



CAMBRIDGE CITY COUNCIL

Sumbul Siddiqui
City Councillor

To: Donna P. Lopez, City Clerk
From: Sumbul Siddiqui, City Councillor
Date: February 7, 2019
Subject: Submission – *Mayor's Blue-Ribbon Task Force on Tenant Displacement* January 29, 2019 Meeting Minutes

Madame Clerk:

Please place the attached notes from the first meeting of the Mayor's Blue-Ribbon Task Force on Tenant Displacement on the City Council Agenda as "Communications and Reports from Other City Officials" for the February 11th meeting. Also attached are those supplemental documents provided to the task force members for reference during the meeting.

Thank you,

A handwritten signature in black ink, appearing to read "Sumbul Siddiqui".

Councillor Sumbul Siddiqui
Cambridge City Council

Mayor's Blue-Ribbon Task Force on Tenant Displacement – Meeting Minutes

First Meeting of the Tenant Displacement Task Force

Date: January 29, 2019

Location: City Hall, 795 Mass Ave, Sullivan Chamber

Meeting Start: 5:37 PM

Meeting Adjournment: 7:34 PM

Task Force Members Present: Councillor Sunbul Siddiqui, Chair; Teresa Cardosi; Larry Field; Sonia Andujar; Sean Hope; Patrick Barrett; Jessica Drew; Kuong Ly; Iram Farooq; Alexandra Markiewicz; Sean Hope; Betsy Eichel; Beth Huang; Maura Pensak; Cheryl-Ann Pizza-Zeoli.

Also present: Sarah Stillman, Aide to Councillor Siddiqui and Executive Assistant to the Task Force; Wilford Durbin, Chief of Staff to Mayor McGovern.

Mayor McGovern was present at the start of the meeting to thank everyone for agreeing to be part of this task force. He expressed his thanks to Councillor Siddiqui for serving as chair, and for bringing forth the idea to organize this task force in the first place. It's incredibly important, Mayor McGovern continued—there is so much discussion on housing issues in the city, issues of affordability, gentrification, tenant protections and evictions, and there is no single answer to solving issue. Linkage fee was a piece. Overlay is a piece. How do they all come together. Tenant Protection is an important piece of puzzle, when new development is built that causes displacement. He said he is not sure he agrees, but what he sees in people who come to our office is people who live in smaller units, 2-4 family, that get sold for well over market value, and in order for that new owner to get financing the rents go up and then people get evicted. How do we talk about that and address that? He said that he and Councillor Siddiqui spent a lot of time talking about the formation of this committee, and he's excited to see a wide range of people represented here, small property owners, people who live in affordable housing, advocates, attorneys, all with different perspectives to inform a good conversation. He said he is looking forward to the recommendations.

Councillor Siddiqui then called the meeting to order at 5:37 PM. She began with brief opening remarks, welcoming everyone in attendance and reviewing the agenda for the meeting. She said she is very excited to be chairing this task force, having had the opportunity to learn about its members and their work on this issue. After introductions, she plans to go over objectives, define terms and concepts, such as tenant protections and displacement, and the relevant policies that exist around the issue. The task force will then further define its objectives and prioritize these along the timeline of the next five meetings.

Members of the Task Force went around the table and introduced themselves.

Councillor Siddiqui remarked that the time is right to have these conversations and the next steps are to talk about the goals of the Task Force. She noted that some of these have come up already in what everyone shared when introducing themselves, their work and connection to the issue. Cambridge has changed immensely and has become extremely expensive; and although change is good, it has implications. This task force aims to better understand what is causing eviction and displacement in Cambridge and provide guidance to City Manager and Council on how to promote protections for tenants. Some of that work is ongoing. We are hired another legal aid attorney for Cambridge Somerville Legal Services. We are hiring currenting for a Housing Liaison position in the City Manager's Office. There is work from the previous term, such as gathering better data- we'll talk about that next- that data is incomplete, and this data is [what is used to] help us understand why displacement is happening and inform policy. And this work is incomplete. How do we combat displacement? What are the tools that exist? Some are more viable than others, some short-term and others longer term. What can we do now,

