The Estimated Economic Impact of an Eviction Right to Counsel in Detroit

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STOUT

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Section I
Stout Profile and Qualifications

1. Stout Risius Ross, LLC (Stout) is a global investment bank and advisory firm specializing in corporate finance, valuation, financial disputes, and investigations. In addition to these services, Stout's professionals have expertise in strategy consulting involving a variety of socioeconomic issues, including issues of or related to access to justice and the needs of low-income individuals and communities.

2. Under the direction of Neil Steinkamp, who leads Stout's Transformative Change Consulting practice, Stout is a recognized leader in the civil legal aid community and offers the following services:

    - Economic impact assessments and policy research for civil legal aid initiatives;
    - Strategy consulting and action plan development for issues relating to access to justice;
    - Non-profit budget development, review, and recommendations;
    - Cost-benefit and impact analyses for non-profit initiatives and activities;
    - Data-driven program evaluation and implementation; and
    - Dispute consulting and damages analyses for low-income individuals.

3. Neil Steinkamp is a Managing Director at Stout in the firm's New York City office. He has extensive experience providing a broad range of strategic, business, and financial advice to business and community leaders and their advisors.

4. Mr. Steinkamp has nearly 20 years of experience covering many industries and matter types resulting in a comprehensive understanding of the application of strategic assessment, risk analysis, financial consulting, and other complex analyses. His work has involved complex problem solving involving large-scale industry and social issues. In certain matters, he has provided testimony during bench and jury trials, domestic and international arbitration, as well during city council hearings. He has also assisted parties in a variety of complex resolutions involving settlement negotiations, mediation, and facilitation.

Section II
Executive Summary

352% - The estimated economic benefits of a right to counsel for tenants facing eviction in Detroit is 352% greater than the estimated costs of providing representation. For every dollar invested in a right to counsel for low-income tenants facing eviction in Detroit, Stout conservatively estimates an economic benefit to Detroit of at least $3.52. Significant additional cost savings are likely to be recognized by Wayne County and Michigan without any incremental investment.

5. Stout was engaged by Rocket Community Fund to analyze the cost and benefits associated with a right to counsel for low-income tenants in eviction proceedings in Detroit and the cost savings that Detroit may realize by enacting such a right. Understanding the critical importance of Detroit residents' lived experiences with housing instability and eviction, Stout subcontracted with local experts, Gwendolyn Winston and Dr. Anthony Dunbar, PhD, who facilitated focus groups and interviews with impacted Detroit residents. The qualitative insights gained from these focus groups and interviews directly informed Stout's analyses. Gwendolyn and Dr. Dunbar authored the Qualitative Data Companion Report (QDCR) that details findings from the focus groups and interviews as well as the recruiting and facilitating processes. The QDCR can be found in Exhibit G.

6. **Key Findings.** With an annual investment of approximately $16.7 million in a right to counsel, Detroit may recognize economic benefits of at least an estimated $58.8 million. For every dollar Detroit invests in providing free representation to eligible tenants through a right to counsel, the city may reduce social safety net responses to disruptive displacement or realize additional economic value of at least $3.52.

7. Additional social safety net responses to disruptive displacement may be funded by Wayne County or Michigan. Stout did not quantify these cost savings, but there would certainly be county and state social safety net cost savings if a right to counsel were implemented in Detroit. These county and state social safety net cost savings would be realized without additional investment and would be in addition to the amounts calculated herein. For example, Stout's cost-benefit analysis of a right to counsel in Baltimore quantified potential cost savings to Baltimore and Maryland. Stout's estimated return per dollar invested to Baltimore in a right to counsel in Baltimore was at least $3.06, and the return per dollar invested to Maryland was at least $3.18 for a total return per dollar invested of at least $6.24.[1] The return per dollar invested in Baltimore is comparable to Stout's estimated return per dollar invested in Detroit. Given the comparability, it would be

[1] "The Economic Impact of an Eviction Right to Counsel in Baltimore City." Stout Risius Ross. May 2020.

reasonable to expect that Wayne County and Michigan, which fund social safety net responses to disruptive displacement, would realize a similar return per dollar invested.

8. Stout found that disruptive displacement through eviction is likely contributing to Detroit's population decline. Stout, with assistance from Rock Central (a Rocket Company) and Experian, analyzed a sample of 700 eviction filings in the 36th District Court from 2017. The purpose of the analysis was to determine if and to what extent Detroit residents who experience an eviction filing move out of the city subsequent to the eviction filing. Stout's analysis indicated that at least 12 percent of Detroit renter households that experienced an eviction filing likely migrated out of the city for reasons related to an eviction filing.

9. The impact of the COVID-19 pandemic also highlights the importance of a right to counsel, perhaps particularly in Detroit based on its high eviction filing rate (described herein). As a result of the pandemic, low-income tenants have and will become more economically and financially disadvantaged, more likely to miss one or more rent payments, and more likely to experience increasing pressure from landlords, who may also be experiencing economic and financial pressures of their own. In these circumstances, it is critically important for low-income tenants to remain in their homes or be connected to services that can assist with finding alternative safe, stable housing – both of which can be achieved by representation through a right to counsel. In the face of pandemic-induced financial challenges for municipalities, an investment in a right to counsel is fiscally prudent and will result in significant cost savings relative to the extraordinary costs that would be incurred to support low-income Detroit residents left to endure the trauma of the eviction process without the assistance of a lawyer. Further, attorneys will be able to provide tenants with assistance in navigating complex rental assistance applications and systems. That is, a right to counsel will likely improve the success of rental assistance programs in Detroit.

10. **The Eviction Right to Counsel Movement.** For tenants facing eviction in cities across the country, having legal representation is often the difference between keeping their home or becoming homeless.[2] New York City, San Francisco, Newark, Cleveland, Philadelphia, Baltimore, Boulder, Louisville, Milwaukee County, Maryland, Washington, and Connecticut have all passed legislation guaranteeing counsel to tenants. Each right to counsel legislation in these jurisdictions has been customized to meet local needs and target certain populations (e.g., people living in public housing, households with children). Over the past year, there has been increased interested in a right to counsel at the state

[2] Brey, Jared. "How Cities Are Trying to Level the Playing Field for Tenants Facing Eviction." Spotlight on Poverty and Opportunity. October 18, 2017.

level, and numerous states (New York, California, Pennsylvania, Massachusetts, Delaware, South Carolina, Nebraska, Indiana, and Minnesota) are now considering statewide right to counsel legislation. On April 23, 2021, Washington became the first state to enact eviction right to counsel legislation statewide.

11. **Benefits of an Eviction Right to Counsel.** The benefits of having a right to counsel in eviction proceedings have been well documented by numerous studies throughout the country. While the benefits are vast, they include, at a minimum:

    - More favorable outcomes for tenants, including decreased displacement;
    - Increased housing stability and ability to re-rent, if necessary;
    - Decreased impact on employment, credit score, and eviction record;
    - Decreased impact on physical and mental health of people in eviction proceedings and a reduction in excess mortality;
    - Decreased negative impact on children, including their health, education, and potential future earnings;
    - Decreased risk of population decline arising from housing instability;
    - Increased family and community stability; and
    - Increased trust in the justice system and civic engagement.

12. **Benefits of an Eviction Right to Counsel to Landlords.** When the landlord is represented and not the tenant – as was the case in approximately 83 percent of landlord-tenant proceedings in Detroit, there is an imbalance of power and tenants often lack the understanding of the complex eviction process and related legal consequences. While initially expressing concerns or anxiety regarding eviction right to counsel, housing court judges and landlords in jurisdictions that have implemented eviction right to counsel legislation have later expressed their preference to be interacting with tenant lawyers rather than unrepresented (pro se) tenants. They have noted that when tenants are represented, out of court resolutions are more likely, less time is spent by judges explaining rights and court processes to tenants, the resolutions are more fair, more robust law is created through motion practice and judicial opinions, agreements are more likely to be upheld, tenants are more likely to be connected to supportive services and benefits, and landlords are more likely to receive amounts due and owing without costly collection efforts.

13. **Stout's Analysis of Eviction Filings in Detroit.** Stout analyzed 30,000 eviction case filings from the 36th District Court and found that **approximately 4 percent of tenants were represented, and 83 percent of landlords were represented**. Stout found that

unrepresented tenants are likely experiencing disruptive displacement in approximately 53 percent of eviction proceedings (in addition to those experiencing disruptive displacement arising from a failure to appear for the eviction hearing – nearly 47 percent of eviction filings in Detroit where the tenant is unrepresented), and represented tenants are likely experiencing disruptive displacement in approximately 3 percent of eviction proceedings. That is, represented tenants are nearly 18 times more likely to avoid disruptive displacement than unrepresented tenants who appear for the eviction hearings.

14. **The Estimated Incremental Impact of a Right to Counsel.** To estimate the impact of a right to counsel in Detroit, Stout compared the number of households that could avoid the high likelihood of disruptive displacement if a right to counsel were implemented and compared it to the number of households that are currently avoiding the high likelihood of disruptive displacement (i.e., without a right to counsel). Stout estimates that 12,002 households annually would likely avoid the high likelihood of disruptive displacement if a right to counsel were implemented compared to approximately 5,583 households currently avoiding the high likelihood of disruptive displacement each year for an incremental impact of 6,419 renter households (or approximately 19,258 people) avoiding the high likelihood of disruptive displacement.

15. **The Cost of an Eviction Right to Counsel.** Providers of eviction defense in Detroit estimate the cost of fully implementing a right to counsel in Detroit to be approximately $16.7 million annually. This includes personnel costs for the hiring of staff attorneys, supervisors, paralegals, social workers,[3] intake specialists, and case processing paralegals to support the representation of eligible tenants through a right to counsel. This estimate also includes costs for facilities, technology, equipment, training, outreach and other costs necessary to provide representation under a right to counsel. Stout's analysis estimates that, at full implementation, providers of eviction defense in Detroit would represent approximately 12,400 tenant households annually through a right to counsel, resulting in a cost per case of approximately $1,300 for those cases for which representation is provided.

16. **Estimated Annual Cost Savings as a Result of an Eviction Right to Counsel.** With an annual investment of approximately $16.7 million by Detroit, the city could expect to save at least $18.9 million annually in social safety net responses to disruptive displacement and realize an additional economic value of $39.9 million if a right to counsel were enacted, for a total economic benefit of $58.8 million. The social safety net response cost savings

[3] This could include a variety of necessary support positions for lawyers and tenants, including social workers, housing navigators, or others who can assist residents with their housing or other needs.

are related to housing programs, health care, and foster care for households experiencing homelessness because of disruptive displacement. The additional economic value that Detroit would realize is a result of retaining residents that would have migrated out of Detroit because of disruptive displacement.

17. **Stout's estimate of the annual cost savings and additional economic value may be significantly understated.** Included in the calculation are benefits of a right to counsel that are quantifiable and reasonably reliable with available data. However, if tenants experienced more stable housing, Detroit would enjoy many benefits that are not at this time reliably quantifiable and therefore are not included in Stout's calculations. The costs that would be avoided and benefits that would be enjoyed by Detroit include, but are not limited to:

    - The education costs, juvenile justice costs, and child welfare costs associated with children experiencing homelessness;
    - The effects of stabilized employment and income and the economic and tax benefits to the state associated with consumer spending;
    - The negative impact of eviction on tenants' credit score, ability to re-rent, and the potential loss of a subsidized housing voucher;
    - The cost of providing public benefits when jobs are lost due to eviction or the eviction process;
    - The cost of mental health care;
    - Certain additional costs associated with homelessness, such as additional law enforcement and incarceration costs;
    - The cost of family, community, and neighborhood instability;
    - Preservation of financial and personal assets; and
    - A reduction, over time, of the number of eviction cases filed resulting in improved use of 36th District Court resources.

Section III
Housing and Eviction Trends

National Housing and Eviction Trends

18. More than a decade after the Great Recession and the bursting of the housing bubble in 2009, more Americans are now living in rental housing than has been reported since 1965.[4] After peaking in 2016 with approximately 37 percent of Americans renting, the rentership rate declined slightly to approximately 35 percent through the first quarter of 2020.[5] Figure 1 shows the annual change in renter households and rentership rate from 2004 through the first quarter of 2020.

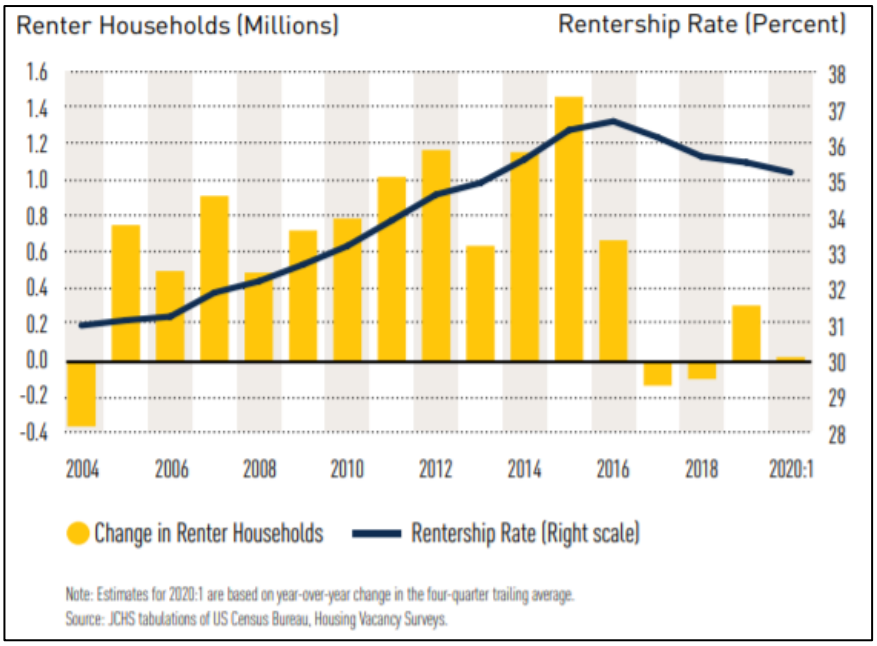

Figure 1

19. Young adults, Black, Hispanic, and households with lower levels of education have historically been more likely to rent than others, and while rental rates have increased among these groups over the past 10 years, rental rates have also increased among groups that have historically been less likely to rent – white households and middle-aged adults.[6] Figures 2, 3, and 4 illustrate the increases in rental rates for different demographic groups.

[4] Cilluffo, Anthony et al. "More U.S. households are renting than at any point in 50 years." Pew Research Center. July 19, 2017.
[5] "The State of the Nation's Housing." Joint Center for Housing Studies of Harvard University. 2020.
[6] Cilluffo, Anthony et al. "More U.S. households are renting than at any point in 50 years." Pew Research Center. July 19, 2017.

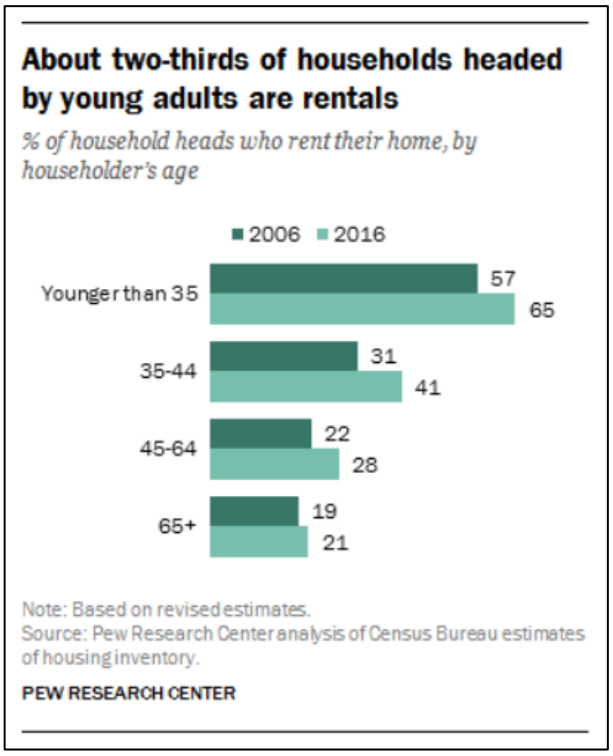

Figure 2

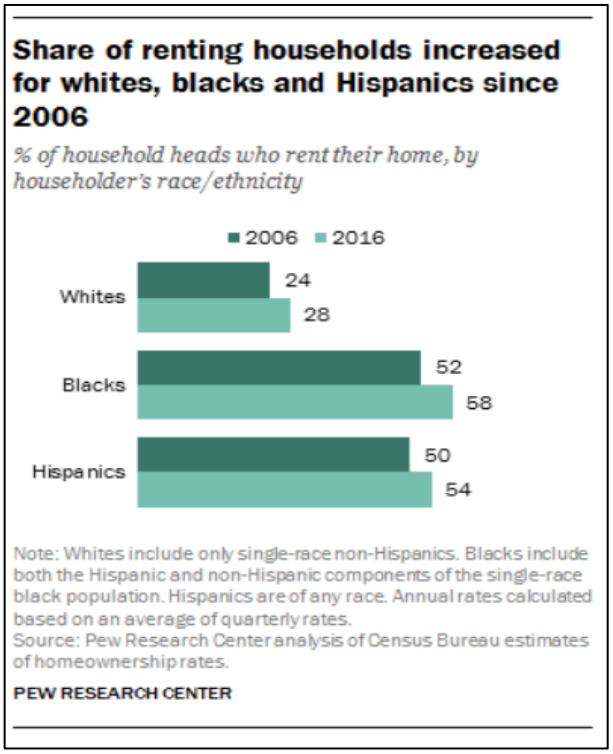

Figure 3

20. As shown in Figure 2, generational trends have contributed to the increased number of renters. Millennials, and more recently, Generation X and Baby Boomers are renting instead of owning. These generations are also choosing to live in urban areas, where renting is most common, more frequently than in the past.[7] Approximately 83 percent of the U.S. population is currently living in urban areas compared to 64 percent in 1950.[8] By 2050, approximately 89 percent of the U.S. population is expected to be living in urban areas.[9]

21. In 2019, the median renter household income was approximately $42,500 – only a 3 percent increase since

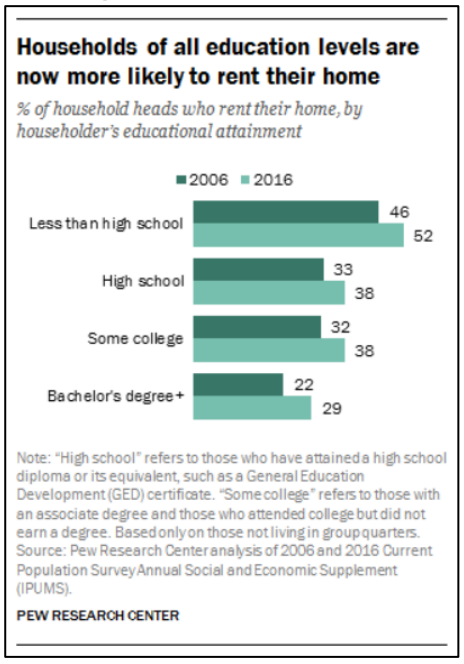

Figure 4

[7] Westcott, Lucy. "More Americans Moving to Cities, Reversing the Suburban Exodus." The Atlantic. March 27, 2014.
[8] Center for Sustainable Systems, University of Michigan. 2020. "U.S. Cities Factsheet." Pub. No. CSS09-06.
[9] Ibid.

2001– while median rental housing costs (i.e., rent and utilities) increased 15 percent.[10] Figure 5 illustrates this trend.

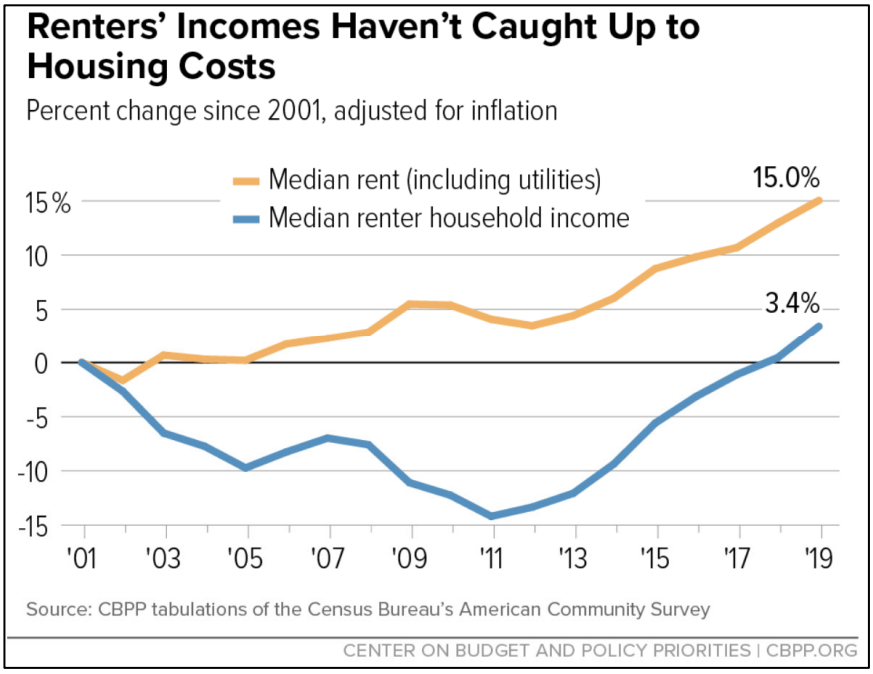

Figure 5

22. Median renter household income decreased significantly during the recessions that began in 2001 and 2007 before increasing again in 2012, approximately two years after the Great Recession ended.[11] Renter household income levels did not fully recover from the recession until 2017, when renter household income returned to 2001 levels.[12] In 2018, renter household incomes barely surpassed 2001 renter household income levels, and in 2019, median renter household income increased 3 percent while median rent increased 2 percent – a modest gain for renter households.[13] While the economic fallout of the COVID-19 pandemic throughout 2020 and early 2021 significantly impacted low-income households (who are generally renters), economists are optimistic that recovery is beginning to accelerate in the United States, and the risk of recession has decreased between 40 percent and 50 percent.[14]

[10] Gartland, Erik. "2019 Income-Rent Gap Underscores Need for Rental Assistance, Census Data Show." Center on Budget and Policy Priorities. September 18, 2020.
[11] Ibid.
[12] Ibid.
[13] Ibid.
[14] "Economic Outlook U.S. Q2 2021: Let The Good Times Roll." S&P Global Economics. March 2021.

23. Regardless of the positive economic outlook, job loss during the pandemic was concentrated among low-wage workers.[15,16] Unsurprisingly, rental affordability issues, before the pandemic and certainly after it, are and will be the most problematic for the lowest wage earners. During the pandemic, the U.S. Census Bureau, in collaboration with numerous federal agencies, deployed the Household Pulse Survey (HPS). The HPS was designed to collect data about households' experiences during the pandemic quickly and efficiently. One topic explored in the HPS was whether renter households were current or behind on their rent. As of June 7, 2021, approximately 18 percent of renter households across the country with incomes less than $50,000 were behind on their rent. In Michigan, approximately 12 percent of renter households were behind on their rent.

24. Of the nation's 44 million renter households, approximately 10.8 million have extremely low incomes (i.e., having household income at or below the Federal Poverty Level or 30 percent of area median income "AMI," whichever is higher).[17] Assuming housing costs should be no more than 30 percent of household income ("the accepted standard" for housing affordability that evolved from the United States National Housing Act of 1937[18]), only 7.4 million rental homes are affordable to extremely low-income renters. This results in a shortage of 3.4 million affordable rental homes across the country.[19] The relative supply of affordable and available rental units increases as incomes increase.[20] For every 100 extremely low-income renter households, only 37 rental units are affordable and available.[21] Sixty affordable and available rental units exist for every 100 renter households at 50 percent AMI, and 94 exist for every 100 renter households at 80 percent AMI.[22] For every 100 renter households earning 100 percent of the AMI, there are 102 affordable and available rental units.[23] Figure 6 depicts these metrics.

[15] Pickert, Reade et al. "U.S. Recovery Sustains Positive Momentum as Economy Reopens." Bloomberg. March 2021.
[16] "Employment recovery in the wake of the COVID-10 pandemic." U.S. Bureau of Labor Statistics. December 2020.
[17] "The Gap: A Shortage of Affordable Homes." National Low Income Housing Coalition. March 2021.
[18] Schwartz, M. and Wilson, E. "Who Can Afford to Live in a Home?: A look at data from the 2006 American Community Survey". US Census Bureau. N.d.
[19] "The Gap: A Shortage of Affordable Homes." National Low Income Housing Coalition. March 2021.
[20] Ibid.
[21] Ibid.
[22] Ibid.
[23] Ibid.

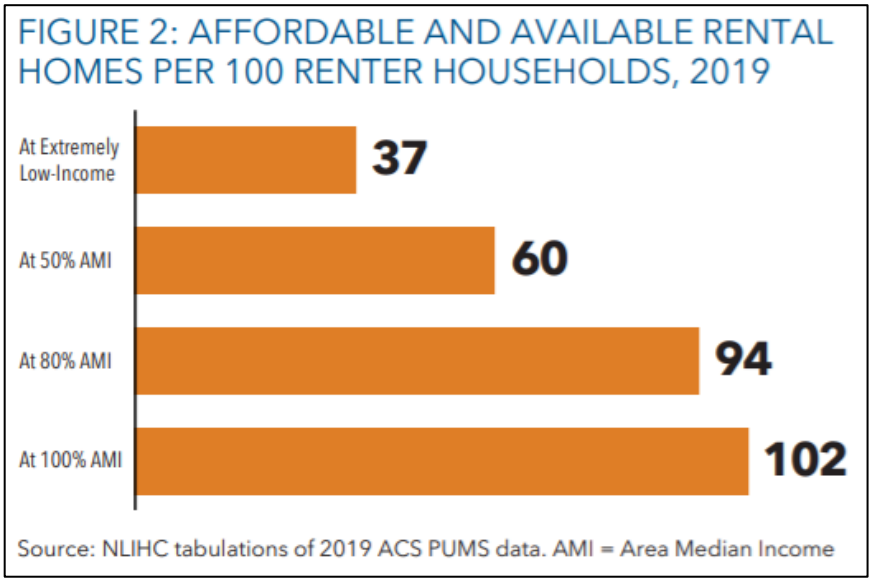

Figure 6

25. Not only is availability of affordable rental housing severely limited, the geographic distribution of rental housing is inequitable and perpetuates racial segregation.[24] Approximately 50 percent of all rental housing nationwide is in less than 25 percent of all census tracts.[25] Rental housing constitutes more than 80 percent of the housing stock in only 4 percent of census tracts, which are generally located in urban areas.[26] This is compared to one-third of census tracks having at least 80 percent owner-occupied housing, which is generally located in suburban areas.[27] On average, the median household income in neighborhoods with high concentrations of rental housing is less than half of the median household income in neighborhoods with high concentrations of owner-occupied housing.[28] Furthermore, approximately 55 percent of households in neighborhoods with high concentrations of rental housing are Black or Hispanic compared to 14 percent of households in neighborhoods with high concentrations of owner-occupied housing.[29]

26. Low- and subsidized-rental units are even more geographically concentrated than the overall rental housing stock.[30] Approximately half of rental units with rents less than $600 are in only 12 percent of census tracts, and approximately half of federally subsidized rental units are in only 5 percent of census tracts.[31] On average, neighborhoods with concentrations of subsidized housing have higher rentership rates, lower median incomes,

[24] "The State of the Nation's Housing." Joint Center for Housing Studies of Harvard University. 2020.
[25] Ibid.
[26] Ibid.
[27] Ibid.
[28] Ibid.
[29] Ibid.
[30] Ibid.
[31] Ibid.

and more Black and Hispanic households than neighborhoods without subsidized housing, reinforcing historical patterns of socioeconomic and racial segregation.[32]

27. The gap between the demand for and supply of rental units, increasing rents, stagnated minimum wage-based incomes, and insufficient government assistance – only 25 percent of eligible households receive federal rental assistance[33] – has created not only an affordable housing crisis throughout the country but also an eviction crisis. The eviction crisis is compounded by a lack of representation for tenants, low filing fees (i.e., it is inexpensive to file an eviction case), insufficient inspection laws and processes, and unenforced fines.

28. According to the 2017 American Housing Survey, approximately 2.7 million renter households were unable to pay all or part of their rent within the three months preceding the survey.[34] The same survey indicated that approximately 800,000 renter households were threatened with an eviction filing[35], and approximately 160,000 renter households received a court ordered eviction notice[36].[37] More than 7 percent of all renters indicated that it was either "very likely" or "somewhat likely" that they would need to leave their apartment due to an eviction within the two months following the survey.[38] When asked where they would live in the event of an eviction, approximately 32 percent (14.2 million) of all renters responded that they would move in with family or friends, and approximately 3 percent (1.3 million) responded that they would enter shelter.[39] While there are limitations to these metrics (e.g., illegal or "out-of-court" evictions, no national evictions database, underreporting of threatened evictions for fear of retaliation), they can serve as a starting point for understanding the national eviction landscape. Also important to understanding the national eviction landscape is landlords' eviction practices.

29. Landlords are often categorized by the number of properties they own. Small landlords are generally people who rent one or two units to supplement their income, do not have staff, live in the same building or neighborhood as their tenants, and often have social

[32] Ibid.
[33] Fischer, Will, Rice, Douglas, and Mazzara, Alicia. "Research Shows Rental Assistance Reduces Hardship and Provides Platform to Expand Opportunity for Low-Income Families." Center on Budget and Policy Priorities. December 5, 2019.
[34] American Housing Survey. U.S. Census Bureau. 2017.
[35] The American Housing Survey question used to collect this data point was, "Have you been threatened with eviction in the last 3 months?" Source: The AHS Codebook located at census.gov/data-tools/demo/codebook/ahs.
[36] The American Housing Survey question used to collect this data point was, "Have you received an eviction notice from a court?" Source: The AHS Codebook located at census.gov/data-tools/demo/codebook/ahs.
[37] American Housing Survey. U.S. Census Bureau. 2017.
[38] Ibid.
[39] Ibid.

relationships with their tenants.[40] Small landlords may have inherited their rental properties or originally planned to live in them, resulting in them being a landlord by circumstance rather than choice.[41] Large landlords are generally corporations with staff for whom renting properties is their primary source of income.[42] Large landlords usually operate according to a set of business practices and procedures and maintain an arms-length relationship with their tenants.[43] They are less likely than small landlords to live in the same building as their tenants, and if they do, the resident landlord is typically an employee of the corporation with little power.[44]

30. Economic sociological studies suggest that the contexts in which small and large landlords operate influence their economic behavior.[45] For example, small landlords' closer personal relationships with tenants may create an environment where being overly profit-seeking feels inappropriate, and large landlords' arms-length relationship with tenants often allows them to ignore non-economic factors, such as sympathy for a tenant.[46] For small landlords, organizational informality and personal relationships with tenants can make eviction a morally fraught decision.[47] In contract, large landlords with policies, procedures, and arms-length relationships with tenants make eviction a standard business process.[48]

31. Three studies between 2018 and 2020 analyzed the relationship between landlord size and eviction and found that large landlords file evictions at higher rates and file repeatedly against the same tenants (i.e., serial filings) than small landlords.[49] Large landlords are also less likely to engage in strategies to keep tenants in their units than small landlords.[50] A fourth study of small and large Boston landlords and Boston eviction filings confirms these

[40] Gomory, Henry. "The Social and Institutional Contexts Underlying Landlords' Eviction Practices." Social Forces. 2021. Referencing Sternlieb, George. "The Tenement Landlord." Rutgers University. 1966.
[41] Gomory, Henry. "The Social and Institutional Contexts Underlying Landlords' Eviction Practices." Social Forces. 2021.
[42] Ibid.
[43] Ibid.
[44] Ibid.
[45] Ibid. Referencing DiMaggio, Paul and Louch, Hugh. "Socially Embedded Consumer Transactions: For What Kinds of Purchases Do People Most Often Use Networks?" American Sociological Review. 1998.
[46] Gomory, Henry. "The Social and Institutional Contexts Underlying Landlords' Eviction Practices." Social Forces. 2021. Referencing Leung, Lillian et al. "Serial Eviction Filing: Civil Courts, Property Management, and the Threat of Displacement." Social Forces. 2020.
[47] Gomory, Henry. "The Social and Institutional Contexts Underlying Landlords' Eviction Practices." Social Forces. 2021.
[48] Ibid.
[49] Ibid. Referencing: (1) Raymond, Elora Lee et al. "From Foreclosure to Eviction: Housing Insecurity in Corporate-Owned Single Family Rentals." Cityscape. 2018; (2) Immergluck, Dan et al. "Evictions, Large Owners, and Serial Filings: Findings from Atlanta." Housing Studies. 2019.; (3) Balzarini, John and Boyd, Melody. "Working with Them: Small-Scale Landlord Strategies for Avoiding Evictions." Housing Policy Debate. 2020.
[50] Ibid.

findings and contributes the following to the limited body of research on landlords and their eviction practices:

- Large landlords filed and executed evictions at significantly higher rates than small landlords. Landlords owning 15 or more units filed and executed 2 to 3 times as often as landlords who owned fewer than 4 units.[51] Landlords who owned 4 to 14 units evicted approximately 50 percent more tenants than small landlords.[52]

- When large landlords purchased properties from small landlords, eviction filing rates immediately and permanent increased.[53] There was a particularly large increase in filings during the year of sale, which was almost exclusively attributable to the change in ownership.[54]

- Large landlords filed evictions over less rent owed than small landlords, suggesting that they filed more even when controlling for tenant behavior.[55]

- Large landlords filed more often because of missed rent payments as opposed to lease violations, were more likely to resolve eviction cases without actually executing an eviction, and were more likely to engage in serial filing practices – all of which indicated that large landlords used eviction filings to collect rent and exercise power over tenants.[56]

32. Understanding the economics of owning rental properties and how the number of rental properties a landlord owns can influence eviction filings has implications on housing policy throughout the United States. The national eviction landscape is dynamic and influenced by a variety of ever-changing societal and economic factors. As it is important to understand how these factors affect the future of evictions and housing throughout the country, it is equally important to understand how local history has uniquely shaped housing in Detroit.

