members and lost jobs. It is important to note that these individuals shared that they would often be able to overcome these obstacles and pay their rent if given a little more time.

It is also clear from these interviews and other studies that eviction causes trauma associated with families losing their homes and communities. Losing housing and community greatly impacts children, as they are forced to navigate the instability caused by switching neighborhoods and schools. This disrupts their social connections with teachers, friends and neighbors. As documented in this report, eviction also causes families to regularly lose their possessions, often piled on the sidewalk or placed in storage, only to be reclaimed, if at all, after paying fees and fines. The consequences of an eviction are often long-lasting.

The process and findings presented in this report represent an intentional effort to contextualize the quantitative data by purposefully amplifying the voices of individuals who have lived experience. The primary advantages of this approach to engaging residents and landlords include listening to traditional and nontraditional experts to inform systems-change priorities; integrating new, unique insights and data to existing sources to inform and prioritize eviction prevention, intervention and policy-change opportunities; establishing new, collaborative relationships and partnerships with and among agencies and the Foundation to design and implement effective and accountable intervention efforts that are culturally sensitive; and tailoring intervention opportunities to prevent children and families from experiencing an eviction.

Acknowledgments

The process, management and research for this pilot has been led by Jane Downing, senior program officer for community and economic development, and Michael Yonas, the Foundation's vice president of public health research and learning, with support from Tika Good, administrative coordinator; Jeanne Pearlman, senior vice president for program and policy; and Jenn Sloan, social change fellow in philanthropy. The quantitative research component of this report has been developed through a collective effort, facilitated by The Pittsburgh Foundation in collaboration with the Allegheny County Department of Human Services Division of Analytics' Rachel Rue, senior policy advisor and analyst. Ryan Rydzewski wrote the report.

Special thanks to all those who participated in our Eviction Working Group, especially:

Allegheny County

- Fifth Judicial District of Pennsylvania, Allegheny County Court of Common Pleas: Angharad Stock (Minor Judiciary), Judge Christine Ward and Dianne Wainwright (Civil Division)
- Department of Economic Development: Cassandra Collinge
- Department of Human Services: Becky Gloninger, Abigail Horn, Chuck Keenan, Rachel Rue

City of Pittsburgh

- Commission on Human Relations: Helen Gerhardt, Wasi Mohamed,* Wesley Speary, Megan Stanley
- Mayor's Office: Elizabeth Daniels-Totten, Laura Drogowski
- Office of Management and Budget: Whitney Finnstrom
- Urban Redevelopment Authority: Jeremy Carter, Jessica Smith Perry

State Legislature

- Rep. Sara Innamorato, Pennsylvania, D-21

Community Advocates

- Hill District Consensus Group: Carole Hardeman
- City of Bridges: Crystal Jennings
- Manchester Citizens Corp.: Jala Rucker
- Pittsburgh United: Celeste Scott
- Landless Peoples Alliance: Ronell Guy

*Wasi Mohamed is on staff at The Pittsburgh Foundation.

Landlords

- Allegheny County Housing Authority: Frank Aggazio, Kevin Bartko, Jim Bulls
- Housing Authority City of Pittsburgh: Caster D. Binion, Marsha Grayson, Peter Kaplan, Carolyn Krachkowski
- ACTION-Housing: Larry Swanson, Kyle Webster

Legal Advisors

- Community Justice Project: Kevin Quisenberry, Swain Uber, Daniel Vitek
- Neighborhood Legal Services: Christine Kirby, Eileen Yacknin
- Pennsylvanians for Modern Courts: Maida Milone, Chelsea Smith
- Regional Housing Legal Services: Rachel Blake, Bob Damewood, Mark Schwartz

Nonprofit Organizations

- Carnegie Mellon University CREATE Lab: Anne Wright
- Housing Alliance of Pennsylvania: Phyllis Chamberlain, Gale Schwartz
- United Way of Southwestern Pennsylvania: Julie DeSeyn
- Urban League of Greater Pittsburgh: Richard Morris

This report was primarily written by Ryan Rydzewski with additional writing and editing by Jane Downing, Kitty Julian, Carol Pickering and Michael Yonas. Data analysis was conducted by Rachel Rue and Michael Yonas. Chris Ellis and Jenn Sloan helped manage and analyze the data. This report was designed by Rachel Arnold Sager at Second Block Design. Photography was by Joshua Franzos for The Pittsburgh Foundation, Rich Lord for PublicSource and Kristina Serafini/Pittsburgh Tribune-Review, and Maranie R. Staab. All images were used with permission. This book was printed by CDI Printing, a minority/veteran-owned company, as part of the Foundation's ongoing effort to support the region's Black business community. Copyright 2021.

**CITY OF PITTSBURGH
ZONING BOARD OF ADJUSTMENT**

Zone Case No. _____ 20 _____

HEARING NOTICE

_____ has filed an application to _____

_____ at _____, Ward _____

This appeal does not conform to the USE HEIGHT AREA provisions of the Pittsburgh Zoning Ordinance. The Zoning Board of Adjustment, which is empowered to either grant or deny said request, will hold a public hearing on the first floor of the John P. Robin Civic Building, 200 Ross Street, Pittsburgh, PA 15219. This hearing will take place on _____ at _____ a.m./p.m.

Anyone in favor of or opposed to this application is invited to attend. Testimony and presentations must be done in person. The plans and applications are on file at the Board of Adjustment counter located on the third floor of the John P. Robin Civic Building. Files may be examined before the scheduled hearing date between the hours of 8:00 a.m. and 3:00 p.m.

This placard must be posted...

1) in a conspicuous place	4) plainly visible for public viewing
2) upon the front of the premises	5) for twenty-one days
3) within ten feet of the property line	

Failure to post and maintain this placard will result in a delay of the hearing until these regulations are complied with.

PENALTY FOR REMOVAL OR DESTRUCTION OF THIS SIGN ALICE MITINGER, CHAIRWOMAN

Post:



Five PPG Place
 Suite 250
 Pittsburgh, PA 15222
www.pittsburghfoundation.org

A hearing notice is tacked to the boarded-up windows of a property in Pittsburgh's Northside neighborhood in late 2017. Image by Maranie R. Staab.