versus what can we do later? Of course, there are certain things that, if pursued 10 years ago, would have made a big difference by now. [As a Council and a Task Force] there is a lot out of our control. It's important to be transparent and honest about all this, about the limitations, as much as we want certain actions now. She said she is pleased with the work the City has done thus far; she mentioned recent work such as policy orders submitted on collecting eviction data. She said that she and Councillor Simmons wanted to figure out why evictions were happening. A lot of cities don't have this [data analysis], and the City of Cambridge didn't have this previously. She noted further the significant progress on this issue. Councillor Siddiqui then referenced a December 5th, 2018 Cambridge Community Development Department (CDD) "Report on Eviction Data" MEMO, which had been provided for all Task Force members as a handout. She remarked on the need to understand some of the limitations to that data, as there are many. The staff from the CDD has been upfront about these limitations. The data is still incomplete.

Councillor Siddiqui read from the attached CDD MEMO.

Councillor Siddiqui noted that situations exist that are very difficult to capture. She mentioned that she has asked the City staff to dig deeper into the data and methods; she filed two policy orders asking for more specific and thorough data. She reiterated the expectation that the CDD will report back to the Council with responses on this by the next two meetings; that's the hope and goal. She said that we have started the process to understand why displacement is happening. The Council receives many concerns about rents increasing—in these situations, what are the tenant's options? Either to pay, leave, or the eviction process begins. The Council has no authority to force rents to stay low, but it knows that landlords exist that offer below-market rent. She asked if there might be ways to connect these landlords to other members of the community in need of affordable housing. What about the incentives? The "can and can't dos" can be explored later. She opened the floor for other Task Force members to chime in—what is missing in the discussion on tenant displacement? What are the other situations and nuances exist that this group has come across? What else can we add to the discussion of eviction? Rents are ever-increasing, people with Section 8 vouchers cannot find housing....

Ms. Pensak said she doesn't think anything has been missed, but highlighted the difference between eviction and displacement. For example, when a house is sold, and a new owner can't afford to keep the rent where it was [and tenants are then displaced if they cannot pay the higher rent]. She said that eviction prevention is important, but emphasized the need to get information on displacement, those who are forced to move due to their apartment being sold. She said that for a lot of those folks, when the building is sold, maybe the owner isn't raising the rent but is doing something different.

Ms. Cardosi commented that sometimes when a person leaves, Airbnb takes over, and this takes away from affordable housing as well.

Ms. Markiewicz mentioned condo-conversions as a huge barrier to entry.

Ms. Pizza-Zeoli said that for a long time, the housing committee hasn't had vouchers. Best to put efforts into preserving existing housing that are nearing expiration. Hasn't been an option for a lot of people who don't qualify for an emergency. Very tempting to think about requiring all lease non-renewals, but the bill foundered at the state house. Worth looking at how to get information direction from landlords. Tenant education and advocacy office is key for other cities who are successful in this.

Ms. Eichel added to the topic of tenant education, saying that a big source of displacement was when the condition of the apartment became bad, impacting the tenant health, and that put tenants at a disadvantage to the landlord. She noted construction as harassment. She said that if people knew they had protections [against retaliation by landlord], maybe they would stay [and fight bad conditions].

Ms. Drew added that Massachusetts does have some broad tenant protections in the way of conditions issues, as well as retaliation. She said she thinks what Ms. Eichel is talking about is that if you address these issues with, for instance, the Board of Health, you'd be concerned that the landlord would file an eviction against you. She added that in MA, if a tenant engages in a protected activity (e.g. contacting the Board of Health) before their rent is in arrears, they have a six-month presumption that if the landlord should make an adverse action against them, such as file an eviction case against them, there is a six-month window where it is a rebuttable presumption. Thereafter, retaliation can still be used as a defense and as a counterclaim, however the presumption is no longer there. However, she said, it can be overcome with a business justification. She added that, in practice, while retaliation can be raised as a defense (and it is something she is always mindful of when tenants come to her saying that there are condition issues with the apt or unit, and the landlord is trying to evict them), that it is very difficult to prove [retaliation] in practice. She noted perhaps 1 or 2 cases she has worked where a retaliation claim was successful.