[51] Gomory, Henry. "The Social and Institutional Contexts Underlying Landlords' Eviction Practices." Social Forces. 2021.
[52] Ibid.
[53] Ibid.
[54] Ibid
[55] Ibid.
[56] Ibid.

Historical Influences on Detroit's Housing Landscape

33. Detroit was founded as a settlement in 1701 by French colonists.[57] The settlement was incorporated as a city in 1815 and served as Michigan's capitol from 1805 to 1847.[58] During the 19th century, Detroit became a world leader in manufacturing stoves, creating a labor force with manufacturing expertise that would be invaluable throughout the 20th century.[59] In 1903, Henry Ford founded the Ford Motor Company, which helped establish Detroit as a destination for pioneers in the automotive industry.[60] Henry Ford introduced the $5 daily wage in January 1914, which doubled the pay of Ford's factory workers.[61]As the automotive industry expanded, Detroit experienced a large influx of workers in the 20th century. Detroit's population reached 1.6 million with 160,000 automotive workers by 1929, making it the fourth most populous city in the country at the time.[62] Additionally, as WWII demanded higher industrial output, laborers were migrating to Detroit.[63] As Detroit experienced a rapid increase in the number of Black residents in the city, racial tension and housing inequity began developing. From 1910 to 1930, Detroit's Black population increased an estimated 2,000 percent from under 6,000 to over 120,000.[64] In pursuit of equal treatment and better lives, Black Americans from the South began migrating to Detroit and other Midwestern cities from 1916 to 1970 in what is known as 'The Great Migration.'[65] Figure 7 shows the population of Detroit from 1920 to 1950 compared to the percentage of Black residents in the city. [66]

[57] The Editors of Encyclopedia Britannica et al. "History of Detroit." Britannica. July 20, 1998.
[58] Ibid.
[59] Encyclopedia of Detroit "Detroit Stove Works." Detroit Historical Society. N.d.
[60] Ford Motor Company "Our History." Accessed on April 29, 2021.
[61] The Henry Ford Museum. "Ford's Five-dollar Day." January 3, 2014.
[62] Hillard Owens, Pamela. "Voices of Detroit: The Great Depression." El Moore. Accessed on April 29, 2021.
[63] Encyclopedia of Detroit. "Race Riot of 1943." Detroit Historical Society. Accessed on July 7, 2021.
[64] Gibson, Campbell; Kay, Jung. "Table 23. Michigan – Race and Hispanic Origin for Selected Large Cities and Other Places: Earliest Census to 1990." United States Census Bureau.
[65] Wilkerson, Isabel. "The Long-Lasting Legacy of the Great Migration." Smithsonian Magazine. September 2016.
[66] Gibson, Campbell; Kay, Jung. "Table 23. Michigan – Race and Hispanic Origin for Selected Large Cities and Other Places: Earliest Census to 1990." United States Census Bureau.

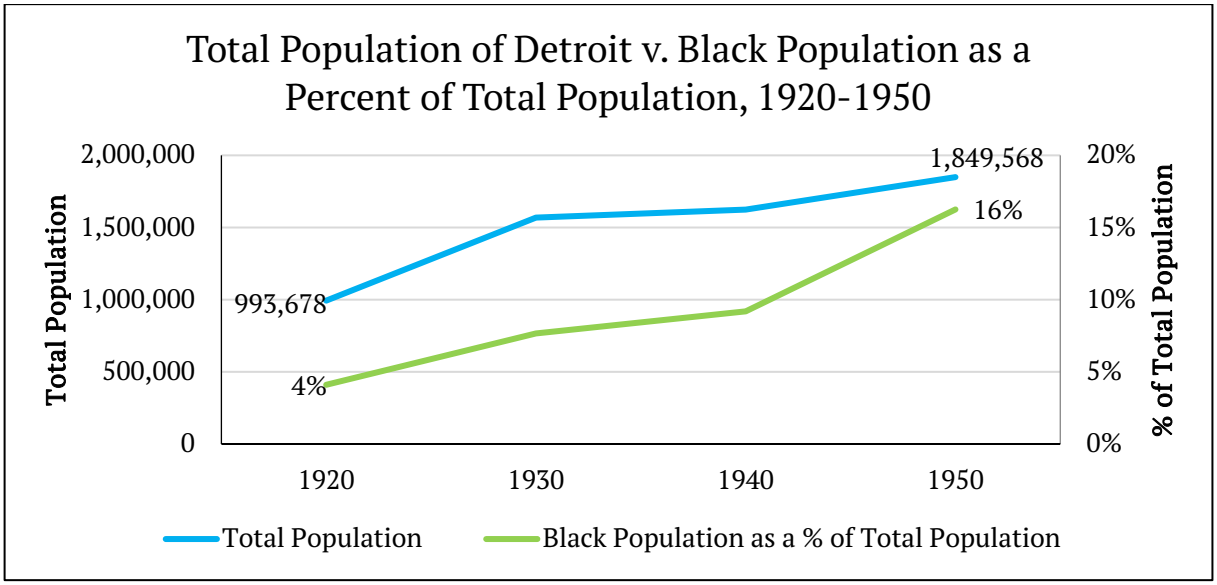

Figure 7

34. As the city's population increased in tandem with the expansion of the automotive industry, so did the unequal treatment of Black Detroiters. One notable area of unequal treatment was (and continues to be) housing. It was common for Black residents to be charged higher rent than their white counterparts for lower quality housing. In the memoir of John C. Dancy, a 19th and 20th century journalist, he recounted that,

> *"the average rent for white families was $30 a month; for Negro families, it was closer to $50, and the Negro got worse housing for his money."*[67]

35. According to the National Bureau of Economic Research, from 1930 to 1940, Black renter households nationwide paid approximately 50 percent more relative to white households in neighborhoods that transitioned from majority white to majority Black.[68]

36. Many real estate academics and professionals in the early 20th century enabled these discriminatory practices by subscribing to the belief that the introduction of Black residents into a majority white neighborhood would decrease home values.[69] Government housing agencies and banks concurred, which led to the implementation of policy to reflect this consensus. For example, the 1938 Federal Housing Administration (FHA) Underwriting Manual read:

[67] Fisher, Emily. "Migration has Been a Thorn in the Historical Story of Detroit's Black Population." Detroit Is It. February 18, 2021.
[68] Akbar, Prottoy A. Et al. "Racial Segregation in Housing Markets and the Erosion of Black Wealth." National Bureau of Economic Research, NBER Working Paper Series. May 2019.
[69] Ibid.

"Areas surrounding a location are investigated to determine whether incompatible racial and social groups are present, for the purpose of making a prediction regarding the probability of the location being invaded by such groups."[70]

37. Discriminatory housing practices led to the FHA's refusal to insure mortgages issues for properties in or around Black neighborhoods, which became known as "redlining."[71] Redlining began with the Home Owner's Loan Corporation (HOLC), a discontinued government agency, creating "residential security maps," which were meant to classify neighborhoods on their levels of credit risk.[72] However, the HOLC's classification of the neighborhood risk profiles was correlated with the proportion of Black residents; Black neighborhoods and white neighborhoods near Black neighborhoods were more likely to be classified as higher-risk.[73] By the time the Fair Housing Act outlawed redlining in 1968, the city was highly segregated, and much of the region's wealth had already been pushed outside Detroit's borders.[74] Even today, in certain areas in Detroit where wealthy and poor neighborhoods are adjacent, such as Alter Road on the border of Grosse Point Park, securing financing for a home purchase may depend on which side of the street the property lies.[75] Figure 8 shows the HOLC's map of Greater Detroit, which was published in 1939. A study by the National Community Reinvestment Coalition determined that 74 percent of the neighborhoods graded as high-risk (areas in red) by the HOLC are low-to-moderate income areas today.[76] Additionally, nearly 64 percent of the HOLC-classified high-risk areas are minority neighborhoods.[77] HOLC appraisals of Detroit neighborhoods

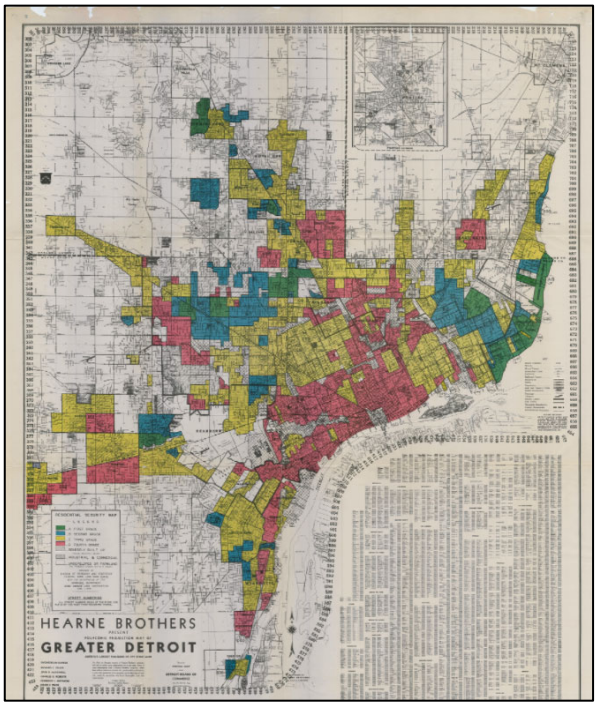

Figure 8

[70] Federal Housing Administration "Underwriting Manual" Underwriting and Valuation Procedure Under Title II of the National Housing Act ¶. 937
[71] Gross, Terry. "A 'Forgotten History' of How the U.S. Government Segregated America." National Public Radio. May 3, 2017.
[72] Merrefield, Clark. "Soaring rents and plunging home values: How 1930s housing practices eroded black wealth." The Journalist's Resource. May 9, 2019.
[73] Ibid.
[74] Eisen, Ben. "Dearth of Credit Starves Detroit's Housing Market." The Wall Street Journal. October 29, 2020.
[75] Ibid.
[76] Franco, Juan; Mitchell, Bruce. "HOLC "Redlining" Maps: The persistent structure of segregation and economic inequality." National Community Reinvestment Coalition Research. March 2019.
[77] Ibid.

became self-fulfilling prophecies because many real estate broker practices centered on keeping Black Detroiters out of white neighborhoods.[78]

38. In the 1940s, Detroit's economic boom earned it the title of an "Arsenal of Democracy."[79] At the same time, racial tensions were exacerbated as discriminatory housing practices were embedded in the real-estate industry.[80] During the summer of 1943, the tensions over race, poor living conditions, an unequal access to goods and services reached a breaking point, which resulted in one of the first major racial uprisings in Detroit.[81] During the 1943 Rebellion, 34 Detroiters were killed, 25 of whom were Black.[82] Most of the Black people who died in this Uprising were killed by white police officers.[83] Further, 433 people were wounded, of which approximately 75 percent were Black.[84]

39. Racial inequality and economic hardship resulting from layoffs and relocation in the automotive industry culminated in the 1967 Detroit Rebellion.[85] Author Thomas J. Sugrue describes the uprising in *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*:

> "On July 23, 1967, in the middle of a summer heat wave, the police decided to bust a 'blind pig,' an illegal after-hours saloon on Twelfth Street in the center of one of Detroit's largest black neighborhoods. Arrests for illegal drinking were common in Detroit, but usually the police dispersed the crowd and arrested a handful of owners and patrons, taking the names of the remainder. On the steamy July night, they decided to arrest all eighty-five people present and detain them – hot, drunk, and angry – outside the saloon until reinforcements could arrive. By four in the morning, an hour after the bust, nearly two hundred people, attracted by the commotion behind the blind pig, had gathered to watch the proceedings. As the arrestees shouted allegations of police brutality, tempers rose. The crowd began to jeer and to throw bottles, beer cars, and rocks at the police… By 8:00 a.m., a crowd of over three thousand had gathered on Twelfth Street. The riot raged out of control until it

[78] Sugrue, Thomas J. *The Origins of the Urban Crisis Race and Inequality in Postwar Detroit*. Princeton Classics. 1996.
[79] Encyclopedia of Detroit. "Race Riot of 1943." Detroit Historical Society. N.d.
[80] Ibid.
[81] Ibid.
[82] Capeci, Dominic J; Wilkerson, Martha. "The Detroit Rioters of 1943: A Reinterpretation." Michigan Historical Review. January 1990.
[83] Ibid.
[84] Ibid.
[85] History.com Editors. "1967 Detroit Riots." History.com. September 27, 2017, Updated March 23, 2021.

was suppressed by a combined force of nearly *seventeen thousand* law enforcement officers, National Guardsmen, and federal troops."[86]

40. The uprising in 1967 resulted in more than 7,000 arrests (most of whom were Black), more than 1,000 razed buildings, and the deaths of 43 Detroiters (33 Black and 11 white).[87] In 1910, Detroit's white population was approximately 460,000, and increased to 1.5 million by 1950.[88] In response to the 1967 Rebellion, white Detroiters began a mass exodus to the suburbs, which became known as "white flight." Between the 1960 and 1970 census, more than 344,000 white Detroiters left the city.[89] By 1990, Detroit's white population had decreased approximately 82 percent to 220,000 from 1.2 million in 1960.[90] In recent years, however, the proportion of white residents within the city has increased from approximately 11 percent to 15 percent of Detroit's total population from 2010 to 2019.[91]

The Intersection of Transportation and Housing in Detroit

41. Albert Cobo, who served as Detroit's mayor from 1950 to 1957, facilitated the construction of freeways in the city.[92] When building the city's freeway systems, city planners routed highways through otherwise thriving Black neighborhoods, such as Black Bottom, which was replaced by the Lafayette Park district and Chrysler Freeway.[93] The Lower East Side, Paradise Valley, and the Hastings Street business district were paved over, eliminating many of the city's prominent Black institutions from jazz clubs to the Saint Antoine branch of the YMCA.[94] The John C. Lodge Freeway bisected the Lower West Side, which at the time had an increasing Black population, and the Black neighborhoods bordering Highland Park.[95] The Edsel Ford Freeway also bisected Black neighborhoods on the West Side and northern Paradise Valley, resulting in what a local Black businessman called "no man's land."[96] The announcement of highway construction projects came years before actual construction commenced. Because of this, homeowners and businessowners were unable

[86] Sugrue, Thomas J. *The Origins of the Urban Crisis Race and Inequality in Postwar Detroit*. Princeton Classics. 1996.
[87] Duignan, Brian et al. "Detroit Riot of 1967." Britannica. December 13, 2013.
[88] Gibson, Campbell; Kay, Jung. "Table 23. Michigan – Race and Hispanic Origin for Selected Large Cities and Other Places: Earliest Census to 1990." United States Census Bureau.
[89] Ibid.
[90] Fisher, Emily. "Migration has Been a Thorn in the Historical Story of Detroit's Black Population." Detroit Is It. February 18, 2021.
[91] ACS Demographic and Housing Estimates. "2010 and 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[92] Padnani, Amy. "Anatomy of Detroit's Decline." The New York Times. Accessed on April 30, 2021.
[93] Encyclopedia of Detroit. "Black Bottom Neighborhood." Detroit Historical Society. Accessed on April 30, 2021.
[94] Sugrue, Thomas J. *The Origins of the Urban Crisis Race and Inequality in Postwar Detroit*. Princeton Classics. 1996.
[95] Ibid.
[96] Ibid.

to sell their properties that would soon be condemned and unable to move without proceeds from a property sale.[97] Building owners had little incentive to invest in property improvements, leaving a significant number of deteriorating buildings to be demolished for the construction of highways.[98] Construction of the first three miles of the John C. Lodge Freeway resulted in 423 residences, 109 businesses, 22 manufacturing plants, and 93 vacant lots being either demolished or condemned.[99] These transportation decisions made more than 70 years ago continue to impact Detroit residents, particularly those with low incomes.

42. Detroit's car-based urban planning presents a challenge to its economically disadvantaged residents. Automobiles are considered one of the most expensive modes of transportation, with a single automobile costing $9,200 per year on average in 2019.[100] However, this estimate does not consider that the average annual automobile insurance premiums alone are approximately $6,200 in Detroit – more than four times the national average and twice the statewide average.[101] With 70 percent[102] of Detroit renters spending more than 30 percent of their income on housing, Detroit renters could be spending upwards of 90 percent of their income on housing and transportation alone based on a median renter income of $19,247 in 2017.[103] Detroit renters who are severely cost burdened (i.e., spending 50 percent or more on rent) would most likely be unable to afford a car. As nearly 20 percent of households in Detroit earn less than $10,000 per year, the cost of an automobile in addition to housing and living expenses may not be feasible.[104]

43. During 2019, approximately 24 percent of Detroit households did not have access to an automobile, compared to just 8 percent statewide.[105] The high cost of automotive transportation and lack of public transit options in the city causes many Detroiters who do not have access to automobiles to face limited career options.

44. Many city residents who could afford automotive transport leveraged the freeways to relocate out of Detroit.[106] Consequently, Detroit's rapid population decline was met with a corresponding decline in demand for the existing housing stock and other real estate, which contributes to the ongoing blight problem Detroit now faces. In 2019, approximately

[97] Ibid.
[98] Ibid.
[99] Ibid.
[100] Farr, Charles; Miner, Patrick; Cua, Celine. "Eviction and the Cost of Transportation." Center for Neighborhood Technology. December 18, 2020.
[101] Michigan Association of United Ways. "ALICE in Michigan: A Financial Hardship Study." 2021
[102] Erika C. Poethig, et al. "The Detroit Housing Market." Urban Institute. March 2017.
[103] Cassidy, Julie. "Detroit: The evolution of a housing crisis." Michigan League for Public Policy.
[104] Deloitte; Datawheel. "Detroit, MI: Housing & Living." Data USA.
[105] Ibid.
[106] Padnani, Amy. "Anatomy of Detroit's Decline." The New York Times. Accessed on April 30, 2021.

22 percent of Detroit's housing stock was classified as "Vacant-Other," meaning the houses are withheld from the market for settlement reasons (such as tax foreclosure), personal reasons, or because they are not in habitable condition.[107] Statewide, only 5 percent of the housing stock is "Vacant-Other."[108]

Economic Factors Exacerbating Housing Inequities in Detroit

45. As Detroit's affluent residents fled the city in the fallout of the 1967 Rebellion, those who could not afford automotive transportation remained in the city, initiating a drastic demographic and socioeconomic shift. Since 1967, poverty has been significantly concentrated within the city. Detroit has ranked among the top cities in the country in concentrations of poverty since 2009.[109] In 1967, an estimated 16 percent of the city's population had incomes at or below 100 percent of the Federal Poverty Level (FPL),[110] and approximately 40 percent had incomes at or below 200 percent of the FPL.[111] In 2019, 35 percent of Detroiters had incomes at or below 100 percent of the FPL[112], and more than half of all Detroiters had incomes at or below 200 percent of the FPL.[113]

46. The adverse impact of the subprime lending crisis and subsequent recession, as well as the city of Detroit filing for bankruptcy has exacerbated the city's poor economic condition and bleak housing outlook. In the years leading up to the 2008 financial crisis, lenders had issued a large amount of "subprime" mortgage loans to Detroiters.[114] This briefly helped narrow the gap in homeownership between Black and white residents in Detroit.[115] When Detroit homeowners began experiencing foreclosure, the progress was reversed.[116]

47. Although the recession was largely considered to be over after the third quarter of 2009, Detroit was experiencing a 29 percent unemployment rate.[117] As the city tried to recover from the crisis, the Police & Fire Retirement System of the City of Detroit (the Retirement System) loaned $10 million to Paramount Limited, LLC (Paramount) for the purposes of

[107] Michigan State Housing Development Authority and RKG Associates. "Michigan Homeownership Study." March 2019.
[108] Ibid.
[109] Kneebone, Elizabeth; Holmes, Natalie. "U.S. concentrated poverty in the wake of the Great Recession." Brookings Institution. March 31, 2016.
[110] McGraw, Bill. "A brief history of poverty and jobs in Detroit," Slide 7. Bridge Michigan. June 16, 2016.
[111] "SOCDS Census Data: Output for Detroit city, MI." Accessed on June 15, 2021. 200 percent of FPL Estimates for 1967 developed using figures from 1969.
[112] ACS Detroit city, Michigan. "QuickFacts - 2019" United States Census Bureau. Accessed on April 30, 2021.
[113] ACS Economic Estimates. "2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[114] Eisen, Ben. "Dearth of Credit Starves Detroit's Housing Market." The Wall Street Journal. October 29, 2020.
[115] Ibid.
[116] Ibid.
[117] Harris, Paul. "How Detroit, the Motor City, turned into a ghost town." The Guardian. October 31, 2009.

purchasing and renovating distressed properties within the city.[118] Paramount did not fulfill the terms of the agreement because they neglected to make renovations and pay back taxes owed on properties they purchased as part of the agreement. Ultimately, Paramount defaulted on the loans after misrepresenting their progress to the Retirement System.[119] Paramount perpetrated this fraudulent scheme at the expense of homebuyers in Detroit who lacked access to mortgage financing. For example, it is reported that Paramount purchased a home for just $1 and subsequently sold it to a homeowner with a disability for $35,000.[120] The homeowner estimates about $9,000 of renovations were required, which they financed with a loan against their 401(k). [121] In addition, an attorney who represented families in this matter estimated that 100 to 200 families faced back taxes unpaid by Paramount that were usually in excess of the property's value.[122] The Retirement System attempted to evict these homebuyers on the grounds of the unpaid back taxes that Paramount was meant to bear, punishing Detroiters for a scheme that they were already victims of and that they did not commit. This contributed to a new foreclosure crisis on the basis of delinquent property taxes – from 2011 to 2015, one in four properties in the city went through tax foreclosure.[123] The tax and bankruptcy foreclosure crises in Detroit caused many city residents to lose their homes, causing Detroit to transition from a majority homeowner city to a majority renter city by 2015.

48. On July 18, 2013, the city of Detroit filed for Chapter 9 bankruptcy.[124] Detroit's bankruptcy represents the largest municipal bankruptcy filing in U.S. history, with between $18 to $20 billion of debt owed by the city.[125] Detroit's financial crisis had no single catalyst; the bankruptcy was a result of decades of mismanagement and oversight by the city's leadership and stakeholders.[126] After Detroit's bond rating was upgraded during 1985, the city began borrowing significant amounts of money, and its debt obligations increased. Figure 9 shows the city's revenues and debt obligations from 1955 to 2010 with key points

[118] The Police & Fire Retirement System of the City of Detroit v. George A. Kastanes and Teresa D. Kastanes. Complaint filed on April 9, 2012.
[119] Ibid.
[120] Guyette, Curt. "Paramount's costly fallout." Detroit Metro Times. November 21, 2012.
[121] Ibid.
[122] Ibid.
[123] Berry, Christopher. "Inflated tax assessment spurred historic Detroit foreclosures, study finds." UChicago News. July 2, 2018.
[124] Brush, Mark. "Facts about the Detroit bankruptcy." Michigan Radio. October 28, 2013.
[125] Ibid.
[126] Bomey, Nathan; Gallagher, John. "How Detroit went broke: The answers may surprise you – and don't blame Coleman Young." Detroit Free Press. September 15, 2013.

annotated.[127] Detroit's state-appointed emergency financial manager focused debt restructuring efforts around long-term obligations, as opposed to near-term working capital obligations and cash flow issues.[128] This approach involved decreasing retiree benefits, which were earned by Detroit's working class, as the city was in the state of deep economic decline.[129]

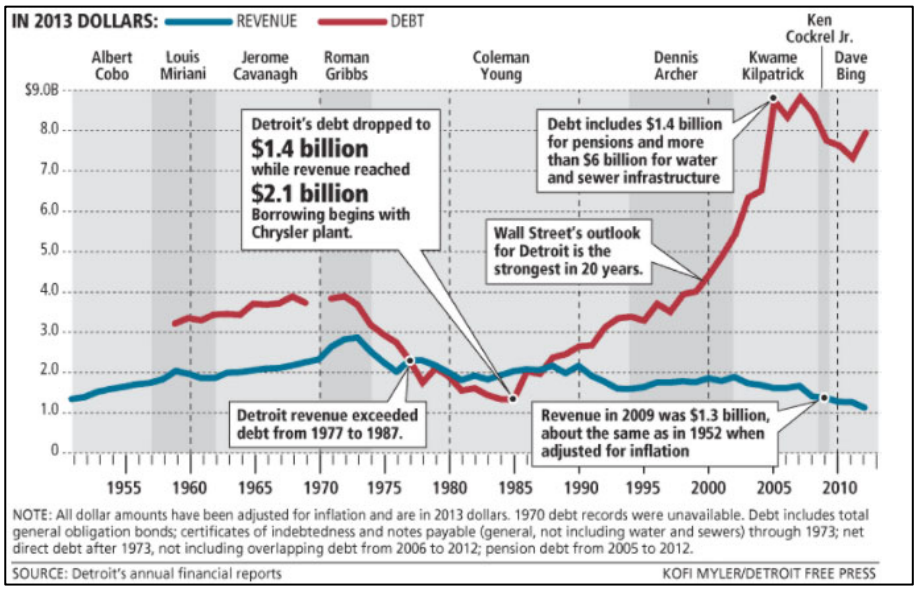

Figure 9

Recent Investment in Select Detroit Neighborhoods

49. Detroit has experienced an increase in outside investment in recent years. For example, during June 2018, Ford Motor Company announced plans to remodel the historic, abandoned Michigan Central Station,[130] and in October 2019, the University of Michigan announced plans for a $300 million "center for innovation" in Detroit.[131] While the announcement of significant developments within Detroit is considered a marker of forward progress for the city, native Detroiters may not be the primary beneficiaries of these investments.

50. The increase in outside investment in Detroit has been followed by an increase in residents with higher incomes, particularly white residents. For example, the four census tracts in the Islandview neighborhood experienced a 20 percent decline in Black residents from 2010 to 2018 while simultaneously experiencing a tripling of white residents (6 percent to 18 percent).[132] From 2016 to 2019, there was a 61 percent increase in the number of Detroit

[127] Ibid.
[128] Turbeville, Wallace. "The Detroit Bankruptcy." Demos. November 2013.
[129] Ibid.
[130] Gallagher, John. "Detroit's train station is the city's biggest comeback moment yet." Detroit Free Press. June 15, 2018.
[131] Marowski, Steve. "Stephen M. Ross gives $100M to launch construction of UM's Detroit Center for Innovation." M Live. February 21, 2020.
[132] Carlisle, John. "Detroit neighborhood group sees gentrification as the enemy." Detroit Free Press. May 2020.

residents earning more than $150,000 per year, compared to only 37 percent statewide.[133] Figure 10 shows Detroit's median income for 2014 to 2019 compared to the year-over-year percentage change of Detroit residents earning more than $150,000 per year.[134] The trend is such that the increases in Detroit's median income over the period are concurrent with substantial increases in the city's most affluent demographic, indicating that the corresponding increase in median income may be attributable to this increase in higher-earning residents.

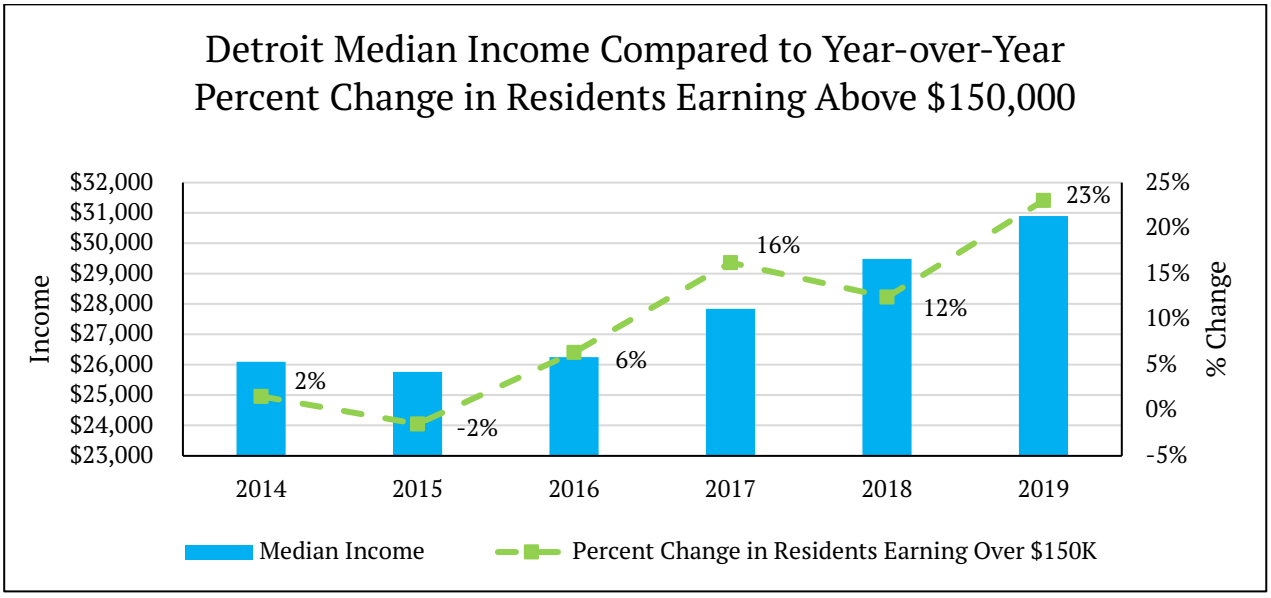

Figure 10

51. As the number of higher-earning residents has increased in Detroit since 2014, the overall supply of housing in Detroit has decreased. Since 2005, more than 138,000 properties in Detroit have experienced tax foreclosure alone.[135] Additionally, tens of thousands more properties have been lost to demolition and blight.[136] As Detroit and Wayne County began implementing programs aimed at decreasing the number of properties in tax foreclosure, tax foreclosures have decreased 86 percent.[137] These tax foreclosure mitigation strategies

[133] ACS Demographic and Housing Estimates. "2016 - 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[134] Ibid.
[135] Aguilar, Louis. "As Michigan's ban on property tax foreclosures expires, some in Detroit fear a new wave of people losing their homes." Bridge Detroit. July 2020.
[136] Poethig, Erika et al. "The Detroit Housing Market Challenges and Innovations for a Path Forward." The Urban Institute. March 2017.
[137] Aguilar, Louis. "As Michigan's ban on property tax foreclosures expires, some in Detroit fear a new wave of people losing their homes." Bridge Detroit. July 2020.

in turn increased property values and prices.[138] At the same time that property values and prices were increasing, areas of Detroit were experiencing redevelopment and reinvestment.[139] During redevelopment and reinvestment that occurred from 2010 to 2015, there were significant racial and social changes in certain Detroit neighborhoods with new residents tending to be young, white professionals.[140] These changes can result in increased rents, as well as evictions, which could be used as a mechanism to remove tenants so that landlords can renovate units to charge higher rents or could be a result of current tenants not being able to afford rent increases.[141]

Detroit Housing and Eviction Trends

52. In Detroit, nearly 70 percent of renters are housing cost burdened, spending 30 percent or more of their income on housing.[142] During 2017, the median annual housing cost for Detroit renters was approximately $3,500 greater (18 percent) than the housing cost burden threshold based on renter median income.[143] Figure 11 displays the affordable (defined as 30 percent of median income) housing levels for renter and owner-occupied households in Detroit compared to their peers statewide as of 2017.[144]

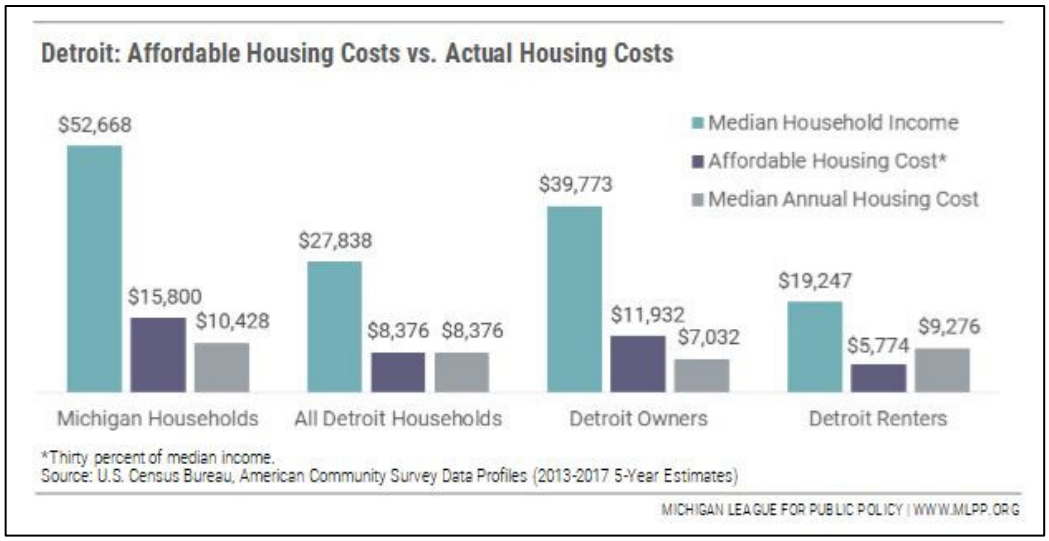

Figure 11

[138]Meloni, Rod and Kelly, Dane. "Property values go up in nearly every Detroit neighborhood." Click on Detroit. January 2021.
[139]Mah, Julie. "Gentrification-Induced Displacement in Detroit, Michigan: An Analysis of Evictions." Routledge. July 21, 2020.
[140] Ibid.
[141] Ibid.
[142] Erika C. Poethig, et al. "The Detroit Housing Market." Urban Institute. March 2017.
[143] Cassidy, Julie. "Detroit: The evolution of a housing crisis." Michigan League for Public Policy.
[144] Ibid.