Councillor Siddiqui said that she is hearing a lot in this discussion so far. Yes, eiction is a type of displacement. Some evictions are legal, in theory, and there are many reasons for evictions. We are talking then also about this type of displacement- we've had this discussion at the Council level. We are trying to measure eviction through court system, but the other type [when people leave voluntarily due to rent increases, intolerable conditions, or are otherwise forced out] is harder to measure. We asked City to keep track of all instances of big buildings being converted.

Ms. Farooq remarked that there are more complications than there are straight answers. She said that just previously she was talking to the CDD's data person and understands that the City doesn't have data on how many people leave/ have left the city but does have data on those coming into the city. It's very complicated, students in group housing are counted just the same as someone who buys or rents a condo. It's hard to tease out those differences. It's not a week's project or months project, but a PhD project. Wanted to back to Ms. Pizza-Zeoli's comments on people who leave the city—some of that is good for individual families that moved away, and that may be good for them, they may be happier or receive higher wages. How do we choose among those who leave by choice, and those who are forced out? That hints at how difficult the charge is. On the education piece, lots of immigrants are coming into the city. As a personal example, in post-grad, I had no idea that I could go to the board of health if a building is falling into itself. There is an education piece that is much broader, and it is very important. To the data question, we are digging into the next level of the eviction data. Don't know if that will be satisfying but can give us more guidance.

Mr. Ly noted that a lot of the conversation has been centered on the increased cost of housing; however, on eviction cases, the issues that are forcing people out aren't just about money. There are social support systems that are lacking. Recently, deportations factored into the issue. Gentrification is a factor, but there are other issues, how much is rents, how much is people only two bad events away from not being able to pay rent.

Mr. Barrett said that he thinks data is great, and the reason why someone like himself is here is that he is on the ground floor; while data is important, he doesn't have to wait to understand some of the displacement that is happening. Protections can come in all types of reforms. You can ask landlords to keep tenants for a year. Give tenants chance to buy a unit if it is being sold. As a property owner, he said he recently bought a condo building, but the rents were from 1970s. That was good for them, but he needed to increase the rent. There is a way to do business, and some displacement is always going to happen, we can have pragmatic approach. But guidelines and education can be very important. In reference to the talk of emergency placement, he noted that he placed an emergency tenant [in one of his units]. Data is great, he said, but we shouldn't wait for that to put things in place.

Councillor Siddiqui reentered the conversation around what can be done now.

Mr. Hope said that he had an idea—there is a shortage of 3-bedroom units that are de-leaded, and families cannot pay for the bigger buildings when they have that second child. We see the Council building apartments, and he believes there is a shortage in the market, even at market rate, for apartments that are suitable.

Ms. Andujar mentioned co-ops for low-income tenants, saying that this type of thing seems to fall on deaf ears at the Council. She said we [low-income and Section 8 tenants] are like slaves afraid of being displaced.

Ms. Pensak added that when Mr. Hope mentioned need for 3-4 bedrooms, that there are also not nearly enough accessible units in the city. So those who need accessible units then are forced to find them outside of the city.

Ms. Pizza-Zeoli mentioned that the city does not do exit interviews. These take resources, yes. You see the number of cases filed as CHA, there are a lot filed, but not a lot coming in as evictions. CHA liens, and how they define late rent.

Ms. Markiewicz I wonder if instead of displacement data that is hard to find, think in terms of income that you would need to make to get into some of the apartments, as a way to quantify displacement over time. Limited-equity coops is a good idea, to take some housing off of the free market. Or ways to reduce sale prices. Landlord tax or some way to mitigate the result of relying on the sale prices increasing. Thinking about housing and transportation, when people must move out, the housing and travel prices may have to go up.

Ms. Farooq said that some of the information asked for is provided already on the website. The point about transportation nexus is important. When we think about density, critical piece of puzzle, because when they move out not as good for them, and not as good climate-wise.

Councillor Siddiqui said that from here, we want to dig into other protections. When she was running for Council, she supported transfer fees and taxes on landlords. But when she got to the Council, she discovered that a major barrier existed to making these changes immediately—the home rule petition. Essentially, if you try to do something that is not prescribed by state law, you need to get permission from state. For the transfer fee, any fee, any tax, needs to get permission. Even a benevolent measure to get information would need to be approved by the state. The success rate of home rule petitions is not high.

Ms. Farooq added further that the state has a set of laws, and the city needs to make a compelling case for why the law of one city should differ from another.

Ms. Pizza-Zeoli noted that it took 15 years to get expiring DET through legislation.

Mr. Field said that another reason why home rule petitions are difficult is that real estate and trade organizations oppose some of the things we are talking about because of the precedent it would set statewide. He added that in addition to the home rule petition, there are broader enabling acts. He said that these are more realistic politically because it doesn't just apply to you, that you can pull more cities into it and could also support larger state changes.

Ms. Eichel said that two main strategies for home rule petition: by claiming that we have a special corner of Cambridge

that is not realistic, other communities are facing displacement issues. As the Government has increased deeds in excised tax, and real estate transfer fees, I believe there will be negotiation between different versions, and municipalities could be a part of that conversation. The Community Preservation Act advocates (which includes affordable housing advocates), and affordable housing advocate, I think it's worth it to try pursuing this, since I think there's more political will in this session than there has been in the past two years.

Councillor Siddiqui said that the City Council has voted to support a transfer fee, and further on the subject of home rule petitions, the process can be difficult and lengthy, so I do want to focus on what can we do without a home rule petition. What is the low hanging fruit- I want to make sure we concentrate on that.

Ms. Drew said that she about to mention as well that yes, we are already moving forward with transfer fee legislation, proposed by Rep. Connelly with 16 co-sponsors as of today.

Councillor Siddiqui said that she is aware that there are bills in legislature pending that are around tenant protection, and it's important to support them. But don't want to be chair that say home rule petitions, never. We need to think long term strategy and our legislative agenda--some city groups have talked about this before, but given that we have a short turn around, we need to consider what we can do now, through this task force, in the time that we have [now through June]. We can move to the last item in the next 40 minutes, and have a more robust discussion-- brainstorm a list of things to pursue. We can dig deeper into options, e.g. making tenant education better. Or condo conversion policies are something we can do here. Takes a 2/3 vote, won't require a Home Rule- is there momentum to do this now? Is there now momentum. What the things we can do from a policy standpoint, from a resource-allocation perspective. If we provide more funding for CASLS, and have a partnership- that's a legal way to fight displacement. That's the kind of thing I'm talking about.

Mr. Barrett added that with home rule petitions, they are an aspiration, but they don't often work out. Small property owners own about 70 of rental properties. SPOA is looked on unfavorably. Must be a way to engage these people, to create incentives, and partner with them. They are providing affordable housing. On STR ordinance, it has a broad scope, every unit has a potential to become a STR unit. If we allow developers to build larger units, there should be some restrictions that they are permanent for long term residential. Worry about Watermark, which has a lot of STR units 20 percent. Worried about mass and Main. Millennial Towers. If we take that stock out of the market, then how can we address the problem.

Ms. Drew remarked that funding legal aid more is beneficial, but when clients have access to funds, such as emergency funds for non-payment of rent, is important. The legal service could pay the rent to prevent the eviction. To the extent that we can put funds into emergency funding, it is important. Sometimes clients are facing thousand of dollars of back rent. More access to funds is helpful.

Ms. Pensak added that the City funds folks' 50 percent of AMI, if someone is a dollar over, they will not get funds.

Ms. Pizza-Zeoli brought forth the example of California, where a Mayor has decided to give cash to residents and let them decide what to do with it. Also in CA, the discussion on accessory dwelling units, allowed to build affordable units for homeless population.