53. Poverty in Detroit is concentrated, with some of the highest levels in the country since 2009.[145] From 2000 to 2016, 49 percent of all Detroiters lived in an area of concentrated poverty.[146] This trend is reflected in the relative increase of renter households in Detroit. From 2010 to 2019, Detroit lost over 23,000 – or approximately 16 percent – of the total owner-occupied units. Over the same period, total renter-occupied units increased by nearly 16,000, representing an increase of approximately 13 percent.[147] The number of renter-occupied housing units in proportion to the total number of occupied housing units increased from approximately 46 percent to 53 percent from 2010 to 2019.[148]

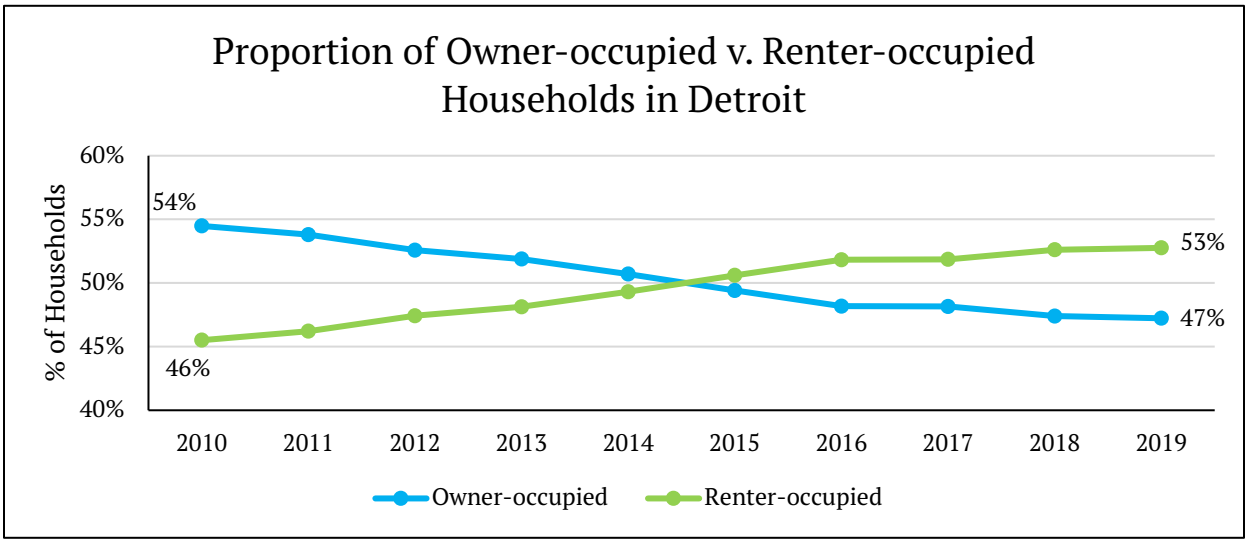

Figure 12

54. Figure 12 compares the proportion of renter households to the proportion of owner-occupied households within the city from 2010 to 2019.[149] It is worth noting that the beginning of this trend is in 2015, subsequent to the property tax foreclosure crisis. From 2011 to 2015, 30 percent of all homeowners in Detroit had been through tax foreclosure proceedings.[150]Barriers to credit also pose a challenge for would-be homeowners in Detroit. Researchers from the University of Michigan have found that a Detroit neighborhood's real-estate environment should become self-sustaining (i.e., property values would begin

[145] Kneebone, Elizabeth; Holmes, Natalie. "U.S. concentrated poverty in the wake of the Great Recession." Brookings Institution. March 31, 2016.
[146] University of Minnesota Law School. "American Neighborhood Change in the 21st Century." April 2019.
[147] ACS Housing Estimates. "2010 - 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[148] Ibid.
[149] ACS Housing Estimates. "2010 - 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[150] Berry, Christopher. "Inflated tax assessment spurred historic Detroit foreclosures, study finds." UChicago News. July 2, 2018.

increasing rather than decreasing) once it achieves 50 percent mortgage sales and a median sale price of more than $50,000.[151] However, less than a quarter of all home sales in Detroit were financed with mortgage loans during 2019, which represents the smallest share in the 50 most populous cities in the U.S.[152] In addition, there were no mortgage issuances for home purchases in nearly one-third of census tracts within the city during 2019.[153] The number of mortgage loan originations in the city decreased from 8,480 in 2005 to 490 in 2014, a decrease of 94 percent.[154] During 2014, 97 percent of home sales were cash transactions, and the median selling price was $14,000.[155,156] Mortgage issuances in the city have been increasing since 2014 but have not exceeded 2,000 in a single year since 2007.[157] During 2017, more than half of all mortgage issuances in the city were to white individuals, who comprised only approximately 10 percent of the city's population at the time.[158] In addition, homeownership rates among Black Detroiters decreased from 51 percent in 2000 to 40 percent in 2016.[159] These statistics demonstrate that residents of Detroit, approximately 80 percent of whom are Black, often cannot secure favorable home financing within the city.

55. The increase in demand and corresponding decline in supply (i.e. the demolition of blighted and abandoned homes) of rental units has caused the city's rental vacancy rate to converge with the statewide rental vacancy rate. In 2019, both Michigan and Detroit had rental vacancy rates of approximately 5 percent. Figure 13 compares the rental vacancy rate in Detroit to the statewide rental vacancy rate from 2010 to 2019.[160] Historically, the rental vacancy rate in Detroit has been considerably higher than the state of Michigan as a whole, reflecting a lack of compatibility with renter preferences. In recent years, the influx of households and individuals with higher incomes into the city has increased the demand for luxury rental properties.[161] The median sales price of a condominium was

[151] Mueller, Chris; Fontaine, Paul. "Good Deeds: Community-minded intervention to strengthen the Detroit housing market is working, according to U-M analysis." Accessed on June 7, 2021.
[152] Ibid.
[153] Eisen, Ben. "Dearth of Credit Starves Detroit's Housing Market." The Wall Street Journal. October 29, 2020.
[154] Erika C. Poethig, et al. "The Detroit Housing Market." Urban Institute. March 2017.
[155] Ibid.
[156] Runyan, Robin. "Detroit home sale prices up, downtown much pricier than neighborhoods." Curbed Detroit. January 2019.
[157] Eisen, Ben. "Dearth of Credit Starves Detroit's Housing Market." The Wall Street Journal. October 29, 2020.
[158] Runyan, Robin. "Real Estate Report: A Surplus of Buyers Calls for a Solution." HOUR Detroit. August 20, 2019.
[159] Ibid.
[160] ACS Housing Estimates. "2010 - 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[161] Michigan State Housing Development Authority and RKG Associates. "Michigan Homeownership Study." March 2019.

approximately $214,000 in 2017 and had increased by approximately 254 percent in the previous six years.[162]

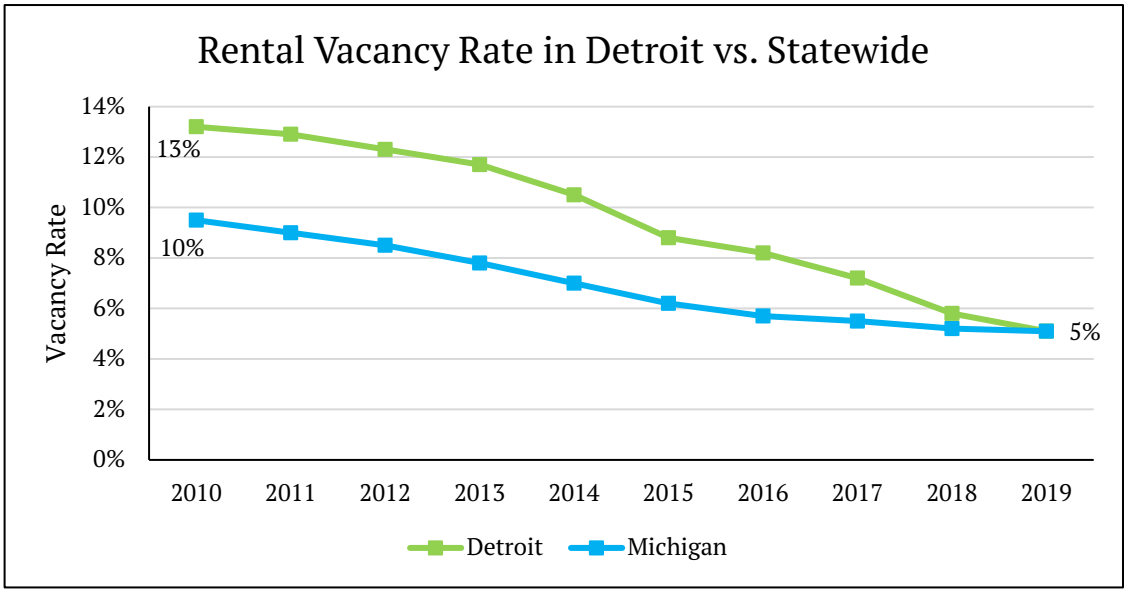

Figure 13

56. As areas of Detroit began to gentrify, the city's demographics shifted to reflect the increase in outside investment. Figure 14 compares the percent change in the number of households in Detroit across different income levels from 2011 to 2016,[163] while Figure 15 makes the same comparison from 2016 to 2019.[164] From 2011 to 2016, the number of individuals earning less than $25,000 per year increased, while nearly every other income level decreased. However, from 2016 to 2019, the trend is the inverse, with the number of individuals earning less than $25,000 decreasing significantly while all other income brackets increased significantly. When considered in the context of the city's increase in higher income residents and against the backdrop of gentrification, these trends could suggest that more affluent individuals relocating to Detroit are displacing low-income Detroiters. The decrease in the number of Detroit households earning less than $25,000 may be related to the decreasing supply of rental housing and / or these households deciding to leave Detroit to find alternative housing or being disruptively displaced outside of Detroit because of eviction.

[162] Ibid.
[163] Ibid.
[164] ACS Economic Estimates. "2010 - 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.

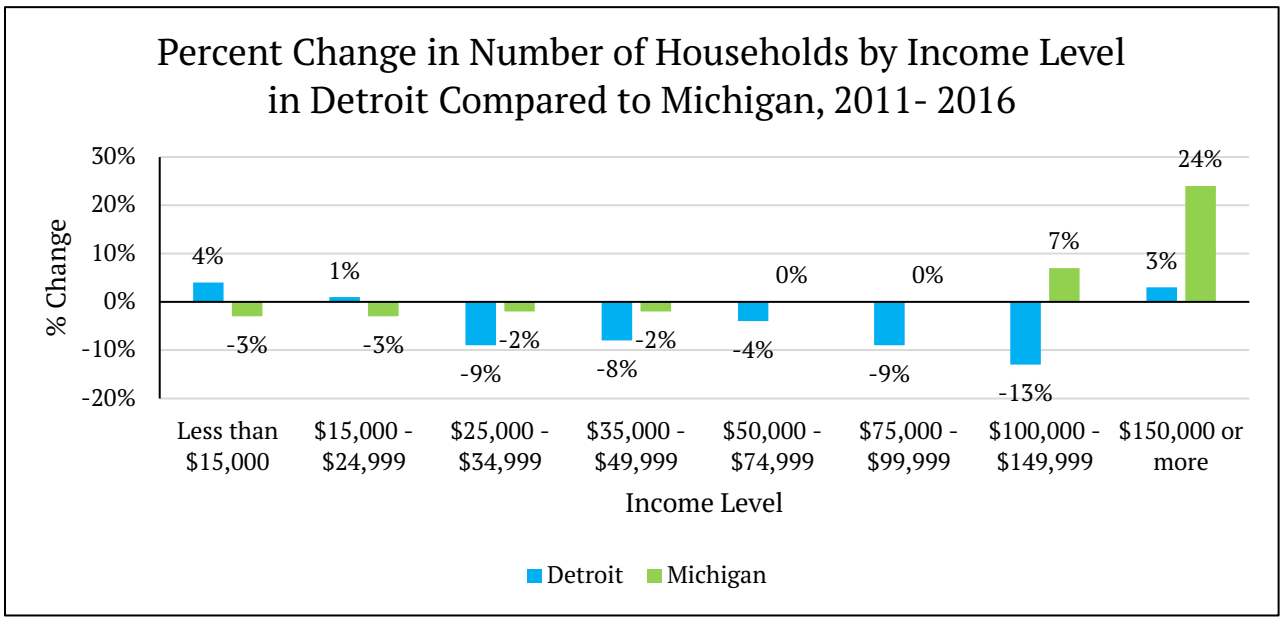

Figure 14

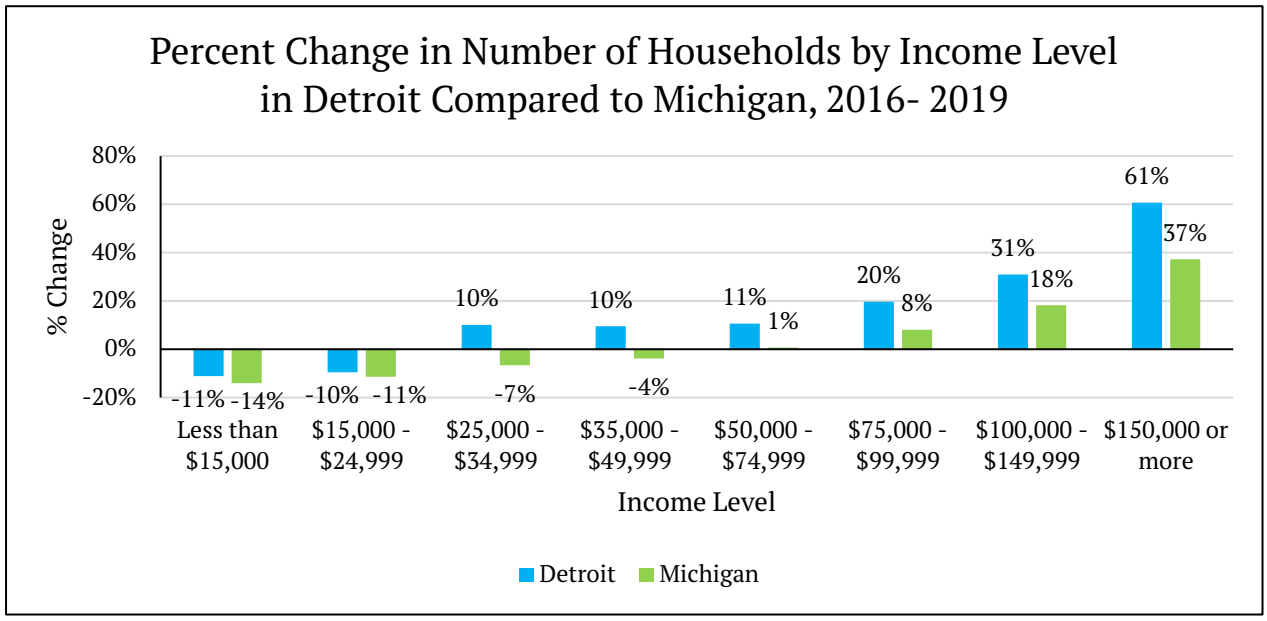

Figure 15

57. Detroit's housing stock is unique. Of all residential housing stock in the city, 66 percent is single-family homes, which includes 90 percent of owner-occupied housing stock.[165] As cash sales surpassed mortgage sales in the fallout of the 2008 housing crisis, appraisers were forced to compare fully-renovated, move-in ready homes to vacant properties which

[165] Michigan State Housing Development Authority and RKG Associates. "Michigan Homeownership Study." March 2019.

had gone through foreclosure due to lack of appropriate comparisons.[166] The lack of comparable sales for move-in ready homes contributed to lenders' skepticism in issuing mortgages within the city.[167] The Detroit Land Bank Authority launched a program titled "Rehabbed and Ready" to create a renovation pipeline for Detroit's blighted homes.[168] Researchers from the University of Michigan analyzed the program's impact on four neighborhoods and found that the median home sale price in these neighborhoods increased an additional 11.5 percent more than they would have without the program.[169]

58. As the size of the existing housing stock greatly exceeds the number of new developments within the city, the average age of the city's housing stock continues to increase. While the statewide housing stock is affected by the same trend, the housing stock in Detroit is significantly older than housing stock throughout the rest of Michigan. Seventy-seven percent of all homes in Detroit were built prior to 1959 compared to 37 percent statewide.[170] Figure 16 compares the proportions of the total housing stock by age group in Detroit to Michigan.[171]

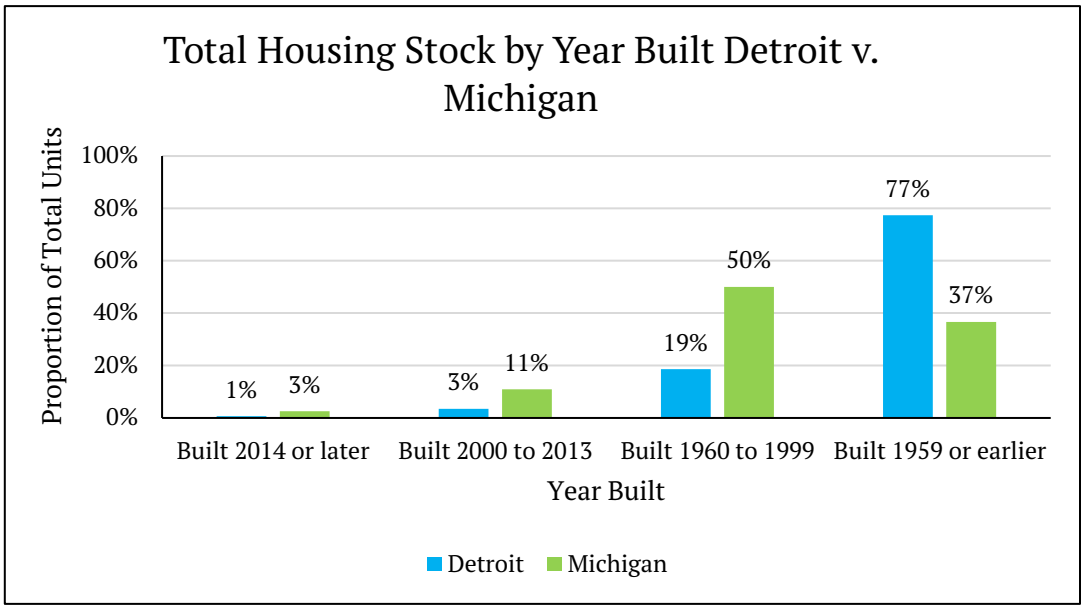

Figure 16

[166] Mueller, Chris; Fontaine, Paul. "Good Deeds: Community-minded intervention to strengthen the Detroit housing market is working, according to U-M analysis." Accessed on June 7, 2021.
[167] Ibid.
[168] Ibid.
[169] Ibid.
[170] ACS Housing Estimates. "2010 - 2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[171] Ibid.

59. The American Housing Survey (AHS) collects data on the national housing stock's "ten ure" which is bifurcated into six categories: "owner-occupied," "renter-occupied," "vacant – for rent," "vacant – for sale," "vacant – seasonal," and "vacant – other." When compared to the rest of the state, Detroit's housing stock tenure differs significantly. Figure 17 compares the proportion of AHS housing tenure classifications relative to the total housing stock for Detroit to Michigan for the years 2012 to 2016.[172] Detroit's homeownership rate is significantly lower than the rest of the state, despite extremely low property values in the city. Additionally, the proportion classified as "vacant – other" is substantially higher than the rest of the state, which reflects the city's rampant blight problem. As of 2018, Detroit had the most vacant homes in the country.[173]

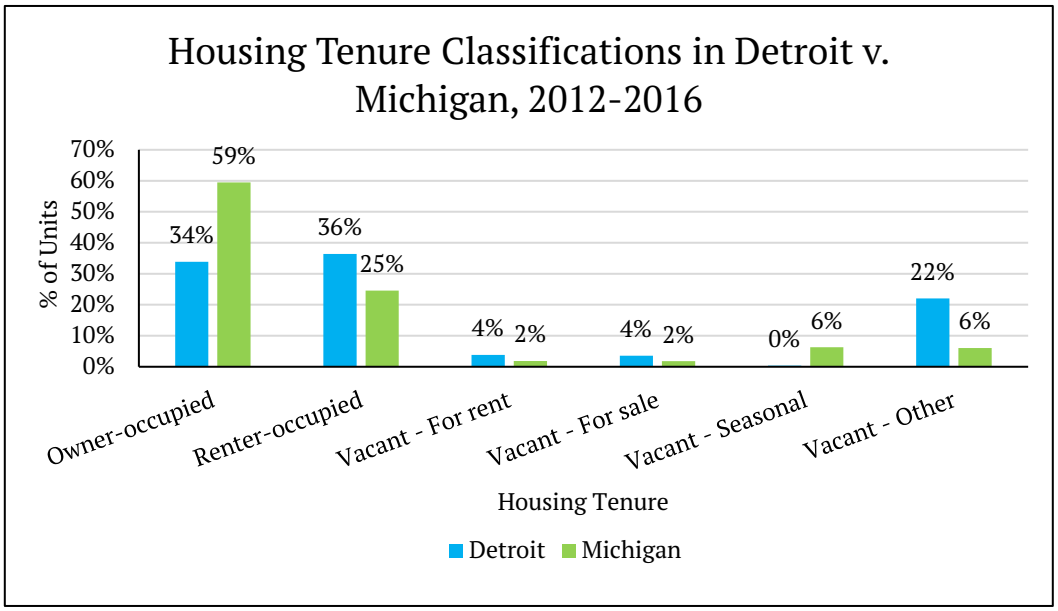

Figure 17

Housing Conditions in Detroit

60. With the high rate of blight and abandonment in Detroit, opportunistic owners of these properties often lease them to low-income tenants, notwithstanding the property's substandard conditions. A whitepaper published by the University of Michigan Poverty Solutions found that approximately 10 percent of households – or approximately 32,000 households (nearly 100,000 Detroiters) – with less than $20,000 annual income lived in moderately or severely inadequate housing during 2017.[174] The whitepaper defines

[172] Michigan State Housing Development Authority and RKG Associates. "Michigan Homeownership Study." March 2019.
[173] Sauter, Michael B. "This American City Has the Most Vacant Homes." 24/7 Wall St. January 2020.
[174] Ruggiero, Ryan; Rivera, Josh; Cooney, Patrick. "A Decent Home: The Status of Home Repair in Detroit." University of Michigan Poverty Solutions. October 2020.

"moderately inadequate" and "severely inadequate" housing units using the definitions published by the American Housing Survey.[175]

61. The American Housing Survey defines "severely inadequate" using two methods. Method 1: The unit meets one of the following four conditions: (1) no electricity used; (2) exposed wiring without working electrical plugs in every room and the fuses were blown more than twice in the last three months; (3) unit was cold for 24 hours or more and the heating equipment broke down more than twice, lasting longer than six hours; or (4) unit has one of the following bathroom problems: no hot and cold running water, no full bathroom, shared plumbing facilities with occupants of another housing unit. Method 2: The unit meets five of the following six conditions: (1) outside water leaks in the last 12 months; (2) inside water leaks in the last 12 months; (3) holes in the floor; (4) open cracks wider than a dime; (5) area of peeling paint larger than 8 inches by 11 inches; or (6) rats seen in the unit in the last 12 months. The American Housing Survey defines "moderately inadequate" using two methods. Method 1: The unit has three or four conditions listed in "severely inadequate" Method 2 but has not been designated as "severely inadequate" Method 1. Method 2: The unit meets one of the following three conditions: (1) more than two toilet breakdowns in the last three months lasting longer than six hours; (2) the main heating equipment is unvented room heaters burning kerosene, gas, or oil; or (3) unit meets one of the four kitchen conditions: no kitchen sink, no working refrigerator, no working cooking equipment, or unit does not have exclusive use of kitchen.[176] Figure 18 shows the proportion of low-income households living in inadequate homes in the Detroit metro area compared to other metro areas the country.[177]

[176] Ibid. Referencing AHS definitions for "moderately inadequate" and "severely inadequate."
[177] Ibid.

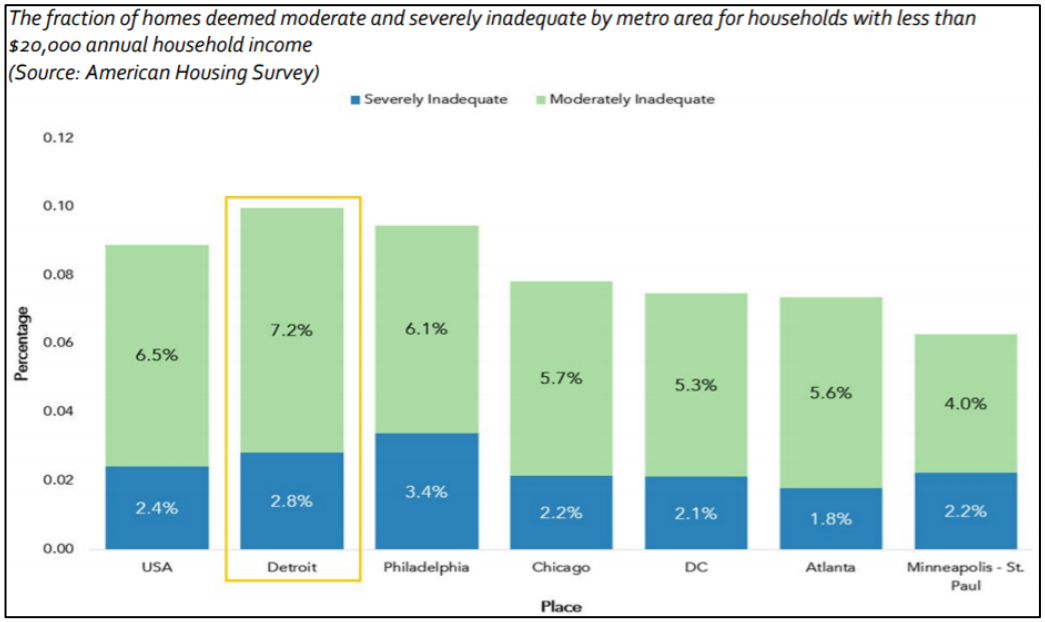

Figure 18

62. The prevalence of substandard housing in Detroit is particularly high among Black renter households. Black renters living in inadequate housing outnumber their white counterparts nearly 4 to 1.[178] The history of housing discrimination experienced by Black people in Detroit has contributed significantly to the current substandard housing conditions in Detroit. The options available to most Black people to secure housing have historically been unfavorable, which often forces Black tenants into substandard housing. This finding is consistent with a study that mapped the absence of hot and cold running water, a flush toilet, or an indoor bathtub or shower.[179] The researchers found that the absence of these plumbing fixtures is clearly correlated to race and ethnicity:

    - Black Americans making up 16.6 percent of plumbing-incomplete households, compared to 12.8 percent of all U.S. households.
    - Hispanics making up 16.7 percent of plumbing-incomplete households but only 12.5 percent of all households.[180]

[178] Ruggiero, Ryan; Rivera, Josh; Cooney, Patrick. "A Decent Home: The Status of Home Repair in Detroit." University of Michigan Poverty Solutions. October 2020.
[179] Deitz, Shiloh and Meehan, Katie. "Plumbing Poverty: Mapping Hot Spots of Racial and Geographic Inequality in U.S. Household Water Insecurity." Annals of the American Association of Geographers. 2019.
[180] Ibid.

- Households living without proper plumbing are more likely to be living in urban areas, headed by people of color, earn lower incomes, rent their residence, and pay a higher share of their gross income toward housing costs.[181]

63. Researchers in Milwaukee found similar racial disparities related to electrical fires occurring in low-income rental properties.[182] While approximately 30 percent of Milwaukee's housing stock is renter-occupied, approximately 62 percent of suspected electrical fires occurred in rental units, and nearly 66 percent of the electrical fires were in predominantly Black zip codes.[183] The suspected electrical fires are like the result of no electrical grounding in rental units, loose outlets that cause electrical sparks, open junction boxes, improperly hung or spliced wires, and improperly installed or unsafe electrical panels.[184] The researchers estimated that at least 80 percent of the 3,300 one- and two-family rental properties in the studied zip code had electrical code violations.[185]

64. Figure 19 shows the proportion of households that live in inadequate housing by household group.[186] While the Black household group has the highest proportion of households living in inadequate conditions, it is worth noting that the data utilized in this chart relates to the entire Detroit metro area and would likely be a larger proportion if the data used were only for the city of Detroit since nearly 80 percent of the city's population is Black.

[181] Meehan, Katie et al. "Geographies of insecure water access and the housing-water nexus in US cities." Proceedings of the National Academy of Sciences of the United States of America. 2020.
[182] Rutledge, Raquel et al. "Electrical fires hit Milwaukee's Black renters hardest. Nobody is held accountable." Milwaukee Journal Sentinel. August 2021.
[183] Ibid.
[184] Diedrich, John et al. "Frayed wires. Defective lights. Fire traps. What we found doing electrical inspections in one Milwaukee neighborhood." Milwaukee Journal Sentinel. November 2021.
[185] Ibid.
[186] Ibid.

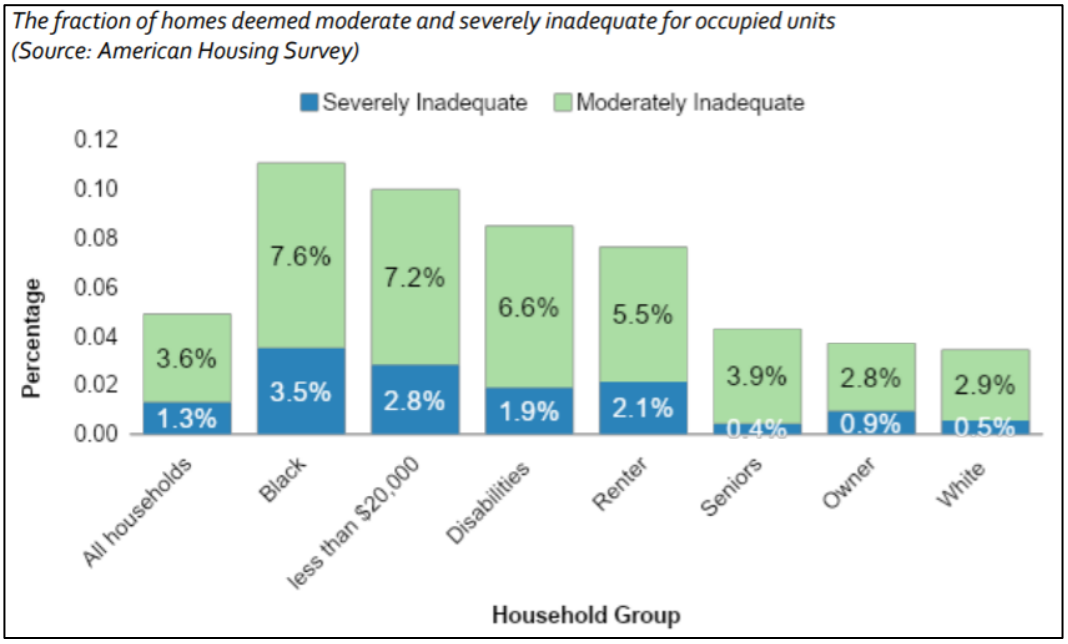

Figure 19

65. In some cases, Detroit landlords who do not properly maintain their property attempt to evict tenants for escrowing rent payments or raising concerns about property conditions.[187] During 2015, most landlords who filed evictions against their tenants were illegally operating their rental units.[188] This is largely a result of the city's failure to enforce rental ordinances.[189] In Detroit, all rental units are required to be registered with the city, and a certificate of compliance must be obtained before the unit can be legally rented to a tenant.[190] Approximately 18,000 rental properties are registered with the city, of which approximately 5,600 also have a Certificate of Compliance.[191] The approximately 18,000 rental properties that are registered with the city represent approximately 15 percent of all rental properties in Detroit, and the approximately 5,600 that also have a Certificate of Compliance represent approximately 4 percent of all rental properties.[192] Because of minimal enforcement, only an estimated 3 percent of Detroit's rental units were registered as of 2017.[193] Mayor Mike Duggan implemented a rental inspection requirement to curb

[187] Cassidy, Julie. "Detroit: The evolution of a housing crisis." Michigan League for Public Policy.
[188] MacDonald, Christine. "Persistent evictions threaten Detroit neighborhoods." The Detroit News. October 5, 2017.
[189] Ibid.
[190] Burrowes, Emily et al. "Insecurity Deposits: Addressing the Challenges of Rental Housing in Detroit." University of Michigan Taubman College of Architecture and Urban Planning. December 2017.
[191] Lewis, Olivia. "The high cost of affordable housing in Detroit." Bridge Detroit. September 2021. And https://data.detroitmi.gov/maps/edit?content=detroitmi%3A%3Acertificates-of-compliance
[192] Estimated using Census data related to the number of renter-occupied units in Detroit.
[193] Burrowes, Emily et al. "Insecurity Deposits: Addressing the Challenges of Rental Housing in Detroit." University of Michigan Taubman College of Architecture and Urban Planning. December 2017.

these practices during 2019, but the impact of the inspection program has been limited.[194] Many landlords have neglected the new requirement for a mandatory rental inspection.[195] While landlords often argue that Detroit's rental property ordinances are overburdensome, the city maintains its view that the increase in protections for renters is the correct stance, as historically the city has afforded its renters few protections.[196]

66. The University of Michigan's Poverty Solutions concluded that physical health and housing are strongly correlated, housing conditions are a strong predictor of mental health, and that inadequate housing exacerbates chronic disease, especially among children.[197] These findings are particularly alarming in the context of Detroit's housing landscape, where substandard living is more common than it is in the majority of the country. A study released by Wayne State University researchers found that older adults who live in Detroit are dying at rates approximately 2.5 times higher than older adults who live in the rest of Michigan.[198] This excess mortality, potentially exacerbated by poor housing conditions, could be one of several factors contributing to the overall population decline in Detroit.

Population Decline in Detroit and Its Connection to Eviction

67. The population of Detroit has been declining steadily since the mid-twentieth century, and the city's demographics have shifted concurrently. Figure 20 shows the population of Detroit from 1960 to 2019 compared to the percentage of Black residents in the city.[199] From 1960 to 2019, Detroit's population decreased by approximately 60 percent from nearly 1.7 million residents to less than 675,000.[200] Over the same period, the proportion of Black residents in the city increased from 29 percent to 78 percent.[201]

[194] MacDonald, Christine. "Detroit push fails to boost rental inspections." The Detroit News. January 14, 2019.
[195] Ibid.
[196] MacDonald, Christine. "Persistent evictions threaten Detroit neighborhoods." The Detroit News. October 5, 2017.
[197] Ibid.
[198] Wayne State University. "Dying Before Their Time: Wayne State analysis reveals a startling population trend in Detroit." School of Medicine News. August 14, 2020.
[199] Gibson, Campbell; Kay, Jung. "Table 23. Michigan – Race and Hispanic Origin for Selected Large Cities and Other Places: Earliest Census to 1990." United States Census Bureau.
[200] Ibid.
[201] Ibid.

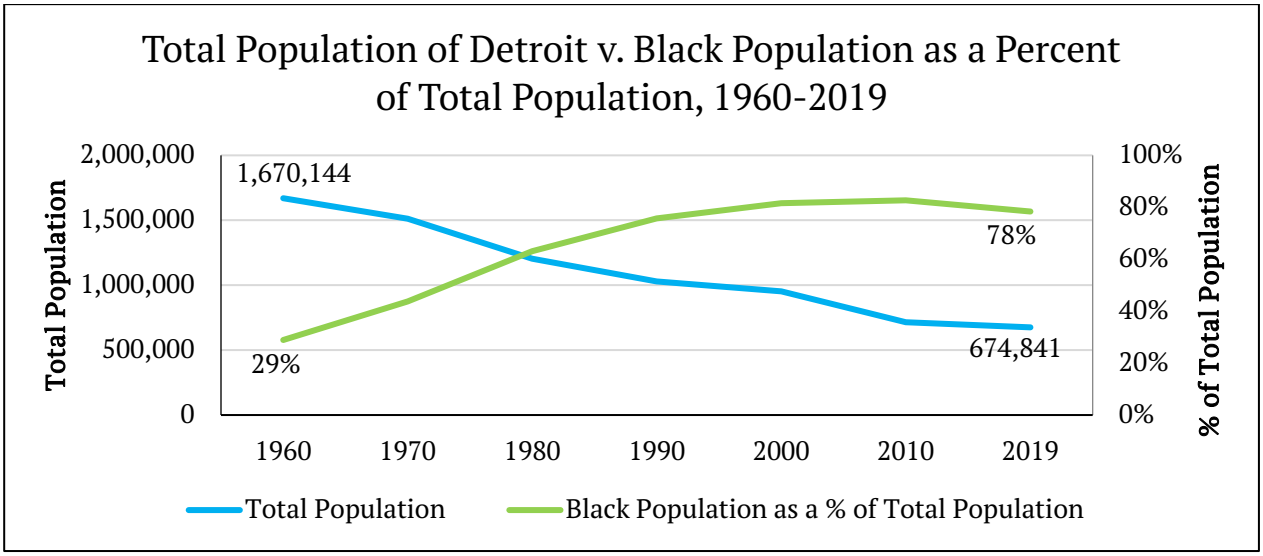

Figure 20

68. As the city's white residents relocated to the suburbs from 1960 to the 2010's, Black Detroiters were left behind in a declining city center. Over this period, Detroit transitioned from one of the richest cities in the country to one of the poorest. This is reflected in the city's per-capita income. In 1960, Detroit reported the highest per-capita income in the country,[202] but in recent years, Detroit has ranked among the most impoverished cities in the country as its population declined over the past 60 years.[203] From 2000 to 2010, Detroit lost nearly a quarter of its population.[204] In 2013, approximately 70 percent of jobs in the Detroit-Warren-Livonia metropolitan area were located between 10 and 35 miles outside of downtown Detroit while approximately 7 percent of jobs were within 3 miles of downtown Detroit.[205] The lack employment opportunities with Detroit also influenced its population decline and is indicative of why people move out of the city, particularly when facing housing instability. The pace of population decline resulted in a parallel decrease in the city's economic activity, contributing to generational and concentrated poverty.

69. Detroit's population decline is attributable to the interplay of various racial and economic factors. The city's history of racist housing policies and segregation have created cycles of

[202] Matthews, Rick. "Detroit Bankrupt: To See Detroit's Decline, Look at 40 Years of Federal Policy." Mic. July 18. 2013.
[203] Kneebone, Elizabeth; Holmes, Natalie. "U.S. concentrated poverty in the wake of the Great Recession." Brookings Institution. March 31, 2016.
[204] ACS Demographic and Housing Estimates. "2019 ACS 5-Year Estimates Data Profiles." US Census Bureau. Accessed on April 30, 2021.
[205] "Investing in Us: Resident Priorities for Economic Mobility in Detroit." University of Michigan Poverty Solutions. September 2020.

generational poverty among many Black Detroiters.[206] Detroit's historical neglect of its Black residents has been exacerbated by the city's commitment to car-based urban planning in the 1960s and 1970s.[207] Lack of an adequate public transit system in the city and the over-reliance on automobiles is cost prohibitive for many Detroiters. Additionally, economic factors have contributed to Detroit's population loss. In Detroit, access to mortgage credit has been highly constrained since the 2008 financial crisis.[208] Lack of access to mortgage credit has barred many Detroiters from becoming homeowners and building wealth. Consequently, poverty has become increasingly widespread throughout the city in recent years.[209] Widespread poverty contributes to adverse public health outcomes within the city; increased levels of mortality in Detroit are a challenge to achieving population growth in the city, as elderly Detroiters are dying at a rate 2.5 times higher than their peers statewide.[210] In addition to these factors, living in Detroit may be economically unfeasible relative to other nearby municipalities. A 2014 study by the Lincoln Institute of Land Policy found that Detroit had the highest property tax rates of any major U.S. city.[211] Additionally, Detroit has levied the highest income tax of any city in the state of Michigan.[212] However, Detroit's high taxes do not provide commensurate benefits to its residents. The services that the city provides are often substandard or non-existent.[213] The convergence of these factors contribute to the decline in population that Detroit has experienced since the 1950s. Displacement of native Detroiters through eviction may also be contributing to the city's population decline.

70. In September 2020, the Housing Policy Debate journal published a study by Julie Mah, PhD that analyzes a case study of Gentrification in Detroit in great detail.[214] The study explores the role of evictions in gentrification-led displacement in Detroit.[215] Mah analyzed eviction filings from 2009 to 2015 to retrace the movement of evicted tenants over time.[216] Mah's analysis included the qualitative components of conducting interviews and meeting with various stakeholders to ascertain the whereabouts of evicted tenants.[217]

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[206] Refer to paragraphs 33 to 40 for a discussion of Detroit's history of racist housing policies and segregation.
[207] Refer to paragraphs 41 to 44 for a discussion of car-based urban planning in Detroit.
[208] Refer to paragraph 37 for a discussion of redlining and access to mortgage credit in Detroit.
[209] Refer to paragraph 45 for a discussion of poverty concentration in Detroit.
[210] Refer to paragraph 158 for a discussion of excess mortality in Detroit.
[211] Lincoln Institute of Land Policy. "50-State Property Tax Comparison Study." 2014.
[212] Moreno, Tonya. "States Where Cities and Counties Levy Additional Income Taxes." The Balance. May 24, 2021.
[213] Beyer, Scott. "Why Has Detroit Continued to Decline?" Forbes. July 31, 2018.
[214] Mah, Julie. "Gentrification-Induced Displacement in Detroit, Michigan: An Analysis of Evictions." Routledge. July 21, 2020.
[215] Ibid.
[216] Ibid.
[217] Ibid.

71. Mah examined the transition of the Griswold building (now called "The Albert") from a subsidized building into a market-rate apartment building that took place from 2013 to 2014.[218] After the building was purchased, the new landlords did not renew the subsidized housing arrangement at the Griswold in pursuit of higher returns on their investment.[219] Following the Griswold's renovation and re-renting at market rates, more than 100 tenants with Section 8 vouchers were displaced from the community.[220] Of the displaced individuals in this case, only 7.5 percent were able to relocate within the same neighborhood while nearly 22 percent relocated outside Detroit.[221] Although the population size of the study is small (106 tenants), the findings of the study are revealing. Mah's findings highlight the reality that it is not unlikely for renters to relocate to a different city or state after being evicted in Detroit. Mah's findings suggest that displacement from eviction and gentrification may be contributing to the trend of declining population in Detroit.

72. Stout collaborated with Rocket Community Fund and Rock Central to conduct a preliminary migration analysis of a sample of 20 eviction filings in the 36th District Court from 2017 where the tenant was unrepresented. The purpose of this preliminary analysis was to examine whether eviction filings are contributing to out-migration in Detroit. Data fields included in the sample that Stout provided Rocket Community Fund and Rock Central included: case number, plaintiff and defendant names and addresses, plaintiff attorney name, defendant address, case filing date, reason for filing (e.g., non-payment, breach of lease), and court-assigned case disposition.

73. Rocket Community Fund and Rock Central used data from two vendors and an online search engine to determine if the unrepresented tenant likely stayed in Detroit or migrated out of Detroit between 2017 and 2020, following the eviction filing. The results of the pilot sample analysis of unrepresented tenants with eviction filings were:

    - 10 (50 percent) were likely still living in Detroit;
    - 4 (20 percent) were likely living in Michigan but migrated out of Detroit;
    - 3 (15 percent) were likely living outside of Michigan; and
    - 3 (15 percent) could not be located.

74. Given that results of the preliminary sample analysis indicated that up to 41 percent[222] of unrepresented tenants in the sample likely migrated out of Detroit following the eviction filing, Stout worked with Rocket Community Fund and Rock Central to conduct a more robust sample analysis.

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[218] Ibid.
[219] Ibid.
[220] Ibid.
[221] Ibid.
[222] Calculated as 7 divided by 17, which excludes the 3 tenants who would not be located from the denominator.

75. Stout again used 2017 eviction filings in the 36th District Court where the tenant was unrepresented as the starting population from which a sample would be developed. Stout calculated a sample size based on a 99 percent confidence level and a 5-percentage point margin of error. This sampling methodology resulted in a random sample size of approximately 700 cases. The sample included approximately 600 cases where the tenant was unrepresented and approximately 100 cases where the tenant was represented. Including cases where the tenant was represented enabled Stout to examine whether representation impacted whether a tenant migrated out of Detroit.

76. Rock Central secured data from a vendor for the sample of cases and provided back to Stout data fields that included current zip code and length of residence. Stout analyzed the results and found that approximately 12.4 percent of tenants in the sample likely migrated out of Detroit following their eviction filing.

77. A limitation of the analysis is that the zip code information provided back to Stout was the person's current zip code. This is important because the sample was eviction filings from 2017. Because of this 4-year difference, it is challenging to confidently conclude that the eviction filing a person experienced in 2017 directly influenced their current location. Many other factors over this time, including the pandemic, could have impacted where they are currently living. However, given the extensive body of research on the disruptive nature of eviction filings, especially when tenants are unrepresented, it would be reasonable to expect that a portion of tenants who were unrepresented in 2017 did relocate outside of Detroit (and in some cases outside of Michigan) as a direct result of their eviction filing and housing instability. These eviction-induced relocations outside of Detroit have fiscal and community consequences.

78. When cities experience population decreases – from eviction or otherwise – federal funding also decreases. This federal funding supports communities and goes towards providing much-needed services for residents. Detroit receives approximately $3 billion in federal funding each year for programs like Medicare, free school lunches, and infrastructure projects. This is approximately $5,500 per Detroit resident per year.[223]

Filings Fees and Eviction Filing Rate

79. Low eviction filing fees in certain jurisdictions around the country can encourage landlords to file evictions. The eviction filing fee in the 36th District Court ranges from $35 to $215, depending on what remedy the landlord is seeking (e.g., possession only, possession and money judgment). If a landlord is seeking possession only, the filing fee is $55. Figure 21 shows the applicable filing fees if a landlord is seeking a money judgment. If a landlord is

[223] Aguilar, Louis. "Detroit population continues to decline, according to Census estimate." Bridge Michigan. May 2020.

seeking possession and a money judgment, the filing fee for possession only of $55 is added to the applicable filing fee based on the claim amount.

Claim Amount	Filing Fee
$1 to $600	$35
$600.01 to $1,750	$55
$1,750.01 to $10,000	$75
$10,000.01 to $25,000	$160

Figure 21

80. In Detroit in 2017, there were approximately 31,000 annual eviction filings and an estimated 90,000 to 180,000 rental units. The wide range of estimated rental units may be the result of informal rental agreements and the lack of robust enforcement of Detroit's rental registration ordinance. The significant variance in the estimated number of rental units in Detroit also makes calculating an eviction filing rate in Detroit challenging.

81. The eviction filing rate (i.e., the total number of filings each year as a proportion of total renter units) in Detroit is estimated to be between 18 percent and 36 percent, depending on the number of rental units. Detroit's eviction filing rate is approximately 5 to 8 times higher than other similar Midwest cities, potentially indicating that renter households in Detroit are experiencing multiple eviction filings per year. Reasons for the significant eviction filing rate difference in Detroit may include but are not limited to:

    - Landlords, including out-of-state and out-of-country landlords, purchasing inexpensive properties and being unwilling to make repairs while extracting maximum profits from renters then abandoning the property
    - The lack of legal representation for tenants creating an environment where landlords are more likely to file evictions, even when the tenant may have defenses, and particularly when those defenses are related to housing conditions
    - Tax foreclosure resulting in a subsequent eviction filing
    - Eviction being used to enable gentrification and rental rate increases.

82. Furthermore, Stout's analysis of case dispositions (discussed in detail in paragraphs 88-90) showed that approximately 48 percent of cases where the tenant did not default were dismissed by the landlord. Providers of eviction defense in Detroit indicated that a portion of cases dismissed by landlords are likely situations where a landlord files an eviction case,

a tenant pays the amount owed, and the landlord accepts the amount owed and subsequently dismisses the case.

Stout's Analysis of Eviction Filings in Detroit

83. According to annual caseload reports published by Michigan Courts, there were approximately 31,000 landlord-tenant cases filed in 2017 in the 36th District Court. Figure 22 shows the annual number of landlord-tenant filings in the 36th District Court as reported by Michigan Courts. The annual number of eviction filings is helpful, but more granular information about each eviction filing gives an in-depth view about specific eviction filings characteristics.

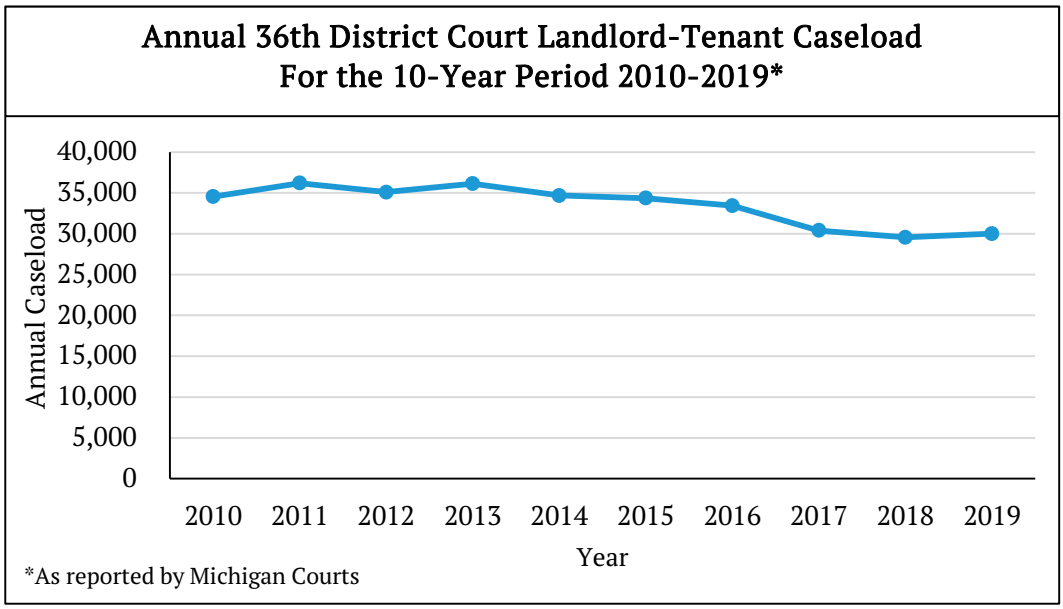

Figure 22

84. Over the course of this engagement, Stout had numerous conversations with representatives from the 36th District Court regarding receiving data for more recent (i.e., 2018 - 2020) eviction filings. The court representatives understood the importance of having more recent data on which to base the cost-benefit analysis and communicated that they were committed to providing the data and were supportive of the cost-benefit analysis. Stout followed up with the representatives repeatedly but did not receive data from the 36th District Court at any point during the year-long engagement. Therefore, Stout's analyses are based on the best available data – approximately 30,000 eviction filings from 2017. Filing data from 2017 is a reasonable pre-pandemic data set and a proxy for what could be expected post-pandemic. While there are uncertainties, eviction data for 2018 or 2019 is likely not materially different from eviction data for 2017.

85. Data from the 36th District Court docket and Detroit providers of eviction defense indicates that in the approximately 30,000 filings in 2017:

- Tenants were represented in approximately 4 percent of cases
  - Nearly 90 percent of all represented tenants were represented by 10 lawyers
- Landlords were represented in approximately 83 percent of cases

86. Figure 23 shows the monthly percentage of filings for four different representation variations: (1) the landlord is represented and the tenant is unrepresented; (2) both the landlord and tenant are unrepresented; (3) both the landlord and tenant are represented; and (4) the landlord is unrepresented and the tenant is represented. Also shown in the callouts is the average annual percentage of filings for each of the four representation variations. On average, in 2017:

- Landlords were represented and tenants were unrepresented in 80 percent of cases
- Landlords and tenants were unrepresented in 17 percent of cases
- Landlords and tenants were represented in 3 percent of cases
- Landlords were unrepresented and tenants were represented in 1 percent of cases

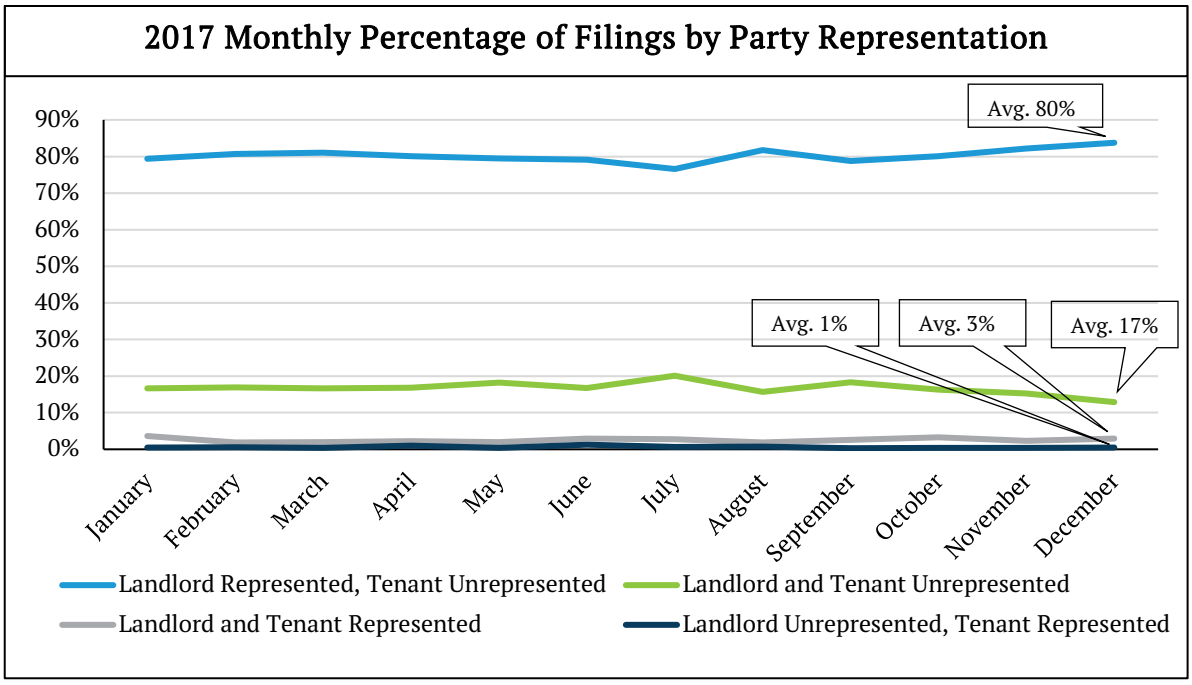

Figure 23

87. When landlords file an eviction, they include the property address from which they are seeking to evict the tenant. Figure 24 shows information about the 10 zip codes with the most eviction filings in 2017. Stout also created a zip code heat map showing the number of eviction cases filed in 2017 and the eviction filing rate (Figure 25).

10 Zip Codes with Most Filings in 2017	# of Eviction Filings in 2017*	# of Eviction Filings per 100 Renter Households in 2017	Impacted Communities
1 – 48228	2,500	28	Cody Rouge
2 – 48219	2,500	28	Old Redford, Evergreen, Rosedale
3 – 48235	2,100	30	Pembroke, Greenfield, Bagley
4 – 48227	1,900	28	Cerveny/Grandmont, Mackenzie
5 – 48224	1,800	28	Denby, Finney
6 – 48207	1,800	21	Middle East Central, Lower East Central
7 – 48205	1,500	20	Mt. Olivet, Burbank
8 – 48234	1,400	26	Pershing, Grant
9 – 48221	1,400	26	Palmer Park
10 – 48223	1,200	28	Brightmoor
*Rounded to the nearest hundred			

Figure 24

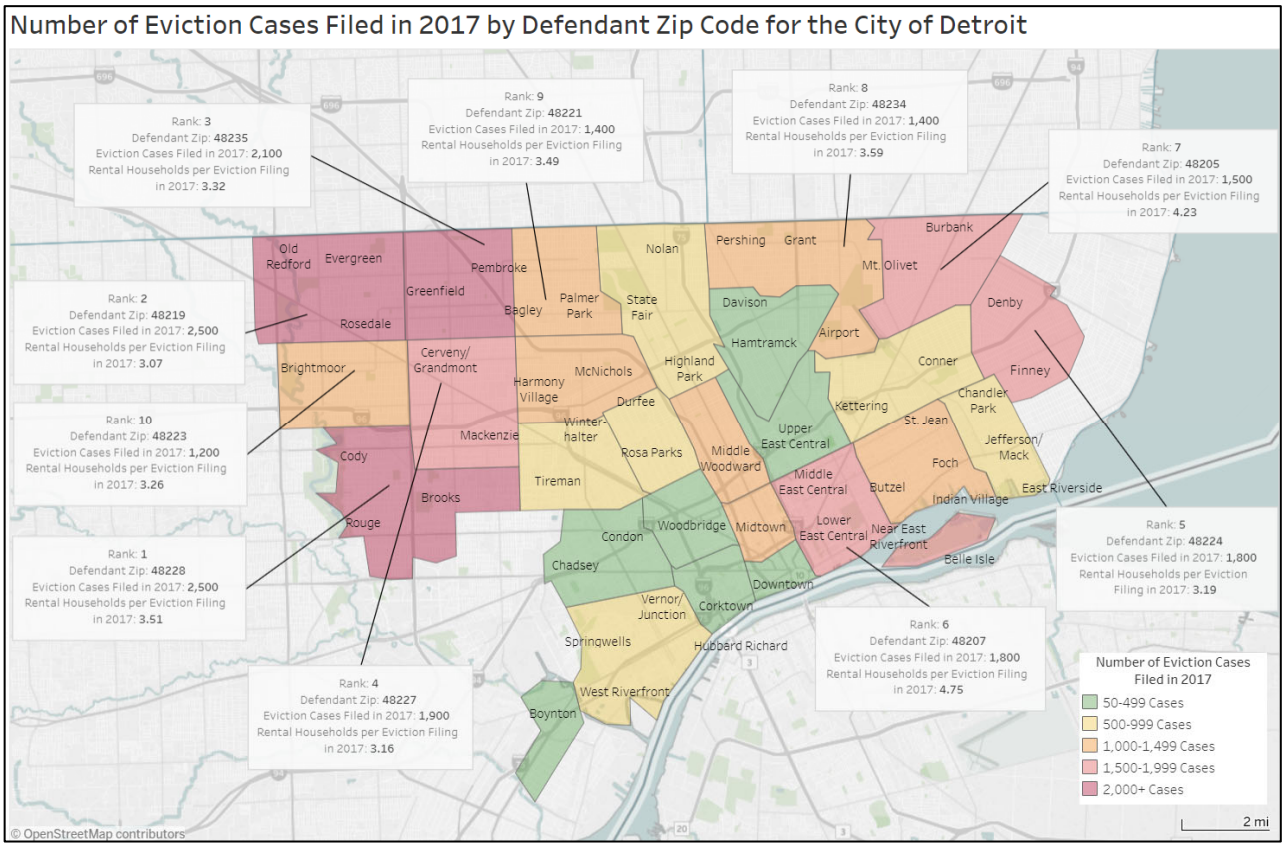

Figure 25

88. Stout also analyzed the court assigned case dispositions in non-payment of rent cases for unrepresented and represented tenants. When tenants were unrepresented, approximately 47 percent of cases resulted in a judgment by default, approximately 28 percent of cases resulted in a judgment by consent, approximately 24 percent of cases were dismissed, and approximately 1 percent of cases had a judgment without jury entered. When tenants were

represented, approximately 62 percent of cases resulted in a judgment by consent, approximately 28 percent of cases were dismissed, and approximately 2 percent of cases had a judgment without jury entered. Figure 26 shows these court assigned case dispositions by tenant representation.

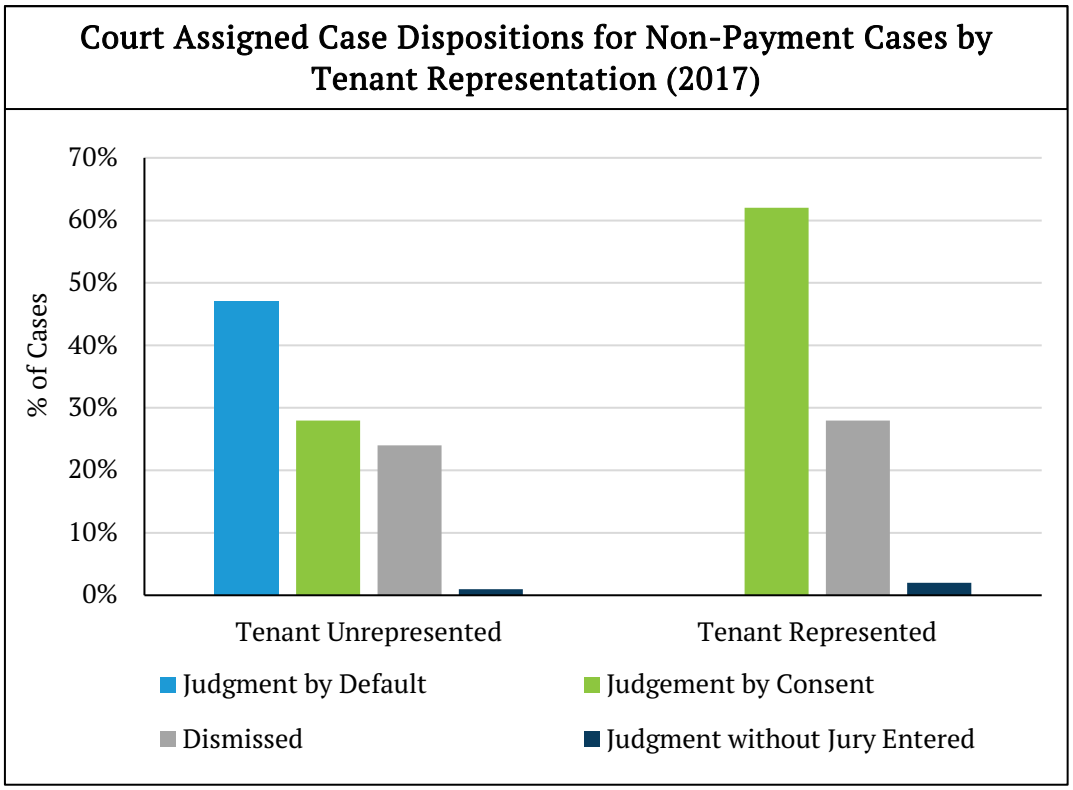

Figure 26

89. The non-judgment by default court-assigned case dispositions can provide insights as to the degree with which unrepresented and represented tenants may experience disruptive displacement. Stout uses the phrase "disruptive displacement" to capture outcomes of cases beyond "winning" and "losing." For example, there may be circumstances where tenants did not have a formal eviction warrant executed against them and therefore were not displaced but have still experienced disruption in their lives because of the eviction filing, like entering a judgment by consent with unrealistic payment terms resulting in additional financial strain. Additionally, there may be circumstances where a tenant loses possession of the apartment but was granted an extra 14 days to vacate the apartment. In this situation, disruptive displacement may have been avoided because of the additional time to find alternative, suitable housing.

90. Stout's analysis of court assigned case dispositions for unrepresented tenants indicated that an estimated 53 percent of unrepresented tenants had a high likelihood of experiencing disruptive displacement through the eviction process. This estimate does not

consider cases where unrepresented tenants have court-assigned case dispositions of judgment by default. If cases where unrepresented tenants received a judgment by default were included, an estimated 99 percent of unrepresented tenants would have a high likelihood of experiencing disruptive displacement. Unrepresented tenants may receive a judgment by default for a variety of reasons that may or may not result in disruptive displacement. Stout excluded these cases from its analysis because of this significant unknown. Stout worked with Detroit eviction defense providers to estimate the portion of represented tenants who had a high likelihood of experiencing disruptive displacement. Data from Detroit eviction defense providers indicated that 3 percent of ***represented*** tenants had a high likelihood of experiencing disruptive displacement through the eviction process. That is, an estimated 97 percent of represented tenants avoid the high likelihood of experiencing disruptive displacement compared to 47 percent of unrepresented tenants. Figure 27 shows these metrics.

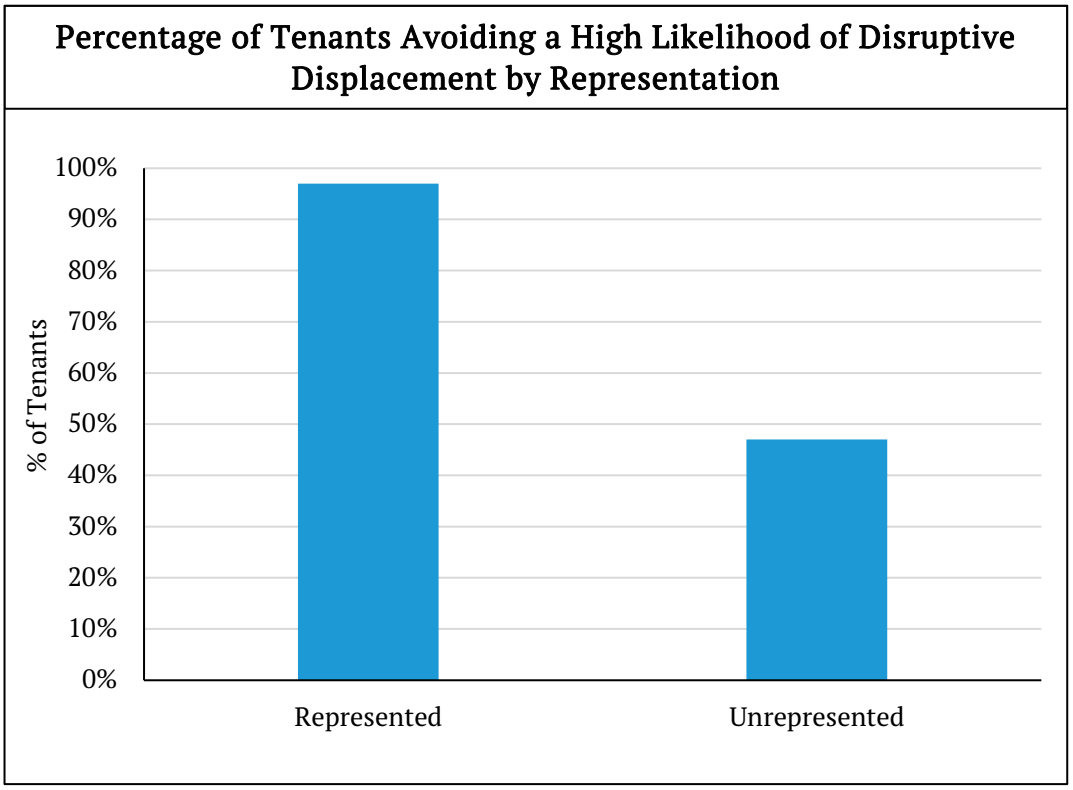

Figure 27

91. The impact of representation on the outcome of cases has been observed throughout the country. Recognizing this imbalance and seeking to create a fairer civil justice system, cities and states around the country are also taking action to pass right to counsel legislation. The next section details efforts to pass right to counsel legislation throughout the country and the variety of impacts eviction has on tenants, landlords, and the jurisdictions in which they are living.