Mr. Hope said he just wanted to quickly touch on the idea Mr. Barrett brought up- looking at Watermark and some of these big developments, and maybe some of the unintended consequences of our STR

ordinance. He mentioned that, as we are digging deeper into the transfer tax and condo conversion tax, and also talking about small property owners, I just want to make sure the group also recognizes that there are a lot of residents who have been here 10-20 years, and their home is their greatest asset- they've watched the value increase, and selling their homes can dramatically change the trajectory of their lives. Can send their kids to college. It does things that otherwise couldn't happen, so as we talk about these different mechanisms- they're not just people speculation, people who have bought in last few years- so just balancing this, and maybe there's a caveat...

Mr. Ly brought up that RAFT has been discussed—that something that he and Councillor Siddiqui have discussed is taking a very strong stance on court ceilings. Mr. Ly said that there is going to be a big push in next few months on this. In MA, if a complaint is brought against you-an eviction complaint-it gets entered in to the court system, and oftentimes what happens is that when landlords go to do background checks [on potential tenants], they go into the court system and look at if there's a case against you- and it doesn't matter if the case was dismissed or if there was no-cause- they can deny you and say that you were a bad tenant (citing record of eviction case against you). There is a movement across the state to try to seal these records - if there is no cause, why is there a public record? Landlords are using court records to deny housing, to harass tenants and force them to move out. They are displaced and then similarly this prevents tenants from finding new housing elsewhere, not just in Cambridge.

Ms. Eichel added that there's also an effort in NYC to stop tenant blacklisting, which also prevents them from bringing complaints against landlords. Also want to mention there are people who lose housing due to elder abuse, hoarding or mental health issues. Very heartbreaking because often isn't addressed until tenant is already facing eviction. I just wanted to see if there's anything we can do to be preventing this.

Ms. Pensak responded that MetroHousing has mental health support, and has partnered with the city a lot, as well as other organizations like CASLS and Elder Services.

Ms. Drew said that she has utilized the MetroBoston program with one of her clients and it was very helpful in getting the client an agreement to stay. She noted also that when she was working in legal services in New Bedford, the city put together a task force called "Fresh Start"- brought together Board of Health, legal services, buildings dept, and various city administrators who recognized that people were being evicted and displaced because of clutter issues- asked "how can we upstream the problem", get them in touch with social and legal services to try to figure out what the city can be doing to help prevent these issues from causing displacement (being discovered only after the fact)- looking at this program nationwide, will be giving a presentation at the National Housing Lawyers Project - maybe this is something that Cambridge could also explore as well.

Mr. Field said that in the thirty-three years that he's lived here, there have been three examples of relatively large-scale displacement that he's witnessed on his block—these have been owner-occupant, multi-families, where an elderly person was owner, the rents were below-market and conditions were less than ideal (examples of disinvestment, probably started during rent control and continued), and when the owners died, the estates then sold the property, and major gut renovations, massive condo-conversions followed, decreased the number of units and increased rent. And if you look at the net increase/decrease of housing units, and also rental units that were affordable to certain incomes, those were not good results- in some ways, there are two windows of opportunity for dealing with these situations: The first is while an owner-occupant has the building, people make different choices about where to keep the rents and how much to invest, and could try to influence that in some way- have the effect perhaps of increasing the period of time that someone has a building that's below market rent, but also, if they are keeping it low by disinvesting, maybe there is a way of making conditions better for low-income tenants. The second he sees is at the time there's a transfer- he noted the issue raised by Mr. Barrett about the

transition for the tenants – typically, for each situation that he was aware of, it happened suddenly because the estate needed to sell the property, so there was pressure on everyone to move the tenants out quickly. Mr. Field continued that there is also the issue of who buys that property—is a condo-conversion and that change away from rental inevitable, or are there other alternatives for that building? He said he doesn't have solutions but would identify those as two windows of opportunity to influence results.

Ms. Markiewicz commented that she has lived in places where the rents go up and still the conditions are very bad. The question she has is—and any tax or fine may require home rule petition—is there any program that we can create to incent units to be maintained at low rent, or create more accessory dwelling units in the unit?

Mr. Barrett said that he rewrote zoning in Central. He said that if you look at GIS data, by changing minor things, we were able to create 5.4 million square feet of potential, spread out amongst the city. We used to give landlords a grant to de-lead their apartments, and they used to carry affordability component. If it cost 600K to build affordable unit, you can.