Section IV
Research Findings

Efforts to Pass Right to Counsel Legislation

"Establishing publicly funded legal services for low-income families in housing court would be a cost-effective measure that would prevent homelessness, decrease evictions, and give poor families a fair shake." – Matthew Desmond, *Evicted: Poverty and Profit in the American City*

92. For tenants facing eviction in cities across the country, having legal representation is often the difference between retaining housing and homelessness.[224] There are civil legal services providers and pro bono attorneys who often assist low-income tenants in eviction cases, but they are limited and constrained by a lack of resources and funding which results in only a small fraction of tenants obtaining representation; this constraint often does not exist for landlords.

93. With needs as important as housing, employment, family stability, education, and health at stake, many legal and community-based advocates seek a civil right to legal counsel, including in housing court.[225] They advocate that a right to counsel, like the right that exists in criminal proceedings in the U.S., would ensure due process of law and fairness in an area of vital interest to tenants, their families, and society.[226] Both international and national organizations as well as state and local governments have made commitments to ensuring equal access to the law and legal aid when necessary.

94. In 2012, the United Nations General Assembly crafted *The Declaration of the High-level Meeting on the Rule of Law* which states:

> "the right of equal access to justice for all, including members of vulnerable groups, and the importance of awareness-raising concerning legal rights, and in this regard, we commit to taking all necessary steps to provide fair, transparent, effective, non-discriminatory and accountable services that promote access to justice for all, including legal aid."

95. The American Bar Association (ABA) formally called for a right to counsel in eviction cases more than 15 years ago. ABA Resolution 112A, which was approved unanimously in 2006, reads:

> "RESOLVED, That the American Bar Association urges federal, state, and territorial governments to provide legal counsel as a matter of right at

[224] Brey, Jared. "How Cities Are Trying to Level the Playing Field for Tenants Facing Eviction." Spotlight on Poverty and Opportunity. October 18, 2017.
[225] Frankel, Martin, et al. "The impact of legal counsel on outcomes for poor tenants in New York City's housing court: results of a randomized experiment." Law and Society Review. 2001.
[226] Ibid.

> public expense to low income persons in those categories of adversarial proceedings where basic human needs are at stake, such as those involving shelter, sustenance, safety, health or child custody, as determined by each jurisdiction."

96. At the 2015 annual Conference of Chief Judges and Conference of State Court Administrators, both groups unanimously passed Resolution 5, *Reaffirming the Commitment to Meaningful Access to Justice for All*, which:

> "supports the aspirational goal of 100 percent access to effective assistance for essential civil legal needs and urges their members to provide leadership in achieving that goal and to work with their Access to Justice Commission or other such entities to develop a strategic plan with realistic and measurable outcomes… and urges the National Center for State Courts and other national organizations to develop tools and provide assistance to states in achieving the goal of 100 percent access through a continuum of meaningful and appropriate services."

97. Federal legislation was introduced in the House of Representatives by Congresswoman Rosa DeLauro of Connecticut in December 2019.[227] The *Eviction Prevention Act* would allow the United States Attorney General to authorize grants to states, cities, and counties to provide representation to tenants with incomes lower than 125 percent of the Federal Poverty Level.[228] Jurisdictions establishing a right to counsel would receive preference for additional funding.[229] The bill also authorizes the Attorney General to collect eviction data and requires the Government Accountability Office to report to Congress the cost savings related to providing representation in eviction cases.[230] Also introduced in December 2019 was bipartisan federal legislation cosponsored by senators from Colorado and Ohio.[231] The *Eviction Crisis Act of 2019* would create a standardized national database for evictions, establish an Emergency Assistance Fund to provide short-term financial assistance and housing stability services to tenants experiencing eviction, and require consumer reporting agencies to provide tenants with their screening reports when they are requested during a rental application process so that tenants can contest or correct inaccurate or incomplete information in the reports.[232] Congresswoman Alexandria Ocasio-Cortez introduced a bill,

[227] "DeLauro Introduces Eviction Prevention Act." United States Representative Rosa DeLauro Representing the Third District of Connecticut. December 4, 2019.
[228] Ibid.
[229] Ibid.
[230] Ibid.
[231] "Senators Introduce Eviction Crisis Act." National Housing and Rehabilitation Association. December 18, 2019.
[232] Ibid.

the Place to Prosper Act, specifically calling for a right to counsel for tenants in eviction proceedings, among other changes to make housing more equitable.[233] Representative James Clyburn introduced the Legal Assistance to Prevent Evictions Act of 2020, which would provide federal grant money to jurisdictions expanding eviction representation, with priority given to jurisdictions that have implemented a right to counsel for tenants facing eviction.[234] Senator Jeff Merkley introduced the Making Affordable Housing Opportunities More Equitable Act, which also provides federal funding for jurisdictions enacting a right to counsel.[235]

98. Several Federal Reserve offices have recently expressed interest in eviction right to counsel.[236] The Federal Reserve Bank of Kansas City held informational meetings on right to counsel in Oklahoma in 2020, and since then, Tulsa and the Oklahoma Supreme Court Access to Justice Commission have passed resolutions in support of eviction right to counsel.[237] In 2018, the Federal Reserve Bank of Philadelphia participated in a task force to reduce evictions in Philadelphia.[238] The Federal Reserve Bank of Philadelphia advised the task force on how data could be used to track evictions in Philadelphia and shared research about the impacts of eviction.[239] A year later, Philadelphia passed legislation providing a right to counsel to low-income tenants facing eviction.

99. The National League of Cities, an organization of city, town, and village leaders focused on improving the quality of life for their residents, responded to the Supreme Court's federal eviction moratorium ruling by calling for "a coordinated, all hands-on deck approach from city, county and state governments as well as from community partners. Along with the distribution of emergency rental assistance, city, county and state governments should be investing in eviction diversion programs; exploring right to counsel or providing free legal assistance."[240] Also in response to the Supreme Court's federal eviction moratorium ruling, the United States Treasury, the Department of Housing and Urban Development, and the Attorney General sent a combined letter to governors, mayors, and state courts urging them to help prevent unnecessary evictions.[241] The press release specifically mentioned

[233] HR 5072
[234] HB 5884.
[235] S. 2452.
[236] Wilding, Jennifer. "Eviction moratorium highlights the need for tenants to have counsel." FedCommunities. August 2021.
[237] Ibid.
[238] Ibid.
[239] Ibid.
[240] Lowery, Lauren and Leonard, Natasha. "What to Know About the Ending of the CDC Eviction Moratorium." National League of Cities. August 2021.
[241] Eviction Moratorium Joint Letter dated August 27, 2021.

"using Emergency Rental Assistance and American Rescue Plan State and Local Fiscal Recovery Funds to support the right to counsel and eviction diversion strategies."[242]

100. Jurisdictions throughout the country have taken steps to provide the right to counsel or access to legal information to tenants facing eviction. Figure 28 lists jurisdictions that have enacted a right to counsel and those that are pursuing a right to counsel.

State	Enacted Legislation	Pursuing Legislation
New York	Yes - New York City	Yes - Statewide and Albany County
California	Yes - San Francisco	No
Pennsylvania	Yes - Philadelphia	Yes - Statewide
Maryland	Yes - Baltimore and Statewide	N/A
Colorado	Yes - Boulder	Yes - Denver
Ohio	Yes - Cleveland and Toledo	No
New Jersey	Yes - Newark	Yes - Statewide
Kentucky	Yes - Louisville	No
Washington	Yes - Seattle and Statewide	N/A
Connecticut	Yes - Statewide	N/A
Milwaukee	Funding allocated - Milwaukee County	Yes - City of Milwaukee
Delaware	No	Yes - Statewide
Massachusetts	No	Yes - Statewide
South Carolina	No	Yes - Statewide
Nebraska	No	Yes - Statewide
Indiana	No	Yes - Statewide
Minnesota	No	Yes - Statewide
Missouri	Yes - Kansas City	No
Hawaii	No	Yes - Statewide

Figure 28

101. New York. July 2017: New York City became the first U.S. city to pass legislation guaranteeing a right to counsel for tenants in eviction proceedings.[243] The legislation was spurred by strong grassroots movements by tenant organizers and advocates. Stout's cost-benefit analysis, which contributed to the legislation, concluded that the legislation would save New York City $320 million annually.[244] April 2019: City council members introduced

[242] Ibid.
[243] Capps, Kriston. "New York City Guarantees a Lawyer to Every Resident Facing Eviction." City Lab. August 14, 2017.
[244] "The Financial Cost and Benefits of Establishing a Right to Counsel in Eviction Proceedings Under Intro 214-A." Stout Risius Ross. March 16, 2016.

bills to expand the income eligibility for the right to counsel and fund tenant organizing.[245] November 2019: The New York City Office of Civil Justice, the office responsible for overseeing the implementation of right to counsel, reported that since the right was enacted, 84 percent of represented tenants have remained in their homes.[246] Additionally, evictions have declined by more than 30 percent in the zip codes with a right to counsel since implementation of the right to counsel.[247] February 2020: Two committees of the New York City Council heard eight hours of testimony from tenants, organizers, community organizations, legal aid providers, government agencies, and housing court judges regarding the impact that right to counsel has had in New York City. Testimony also included support for the two pending bills – one for increasing the income eligibility and one for funding tenant organizing.[248] April 2021: City Council passed a bill that accelerates implementation of right to counsel and requires the Office of Civil Justice to "work with community organizations to engage and educate tenants of their rights in housing court, including but not limited to hosting know your rights trainings and other workshops for tenants, distributing written information to tenants, assisting tenants to form and maintain tenant associations, referring tenants to designated community groups, and any other activity to engage, educate or inform tenants about their rights in housing court."[249] September 2021: Right to counsel legislation was introduced in the Albany County Legislature.[250]

102. California. June 2018: San Francisco became the second city to guarantee a right to counsel for tenants in evictions cases through a ballot referendum. San Francisco Mayor London Breed subsequently earmarked $1.9 million for fiscal year 2018-2019 and $3.9 million for fiscal year 2019-2020 to implement the new law.[251] July 2018: Advocates in Concord released a report discussing housing affordability challenges, hazardous conditions, and tenants' persistent fear of eviction. The report recommended a citywide right to counsel law.[252] Another tenant advocacy group in the area released a report calling for a statewide right to counsel bill, noting the increasing number of tenants facing eviction and the rapid

[245] Mironova, Oksana. "NYC Right to Counsel: First year results and potential for expansion." Community Service Society. March 25, 2019.
[246] Universal Access to Legal Services: A Report on Year Two of Implementation in New York City." Office of Civil Justice, New York City Human Resources Administration. Fall 2019.
[247] Ibid.
[248] Gonen, Yoav. "Eviction Drop Fuels Push to Expand Free Housing Help for Low-Income NYC Tenants." The City. February 24, 2020.
[249] Intro 1529.
[250] Lucas, Dave. "Right to Counsel Legislation Introduced in Albany County." WAMC Northeast Public Radio. September 20, 2021.
[251] Waxmann, Laura. "Tenant advocacy groups set to received funding under 'Right to Counsel' program." San Francisco Examiner. November 28, 2018.
[252] "The Housing Crisis Hits Home in Concord." 2018.

pace of eviction proceedings.[253] June 2019: Pro bono law firm, Public Counsel, and the University of California Los Angeles release a report advocating for reforms to landlord-tenant law, including establishing a right to counsel as a tenant protection.[254] September 2019: Los Angeles County Board of Supervisors passed motions to advance several tenant protection measures, including an eviction defense program for low-income households facing eviction.[255] Initial proposed funding included $2 million for startup costs and $12.5 million for implementation annually.[256] December 2019: Santa Monica took steps toward becoming the sixth city to establish a right to counsel for tenants facing eviction.[257] Los Angeles City Council voted to add $9 million to its eviction defense fund, increasing the fund to $23.5 million for eviction defense.[258] February 2020: Data was released showing that eviction filings in San Francisco declined by 10 percent, and that 67 percent of those receiving full-scope representation have been able to stay in their homes.[259] April 2021: Assembly Bill 1487 passed California's Assembly Judiciary Committee. The bill would establish a statewide eviction defense program for low-income renters.[260] The author of the bill, Assemblyman Jesse Gabriel, estimated that the bill would have a return on investment of $4 for every dollar invested (400 percent), which includes costs savings related to shelters and health care.[261]

103. New Jersey. In December 2018, Newark City Council passed a bill guaranteeing a right to counsel in eviction cases.[262] In its first four months of existence, the newly-created Office of Tenant Legal Services "took on 140 cases, yielding results that have helped more than 350 residents avoid homelessness."[263]

104. Ohio. In September 2019, Cleveland's city council passed legislation to provide a right to counsel for tenants who have incomes at or below 100 percent of the federal poverty

[253] Inglis, Aimee and Preston, Dean. "California Evictions are Fast and Frequent." Tenants Together. May 2018.
[254] Bonett, Gregory et al. "How Permanent Tenant Protections Can Help Communities Prevent Homelessness and Resist Displacement in Los Angeles County." Public Counsel and UCLA School of Law. June 2019.
[255] Wenzke, Marissa and Burch, Wendy. "L.A. County Supervisors Vote 5-0 for Permanent Rent Control Measure Affecting 100,000 Tenants in Unincorporated Areas." KTLA5. September 2019.
[256] Motion by Supervisors Sheila Kuehl and Mark Ridley-Thomas. "Implementing Eviction Defense and Prevention Services in Los Angeles County." September 10, 2019.
[257] Pauker, Madeleine. "Universal legal representation for renters would cost up to $1 million." Santa Monica Daily Press. December 17, 2019.
[258] National Coalition for a Civil Right to Counsel. http://civilrighttocounsel.org/major_developments/1273
[259] Press Release: Supervisor Dean Preston Holds Hearing on Implementation for Right to Counsel Law. February 24, 2020.
[260] Symon, Evan. "California Eviction Defense Program for Vulnerable Renters Bill Passes in Committee." California Globe. April 2021.
[261] Ibid.
[262] Brey, Jared. "Tenants' Right to Counsel on the Move, Next Stop Newark." Next City. January 10, 2019.
[263] "7 strategies for reducing the number of evictions in your community." Bloomberg Cities. February 26, 2020.

guidelines and who have at least one child.[264] During the first six months following enactment: approximately 93 percent of represented tenants seeking to avoid an eviction or involuntary move were able to do so; approximately 83 percent of represented tenants seeking more time to move (30 days or more) were able to achieve this outcome; and approximately 89 percent of represented tenants seeking to mitigate their damages were able to do so.[265]

105. **Pennsylvania.** June 2017: Philadelphia City Council allocated $500,000 to expand legal representation for tenants facing eviction.[266] November 2018: Stout released a cost-benefit analysis of right to counsel legislation in Philadelphia, finding that such a law would save the City of Philadelphia $45.2 million annually.[267] May 2019: Philadelphia City Council members introduced a bill to establish an ordinance for a right to counsel in eviction proceedings.[268] November 2019: Philadelphia City Council passed right to counsel legislation for tenants facing eviction, becoming the fifth U.S. city to do so.[269] April 2021: The Municipal Court of Philadelphia (where landlord-tenant and eviction cases are heard) ordered that for 45 days, landlords are required to apply to the city's rental assistance program and must enroll in the Eviction Diversion Program (i.e., pre-filing mediation) before filing an eviction with the court for non-payment of rent.[270]

106. **Colorado.** November 2020: Voters in Boulder approved a ballot initiative establishing a right to counsel for tenants facing eviction regardless of income.[271] April 2021: A group of tenant advocates filed a ballot initiative to fund a right to counsel for Denver renters facing eviction, and two city councilmembers plan to introduce a similar proposal via the local legislative process.[272]

107. **Washington.** January 2021: SB 5160 was introduced and would guarantee counsel for indigent tenants facing eviction statewide, if passed. The bill has a flexible definition of "indigent," and the Office of Civil Legal Aid would receive the funds necessary to provide

[264] Hlavaty, Kaylyn. "Legislation passes to protect children in homes facing eviction by providing free legal help for low-income tenants." News 5 Cleveland. October 1, 2019.
[265] Annual Report to Cleveland City Council. Right to Counsel Free Eviction Help. January 2021.
[266] Blumgart, Jake. "Philadelphia sets aside $500,000 to help renters fight eviction." WHYY. June 29, 2017.
[267] "Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants." Stout Risius Ross. November 13, 2018.
[268] Blumgart, Jake. "Philly renters guaranteed lawyers in eviction court under new City Council bill." WHYY. May 9, 2019.
[269] D'Onofrio, Michael. "Philly City Council passes right to counsel bill for low-income tenants." Pennsylvania Capital-Star. November 18, 2019.
[270] "Philly may have just revolutionized evictions." The Philadelphia Inquirer. April 2021.
[271] Ordinance 8412.
[272] Karlik, Michael. "Group files ballot initiative for eviction defense, while council works on own proposal." Colorado Politics. March 28, 2021.

counsel.[273] March 2021: Seattle enacts a right to counsel for low-income tenants facing eviction.[274] April 2021: Washington became the first state to enact a right to counsel statewide. The legislation provides representation to tenants who receive public assistance or who have incomes of 200 percent or less of the federal poverty level.[275]

108. **Maryland.** December 2020: The City of Baltimore enacts an eviction right to counsel for low-income tenants. January 2021: A group of Maryland legislators introduced a legislative package that includes a right to counsel for tenants facing eviction and underscores the need for tenant outreach and tenants' rights education.[276] May 2021: Statewide right to counsel legislation was passed in Maryland's House and Senate and became law on May 30, 2021.[277]

109. **Connecticut.** In May 2021, Connecticut became the third state to enact a right to counsel for low-income tenants facing eviction. The legislation provides representation to tenants who have household incomes at or below 80 percent of the state median income adjusted for family size or who receive public assistance.[278]

110. **Milwaukee.** In June 2021, the Milwaukee County Board of Supervisors passed a resolution establishing a right to counsel for tenants facing eviction regardless of income.[279]

111. **Kansas City.** In December 2021, city counsel for Kansas City, Missouri passed an ordinance establishing a right to counsel for tenants facing eviction regardless of income.[280]

112. **Delaware.** In May 2021, SB 101 was introduced in Delaware. The bill would provide a statewide right to counsel for tenants facing eviction with household incomes of 200 percent or less of the federal poverty level.[281]

113. **Massachusetts.** January 2017: The mayor of Boston announces a five-bill package that will be submitted to the state legislature to assist with tenant displacement.[282] One of the bills

[273] Washington Senate Bill 5160.
[274] CB 120007.
[275] SB 5160.
[276] Maryland House Bill 18 and Maryland Senate Bill 154.
[277] Weill-Greenberg, Elizabeth. "Maryland Could Be the First State to Provide Lawyers for Tenants Facing Eviction." The Appeal. April 16, 2021.
[278] House Bill No. 6531.
[279] Cahill, Margaret. "Milwaukee County Board passes right to counsel in eviction cases, renaming of Lindbergh Park." Milwaukee Journal Sentinel. June 24, 2021.
[280] Rivas, Rebecca. "Kansas City residents will soon have the right to an attorney in eviction proceedings." Kansas Reflector. December 2021.
[281] Delaware SB 101.
[282] Chakrabarti, Meghna and Bruzek, Alison. "Mayor Walsh Unveils Package of Anti-Displacement Bills." WBUR. January 13, 2017.

would require a court-appointed attorney to represent low-income tenants in eviction proceedings.[283] January 2019: Throughout 2019, various bills were introduced to the Massachusetts State Legislature proposing a statewide right to counsel in eviction proceedings, creating a public task force, and promoting homelessness prevention.[284] July 2019: The Massachusetts Joint Judiciary Committee held a public hearing on the eviction right to counsel bills.[285] November 2019: The Massachusetts Right to Counsel Coalition drafted and refiled three right to counsel bills for consideration by the Judiciary Committee in the 2019-2020 session.

114. **South Carolina.** January 2021: HB 3072 was introduced and would guarantee counsel for indigent tenants facing eviction.[286]

115. **Nebraska.** January 2021: LB 419 was introduced and would require the appointment of counsel in eviction proceedings.[287]

116. **Indiana.** January 2021: SB 350 was introduced and would establish a right to counsel for indigent tenants during possessory actions.[288]

117. **Minnesota.** March 2019: Legislation establishing a right to counsel for public housing tenants facing eviction due to a breach of lease was introduced in the Minnesota Legislature.[289]

118. **Kentucky.** March 2021: A group of Louisville City Council members filed a right to counsel ordinance for low-income families facing eviction.[290] April 2021: Louisville City Council voted to enact a right to counsel for low-income families with children who are facing eviction.[291]

Impacts and Related Costs of Evictions to States, Cities, Counties, and Municipalities

119. Stout reviewed numerous studies and the results of programs where representation was provided to tenants. Stout's research focused on: (1) the costs of eviction as they related

[283] Ibid.
[284] McKim, Jenifer and Serrano, Alejandro. "As rents soar in Boston, low-income tenants try to stave off eviction." Boston Globe. February 19, 2019.
[285] Schoenberg, Shira. "Tenants in eviction cases get powerful Beacon Hill ally in Boston Mayor Marty Walsh." MassLive. July 17, 2019.
[286] South Carolina House Bill 3072.
[287] Nebraska Legislative Bill 419.
[288] Indiana Senate Bill 350
[289] 2019 Bill Text MN H.B. 2593.
[290] Yarmuth, Aaron. "Right to Counsel Is The Right Move for Louisville." LEO Weekly. March 31, 2021.
[291] Loosemore, Bailey. "Louisville approves free legal services for low-income families facing eviction." Louisville Courier Journal. April 22, 2021.

to states, cities, counties, and municipalities and (2) the benefits associated with providing representation to tenants in eviction proceedings.

120. The impacts and costs of eviction to states, cities, counties, and municipalities are significant and multi-dimensional. Substantial reporting has documented the negative impact that evictions have on individuals, families, businesses, and communities. While many of these impacts are unquantifiable but nevertheless important, clear costs of disruptive displacement do exist. This section details these costs to provide insight into how representation in eviction cases could mitigate these costs or assist in redirecting the funds to other efforts undertaken by the jurisdiction.

121. **Race.** Research from across the country has demonstrated how racist housing policies and practices have contributed to and continue to exacerbate inequities in health, education, employment, wealth, and housing. Housing inequities, in particular, have been studied at length in a variety of jurisdictions. Home ownership rates among Black and Brown households are consistently lower than white homeownership rates, and eviction rates among Black and Brown renter households are consistently higher than eviction rates of white renter households. In many jurisdictions, Black female-headed renter households disproportionately experience eviction filings and eviction compared not only to Brown and white households but also Black male-headed renter households.

122. One of the primary measures of financial security and wealth building is homeownership. Homeownership among Black Detroiters was at its highest in 2000, with more than 53 percent of Black households owning their homes.[292] Since 2000, homeownership has declined throughout the city and across races, but the rate of homeownership for Black residents is the lowest at 47 percent, compared to 52 percent of white residents and 53 percent of Hispanic residents.[293] In 2017, white Detroit residents received nearly half of all mortgages in Detroit despite being only 10 percent of the population.[294] Of Detroit's nearly 300 census tracts, mortgages were concentrated in 9 relatively wealthy tracts, and there was no mortgage activity in 139 tracts.[295] Black

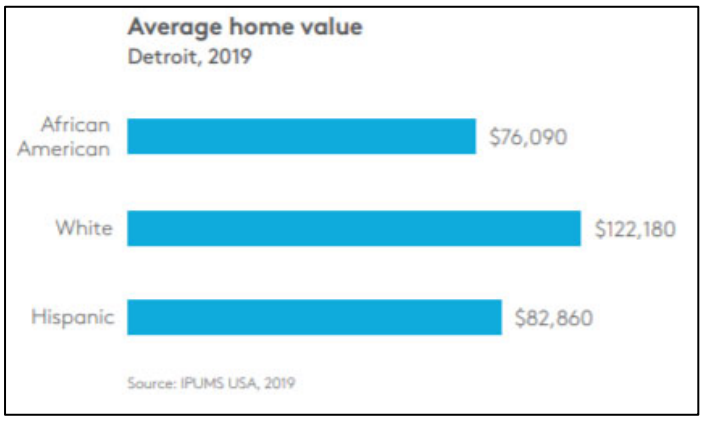

Figure 29

[292] "The State of Economic Equity in Detroit." Detroit Future City. May 2021.
[293] Ibid.
[294] Cassidy, Julie. "Detroit: The evolution of a housing crisis." Michigan League for Public Policy.
[295] Ibid.

Detroiters not only experience the lowest homeownership rates in Detroit, but also the lowest home values for those who do own their homes.[296] The average value of a white Detroit resident's home is approximately $46,000 more than the value of a Black-owned home and $39,000 more than the value of a Hispanic-owned home, as shown in Figure 29.[297] The lower home values for Detroit residents of color, particularly Black Detroiters, is a manifestation of Detroit's housing market collapse and housing segregation. Many Black residents were (and are) unable to build wealth through homeownership, and those who did (and do) own their homes have less wealth than white homeowners because of lower home values.

123. Research from jurisdictions around the country related to the intersection of race and eviction is detailed as follows:

- A statewide analysis in Michigan confirmed the findings of studies within cities and metropolitan areas: higher eviction filing rates are associated with Black neighborhoods, single-mother households, and the presence of children.[298]

- Of all tenants served by Michigan's Eviction Diversion Program (EDP), approximately 53 percent were Black while 14 percent of Michigan's population is Black.[299] This suggests that evictions disproportionately effect Black households, which is consistent with national research on the intersection of race and eviction.

- In Virginia, approximately 60 percent of majority Black neighborhoods have an annual eviction rate above 10 percent, which is four times the national average, even when controlling for poverty and income.[300] In the city of Richmond, researchers found that for every 10 percent increase in the Black share of the population, the eviction rate increases by more than one percent. However, if the white population increases at the same rate, the eviction rate decreases by approximately one percent.[301] That is, as the share of the Black population increases, the eviction rate increases.

- In Massachusetts, Black tenants face eviction more than twice as often as white tenants, even though Black tenants are only 11 percent of the renting

[296] "The State of Economic Equity in Detroit." Detroit Future City. May 2021.
[297] Ibid.
[298] Goodspeed, Robert et al. "Michigan Evictions: Trends, Data Sources, and Neighborhood Determinants." University of Michigan Poverty Solutions. May 2020.
[299] Benton, Elizabeth et al. "Reducing Michigan's Evictions: The Pandemic and Beyond." University of Michigan Poverty Solutions. June 2021.
[300] McCoy, Terrance. "Eviction isn't just about poverty. It's also about race – and Virginia proves it." The Washington Post. November 10, 2018.
[301] Ibid.

population.[302] Black women are at a particularly high risk of experiencing eviction – nearly 2.5 times as often as white women despite their much smaller share of the population.[303] The racial disparities are so drastic in Boston that, similar to Virginia, the share of Black renters in the community is a greater predictor of the eviction filing rate than poverty.[304] Even though only 18 percent of Boston's rental market is located within majority Black neighborhoods, approximately 37 percent of evictions filings against tenants in market-rate units are in these neighborhoods.[305] The consequences of eviction are also worse for Black renters, who face discrimination in the rental market not only because they disproportionately appear in eviction case databases but also because of racial bias (conscious and unconscious) that result in them being told about and shown less than half of the apartments that equally qualified white renters are seeking.[306] Black market-rate renters were able to visit only 48 percent of the apartments they sought, compared to 80 percent of white market-rate renters.[307]

- In Washington, particularly King and Pierce counties, Black adults make up a disproportionate number of eviction filings relative to their share of the population.[308] Compared to eviction rates of white renters, Black adults are evicted 5.5 times more often than white adults in King County and 6.8 times more often in Pierce County.[309] Latinx adults are evicted approximately twice as often than white renters in King County and 1.4 times as often in Pierce County.[310]

- In California, compared to non-Hispanic white renters, Black and Latinx renters are 2 to 2.5 times more likely to experience housing hardships.[311]

- Black-headed households in Baltimore experienced the highest eviction rate, which was nearly 3 times higher than the white eviction rate.[312] Approximately 7 percent of all Black male headed households and approximately 5 percent of all Black female headed households were evicted.[313] These rates are 51 percent and

[302] Brief of Amici Curiae Matthew Desmond, American Civil Liberties Union, William Berman, Justin Steil, and David Robinson Regarding The Disproportionate Adverse Effect of Eviction on Black Families.
[303] Ibid.
[304] Ibid.
[305] Ibid.
[306] Ibid.
[307] Ibid.
[308] Eckart, Kim. "Study reveals gender, racial disparities in evictions." University of Washington. February 2020.
[309] Ibid.
[310] Ibid.
[311] Ong, Paul. "Systemic Racial Inequality and the COVID-19 Renter Crisis. August 2020.
[312] Thomas, Tim et al. "Baltimore Eviction Map." May 2020.
[313] Ibid.

11 percent higher, respectively, than white male headed household eviction rates.[314]

- In Philadelphia, landlords are more than twice as likely to file an eviction against Black renters than white renters, a rate that is disproportionate to the share of Black renters.[315] According to an analysis of 2018-2019 residential eviction filings, the annual eviction filing rate against Black Philadelphia renters was approximately 9 percent while the eviction filing rate against white Philadelphia renters was approximately 3 percent.[316] Although Black Philadelphians make up approximately 45 percent of the city's renters, they make up 66 percent of eviction filings.[317]

- In Washington, DC, evictions are disproportionately filed and executed in Wards 7 and 8, which have the largest share of Black residents and the highest poverty rates in the District.[318] By contrast, Wards 2 and 3 have the lowest filing rates, lowest poverty rates, and smallest share of Black residents.[319]

- Court monitors reported on the race and gender of tenants in eviction court in Orleans Parish, Louisiana. While 59 percent of Orleans Parish is Black, approximately 82 percent of tenants facing eviction were Black, with 57 percent of eviction proceedings being brought against Black women.[320]

- In Kansas City, Missouri, race was found to be the most important factor in predicting whether someone would be evicted.[321]

- The majority Black neighborhoods in Hamilton County (Cincinnati, Ohio) are also the ones with the highest eviction filing rates, while neighborhoods with few Black residents experience few evictions.[322] Controlling for poverty rates and housing

[314] Ibid.
[315] Bond, Michaelle. "Black city renters' eviction rate higher." Reinvestment Fund.
[316] Ibid.
[317] Ibid.
[318] McCabe, Brian and Rosen, Eva. "Eviction in Washington DC: Racial and Geographic Disparities in Housing Instability." Georgetown University. 2020.
[319] Ibid.
[320] "Unequal Burden, Unequal Risk: Households Headed by Black Women Experience Highest Rates of Eviction." Neighborhood Sustainability Initiative. N.d.
[321] "Eviction in Kansas City: An Analysis of 2017 Eviction Filings in Jackson County, MO." Kansas City Eviction Project. N.d.
[322] Johns-Wolfe, Elaina. "You are being asked to leave the premises: A Study of Eviction in Cincinnati and Hamilton County, Ohio 2014-2017." University of Cincinnati. June 2018.

cost burden, for every 1 percent increase in Black residents, eviction filing rates increase by more than 8.[323]

- In Cleveland, all of the top ten census tracts with the highest eviction filings from 2000 to 2016 are majority Black communities.[324]

124. **Homelessness – Shelter Entry and the Likelihood of Disruptive Displacement.** While homelessness may not always be experienced immediately following an eviction, eviction remains a leading cause of homelessness. Detroit's 2021 point-in-time homeless count revealed that there were 1,293 people experiencing homelessness who were sheltered, decrease of approximately 14 percent from 2020.[325] Detroit did not conduct a point-in-time count of people experiencing homelessness who were unsheltered in 2021.[326] According to the 2019 State of Homelessness Annual report authored by Homelessness Action Network of Detroit, Black families are disproportionately experiencing homelessness in Detroit.[327]

125. In 2019, Black Detroit families with children represented approximately 79 percent of people experiencing poverty but 97 percent of people experiencing homelessness.[328] White Detroit families with children represented approximately 14 percent of people experiencing poverty but only 2 percent of people experiencing homelessness.[329] This demonstrates a racial disparity in families with children experiencing homelessness that cannot be attributed to poverty alone. While the reasons people experience homelessness are multifaceted, a primary reason is eviction.