Ms. Cardosi remarked on the amount of foreign investment coming into the community, and these investors/ owners are not connected to the community. Can we limit the number of properties sold to foreign investments? Can we limit the profits for developers that build two units on the same lot?

Councillor Siddiqui responded that limiting profits would be very hard to do, but the city has thought about.

Ms. Cardosi asked also about a cap on how many units one could own.

Ms. Farooq said she just wanted to comment on how unfortunately challenging some of these things are. The Massachusetts constitution divides the powers on different issues, and our [the City's] ability to place limits on who can buy land, for example, stem from federal law. About the de-leading program, there is a state law that we run against, the anti-aid amendment. Cities can help individuals, non-profits or people, but it must be accessible to everyone.

Ms. Huang remarked on the issues with the Sullivan Court House, and the question on the use of public land. She said she doesn't know what the regulations are around incenting the non-profit ownership of public land. Democratic governance, land trust for ownership of dispensed public land...

Mr. Field said that Somerville has 100 homes program, using developer money from Assembly Row, requiring property and assigning to Somerville CDD. He asked if Ms. Farooq could describe.

Ms. Farooq said that the City has contributions from developers similar to those from Assembly Row,; the City's approach is to transfer to affordable housing trust, that this is most efficient. Looking at sustaining housing stock is an interesting idea, she added. When you have smaller projects, you must support completely within the city.

Mr. Durbin, who worked on the City's Short-Term Rental Ordinance, gave an explanation of Short Term Rentals (STRs).

Ms. Farooq emphasized the need to think about measures that don't require a lot of enforcement. It requires a lot of man hours, and it is difficult to be everywhere at once.

Ms. Markiewicz commented that we did have program to fund small units that lapsed, she thought, and asked if we could have people sign longer term units, because when lease renewal happens, that is when the rents go up.

Councillor Siddiqui noted that there were just a few minutes left in the meeting, and she wanted to turn to Ms. Farooq and Mr. Cotter, as they are both part of the Regional Housing Task Force, which has come up with 150 strategies to address housing issues. She asked if they could speak to the tenant protection strategies and how these played into the process.

Mr. Cotter said that they worked with the Metro Mayors Housing Task Force to get target numbers of new housing, that the research done on housing strategies is in a lot of different areas. He said that Phase II will look at strategies and work across municipal boundaries, and noted that some do require Home Rule Petitions, and that some may be more successful across cities, enabling legislation is a better strategy. He said that they are beginning to look at those strategies. Legislation is beginning to be filed.

Ms. Pizza-Zeoli added that power is not usually mentioned in the discussion. She emphasized the need to think about community engagement across the boards. She said that who gets to be the decision-makers versus who is not at the table is pitiful.

Councillor Siddiqui, in closure, summarized the many ideas brought forth in the discussion—more access to funds, fixing STRs, a condo fund, etc. She said that the next step will be to look at this list and prioritize the items. She said she will follow up with a survey, that there could be phone calls to discuss further, to decide which items to pursue, what we are most excited about tackling for the next meeting. She thanked everyone again for their presence at the table.

Councillor Siddiqui moved to adjourn the meeting at 7:34 pm.



CITY OF CAMBRIDGE
Community Development Department

IRAM FAROOQ
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SANDRA CLARKE
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To: Louis A. DePasquale, City Manager
From: Iram Farooq, Assistant City Manager for Community Development
Date: December 5, 2018
Re: Awaiting Report #18-58 dated May 21, 2018 regarding eviction data collection

In response to the above-referenced policy order we report the following. Property owners may file eviction complaints against tenants for unpaid rent or other lease violations. Owners must follow the terms of their leases and state statutes which regulate the landlord-tenant relationship. The process begins with a 'notice to quit' delivered to tenants, and if tenants do not remedy any violation (or in the case of no-fault evictions do not move), owners may escalate the issue by filing an eviction complaint. Eviction complaints can be filed in Cambridge District Court or, more frequently, in the Eastern Division of the Massachusetts Housing Court. Complaints may be dismissed for various reasons such as when the parties come to agreement.