126. A 2018 study of homelessness in Los Angeles County, citing surveys conducted as part of recent homeless counts, stated that 40 percent of unsheltered adults cited unemployment and lack of money, which encompassed inability to pay for shelter, as the reason for experiencing homelessness.[330] This factor was identified more than twice as often any other factor, and eviction or foreclosure was specifically identified as the primary reason for homelessness by 11 percent of unsheltered adults.[331] A 2018 study of shelter use in New York City indicates that evictions: (1) increase the probability of applying for shelter by 14 percentage points compared to a baseline probability of approximately 3 percent for

[323] Ibid.
[324] Walker, Fay. "Eviction in Cleveland." RPubs. February 2019.
[325] "2021 Detroit CoC Point-in-Time Count." Homeless Action Network of Detroit. 2021.
[326] Ibid.
[327] "Annual Report for the Detroit Continuum of Care 2019 State of Homelessness." Homeless Action Network of Detroit. 2019.
[328] Ibid.
[329] Ibid.
[330] Flaming, Daniel et al. "Escape Routes: Meta-Analysis of Homelessness in L.A." Economic Roundtable. April 2018.
[331] Ibid.

households not experiencing an eviction; and (2) increase the number of days spent in shelter during the two years after an eviction filing by 5 percentage points, or about 36 days.[332] The researchers concluded that because the estimated effects of eviction persist long-term, avoiding eviction does not simply delay a period of homelessness, it leads to lasting differences in the probability of experiencing homelessness.[333] A 2014 San Francisco study of an eviction defense pilot program, citing a recent survey of families experiencing homelessness, revealed that 11 percent of families in San Francisco homeless shelters identified evictions (legal and illegal) as a cause of their homelessness.[334] The Housing and Homeless Division Family and Prevention Services Program Manager in San Francisco has stated that the number of families experiencing homelessness as a result of an eviction is potentially over 50 percent – much higher than 11 percent – when considering the intermediate living arrangements made with friends and family before the families who have been evicted access the shelter system.[335] The 50 percent estimate is supported by the survey of families experiencing homelessness, in which 45 percent of respondents indicated that the cause of their homelessness was being asked to move out.[336] Furthermore, a 2013 demographics report of adult shelters in San Francisco found that 36 percent of its population was living with friends or relatives before experiencing homelessness.[337] A 2011 study of people experiencing homelessness in Harris and Fort Bend counties (Houston area), Texas found that approximately 30 percent of people experiencing homelessness identified eviction (either by a family member or a landlord) as a cause for their homelessness.[338] The Massachusetts Interagency Council on Housing and Homelessness analyzed a variety of reports generated by the state's shelter system to determine that 45 percent of people experiencing homelessness or who are at risk of experiencing homelessness cite eviction as the reason for their housing instability.[339] Similar statistics were observed in Hawaii where 56 percent of families experiencing homelessness cite inability to afford rent as the reason for their experiencing homelessness.[340] An additional 18 percent of families cited eviction specifically, as the

[332] Collinson, Robert and Reed, Davin. "The Effects of Evictions on Low-Income Households." New York University Law. December 2018.
[333] Ibid.
[334] San Francisco Right to Civil Counsel Pilot Program Documentation Report. John and Terry Levin Center for Public Service and Public Interest, Stanford Law School. May 2014.
[335] Ibid.
[336] Ibid.
[337] Ibid, citing 2013 Demographics Report – San Francisco Single Adult Shelters.
[338] "Capacity and Gaps in the Homeless Residential and Service System, Harris and Fort Bend Counties." Coalition for the Homeless Houston/Harris County. 2011.
[339] "Regional Networks to End Homelessness Pilot Final Evaluation Report." Massachusetts Interagency Council on Housing and Homelessness. February 15, 2011.
[340] "Homeless Service Utilization Report." Center on Family at the University of Hawaii and the Homeless Programs Office of the Hawaii State Department of Human Services. 2010.

reason for their experiencing homelessness.[341] In Seattle, a survey of tenants who were evicted revealed that nearly 38 percent were living unsheltered and half were living in a shelter, transitional housing, or with family and friends.[342] Only 12.5 percent of evicted respondents secured another apartment to move into.[343] The New York City Department of Homeless Services found that eviction was the most common reason for families entering city shelters between 2002 and 2012.[344] In addition to the reason for shelter entry, studies have also explored the length of shelter stay.

127. Researchers studying the typology of family homelessness (the Culhane Study) found that approximately 80 percent of families experiencing homelessness stay in emergency shelter for brief periods, exit shelter, and do not return.[345] The remaining 20 percent of families experiencing homelessness stay for long periods, and a small but noteworthy portion of families experiencing homelessness cycle in and out of shelter repeatedly.[346] Families cycling in and out of shelter have the highest rates of intensive behavioral health treatment, placement of children in foster care, disability, and unemployment.[347] The differences between families that have short shelter stays compared to families with longer shelter stays were identified as: family composition (e.g., larger, older, Black); predicament (e.g., experiencing domestic violence, pregnancy / newborn status); and resources at exit (e.g., housing subsidy).[348]

128. Data from California's Continuums of Care indicated significant racial disparities among people who have accessed homeless services.[349] California's population is approximately 6 percent Black, but Black or African Americans represent 31 percent of people accessing homeless services.[350] The data also indicated that 41 percent of people accessing homeless services reported a disabling condition, 17 percent reported experiencing domestic violence, and 22 percent were under the age of 18 – all factors that influence length of shelter stay, according to the Culhane Study.[351] A study of administrative data from the

[341] Ibid.
[342] "Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.
[343] Ibid.
[344] "The Rising Number of Homeless Families in NYC, 2002-2012: A Look at Why Families Were Granted Shelter, the Housing They Had Lived in and Where They Came From." New York City Independent Budget Office. 2014.
[345] Culhane, Dennis et al. "Testing a Typology of Family Homelessness Based on Patterns of Public Shelter Utilization in Four U.S. Jurisdictions: Implications for Policy and Program Planning." Housing Policy Debate. May 2007.
[346] Ibid.
[347] Ibid.
[348] Ibid.
[349] "Demographics of People Who Were Served." State of California Business, Consumer Services and Housing Agency. 2020.
[350] Ibid.
[351] Ibid.

homeless shelter systems in New York City and Philadelphia found demographic differences among people experiencing homelessness, which contribute to differences in length of stay in shelters and could inform program planning.[352] The significant concentration of non-white people and those experiencing mental health challenges within the shelter system is consistent with the characteristics of people experiencing the eviction process. The researchers' recommendation that targeted preventive and resettlement assistance, transitional housing and residential treatment, and supported housing and long-term care programs further indicates the incredibly costly housing responses needed to support people experiencing homelessness as a result of disruptive displacement.

129. Figure 30 shows the percentage of people reporting that they are experiencing homelessness and entering shelter because of eviction/inability to pay for shelter by jurisdiction. These shelter entry metrics (i.e., the proportion of people at shelter connecting their entry to eviction/inability to pay for shelter) are not the same as the proportion of people experiencing eviction who enter shelter, but are informative about the role eviction has as a pathway to homelessness and shelter entry.

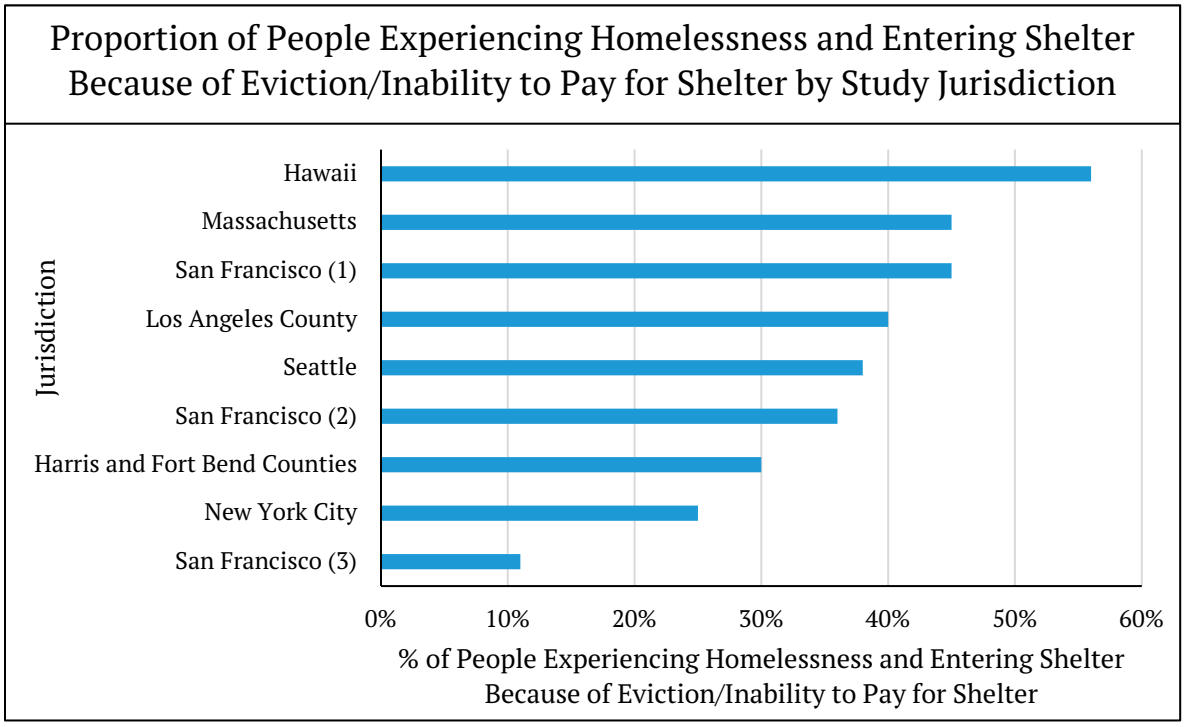

Figure 30

[352] Kuhn, Randall and Culhane, Dennis. "Applying Cluster Analysis to Test a Typology of Homelessness by Pattern of Shelter Utilization: Results from the Analysis of Administrative Data." American Journal of Community Psychology. April 1998.

130. Based on a control group analysis, a 2013 evaluation of the Homebase Community Prevention Program (the Abt Study) in New York City found that 18.2 percent of families with children who were at risk of homelessness applied for shelter, and 14.5 percent entered family shelter.[353] These metrics compare to Homebase case managers' expectations at program enrollment, which were that 25 percent of families with children who were at risk of homelessness would "definitely" enter shelter and for an additional 25 percent shelter entry was "very likely."[354] The Abt Study was an evaluation of the Homebase Community Prevention Program which included an analysis of households' use of homeless shelters and services. The Homebase program is a network of neighborhood-based homelessness prevention centers located in New York City. Homebase was designed to prevent homelessness and to prevent repeated stays in shelter. One of the research questions to be answered by the evaluation was: does Homebase affect the rate of shelter use (nights in shelter)? The evaluation population, as agreed upon with the New York City Department of Homeless Services, was 295 families with at least one child – 150 in the treatment group, and 145 in the control group. The evaluation indicated that over the evaluation period of 27 months (September 2010 to December 2012) a statistically significant difference the likelihood of spending at least one night in shelter between the treatment and control groups – 14.5 percent compared to 8 percent. Evaluators had access to individual-level administrative data from certain systems operated by three New York City social services agencies (the Department of Homeless Services, the Administration for Children's Services, and the Human Resources Administration) and the New York State Department of Labor. This individual-level data was matched with Homebase data based on social security number, name, date of birth, and gender. The evaluators did not have access to data about single adults, adult families, and shelters outside of New York City. Evaluators used the individual-level data and a linear probability model to assess the likelihood of shelter entry. The evaluators indicated that limitations of the Study included only analyzing data from shelters operated by the Department of Homeless Services, the impact of "one shot" assistance among the studied population and limiting the study population to families with at least one child and pregnant women.

131. Robin Hood, a New York City-based non-profit organization that provides funding to, and evaluation metrics for more than 200 programs in New York City, estimates without any intervention, approximately 25 percent of those at risk of experiencing homelessness would enter shelter.[355] Robin Hood's estimate, like the Abt Study case managers', is based on the experiences and expectations of staff working with low-income families experiencing housing instability.

[353] Rolston, Howard et al. "Evaluation of the Homebase Community Prevention Program." Abt Associates. June 2013.
[354] Ibid.
[355] https://www.robinhood.org/uploads/2017/04/Metrics-Equations-for-Website_Sept-2014.pdf

132. It is also worth noting that not everyone who experiences disruptive displacement will also experience homelessness. However, not experiencing homelessness does not mitigate the social costs of disruptive displacement as these households will likely experience other trauma(s) related to disruptive displacement. These social costs and traumas may include, but are not related to, needing to staying with family/friends until alternative affordable housing can be secured, experiencing challenges with securing alternative housing because of an eviction record, commuting longer distances to work because of where alternative affordable housing is available, disruptions to child school attendance and education, difficulty securing new child care providers, mental health trauma, and needing to make difficult financial decisions about basic needs (e.g., paying back rent owed or purchasing a medically necessary prescription).

133. **Homelessness – Shelter and Other Support Costs.** According to data from Detroit's Coordinated Access Model, the per night reimbursement rate of emergency shelter is $17.[356] It is important to consider that this is a reimbursement rate rather than a per night cost of shelter. Representatives from Homeless Action Network of Detroit (HAND) indicated that the reimbursement rate of $17 per night does not include operating expenses and is therefore an underestimate of the cost of emergency shelter. While per night per person costs are important to consider, there are often additional costs incurred in support of people experiencing homelessness.

134. Data from HAND indicated that annual cost of a unit of permanent supportive housing in Detroit ranges from $16,540 to $18,740, and the annual cost of a unit of rapid re-housing in Detroit ranges from $17,516 to $18,616.[357] These estimated costs for permanent supportive housing and rapid re-housing include the cost of housing as well as costs related to services people receive and administrative functions. The most recent cost data available for transitional housing in Detroit is from 2013 and ranges from $15,902 to $23,287 annually per unit.[358] The cost of these housing social safety net responses in Detroit are comparable to the costs observed throughout the country.

135. The Massachusetts Housing and Shelter Alliance estimates that a homeless individual residing in Massachusetts creates an additional cost burden for state-supported services (shelter, emergency room visits, incarceration, etc.) that is $9,372 greater per year than an individual who has stable housing.[359] Each time a family experiencing homelessness enters a state-run emergency shelter, the cost to the state is estimated at $26,620.[360] Data from

[356] Internal reports prepared by HAND and shared with Stout.
[357] Ibid.
[358] Ibid.
[359] Wood-Boyle, Linda. "Facing Eviction: Homelessness Prevention for Low-Income Tenant Households." Federal Reserve Bank of Boston. December 1, 2014.
[360] Ibid.

the HomeStart Program in Massachusetts indicates that the cost to prevent an eviction, negotiate back-rent owed, and provide a family with stabilization services is approximately $2,000 (compared to the emergency shelter cost of $26,620 per year).[361] The Central Florida Commission on Homelessness has reported that the region spends $31,000 per year per person experiencing homelessness on law enforcement, jail, emergency room, and hospitalization for medical and psychiatric issues.[362] The City of Boise, Idaho reported that costs associated with chronic homelessness are $53,000 per person experiencing homelessness annually including day shelters, overnight shelters, policing / legal, jail, transportation, emergency medical services and drug and alcohol treatment.[363] In contrast, providing people experiencing homelessness with permanent housing and case managers would cost approximately $10,000 per person annually.[364] By way of comparison, MaineHousing, the state agency providing public and private housing to low- and moderate-income tenants in Maine, found that the average annual cost of services per person experiencing homelessness to be $26,986 in the greater Portland area and $18,949 statewide.[365] The services contemplated in the average annual cost were associated with: physical and mental health, emergency room use, ambulance use, incarceration, and law enforcement.[366] Investing in eviction prevention helps a community save valuable resources by preventing homelessness before it starts.[367] A three-year study by RAND Corporation found that providing housing for very sick individuals experiencing homelessness saved taxpayers thousands of dollars by reducing hospitalization and emergency room visits.[368] For every dollar invested in the program, the Los Angeles County government saved $1.20 in health care and social service costs.[369]

136. **Homelessness – Cost of Unsheltered Population.** In addition to costs related to sheltering people who are experiencing homelessness, jurisdictions bear significant costs related to people who are experiencing unsheltered homelessness. A person is experiencing unsheltered homelessness if they are living somewhere not meant for human habitation (e.g., tents, cars, recreational vehicles without electricity or sanitation

[361] Eviction Prevention. HomeStart.org.
[362] Santich, Kate. "Cost of homelessness in Central Florida? $31k per person." Orlando Sentinel. May 21, 2014.
[363] Crossgrove Fry, Vanessa. "Reducing Chronic Homeless via Pay for Success, A Feasibility Report for Ada County, Idaho." City of Boise. N.d.
[364] Santich, Kate. "Cost of homelessness in Central Florida? $31k per person." Orlando Sentinel. May 21, 2014.
[365] Acquisto, Alex and Rhoda, Erin. "The $132k idea that could reduce Bangor's eviction problem." Bangor Daily News. September 24, 2018.
[366] Ibid.
[367] Ibid.
[368] Holland, Gale. "Study find L.A. County saves money by housing sick homeless people." Los Angeles Times. December 4, 2017.
[369] Ibid.

connections, sidewalks, abandoned buildings, and other public spaces).[370] In 2019, the U.S. Department of Health and Human Services and the U.S. Department of Housing and Urban Development commissioned a study of the costs to four cities (Chicago, Houston, San Jose, and Tacoma) that were working to reduce encampments used by people experiencing unsheltered homelessness and providing services to people experiencing unsheltered homelessness.[371] The cost to reduce encampments and provide services ranged from $1,672 to $6,208 per unsheltered person per year.[372] The overall annual cost to the cities ranged from approximately $3.4 million (Houston) to approximately $8.6 million (San Jose).[373] Figure 31 shows these costs.

	Total spending on encampment activities, FY 2019	Unsheltered homeless population, 2019[1]	Cost per unsheltered homeless person, 2019
Chicago	$ 3,572,000	1,260	$2,835
Houston	$ 3,393,000	1,614	$2,102
Tacoma	$ 3,905,000	629	$6,208
San Jose	$ 8,557,000	7,922	$1,080

[1] The unsheltered homeless population for Chicago is for the city, whereas the numbers for Houston, San Jose, and Tacoma include the surrounding counties (Harris, Santa Clara, and Pierce Counties).

Source: City cost data; 2019 CoC Point-in-Time data, HUD

Figure 31

137. Costs incurred by local fire and police departments and emergency medical services were not included, but they can be the largest expenses for cities.[374] These quantifiable costs are not the only costs to cities with responses to the unsheltered population. Providing services takes significant resource-intensive coordination among a variety of stakeholders. For example, the study indicated the following agencies / service providers were involved in responding to people experiencing unsheltered homelessness: sanitation / solid waste / environmental services; homeless services providers offering assistance with case management, medical and mental health services, substance abuse services, food assistance, and financial assistance; departments of public health; departments of transportation; airport authorities; parks departments; public utility companies; fire departments; city management departments; outreach teams; and police departments.[375]

[370] Dunton, Lauren et al. "Exploring Homelessness Among People Living in Encampments and Associated Cost: City Approaches to Encampments and What They Cost." U.S. Department of Housing and Urban Development, Office of Policy Development and Research. February 2020.
[371] Ibid.
[372] Ibid.
[373] Ibid.
[374] Ibid.
[375] Ibid.

138. In April 2021, a group of people experiencing unsheltered homelessness living in a Hart Plaza encampment in Detroit were removed due to "unsafe conditions."[376] Detroit City Council approved a $2.9 million project to repair the "unsafe conditions," which consisted of installing electrical wiring and underground draining.[377] City officials moved people living in the Hart Plaza encampment to hotel rooms for the duration of the project.[378] According to representatives from a community group providing toiletry and food to people living in the encampment, as many as 50 people had been seen living in Hart Plaza.[379]

139. Recognizing the importance of a comprehensive, coordinated response to unsheltered Detroit residents, the City of Detroit and the Detroit Homelessness Response System developed policies and procedures to address health and safety concerns among unsheltered Detroit residents.[380] The policies and procedures detail a response protocol for engaging with people experiencing unsheltered homelessness in Detroit. This policy is the first of its kind in Detroit and is being implemented by homeless outreach teams, Housing and Revitalization Department, Detroit Police Department, and Detroit Health Department.[381] As needs arise during implementation, additional partners will be engaged.[382]

140. **Employment and Housing Instability.** Eviction can lead to job loss making it more difficult to find housing, further burdening an already struggling family. Matthew Desmond, author of *Evicted: Poverty and Profit in the American City*, describes how job loss and eviction can be interconnected. When an evicted tenant does not know where their family will sleep the next night, maintaining steady employment is unlikely. If the evicted tenant is unemployed, securing housing after being evicted may take precedence over securing a job. If the evicted tenant is employed, the instability created by eviction often affects work performance and may lead to absenteeism, causing job loss.[383] The period before an eviction may be characterized by disputes with a landlord or stressful encounters with the court system.[384] These stressors can cause workers to make mistakes as they are

[376] Oliver, Joey. "Homeless Encampment Moved, Repairs Begin At Detroit's Hart Plaza." The Patch. April 26, 2021.
[377] Ibid.
[378] Ibid.
[379] Ibid.
[380] "Response to Address Health and Safety Concerns Among Unsheltered Populations Policies and Procedures." City of Detroit. December 2020.
[381] Ibid.
[382] Ibid.
[383] Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." Social Forces. February 24, 2015.
[384] Desmond, Matthew and Gerhenson, Carl. "Housing and Employment Insecurity among the Working Poor." Harvard University. January 11, 2016.

preoccupied with non-work matters.[385] After an eviction, workers may need to miss work to search for new housing, and because they now have an eviction record, finding a landlord willing to rent to them may increase the time it takes to secure new housing.[386] Workers may need to live farther from their jobs, increasing the likelihood of tardiness and absenteeism.[387] A recent Harvard University study suggests the likelihood of being laid off to be 11 to 22 percentage points higher for workers who experienced an eviction or other involuntary move compared to workers who did not.[388] A similar analysis in Wisconsin, the Milwaukee Area Renters Study, found that workers who involuntarily lost their housing were approximately 20 percent more likely to subsequently lose their jobs compared to similar workers who did not.[389] Approximately 42 percent of respondents in the Milwaukee Area Renters Study who lost their job in the two years prior to the study also experienced an involuntary move.[390] The impact of job loss and eviction disproportionately affects Black people who face significant discrimination in both the housing and labor markets.[391]

141. Eviction not only adversely affects unemployed and employed tenants' job prospects but also their earnings and the potential future earnings of children. A study of eviction filings from 2007 to 2016 in New York City sought to assess whether evictions contributed substantially to poverty by analyzing the effect of evictions on earnings and employment.[392] Eviction filing data was linked to Medicaid, Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, and other New York City-specific benefits data.[393] The researchers found that eviction was associated with between $1,000 and $3,000 reduction in total earnings in the one to two years post-filing.[394] Robin Hood estimates a child's average future earnings could decrease by 22 percent if the child experienced juvenile delinquency, which can be associated with the disruption to families from eviction.[395] When families and children earn less (now or in future periods) the associated financial strains can result in various costs to the cities and communities in which they live. Research has shown that forced moves can perpetuate generational

[385] Ibid.
[386] Ibid.
[387] Ibid.
[388] Ibid.
[389] Desmond, Matthew. "Unaffordable America: Poverty, housing, and eviction." Institute for Research on Poverty. March 2015.
[390] Desmond, Matthew and Gerhenson, Carl. "Housing and Employment Insecurity among the Working Poor." Harvard University. January 11, 2016.
[391] Ibid.
[392] Collinson, Robert and Reed, Davin. "The Effects of Evictions on Low-Income Households." New York University Law. December 2018.
[393] Ibid.
[394] Ibid.
[395] Robin Hood is a New York City based non-profit organization that provides funding to more than 200 programs across New York City. https://www.robinhood.org/what-we-do/metrics/

poverty and further evictions.[396] In addition, the reduction in earning capacity for these families can increase the demand on various social services provided by these cities and communities. Further, cities lose the economic benefit of these wages, including the economic stimulus of community spending and potential tax revenue. These impacts – potential earning capacity, generational poverty, and other economic consequences – are long-term and incredibly challenging to reverse.

142. **Ability to Re-Rent and Credit Score.** Tenants with an eviction case brought against them may have the case on their record whether they are ultimately evicted or not. This information is easily accessible, free, and used by landlords and tenant screening companies to create tenant blacklists, making it difficult for tenants with eviction records to re-rent and exacerbating housing discrimination.[397] Data aggregation companies are now creating "screening packages" that landlords can use to select their tenants.[398] These packages often include a full credit report, background check, and an eviction history report. Using data and technology to streamline and automate the screening process will only exacerbate the impact of eviction on tenants. One data aggregation company stated the "it is the policy of 99 percent of our [landlord] customers in New York to flat out reject anybody with a landlord-tenant record, no matter what the reason is and no matter what the outcome is.".[399] In cities where there is a right to counsel, the number of eviction filings has declined, indicating that a right to counsel can also reduce the harmful effects of being exposed to the eviction process regardless of case outcomes. Many landlords and public housing authorities will not rent to tenants who have been recently evicted. Therefore, renters with an eviction on their record will often be forced to find housing in less desirable neighborhoods that lack adequate access to public transportation, are farther from their

[396] Lundberg, Ian and Donnelly, Louis. "A Research Note on the Prevalence of Housing Eviction among Children Born in U.S. Cities." Princeton University, Woodrow Wilson School of Public and International Affairs, Center for Research on Child Wellbeing. 2019.

[397] Desmond, Matthew. "Unaffordable America: Poverty, housing, and eviction." Institute for Research on Poverty. March 2015.

[398] Greene, Kimberly. "Online screening process gives landlords peace of mind." Mortgage Professional America. November 12, 2019.

[399] Kleysteuber, Rudy. "Tenant Screening Thirty Years Later: A Statutory Proposal To Protect Public Records." The Yale Law Journal. 2007. Referencing Rogers, Teri Karush. "Only the Strongest Survive." The New York Times. November 26, 2006 (quoting Jake Harrington, founder of On-Site.com). While the inclination to reject tenant applicants regardless of the outcome of their prior eviction case might appear to nullify the impact of providing representation, system representation may cause a deterrent effect in terms of landlords' decisions of whether to file an eviction in the first place. New York City and San Francisco, which are the only cities where a right to counsel has existed long enough to have data, have both experienced significant declines in their respective eviction filing rates. See: "Press Release: Supervisor Dean Preston Holds Hearing on Implementation for Right to Counsel Law." February 24, 2020. & "New York City Residential Eviction Filings Decline." NYU Furman Center. November 18, 2019.

jobs, have limited or no options for child care, and lack grocery stores.[400] A University of North Carolina Greensboro study found that 45 percent of tenants who were evicted had difficulty obtaining decent, affordable housing after their evictions.[401] Additionally, evictions can have a detrimental impact on tenants receiving federal housing assistance, such as Section 8 vouchers. In some cases, court-ordered evictions may cause revocation of Section 8 vouchers or render the tenant ineligible for future federal housing assistance.[402] Landlords often view a potential tenant's credit score as a key factor in determining whether they want to rent to the potential tenant. A low credit score caused by a past eviction can make it exceedingly difficult for renters to obtain suitable housing.[403] A tenant who was interviewed in the University of North Carolina Greensboro study stated, "it [eviction] affected my credit and it is hard to get an apartment…three landlords have turned me away."[404] Damage to a renter's credit score from an eviction can also make other necessities more expensive since credit scores are often considered to determine the size of initial deposit to purchase a cell phone, cable and internet, and other basic utilities.[405] Another tenant from the University of North Carolina Greensboro study stated, "I have applied for at least three different places and was turned down because of the recent eviction. The only people I can rent from now are slumlords who neglect their properties. The ones that don't even care to do any kind of record check."[406] In Milwaukee, tenants who experienced an involuntary move were 25 percent more likely to have long-term housing instability compared to other low-income tenants.[407] A 2018 survey of tenants who had been evicted in Seattle found that 80 percent of survey respondents were denied access

[400] Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." Social Forces. February 24, 2015.
[401] Sills, Stephen J. et al. "Greensboro's Eviction Crisis." The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.
[402] Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." Social Forces. February 24, 2015.
[403] An eviction itself is not reported to credit bureaus even if the landlord is successful in court, although money judgments are reported. The effects of the eviction may appear on a credit report if the tenant failed to pay rent and the landlord sent the delinquency to a collection agency. While there is not a set timeframe for when this information appears on a credit report, the item is treated like any other delinquent debt. It will remain there for seven years from the date of delinquency, even if it is paid off. There are also screening reports that landlords use that report eviction data, criminal records, etc. See https://aaacreditguide.com/eviction-credit-report/.
[404] Sills, Stephen J. et al. "Greensboro's Eviction Crisis." The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.
[405] https://www.investopedia.com/terms/c/credit_score.asp.
[406] Sills, Stephen J. et al. "Greensboro's Eviction Crisis." The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.
[407] Desmond, Matthew. "Evicted: Poverty and Profit in the American City." 2016.

to new housing because of a previous eviction, and one-third of respondents were not able to re-rent because of a monetary judgment from a previous eviction.[408]

143. As the federal eviction moratorium and other pandemic-related rental protections are coming to an end, the Consumer Financial Protection Bureau released an Enforcement compliance bulletin reminding landlords, consumer reporting agencies, and others of their obligations to accurately report rental and eviction information.[409] Without a lawyer, it may be challenging for tenants to dispute inaccurate rental and eviction information they find on their credit reports.

144. **Unpaid Utility Bills and Property Taxes.** During focus groups and conversations with stakeholders in Detroit, Stout heard numerous times about property tax foreclosure leading to eviction. For example, Detroit residents with lived experiences described circumstances where they were paying their monthly rent, but a "yellow bag" was put on their door handle. The "yellow bag" indicated that the landlord had delinquent property taxes on the home, it was now subject to foreclosure, and the tenant would need to vacate the unit – even though they had been paying rent. As of July 2021, landlords of nearly 17,000 rental properties in Detroit owed two or more years' worth of property taxes, owing an estimated $69 million in delinquent property taxes.[410] Figure 32 shows trends in the number of rental properties subject to tax foreclosure and the amount of delinquent taxes owed by Detroit landlords.

[408] "Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.
[409] "As Federal Eviction Protections Come to an End, CFPB Warns Landlords and Consumer Reporting Agencies to Report Rental Information Accurately." Consumer Financial Protection Bureau. July 2021.
[410] Analysis completed by Rocket Community Fund using LOVELAND Technologies' Wayne County Treasurer Tax Delinquency data.

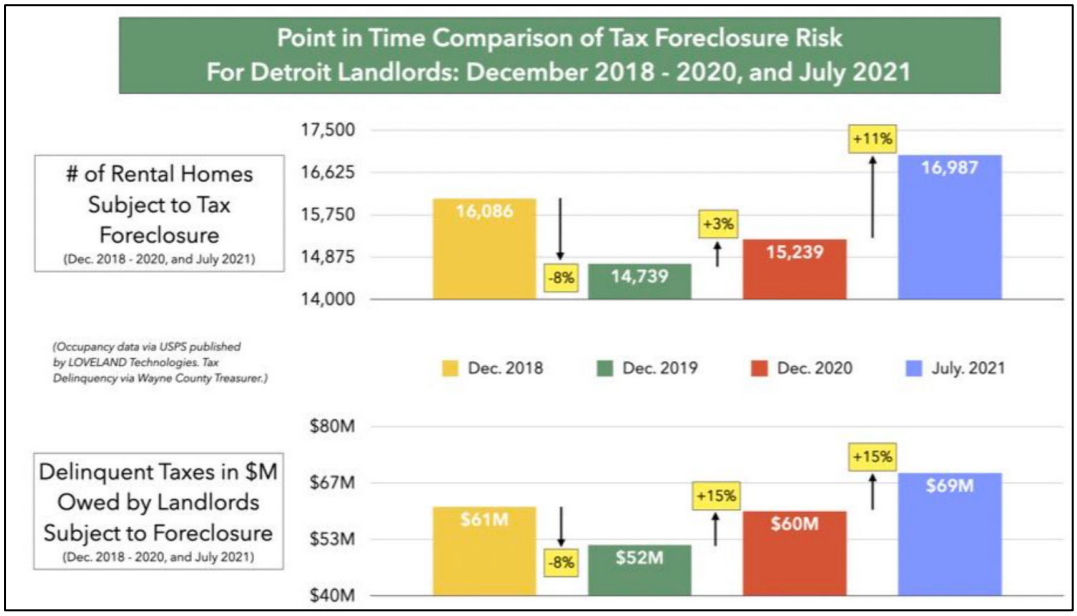

Figure 32

145. Before the COVID-19 pandemic, assistance with utility bills was one of the most common reasons Michigan residents contacted 2-1-1, a free service connecting residents with local resources for basic needs.[411] As of May 2021, Michigan 2-1-1 received nearly 56,000 calls for assistance with paying electric bills.[412] A July 2021 study published by the Michigan League of Public Policy linked utility shut offs with eviction in Michigan, indicating that tenants who cannot pay their utility bills often experience an eviction filing.[413] Non-payment of utilities and eviction can both result in eviction and the loss of housing vouchers.[414]

146. A recent study of the costs of eviction in Seattle connected income instability and having unpaid utility or property tax bills to possible eviction.[415] After an income disruption (i.e., job loss, health emergency, unexpected expenses), financially insecure households are three times more likely to miss a utility payment and 14 times more likely to be evicted than financially secure households.[416] In 2011, the average electric bill in Houston, Texas was found to be more than $200 per month during the summer, making utility payments a

[411] Cassidy, Julie. "Empowering Families Through Affordable Energy." Michigan League for Public Policy. July 2021.
[412] Ibid.
[413] Ibid.
[414] Ibid.
[415] Elliot, Diana and Kalish, Emma. "The Cost of Eviction and Unpaid Bills of Financially Insecure Families for City Budget." Urban Institute. January 2017.
[416] Ibid.

barrier to maintaining housing for low-income renters.[417] Furthermore, some rental assistance programs in Houston calculate a "utility allowance," which often do not fully cover true utility costs, leaving tenants at risk of eviction if utility bills are unpaid.[418] Missed rent payments (including utilities) can also result in landlords missing property tax payments, which are a primary source of revenue for local governments.[419]

147. **Health Impacts – Physical.** A significant body of research has documented the connection between health and housing. Substandard housing conditions are associated with a variety of health conditions, such as respiratory infections, asthma, and lead poisoning.[420] A 2014 study of mold prevalence in Detroit homes found that the age of the home and mold contamination were positively correlated (i.e., older homes had higher rates of mold contamination).[421] Asthmatic children in Detroit were living in homes with higher than average mold contamination rates than non-Detroit homes.[422] According to a Michigan Department of Health and Human Services report, the prevalence of asthma among Detroit adults is 29 percent higher than Michigan residents outside of Detroit, and the hospitalization rate for people with asthma in Detroit is 3 times higher than Michigan residents outside of Detroit.[423] An analysis of the 2015 American Housing Survey data, which included specific questions on asthma and asthma triggers in the home, indicated that: (1) households with children are more likely to have at least one child with asthma when they also report exposure to smoke, mold, and leaks in their home; (2) renters with children are more likely to have asthma triggers in their homes than owners; and (3) households receiving rental subsidies (e.g., vouchers, rental assistance, or living in public housing) have higher exposure to indoor asthma triggers than other low-income renters not receiving rental subsidies and are more likely to have at least one child with asthma.[424] Figure 33 shows select statistics about asthma in Detroit and Michigan.