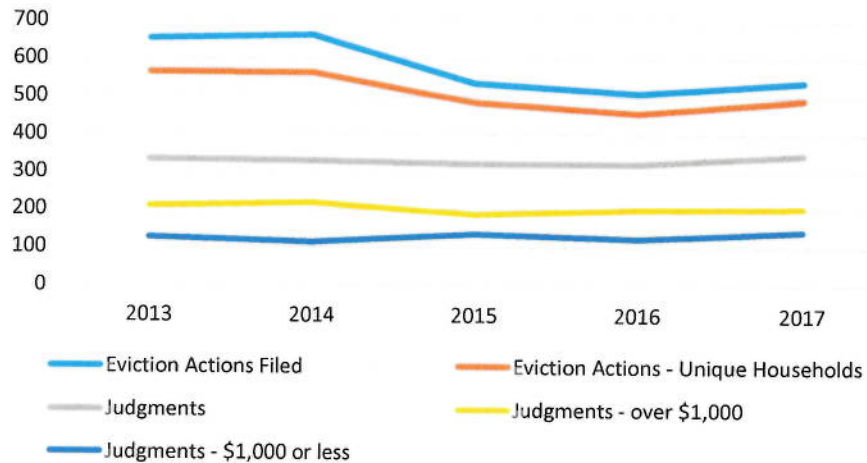
Over the past several months Community Development Department staff have assembled data available in Massachusetts court system electronic records on eviction complaints filed in Cambridge between 2013 and 2017. Since there is no consolidated source for eviction complaint data (like there is for foreclosure actions), the information gathered by CDD helps to establish a baseline for tracking eviction complaints and helps us begin to evaluate the extent to which these eviction complaints pose a threat to stability of tenants in Cambridge rental housing. However, information on executed eviction judgments is limited, so it is difficult to draw conclusions about the number of households displaced as a result of eviction.

ANALYSIS

Between 2013 and 2017, there were 2,900 eviction complaints filed against 1,937 unique Cambridge tenants. Eviction filings were seen in all types of housing, and ranged from a high of 662 in 2014 to a low of 510 in 2016. Many tenants were defendants in more than one eviction action during this period, with an average of 1.5 actions per defendant.

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Trends for Eviction Actions 2013 - 2017



During this time, there were 1,655 judgments, approximately 330 each year. More than 60% of judgments were for amounts of more than \$1,000. The median judgment amount was roughly \$1,400, and the average judgment amount was \$2,830. A summary of these trends is shown in the chart above.

It is difficult to reliably determine the cause for eviction filings without a file review of the details of each case. However, analysis of judgment amounts shows that 82% of judgments approved by the Court are for amounts greater than expected court costs, which suggests that rent arrearages are included in most judgments. Of judgments in amounts under \$300 (which are likely court costs), most appear to be for units with affordability restrictions, which would suggest the complaints stem from lease violations as affordable housing providers only file eviction complaints for cause.

LIMITATIONS

While data is available to show patterns in eviction complaints and judgments, complete data on outcomes is hard to assemble. We have information on judgments entered for eviction actions, however it is up to property owners to act on these judgments and then file paperwork with the Court. Judgments are often used by property owners to negotiate agreements with tenants, so many do not result in eviction and displacement. While property owners are responsible for returning notice of executed judgments to the Court, many do not, and information on executed judgments is therefore not readily available.

We should also note that tenants may face displacement risk outside the eviction process, such as tenants who are not aware of their rights and move

after receiving notices from property owners. So even with better information on eviction outcomes we will not have a complete picture of households at risk of displacement or being displaced in the community.

NEXT STEPS

To continue this analysis, we will delve further into the court dockets and judgements to review eviction case files in the relevant courts to determine what additional information we can gather, especially on causes and outcomes. We intend to initiate this work in early 2019 and review a year of cases to establish a baseline, and to then update this analysis of court records annually.

Staff are also now working to determine how available data could be used to connect tenants facing eviction complaints with resources including legal assistance and financial support to help preserve tenancies.