[417] "Capacity and Gaps in the Homeless Residential and Service System, Harris and Fort Bend Counties." Coalition for the Homeless Houston/Harris County. 2011.
[418] Ibid.
[419] Elliot, Diana and Kalish, Emma. "The Cost of Eviction and Unpaid Bills of Financially Insecure Families for City Budget." Urban Institute. January 2017.
[420] Krieger, James and Higgins, Donna. "Housing and Health: Time Again for Public Health Action." American Journal of Public Health. 2002.
[421] Vesper, Stephen et al. "Use of Medicaid and housing data may help target areas of high asthma prevalence." Journal of Asthma. 2017.
[422] Ibid.
[423] DeGuire, Peter et al. "Detroit: The Current Status of the Asthma Burden." Michigan Department of Health and Human Services Bureau of Disease Control, Prevention and Epidemiology. March 2016.
[424] Ganesh, Bhargavi et al. "The Relationship between Housing and Asthma among School-Age Children." Urban Institute. October 2017.

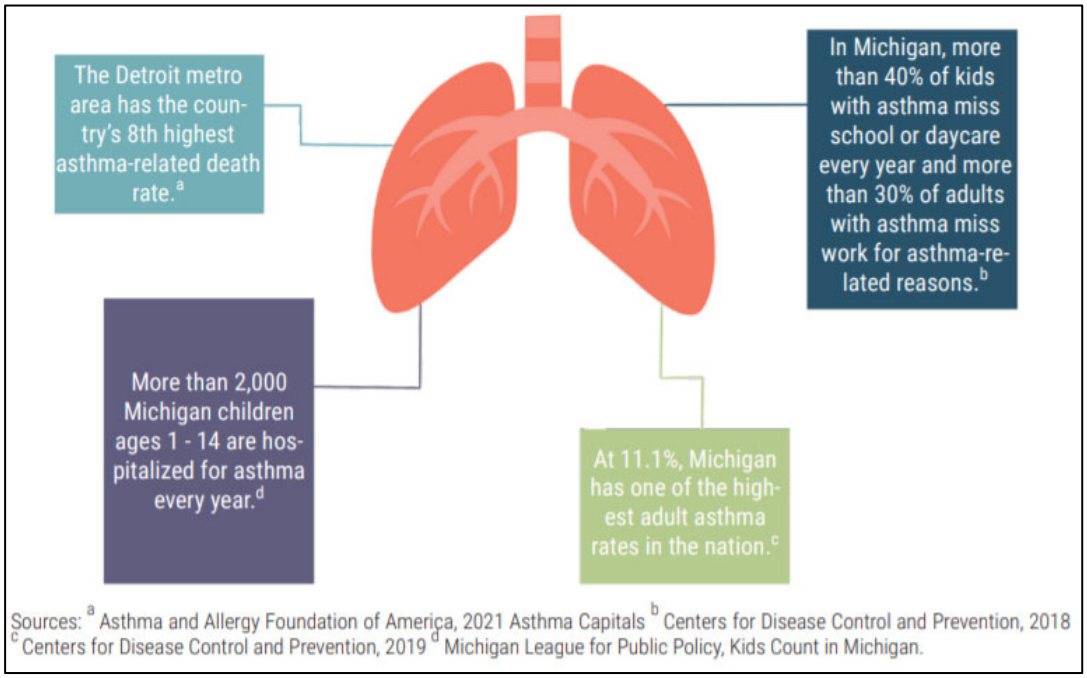

Figure 33

148. Like asthma, housing instability can affect the health of family members of all ages.[425] Researchers at Boston Medical Center found that caregivers of young children in unstable low-income housing are two times more likely than those in stable housing to be in fair or poor health, and almost three times more likely to report symptoms of depression. Children aged four and under in these families had almost a 20 percent higher risk of hospitalization, and more 25 percent higher risk of developmental delays.[426] Another study of caregivers to children found that, of more than 22,000 families served by medical centers over a six-year study period, approximately 34 percent had at least one of the following adverse housing circumstances: 27 percent had been behind on rent; 12 percent had experienced homelessness; and 8 percent had moved at least twice in the previous 12 months.[427] A recent study published by the American Academy of Pediatrics examining the effects of homelessness on pediatric health found that the stress of both prenatal and postnatal homelessness was associated with increased negative health outcomes compared to children who never experienced homelessness.[428] A study of nearly 10,000 mothers in five U.S. cities found that prenatal homelessness was associated with a higher likelihood

[425] Butera, Candace. "The Burden of a Late Rent Check Can Harm the Health of Both Parents and Kids." Pacific Standard. January 23, 2018.
[426] Ibid.
[427] Sandel, Megan, et al. "Unstable Housing and Caregiver and Child Health in Renter Families."
[428] Sandel, Megan, et al. "Timing and Duration of Pre- and Postnatal Homelessness and the Health of Young Children." The American Academy of Pediatrics. September 2018.

of low birth weight and preterm delivery.[429] Researchers from Harvard and Princeton (in conjunction with the Public Health Institute of Basel, Switzerland) had similar findings in their study of eviction filings: experiencing an eviction filing during pregnancy was associated with an increased risk of low birth weight and premature birth.[430,431] Furthermore, Black mothers who are experiencing homelessness have worse birth outcomes than other mothers who are experiencing homelessness – a reflection of the disparate health outcomes generally experienced by the Black population.[432]

149. A 2016 Canadian study found that eviction specifically is associated with increased odds of having detectable viral loads among people living with HIV and increased rates of illicit drug use and relapse.[433]

150. Families who are evicted often relocate to neighborhoods with higher levels of poverty and violent crime.[434] Researchers at Boston Medical Center and Children's Hospital found that homes with vermin infestation, mold, inadequate heating, lead, and in violent areas were connected to increased prevalence of respiratory disease, injuries, and lead poisoning in children.[435] Living in a distressed neighborhood can negatively influence a family's well-being.[436] Moreover, families experiencing eviction who are desperate to find housing often accept substandard living conditions that can bring about significant health problems.[437] The primary health outcome found to be related to housing is respiratory health, which is measured by the presence of respiratory disease or by lung function.[438] Housing conditions that are respiratory health factors include cold temperatures, humidity, and ventilation – all of which contribute to the growth of mold, fungi, and other microorganisms.[439] Living

[429] Cutts, Diana B. et al. "Homelessness During Pregnancy: A Unique, Time-Dependent Risk Factor of Birth Outcomes." Maternal and Child Health Journal. November 2014.
[430] Khadka, Aayush, et al. "In utero exposure to threat of evictions and preterm birth: Evidence from the United States." Health Services Research. 2020.
[431] Himmelstein, Gracie and Desmond, Matthew. "Association of Eviction With Adverse Birth Outcomes Among Women in Georgia, 2000 to 2016." JAMA Pediatrics. March 2021.
[432] Gay Dawes, Elizabeth. "Housing Instability Is an Important (Yet Overlooked) Factor in the Maternal Health Crisis." Rewire.News. April 12, 2018.
[433] "Eviction and Health: A Vicious Cycle Exacerbated by a Pandemic." Robert Wood Johnson Foundation. April 2021. Referencing Kennedy, Mary Clare et al. "Residential Eviction and Risk of Detectable Plasma HIV-1 RNA Viral Load Among HIV-Positive People Who Use Drugs." AIDS Behavior. February 2016.
[434] Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." Social Forces. February 24, 2015.
[435] "Not Safe at Home: How America's Housing Crisis Threatens the Health of Its Children." The Doc4Kids Project, Boston Medical Center and Children's Hospital. 1998.
[436] Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." Social Forces. February 24, 2015.
[437] Ibid.
[438] Shaw, Mary. "Housing and Public Health." Department of Social Medicine, University of Bristol. October 2003.
[439] Ibid.

in these conditions can result in wheezing, aches and pains, gastrointestinal issues, headaches, and fever.[440] Data from the Third National Health and Nutrition Examination Survey estimated that housing environments exacerbate the effects of asthma in 40 percent of children.[441] While mold is often a cause of asthma, it is also a food source for dust mites, which are a known allergen.[442] In addition to causing respiratory health issues, exposure to lead can have irreversible health impacts. Because lead is more prevalent in older and substandard housing, lead poisoning must also be viewed as a manifestation of the affordable housing crisis.[443] According to the Centers for Disease Control and Prevention, children who live in households at or below the federal poverty level and those living in housing built before 1978 are at the greatest risk of exposure.[444] Children of color are also at a higher risk of lead exposure attributable in significant part to the longstanding effects racist housing policies including redlining, which have exacerbated other historical inequities in accessing safe and healthy housing.[445] Even at low levels of exposure, lead causes brain and nervous system damage including: impaired growth, hyperactivity, reduced attention span, intellectual and developmental disabilities, hearing loss, insomnia, and behavioral issues.[446] Researchers from Harvard recently studied the connection between eviction and lead poisoning by analyzing data from the national Fragile Families & Child Wellbeing Study. Children evicted in their first year of life were predicted to have approximately a 10 percent likelihood of being diagnosed with lead poisoning by age 3 compared to approximately a 5 percent likelihood if they were not evicted.[447] Future evictions were shown to exacerbate this disparity. Between ages 3 and 5, children evicted in both the first and third years of life were predicted to have an 11 percent likelihood of being newly diagnosed with lead poisoning compared to a 2 percent likelihood if they were never evicted.[448]

151. Although already well-documented, the COVID-19 pandemic has created further evidence of the connection between housing and health. Housing instability undermines crucial infection prevention strategies deployed throughout the pandemic, exacerbating the health consequences of eviction.[449] Research has shown that eviction and displacement are

[440] Ibid.
[441] Sandel, Megan and Desmond, Matthew. "Investing in Housing for Health Improves Both Mission and Margin." The Journal of the American Medical Association. 2017.
[442] Shaw, Mary. "Housing and Public Health." Department of Social Medicine, University of Bristol. October 2003.
[443] "Lead." National Center for Healthy Housing. N.d.
[444] "Childhood Lead Poisoning Prevention." Centers for Disease Control and Prevention. November 2020.
[445] Ibid.
[446] "Lead." National Center for Healthy Housing. N.d.
[447] Schwartz, Gabriel. "Cycles of Disadvantage: Eviction and Children's Health in the United States." Harvard University. 2020.
[448] Ibid.
[449] "Eviction and Health: A Vicious Cycle Exacerbated by a Pandemic." Robert Wood Johnson Foundation. April 2021.

associated with increased COVID-19 infection and mortality rates.[450] Eviction and displacement lead to overcrowding, doubling up, and homelessness, which all increase contact with other people and make social distancing challenging.[451] While most people who experience eviction do not immediately enter shelter and instead double up with friends and family, these living arrangements increase the likelihood of exposure to COVID-19 and are compounded by members of these households who are often working essential jobs with a higher risk of exposure.[452] Research has demonstrated that eviction and housing instability are associated with a variety of comorbidities – increased incidence of high blood pressure, heart disease, respiratory illnesses, sexually transmitted infections, and drug use.[453] These comorbidities, in combination with the inability to socially distance, puts people who have been evicted or who are experiencing housing instability at increased risk of contracting, spreading, and dying from COVID-19.[454] Figure 34 shows the link between eviction and housing instability and COVID-19 transmission and mortality.

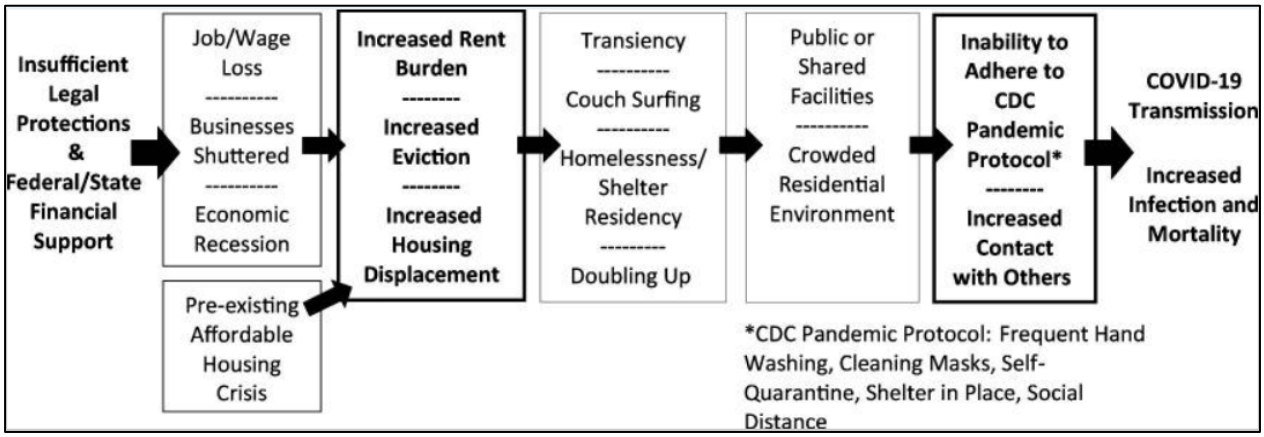

Figure 34

152. **Health Impacts – Mental.** An Associate Professor of Pediatrics at Drexel University College of Medicine testified at a Philadelphia City Council hearing that, "science has shown that children who live in stressful environments, such as substandard housing, the threat of eviction, homelessness and poverty, have changes in their neurological system that affects their ability to learn, to focus, and to resolve conflicts." [455] Professor Daniel

[450] Nande, Anjalika et al. "The effect of eviction moratoria on the transmission of SARS-CoV-2." medRxiv. November 2020.
[451] Benfer, Emily et al. "Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy." Journal of Urban Health. January 2021.
[452] Ibid.
[453] Ibid.
[454] Ibid.
[455] Taylor, Daniel R. Testimony Presented to City Council Committee on Licenses and Inspections and the Committee on Public Health and Human Services Regarding Resolution 160988. March 20, 2017.

Taylor also stated that this "toxic stress" affects many of the body's critical organ systems resulting in an increased prevalence of behavioral issues, diabetes, weight issues, and cardiovascular disease.[456] Furthermore, major life stressors have been found to increase rates of domestic violence.[457] According to a nationwide survey of domestic violence shelters and programs, approximately 41 percent of respondents indicated evictions and home foreclosures as a driver of increased demand for domestic violence services.[458] In Seattle, approximately 38 percent of survey respondents who had experienced eviction reported feeling stressed, 8 percent experienced increased or new depression, anxiety, or insomnia, and 5 percent developed a heart condition they believed to be connected to their housing instability.[459] Among respondents who had school-age children, approximately 56 percent indicated that their children's health suffered "very much" as a result of eviction, and approximately 33 percent indicated that their children's health suffered "somewhat" for a total of 89 percent of respondents' children experiencing a negative health impact because of eviction.[460] A recent study in Cleveland by Case Western University found that approximately 21 percent of interviewed tenants facing eviction self-reported that they were experiencing poor health.[461] Forty-five percent of interviewed tenants reported that they had been mentally or emotionally impacted by the eviction process and that their children were also mentally or emotionally impacted.[462]

153. A survey of approximately 2,700 low-income mothers from 20 cities across the country who experienced an eviction consistently reported worse health for themselves and their children, including increased depression and parental stress.[463] These effects were persistent. Two years after experiencing eviction, mothers still had higher rates of material hardship and depression than mothers who had not experienced eviction.[464] In a study of the effects of forced dislocation in Boston's West End, approximately 46 percent of women and 38 percent of men expressed feelings of grief or other depressive reactions when asked

[456] Ibid.
[457] Makepeace, J. "Life Events Stress and Courtship Violence." Family Relations. January 1983.
[458] "Homeless Service Utilization Report." Center on Family at the University of Hawaii and the Homeless Programs Office of the Hawaii State Department of Human Services. 2010. Referencing "Domestic Violence Counts 2009: A 24-Hour Census of Domestic Violence Shelters and Services." National Network to End Domestic Violence. 2009.
[459] "Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.
[460] Ibid.
[461] "The Cleveland Eviction Study: Observations in Eviction Court and the Stories of People Facing Eviction." Center on Urban Poverty and Community Development, Case Western University. October 2019.
[462] Ibid.
[463] Desmond, Matthew and Tolbert Kimbro, Rachel. "Eviction's Fallout: Housing, Hardship, and Health." Social Forces. February 24, 2015.
[464] Ibid.

how they felt about their displacement.[465] A study on the effects of eviction in Middlesex County, Connecticut included interviews with individuals who had experienced an eviction. In almost every case, interviewees expressed that their eviction negatively impacted their physical and mental health.[466] Approximately two-thirds of interviewees reported feeling more anxious, depressed, or hopeless during the eviction process.[467] Individuals who had previously struggled with mental health issues reported that the stress from the eviction exacerbated their conditions with three interviewees reporting hospitalization for mental health issues following their evictions.[468] Inadequate sleep, malnourishment, physical pain, and increased use of drugs and alcohol were also cited by the interviewees.[469]

154. As with many of the negative impacts of eviction, both physical and mental health issues can be long-term, difficult to reverse, and extremely costly to treat. A study of Medicaid recipients in New Jersey found that health care spending for Medicaid recipients who were experiencing homelessness were between 10 and 27 percent higher than Medicaid recipients who were stably housed, all else equal.[470] The 10 to 27 percent increase in Medicaid spending for individuals experiencing homelessness equates to an additional $1,362 to $5,727, of which at least 75 percent is attributed to inpatient hospital and emergency department services.[471] A study in Michigan found that Medicaid spending for adults experiencing homelessness was 78 percent higher than the statewide average and 26 percent higher for children experiencing homelessness than the statewide average.[472]

155. The connection between housing stability and a household's mental and physical health is evident. Safe, habitable homes are important, especially in times of crisis when mental and physical health issues may become exacerbated. During the COVID-19 pandemic, numerous cities and states throughout the country instituted eviction moratoriums, recognizing the crucial role housing plays in public health and safety.[473] Researchers from the University of California, Los Angeles' Ziman Center for Real Estate found that renters reported better mental health as the eviction moratoriums progressed, particularly the

[465] Fried, Marc. "Grieving for a Lost Home: Psychological Costs of Relocation." The MIT Press. 1966.
[466] Babajide, Rilwan, et. al. "Effects of Eviction on Individuals and Communities in Middlesex County." The Middlesex County Coalition on Housing and Homelessness. May 12, 2016.
[467] Ibid.
[468] Ibid.
[469] Ibid.
[470] Cantor, Joel C. et al. "Medicaid Utilization and Spending among Homeless Adults in New Jersey: Implications for Medicaid-Funded Tenancy Support Services." The Milbank Quarterly. January 22, 2020.
[471] Ibid.
[472] Spellman, Brooke, et. al. "Costs Associated With First-Time Homelessness for Families and Individuals." U.S. Department of Housing and Urban Development, Office of Policy Development and Research. March 2010.
[473] Parker, Will. "Coronavirus Outbreak Pushed Local Governments to Freeze Home Evictions." The Wall Street Journal. March 22, 2020.

mental health of Black renters.[474] Each additional week that eviction moratoriums were in place, the share of Black renter households who reported "feeling anxious" decreased by approximately 2 percent.[475]

156. **Suicide.** In 2015, the American Journal of Public Health published the first comprehensive study of housing instability as a risk factor for suicide.[476] Researchers identified 929 eviction- or foreclosure-related suicides, which accounted for 1 to 2 percent of all suicides and 10 percent to 16 percent of all financial-related suicides from 2005 to 2010.[477] In 2005, prior to the 2009 housing crisis, there were 58 eviction-related suicides.[478] At the peak of the housing crisis in 2009, there were 94 eviction-related suicides, an increase of 62 percent from 2005.[479] These statistically significant increases were observed by researchers relative to the frequency of all other suicides during the same period and relative to suicides associated with general financial hardships, suggesting that the increase in eviction- or foreclosure-related suicides was not only a part of a general increase in the number of suicides.[480] After the housing crisis, eviction-related suicides began to return to pre-crisis levels. Approximately 79 percent of suicides occurred before the actual loss of housing, and 39 percent of people taking their lives had experienced an eviction- or foreclosure-related crisis (e.g., eviction notice, court hearing, vacate date) within two weeks of the suicide.[481] A 2012 analysis of online court record archives that linked court records to suicide deaths found that in an urban county, nearly a third of suicide victims had recent court involvement – twice the proportion of the control group.[482] Foreclosure was associated with a threefold increase in the risk of suicide.[483]

157. Researchers in Seattle seeking to examine the most extreme consequences of eviction conducted a detailed review of 1,218 eviction cases in Seattle, finding four individuals with eviction cases who died by suicide.[484] In a Middlesex County, Connecticut report, a tenant

[474] An, Xudong et al. "More Than Shelter: The Effects of Rental Eviction Moratoria on Household Well-Being." SSRN. July 2021.
[475] Ibid.
[476] Fowler, Katherine A. et al. "Increase in Suicides Associated With Home Eviction and Foreclosure During the US Housing Crisis: Findings From 16 National Violent Death Reporting System States, 2005-2010." American Journal of Public Health. February 2015.
[477] Ibid.
[478] Ibid.
[479] Ibid.
[480] Ibid.
[481] Ibid.
[482] Cook, Thomas Bradley and Davis, Mark. "Assessing Legal Strains and Risk of Suicide Using Archived Court Data." Center for Health Disparities Research & Education. August 2012.
[483] Ibid.
[484] "Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.

experiencing eviction had shared with the interviewer that she "ended up having a breakdown, and I ended up in the hospital and I had a suicide attempt."[485]

158. **Excess Mortality.** A 19-year study by researchers at Wayne State University of Medicine compared the health status of older adults in Detroit to older adults in Michigan outside of Detroit. The analysis, titled Dying Before Their Time (DBTT), found that older adults living in Detroit die at twice the rate of those living in Michigan outside of Detroit.[486] The researchers identified social determinants of health as a major cause of excess death in Detroit.[487] Social determinants of health, one being housing, influence between 60 percent and 70 percent of individual and community wellbeing.[488] The health conditions detailed in paragraphs 147-151, particularly chronic diseases (e.g., hypertension, heart disease, diabetes), are known contributors to early death. Twenty-one percent of Detroiters suffer from asthma, 13 percent suffer from diabetes, and 11 percent suffer from cardiovascular disease – all preventable diseases.[489] Detroit also has a maternal mortality rate 3 times higher than the national average.[490]

159. According to The National Health Care for the Homeless Council, people experiencing homelessness have higher rates of illness and die, on average, 12 years sooner than the general population.[491] A 7-year study of people experiencing homelessness in New York City who were living in emergency shelter found that their age-adjusted mortality rate was 4 times higher than the general population.[492]

160. **Impacts on Children – Educational and Behavioral.** During the 2018-2019 school year, approximately 62 percent of students in Detroit Public Schools Community District (DPSCD) were chronically absent, missing 10 percent or more of school days.[493] Throughout Michigan, approximately 20 percent of students were chronically absent.[494] Researchers at Wayne State College of Education found that Detroit has the highest chronic absenteeism rate in the country, and researchers at the University of Michigan Youth Policy Lab

[485] Babajide, Rilwan et al. "Effects of Eviction on Individuals and Communities in Middlesex County." The Middlesex County Coalition on Housing and Homelessness. May 12, 2016.
[486] Smitherman, Herbert C, MD, MPH, FACP, et al. "Dying Before Their Time III 19-Year (1999-2017) Comparative Analysis of Excess Mortality in Detroit (PSA 1-A). Wayne State School of Medicine. July 2020.
[487] Ibid.
[488] Ibid.
[489] "Long-term approaches in Detroit, US." Impact on Urban Health. April 2021.
[490] Ibid.
[491] "Homelessness & Health: What's the Connection?" National Health Care for the Homeless Council. February 2019.
[492] Barrow, Susan M and Struening, Elmer L. "Mortality Among Homeless Shelter Residents in New York City." American Journal of Public Health. April 1999.
[493] Singer, Jeremy and Winchell Lenhoff, Sarah. "Attendance Throughout the Seasons in the Detroit Public Schools Community District." Wayne State College of Education, Detroit Education Research Partnership. 2020.
[494] Ibid.

identified low family income and unstable housing as contributing factors.[495,496] Students experiencing homelessness are also chronically absent. During the 2016-2017 school year, approximately 40 percent of students were chronically absent and were chronically absent more than two-and-a-half times more frequently than students who were housed and more than four times as often as higher income students.[497] Researchers at University of Michigan Poverty Solutions recently linked economic and housing instability to higher rates of disciplinary action for students. Students who were housed but low-income were suspended nearly 3 times as frequently as housed students who were low-income (11 percent v. 4 percent).[498] Students experiencing homelessness were disciplined at an even higher rate (16 percent).[499]

161. When families are evicted, children experience a variety of disruptions that can negatively impact their education and behavior. When children succeed in school, it is often indicative of their needs being met in other areas of their lives.[500] A 2010 report by Data Driven Detroit indicated that the low standardized test scores and graduation rates in the majority of DPSCD schools are evidence of "dysfunction across institutions meant to support children."[501] The report identified economic security, access to health care, safety, and a sense of community as factors contributing to children's educational success.[502]

162. The National Assessment of Education Progress, known as "the Nation's Report Card," suggests that children who frequently change schools (i.e., more than twice in the preceding 18 months) are half as likely to be proficient in reading as their stable peers.[503] A study of third grade students who frequently changed schools found that students without stable housing were approximately twice as likely to perform below grade level in math compared to stably housed students.[504] Not only do unstably housed students perform worse in reading and math than their stable peers, they are also nearly three times

[495] Singer, Jeremy et al. "Detroit's Uniquely Challenging Context for Student Attendance." Wayne State College of Education. 2019.
[496] Jacob, Brian and Lovett, Kelly. "Chronic Absenteeism: An Old Problem in Search of New Answers." University of Michigan Youth Policy Lab. March 2019.
[497] Ibid.
[498] Erb-Downward, Jennifer and Blakeslee, Michael. "Recognizing Trauma: Why School Discipline Reform Needs to Consider Student Homelessness." University of Michigan Poverty Solutions. May 2021.
[499] Ibid.
[500] "State of the Detroit Child 2010." Data Driven Detroit. 2010.
[501] Ibid.
[502] Ibid.
[503] Isaacs, Julia and Lovell, Phillip. "The Impact of the Mortgage Crisis on Children and Their Education." First Focus. May 1, 2008., citing Rumberger, Russell. "The Causes and Consequences of Student Mobility." Journal of Negro Education. 2003.
[504] Isaacs, Julia and Lovell, Phillip. "The Impact of the Mortgage Crisis on Children and Their Education." First Focus. May 1, 2008., citing "Elementary School Children: Many Change Schools Frequently, Harming Their Education." United States General Accounting Office Report. 1994.

more likely to repeat a grade, and the likelihood that they will graduate is reduced by more than 50 percent.[505] In Seattle, approximately 88 percent of survey respondents with school-aged children reported their children's school performance suffered "very much" because of the eviction the family experienced, and approximately 86 percent of respondents reported their children had to move schools after the eviction.[506]

163. In Atlanta, an ongoing program embeds housing attorneys and community advocates in high schools in neighborhoods where many residents are experiencing housing instability.[507] As a result of this program, the enrollment turnover rate decreased by 25 to 51 percent in certain schools, and attorneys stopped 20 evictions and assisted with 81 other housing-related cases.[508]

164. Children who frequently move are also more likely to experience behavioral issues. Researchers analyzed survey data from the Mothers and Newborns Study, a longitudinal birth cohort maintained by the Columbia Center for Children's Environmental Health, to ascertain certain characteristics of children born to approximately 500 mothers.[509] Researchers found that children who experienced housing instability were approximately twice as likely to have thought-related behavioral issues and were approximately one-and-a-half times more likely to have attention-related behavioral health issues than children who were stably housed.[510]

165. **Family Instability – Child Welfare and Foster Care Systems.** During fiscal year 2019, approximately 19 percent of children in foster care in Michigan entered foster care due to inadequate housing.[511] Poverty, housing instability, and child welfare/foster care system involvement are connected. Low-income children of parents who are experiencing homelessness are four times more likely to become involved with the child welfare system than low-income, stably housed children.[512] Homelessness not only increases the likelihood that a child will be placed in foster care, but also creates barriers to family

[505] Ibid. And Isaacs, Julia and Lovell, Phillip. "The Impact of the Mortgage Crisis on Children and Their Education." First Focus. May 1, 2008., citing Rumberger, 1993.
[506] Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.
[507] Starnes, Ashleigh and King, Katie. "Standing with Our Neighbors Featured on CBS This Morning." Atlanta Volunteer Lawyers Foundation. March 23, 2018.
[508] Ibid.
[509] "Housing Instability Is Linked to Adverse Childhood Behavior." Urban Institute. May 8, 2019. Referencing Gaylord, Abigail et al. "Impact of Housing Instability on Child Behavior at Age 7 Years." International Public Health Journal. July 1, 2018.
[510] Ibid.
[511] Child Trends Michigan.
[512] Ibid.

reunification once a child is placed in foster care or with other family members.[513] According to U.S. Department of Health and Human Services, approximately 10 percent of children are removed from their homes because of housing issues.[514] With an average annual cost for out-of-home care of $18,000 per child, the federal government is expected to spend $972 million on foster care.[515] In contrast, providing housing and in-home services through the Family First Prevention Services Act to keep families together would cost an estimated $276 million, an annual cost savings of $696 million.[516] California spends approximately $167 million annually in federal funds on foster care and services for children separated because of housing instability, but the state could save approximately $72 million if it could use those funds to ensure housing was readily available when parents are eligible for reunification.[517] This family separation is a lesser-known consequence of the affordable housing crisis throughout the country and in Detroit. Furthermore, with a significant lack of safe affordable housing, children aging out of foster care often experience homelessness upon leaving foster care. A survey of former Wayne County foster care youth found that 47 percent of respondents experienced one or more episodes of homelessness before age 20, and 23 percent experienced homelessness immediately upon leaving foster care.[518]

166. In a survey of 77 families living in Worcester, Massachusetts shelters, approximately 19 percent of their children were placed in foster care compared to 8 percent of low-income, housed children in Worcester.[519] Findings from a similar survey of families experiencing homelessness in New York City indicated that 35 percent of families had an open child welfare case and 20 percent had one or more children in foster care.[520] A study of approximately 23,000 mothers living in Philadelphia found that approximately 37 percent of mothers experiencing homelessness became involved with child welfare services within the first five years of a child's birth compared to approximately 9 percent of mothers living in low-income neighborhoods and 4 percent of other mothers.[521] The risk of child welfare

[513] "Keeping Families Together." New Mexico Appleseed. 2013.
[514] "The AFCARS Report." U.S. Department of Health and Human Services, Administration for Children and Families. October 20, 2017.
[515] Letter from Ruth White of the National Center for Housing & Child Welfare to Assistant Secretary Chang of the U.S. Department of Health & Human Services. March 2021. Referencing NCHCW Cost Analysis 2021.
[516] Ibid.
[517] "The AFCARS Report." U.S. Department of Health and Human Services, Administration for Children and Families. October 20, 2017.
[518] "A place to call home." Wellspring Lutheran Services. N.d.
[519] Bassuk, E.L., et al. "Homelessness in Female Headed Families: Childhood and Adult Risk and Protective Factors." American Journal of Public Health. 1997.
[520] Nunez, R.D. "Hopes, Dreams, and Promise: The Future of Homeless Children in America." Institute for Children and Poverty, Homes for the Homeless Inc. 1994.
[521] Culhane, Jennifer, et. al. "Prevalence of Child Welfare Services Involvement among Homeless and Low-Income Mothers: A Five-year Birth Cohort Study." Journal of Sociology and Social Welfare. 2003.

services involvement at birth is nearly seven times higher for mothers who have ever experienced homelessness than for mothers who have neither experienced homelessness nor are in the lowest 20 percent bracket of income.[522] Children born into families that have experienced homelessness were placed into foster care in approximately 62 percent of cases compared to approximately 40 percent of cases involving low-income families.[523]

167. Researchers at Case Western Reserve University in Cleveland, Ohio examined the effects of entry into foster care on children's well-being and future opportunity. The researchers found that of the students in foster care systems, more than 57 percent were chronically absent at school (i.e., having missed more than 10 percent of the days enrolled).[524] Additionally, nearly 80 percent of students involved in both foster care and the juvenile system were cited as being chronically absent.[525] Nine percent of students that had been in foster care had used homelessness services, and 14 percent of students that were involved in foster care and the juvenile system had used homelessness services.[526] Lastly, the researchers found that, of students involved with the foster care and juvenile systems who began ninth grade, only 23 percent were still enrolled during twelfth grade compared to 58 percent of non-system involved students.[527] These factors indicate that students removed from their families are more often absent in school, drop out of school prior to completion, or use homelessness services.

168. A first of its kind study in Sweden recently examined to what extent children from evicted households were separated from their families and placed in foster care. The study found that approximately 4 percent of evicted children were removed from their families compared to 0.3 percent of non-evicted children.[528] An American study, using a nationally representative longitudinal data set, explored the prevalence of housing inadequate housing among families under investigation by child welfare services agencies.[529] Findings indicated that inadequate housing contributed to 16 percent of child removals among families under investigation by child protective services.[530]

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[522] Ibid.
[523] Ibid.
[524] Coulton, Claudia et al. "Policy Research Brief: Effects of Foster Care and Juvenile Justice Involvement on Early Adult Outcomes: A Study of Cleveland's Youth." Case Western Reserve University. N.d.
[525] Ibid.
[526] Ibid.
[527] Ibid.
[528] Berg, Lisa. "Evicted children and subsequent placement in out-of-home care: A cohort study." Centre for Health Equity Studies, Department of Public Health Sciences, Stockholm University. April 18, 2018.
[529] Fowler, PJ, et. al. "Inadequate housing among families under investigation for child abuse and neglect: prevalence from aa national probability sample." American Journal of Community Psychology. 2013.
[530] Ibid.

169. The Administration for Children and Families, a division of the U.S. Department of Health and Human Services, issued in January 2021 an Information Memorandum (IM) highlighting the importance of civil legal aid services in advancing child and family well-being, addressing social determinants of health, and enhancing community resiliency.[531] The IM cites housing, access to adequate housing, habitability, and eviction as civil legal issues that, if left unresolved, can become a major impediment to keeping families together.[532]

170. **Community Instability.** Researchers have investigated how high eviction rates unravel the social fabric of communities. When evictions take place on a large scale, the effects are felt beyond the family being evicted; a social problem that destabilizes communities occurs.[533] More than middle- and upper-income households, low-income households rely heavily on their neighbors. For example, individuals in low-income communities depend on each other for childcare, elder care, transportation, and security because they cannot afford to pay for these services independently. These informal support networks develop over time, particularly in communities with no or minimal social safety nets.[534] However, these informal support networks are fragile, and when people are displaced from their communities, the networks are more likely to become strained.[535] A Detroit housing advocate working with residents of the Griswold building in Detroit (see paragraphs 70-71 for details on the displacement of residents from the Griswold building) shared the following about the traumatic experience of being forced to move:

> *"They knew it was coming but it came rather quickly – it's a situation where you know it's going to happen but you're in shock when it finally does. It's kinda – not kinda – it is a death. Because it's a death of a community."*[536]

171. The lack of formal social safety net supports is then further exacerbated because the informal support networks that were once there are gone because people providing those supports have been displaced.[537] Thus, people living in these communities can become more susceptible to crises.[538] Matthew Desmond has indicated through his work that

[531] ACYF-CB-IM-21-02.
[532] Ibid.
[533] Blumgart, Jake. "To reduce unfair evictions tenants need lawyers." Plan Philly. March 16, 2017
[534] Mah, Julie. "Gentrification-Induced Displacement in Detroit, Michigan: An Analysis of Evictions." Housing Policy Debate. 2020.
[535] Ibid.
[536] Ibid.
[537] Ibid.
[538] Ibid.

eviction can account for high residential instability rates in neighborhoods with high levels of poverty, holding all other factors equal.[539]

172. Community instability can also manifest due to the association between eviction and interaction with the criminal system. A 2018 first of its kind study analyzed data from the national Fragile Families and Child Wellbeing Study and estimated that mothers who have been evicted are more than twice as likely than mothers who have never been evicted to be involved with the criminal system.[540] This finding is consistent with other studies of housing instability, homelessness, criminal behavior, and incarceration. Furthermore, Detroit's population decline, a portion of which may be because of housing instability, and subsequent community instability could be contributing to Detroit's high homicide rate.[541]

173. A 2017 report by the Institute for Public Policy & Social Research at Michigan State University examined the relationship between Detroit's decreasing population, increasing volume of vacant homes, and concentration of high homicide rates in certain census tracts.[542] The study revealed that areas within Detroit that had higher rates of population decline also had higher homicide rates, as did areas with higher volumes of vacant homes.[543] Outmigration and home vacancy rates were found to be more influential than deprivation (i.e., poverty, lack of community resources, and lack of economic opportunities) in predicting higher homicide rates, and thus population decline and housing vacancies contribute to community instability.[544]

174. Burden on Court System. Unrepresented tenants increase the administrative burden on courts that would not exist if the tenant were represented. Unrepresented tenants likely to be uninformed about the applicable law and court procedures, which poses significant demands on court staff and court resources.[545] For example, when asked what types of resources they used, unrepresented tenants responded with "consultation of court staff" as one of their top three resources.[546] The researcher who administered the survey stated

[539] Johns-Wolfe, Elaina. "You are being asked to leave the premises: A Study of Eviction in Cincinnati and Hamilton County, Ohio, 2014-2017." The Cincinnati Project. June 2018. Referencing Desmond, Matthew. "Community in Crisis: Understanding Housing Insecurity. "Northern Kentucky University. 2018.
[540] Gottlieb, Aaron and Moose, Jessica W. "The Effect of Eviction on Maternal Criminal Justice Involvement." SAGE. 2018.
[541] Hollis, Meghan. "The impact of population and economic decline: examining socio-demographic correlates of homicide in Detroit." Crime Prevention and Community Safety. 2017.
[542] Hollis, Meghan. "Homicide, Home Vacancies, and Population Change in Detroit." Michigan Applied Public Policy Briefs. 2017.
[543] Ibid.
[544] Ibid.
[545] Hannaford-Agor, Paula and Mott, Nicole. "Research on Self-Represented Litigation: Preliminary Results and Methodological Considerations." The Justice System Journal. 2003.
[546] Ibid.

that incomplete or illegible court filings from unrepresented tenants make it difficult for judges to determine what relief is being sought or if the claim has a legally cognizable basis.[547] Additionally, the pervasive challenge of tenants failing to appear for scheduled hearings causes uncertainty for the court staff about the number of cases to schedule on any given docket, leading to unnecessary delays for other cases in the court's caseload.[548] Unmeritorious cases filed by landlords or landlord counsel, who expect the tenant to be unrepresented, also administratively burden the court system. Over a three-month period in Tulsa, Oklahoma, more than 500 companies with invalid limited liability company status filed evictions, despite lacking capacity to bring suit in Oklahoma, thus filling docket space with baseless cases and using court resources to process them.[549]

Benefits of Providing Representation Through a Right to Counsel

"Even where tenants may not be able to stay in their units, there are many things attorneys do to help tenants avoid disruptive displacement. Attorneys may be able to keep the eviction off the tenants' records such that the tenants can apply for new housing more successfully, increase the amount of time tenants have to relocate, reduce or eliminate any rent arrearages, or help tenants apply for subsidized housing. In other words, lawyers can arrange a soft landing in so many ways." – John Pollock, coordinator of the National Coalition for a Civil Right to Counsel

175. **More Favorable Outcomes for Tenants.** The United States Supreme Court decision in *Gideon v. Wainwright* established that the Fourteenth Amendment to the Constitution creates a right for indigent criminal defendants to be represented by counsel. Although this decision explicitly applies in criminal cases, the consequences of an eviction to the tenant can be similarly severe, debilitating, and harmful. Studies from around the country have assessed the significant impact of tenant representation in eviction cases.

    - Michigan – In response to the pandemic, Michigan launched a statewide Eviction Diversion Program (EDP) from July-December 2020. The EDP dramatically increased the number of tenants receiving legal assistance and representation.[550] When extensive legal services were provided to tenants, they avoided eviction 97 percent of the time.[551]

[547] Ibid.
[548] Ibid.
[549] "Leveling the Playing Field: Legal, Economic and Policy Considerations in Establishing an Access to Counsel Program for Tulsa's Eviction Docket." The University of Tulsa College of Law. January 13, 2021.
[550] Benton, Elizabeth et al. "Reducing Michigan Evictions: The Pandemic and Beyond." University of Michigan Poverty Solutions. June 2021.
[551] Ibid.

- Los Angeles, California – The Sargent Shriver Civil Counsel Act established pilot projects to provide representation to low-income litigants in certain civil case types, including evictions.[552] For tenants who received full representation, "95 percent faced an opposing party with legal representation and 1 percent did not (this information was missing or unclear for 4 percent of clients)."[553] Lawyers representing tenants achieved favorable outcomes for their clients in 89 percent of cases, including 22 percent remaining in their homes; 71 percent having their move-out date adjusted; 79 percent having back rent reduced or waived; 45 percent retaining their housing subsidy; 86 percent having their case sealed from public view; and 54 percent having their credit protected.[554]

- New York City – Researchers conducted a randomized trial in New York City Housing Court where tenants were randomly selected to receive attorney advice or representation or be told that no attorney was available to assist them at that time.[555] Both groups of tenants were followed through to the conclusion of their cases. Tenants who were represented by attorneys were more than four times more likely to retain possession of their apartments than similar tenants who were not represented.[556] A 2011 study of an eviction defense program in the South Bronx found that attorneys prevented an eviction judgment for approximately 86 percent of their clients.[557] The program also addressed other long-term client challenges and was able to prevent shelter entry for approximately 94 percent of clients.[558] In August 2017, New York City Mayor Bill de Blasio signed into law landmark legislation that guarantees low-income tenants access to counsel in eviction proceedings. A 2018 report on the first year of implementation in New York City stated that 84 percent of tenants represented through New York City's Universal Access Law remained in their homes.[559] From 2018 to 2019 residential evictions decreased 15 percent in New York City, and since the City's increased

[552] Jarvis, Kelly L. et al. "Evaluation of the Sargent Shriver Civil Counsel Act (AB590) Housing Pilot Projects." NPC Research. July 2017.
[553] Ibid.
[554] Ibid.
[555] Sandefur, Rebecca L. "The Impact of Counsel: An Analysis of Empirical Evidence," Seattle Journal for Social Justice: Vol. 9: Issue 1, Article 3, p. 78. 2010.
[556] Ibid.
[557] "Housing Help Program Homelessness Prevention Pilot Final Report." Seedco. June 2010
[558] Ibid.
[559] Universal Access to Legal Services: A Report on Year One of Implementation in New York City." Office of Civil Justice, New York City Human Resources Administration. Fall 2018.

investment in eviction defense in 2013, residential evictions have decreased 40 percent.[560]

- San Francisco, California – Represented tenants were able to remain in their homes in 67 percent of cases.[561]

- Philadelphia, Pennsylvania – Stout found that 78 percent of unrepresented tenants experience case outcomes that have a high likelihood of disruptive displacement.[562] When tenants are represented, they avoid disruptive displacement 95 percent of the time.[563]

- Hennepin County, Minnesota – Represented tenants win or settle their cases 96 percent of the time, and settlements made by represented tenants are significantly better than settlements made by unrepresented tenants.[564] Represented tenants are nearly twice as likely to remain in their homes.[565] If represented tenants agree to move, they are given twice as much time to do so, and nearly 80 percent of represented tenants do not have an eviction record as a result of the case compared to only 6 percent of unrepresented tenants.[566]

- Boston, Massachusetts – Represented tenants fared twice as well in terms of remaining in their homes and almost five times as well in terms of rent waived and monetary awards compared to unrepresented tenants.[567] Represented tenants also created a lesser strain on the court system than those who were unrepresented.[568] Data from the HomeStart Program in the Greater Boston Area indicates that 95 percent of clients assisted by the program with their eviction case had not been evicted in the following four years.[569]

[560] "Amid Nationwide Increases, Mayor de Blasio Announces Record-Breaking 41 Percent Decrease in Evictions Citywide." Office of the Mayor. February 24, 2020.
[561] Press Release: Supervisor Dean Preston Holds Hearing on Implementation for Right to Counsel Law. February 24, 2020.
[562] "Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants." Stout Risius Ross. November 13, 2018.
[563] Ibid.
[564] Grundman, Luke and Kruger, Muria. "Legal Representation in Evictions – Comparative Study." N.d.
[565] Ibid.
[566] Ibid.
[567] "The Importance of Representation in Eviction Cases and Homelessness Prevention." Boston Bar Association Task Force of the Civil Right to Counsel. March 2012.
[568] Ibid.
[569] Eviction Prevention. HomeStart.org.

- Seattle, Washington – Represented tenants were approximately twice as likely to remain in their homes as unrepresented tenants.[570]

- Chicago, Illinois – Represented tenants had their cases resolved in their favor approximately 58 percent of the time compared to 33 percent of the time for unrepresented tenants.[571] Represented tenants were also more than twice as likely to have their cases dismissed, and when tenants were represented, the rate of landlord summary possession awards decreased from approximately 84 percent to approximately 39 percent.[572]

- Denver, Colorado – Approximately 79 percent of unrepresented tenants are displaced due to an eviction.[573] In sharp contrast, represented tenants experience displacement in only 10 to 20 percent of cases, depending on whether the housing is public or private.[574]

- Jackson County (Kansas City), Missouri – Approximately 72 percent of unrepresented tenants had eviction judgments or monetary damages entered against them compared to 56 percent of represented tenants.[575]

- Columbus, Ohio – The Legal Aid Society of Columbus provided representation to tenants through its Tenant Advocacy Project (TAP).[576] One percent of TAP-represented tenants received a judgment against them compared to approximately 54 percent of non-TAP cases.[577] Approximately 40 percent of TAP-represented tenants negotiated an agreed upon judgment compared to approximately 15 percent of non-TAP cases.[578] TAP-represented tenants who negotiated agreements to remain in their homes more than twice as often as non-TAP cases, and TAP-represented tenants successfully negotiated an agreement to move and avoided an eviction judgment more than seven times as often as non-

[570] Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.
[571] Dukmasova, Maya. "New data reveals impact of being lawyerless in Chicago eviction court." Reader. September 14, 2017.
[572] Grundman, Luke and Kruger, Muria. "Legal Representation in Evictions – Comparative Study." N.d. Referencing Birnbaum, Julian. "Chicago's Eviction Court: A Tenants' Court of No Resort." Urban Law Annual. 1979.
[573] Hasvold, Aubrey and Regenbogen, Jack. "Facing Eviction Alone: A Study of Evictions, Denver, Colorado 2014-2016." Colorado Coalition for the Homeless and Colorado Center on Law and Policy. N.d.
[574] Ibid.
[575] "Evictions in the Courts: An Analysis of 106,000 Cases from 2006-2016 in Jackson County." Kansas City Eviction Project. January 24, 2018.
[576] "The Legal Aid Society of Columbus: Tenant Advocacy Project Evaluation." Thoughtwell. 2018.
[577] Ibid.
[578] Ibid.

TAP cases.[579] An organization in Franklin County (Columbus, Ohio) providing eviction mediation services reported that during 2019, approximately 84 percent of tenants at risk of being evicted were able to avoid disruptive displacement as a result of their services.[580] Furthermore, the organization followed up with clients served one year later and found that 94 percent of them had maintained stable housing, and 87 percent had no subsequent eviction filed against them.[581]

- Tulsa, Oklahoma – A 2021 study by the University of Tulsa found that 79 percent of unrepresented tenants had judgments against them compared to 43 percent of represented tenants.[582] Representation also impacted whether landlords received money judgments and the amount of the money judgments. Unrepresented tenants were nearly twice as likely to receive a money judgment than represented tenants, and money judgments against represented tenants were on average $800 lower than those against represented tenants.[583]

- Washington, DC – A recent analysis demonstrated the Housing Right to Counsel Project clients who were represented were 5 times less likely to receive an order allowing Marshals to schedule an eviction and 3.5 times more likely to enter settlement agreements.[584]

176. Disparities in outcomes, while perhaps the most concrete difference between represented and unrepresented tenants, are not the only challenge tenants face in court. A San Francisco Housing Court study observed how landlords' attorneys can gain the upper hand even when the law does not support their case.[585] Repeat players gain advantages from their developed expertise and knowledge including specialized knowledge of substantive areas of the law, experience with court procedures, and familiarity with opposing counsel and decision-makers.[586] However, when tenants are represented, these power dynamics are more balanced. There are also ways that representation can create positive outcomes beyond "winning" a contested case. An attorney can help limit the collateral damage of being evicted.[587] The tenant, with attorney assistance, could attempt to settle the case with

[579] Ibid.
[580] Community Mediation Services of Central Ohio. Housing Stability/Homeless Prevention Mediation Program Activity Report. 2019.
[581] Ibid.
[582] "Leveling the Playing Field: Legal, Economic and Policy Considerations in Establishing an Access to Counsel Program for Tulsa's Eviction Docket." The University of Tulsa College of Law. January 13, 2021.
[583] Ibid.
[584] "Housing Right to Counsel Project." DC Bar Pro Bono Center. N.d.
[585] San Francisco Right to Civil Counsel Pilot Program Documentation Report. John and Terry Levin Center for Public Service and Public Interest, Stanford Law School. May 2014.
[586] Ibid.
[587] Ibid.

the landlord without proceeding to trial and negotiating extra time before moving.[588] The appearance of an attorney for either party has been shown to increase settlement rates from 7 percent if neither party was represented to 26 percent if the defendant was represented and 38 percent if the plaintiff was represented.[589] Additionally, an attorney might also help the tenant reach a settlement that involves vacating the apartment without an adverse judgment that would affect the tenant's ability to re-rent.[590]

177. **Fewer Tenants Lose by Default.** When tenants do not file an answer or attend court for their scheduled hearing, a default judgment is often entered in favor of the landlord if the landlord or landlord counsel is present.[591] That is, tenants automatically lose if they do not attend their hearing and the landlord or the landlord's attorney/agent does attend the hearing. In many jurisdictions, even where it is possible, it is difficult at best to reopen cases that tenants have lost by default, and the specialized knowledge of an attorney is usually required. There are numerous reasons a tenant may lose by default, such as: (1) confusion and intimidation about the legal process; (2) the tenant has already vacated the apartment; (3) the tenant acknowledges that rent is owed and does not believe going to court will change the situation; (4) the tenant does not realize there may be valid defenses to raise; and (5) the tenant cannot miss work to attend court without jeopardizing employment. Additionally, if tenants default because they do not know their rights, they could lose the opportunity to reopen their cases even if they have meritorious defenses.

178. In its analysis of evictions in Philadelphia, Stout found that tenants who were represented were 90 percent less likely to lose by default than unrepresented tenants.[592] Unrepresented tenants lost by default in approximately 58 percent of cases in Philadelphia.[593] Similar default rates have been observed throughout the country. In Jackson County (Kansas City), Missouri approximately 70 percent of tenants lost by default.[594] In Hawaii, half of all eviction cases result in a default judgment in favor of the landlord.[595] In Seattle, tenants lose by default in approximately 48 percent of cases.[596] In a study of evictions in Greensboro, North Carolina, more than 75 percent of tenants did not attend their hearing,

[588] Ibid.
[589] Hannaford-Agor, Paula and Mott, Nicole. "Research on Self-Represented Litigation: Preliminary Results and Methodological Considerations." The Justice System Journal. 2003.
[590] Ibid.
[591] See footnote 64 for more information on Stout's consideration of default judgments.
[592] "Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants." Stout Risius Ross. November 13, 2018.
[593] Ibid.
[594] "Evictions in the Courts: An Analysis of 106,000 Cases from 2006-2016 in Jackson County." Kansas City Eviction Project. January 24, 2018.
[595] Geminiani, Victor et al. "Evicted in Hawaii: Lives Hanging in the Balance." Lawyers for Equal Justice. N.d.
[596] "Losing Home: The Human Cost of Eviction in Seattle." The Seattle Women's Commission and the Housing Justice Project of the King County Bar Association. September 2018.

losing by default.[597] As observed in Philadelphia, having representation significantly reduces the likelihood that a tenant loses by default. Even if the tenant is unable to attend the hearing, counsel can attend on the tenant's behalf, often mitigating the consequences of losing the case by default. Evidence from New York City indicates that when tenants are represented, the number of default judgments decreases.[598] Since the introduction of the right to counsel program, default judgments have decreased approximately 34 percent in New York City from 35,130 in 2016 to 23,146 in 2019.[599]

179. **Connection to Other Services and Improved Housing Transitions.** Representation in an eviction case can be important not only for navigating the legal system, but also for providing tenants access to emotional, psychological, and economic assistance from other service providers.[600] Civil legal services attorneys and pro bono attorneys are often aware of additional resources within a community and can help tenants navigate these systems, which can be challenging for someone who is inexperienced with them. These tenant attorneys can connect tenants to emergency rent assistance programs and refer them to mental health providers or other social services they may need.[601] Representation can also achieve an outcome that maximizes the tenant's chances of either staying in his or her home or finding another suitable place to live without disrupting, or working toward minimized disruption of, their well-being or family stability.[602] According to a Chicago-Kent College of Law study, represented tenants experienced a clear advantage as their cases progressed through the court system even if the landlord prevailed.[603] Even where the ultimate disposition was the same – eviction – legal representation allowed tenants more time to secure alternative housing and avoid losing their personal belongings.[604] Additionally, if tenants do require additional time to find alternative, suitable living arrangements, lawyers can often negotiate that additional time for the tenant to do so. In its analysis of evictions in Philadelphia, Stout found that, on average, represented tenants had approximately 50 days to vacate their apartments when they agreed to do so compared

[597] Sills, Stephen J. et al. "Greensboro's Eviction Crisis." The University of North Carolina Greensboro Center for Housing and Community Studies. N.d.
[598] New York City Council Hearing Testimony provided by Chief Administrative Judge of New York City Civil Court, Hon. Anthony Cannataro. February 24, 2020.
[599] Ibid.
[600] San Francisco Right to Civil Counsel Pilot Program Documentation Report. John and Terry Levin Center for Public Service and Public Interest, Stanford Law School. May 2014.
[601] Savitch-Lew, Abigail. "City Tackles Toll-Out of Right to Counsel in Housing Court." City Limits. January 17, 2018.
[602] Ibid.
[603] "No Time for Justice: A Study of Chicago's Eviction Court." Chicago-Kent College of Law Class of 2004 Honors Scholar. December 2003.
[604] Ibid.

to 35 days for unrepresented tenants.[605] A study of evictions filed in San Mateo County, California found that represented tenants were granted approximately twice as long to find alternative housing than unrepresented tenants.[606] Approximately 71 percent of a sample of tenants represented through California's Sargent Shriver Civil Counsel Act who were surveyed one year after their cases closed reported living in a new rental unit compared to approximately 43 percent of tenants who were not represented through the Sargent Shriver Civil Counsel Act.[607] This suggests represented tenants had higher rates of reasonable settlement agreements that supported housing stability.[608]

180. Connections to other housing services are particularly relevant now as rental assistance is available for qualifying tenants. The application process to apply for and receive rental assistance can be complex and burdensome. Being connected to and having assistance throughout the rental assistance application process can benefit both tenants and landlords, as tenants are able to remain in their homes and landlords are able to receive rental assistance dollars.

181. **Court Efficiency Gains.** Results from the San Francisco Right to Civil Counsel Pilot Program indicated that when tenants are represented cases move through the legal processes more efficiently than when tenants are unrepresented. The average number of days from filing the complaint to a judgment entered by the clerk decreased from 37 to 31.[609] The average number of days from filing the complaint to a negotiated settlement decreased from 72 to 62.[610] The average number of days from the filing of the complaint to the entry of a court judgment decreased from 128 to 105, and the average number of days from filing the complaint to dismissal of the action decreased from 90 to 58.[611] Cases closing times are independent of the time a tenant has to move. When tenants are represented, the courts can close cases faster and tenants can secure more time to move.

182. When tenants are represented, landlords are less likely to bring unmeritorious claims, thus leading to a more efficient court process, a better use of court resources, and the expectation that the number of eviction cases will decrease over time. Since New York City's increased investment in legal services for tenants in 2013, the New York City Office

[605] "Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants." Stout Risius Ross. November 13, 2018.
[606] Steinberg, Jessica K. "In Pursuit of Justice? Case Outcomes and the Delivery of Unbundled Legal Services." Georgetown Journal on Poverty Law and Policy. 2011.
[607] "Findings and Recommendations from the Sargent Shriver Civil Counsel Pilot Projects." The Shriver Civil Counsel Act Implementation Committee. July 2017.
[608] Ibid.
[609] Sandefur, Rebecca L. "The Impact of Counsel: An Analysis of Empirical Evidence," Seattle Journal for Social Justice: Vol. 9: Issue 1, Article 3, p. 78. 2010.
[610] Ibid.
[611] Ibid.

of Civil Justice has reported a 40 percent decrease in residential evictions.[612] From 2018 to 2019 alone, residential evictions in New York City decreased 15 percent.[613] Over the four-year period of 2014 to 2017, an estimated 70,000 New York City tenants have retained possession of their homes.[614] Early indicators from New York City's implementation of Universal Access suggest that when eviction proceedings are filed and both sides are represented, resource intensive motion practice related to non-dispositive issues is reduced. Additionally, fewer orders to show cause to stay evictions and for post-eviction relief are being filed, indicating that better outcomes are being achieved under Universal Access. Judge Jean Schneider, the citywide supervising judge of the New York City Housing Court, has stated that there have not been any major problems with backlog or efficiency issues in the first year.[615] In fact, she testified in 2018 at a hearing on New York State civil legal services that as a result of Universal Access implementation "our court is improving by leaps and bounds."[616] At the same hearing, Judge Anthony Cannataro, the administrative judge of the civil courts in New York City, explained that judges have spent less time explaining housing rights and court processes to represented tenants who, without Universal Access, will likely have previously been unrepresented.[617] Lastly, as to efficiency, there is an increased likelihood that cases can be resolved out of court and before the first hearing when counsel is involved. While there were initial concerns that increased representation would slow court procedures, early observations from the implementation and expansion of Universal Access in New York City have indicated that significant benefits are being observed by the judiciary through improved motion practice, judicial experience, pre-trial resolution, and rulings providing increased clarity for landlord and tenant advocates. After right to counsel projects in select Massachusetts courts, a judge expressed that the project changed the culture of the court.[618] The judge specifically mentioned that the right to counsel project "raised the bar" as to what the parties should expect and "[kept] everyone honest," in the sense that it was clear that sound legal work would be required.[619] When asked whether the project should be replicated elsewhere, the judge responded that there was no question that he would recommend the project to other courts.[620]

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[612] "Amid Nationwide Increases, Mayor de Blasio Announces Record-Breaking 41 Percent Decrease in Evictions Citywide." Office of the Mayor. February 24, 2020

[613] Ibid.

[614] "NYC Office of Civil Justice Annual Report and Strategic Plan." New York City Office of Civil Justice. 2017.

[615] Clark, Dan M. "Increasing Tenants' Access to Counsel Has Raised Court Efficiency, Fairness, Judges Say." New York Law Journal. September 24, 2018.

[616] Ibid.

[617] Ibid.

[618] "The Importance of Representation in Eviction Cases and Homelessness Prevention." Boston Bar Association Task Force of the Civil Right to Counsel. March 2012.

[619] Ibid.

[620] Ibid.

183. **Landlord Accountability.** Right to counsel in eviction proceedings will be particularly impactful in Detroit where less than 4 percent of the city's rental units are registered, as required by ordinance, and a significant portion of tenants are living in substandard housing.[621] For tenants being evicted from unregistered units and who have valid conditions defenses, being having access to free representation is not only beneficial to them but also to the city. Lawyers can compel landlords to fix substandard housing and make the court and other government agencies aware of unregistered units.

184. **Effective Case Resolutions.** Anecdotal evidence from jurisdictions around the country has indicated that landlords who maintain their properties and have their units registered are often more likely to work collaboratively with tenants (and vice versa) to resolve non-payment of rent issues. Eviction filings for these landlords are often a last resort and costly because of filing fees and because the back rent owed is rarely collected. However, in circumstances where the landlord and tenant are unable to resolve these cases (i.e., non-payment without any conditions issues or other defenses), lawyers can be particularly helpful in efficiently and effectively negotiating a resolution that is fair to the landlord and tenant. Examples of effective case resolutions in New York City and Cleveland, both of which are eviction right to counsel jurisdictions, include:

    - When asked her opinion about New York City's right to counsel, a prominent landlord attorney stated, "it's actually been a plus-plus for our clients."[622] She described several positive effects that right to counsel had had for landlords: court proceedings are more efficient, judges do not need to explain the law to tenants, landlords are able to remedy conditions issues faster.[623] Another landlord attorney shared that right to counsel can help tenants efficiently and effectively exercise their rights during what would otherwise likely be a slow legal processes if the tenant was unrepresented.[624] The Rent Stabilization Association (RSA), a trade association representing landlords, was once extremely critical of right to counsel, stating in a 2017 opinion piece that the law would have minimal impact and would not address the homelessness crisis.[625] However, two years later, the RSA supports right to counsel, expressing that the law makes tenants aware of their rights.[626]

    - In Cleveland, right to counsel has assisted both tenants and landlords throughout the pandemic. When a Cleveland resident could not work because of COVID-19

[621] Burrowes, Emily et al. "Insecurity Deposits: Addressing the Challenges of Rental Housing in Detroit." University of Michigan Taubman College of Architecture and Urban Planning. December 2017.
[622] Small, Eddie. "Insight the fight to revamp Right to Counsel." The Real Deal. 2019.
[623] Ibid.
[624] Ibid.
[625] Ibid.
[626] Ibid.

exposure, he fell behind on his rent, and after several months, his landlord filed for eviction.[627] The landlord was initially upset when was made aware that her tenant would be represented, expecting that more time would pass without rent being paid.[628] When she spoke with her tenant's attorney, they discovered that paperwork for his rental assistance application was incomplete.[629] Within a few hours, her tenant's attorney was able to remediate the issues with the rental assistance application, and she received verification that rental assistance money would be paid directly to her.[630] The landlord commented,

> "I was surprised. I thanked her for what she was doing. She went over and beyond most attorneys in my mind. From what I knew, they represent the actual tenant, and they could care less about the landlord."[631]

The landlord also expressed that it was a win-win situation for her and her tenant, and that as a result of the involvement of the tenant's attorney, her and her tenant were communicating better.[632]

185. **Trusting the Justice System and Exercising of Rights.** Evaluations of providing counsel are often focused on the outcome for the litigant. However, tenants are also more apt to accept adverse court decisions if they perceive that the law and court procedures were followed.[633] Whether court personnel treated the litigant fairly, whether the litigant was able to state his or her side of the story, and whether the decisions were based on facts are additional factors that increase whether tenants trust that the justice system can provide justice for them.[634] The importance of providing legal representation is not limited to advocating in the best interest of the litigant, but also encompasses providing them with the assurance that someone is on their side and providing greater confidence in the justice system.[635] A right to counsel also ensures a tenant is exercising their rights to the fullest extent. This will be increasingly important as the national eviction moratorium and other pandemic-related tenant protections expire. For example, landlords and consumer financial reporting agencies have an obligation, according to the Consumer Financial

[627] Morris, Conor. "Cleveland Right to Counsel Shows Promising Early Results for Tenants and Some Landlords." WKSU. July 2021.
[628] Ibid.
[629] Ibid.
[630] Ibid.
[631] Ibid.
[632] Ibid.
[633] Hannaford-Agor, Paula and Mott, Nicole. "Research on Self-Represented Litigation: Preliminary Results and Methodological Considerations." The Justice System Journal. 2003.
[634] Ibid.
[635] San Francisco Right to Civil Counsel Pilot Program Documentation Report. John and Terry Levin Center for Public Service and Public Interest, Stanford Law School. May 2014.

Protection Bureau, to accurately report rental and eviction information.[636] Lawyers can notify tenants of this obligation and assist them with disputing and correcting inaccurate eviction information found on their credit reports.

[636] "As Federal Eviction Protections Come to an End, CFPB Warns Landlords and Consumer Reporting Agencies to Report Rental Information Accurately." Consumer Financial Protection Bureau. July 2021

Section V

Estimated Cost and Impact of Right to Counsel and the Cost of Disruptive Displacement to Detroit

186. Using data from the 36th District Court, the experience and expertise of eviction defense providers and tenant advocates and organizers in Detroit, publicly available research, studies, and data, Stout estimated: (1) the cost of providing a right to counsel in Detroit; (2) the impact of a right to counsel in Detroit; and (3) the potential cost savings to Detroit if a right to counsel were implemented. Stout used Detroit specific data when it was available. When it was not available, Stout used data from other reasonably comparable jurisdictions.

The Estimated Cost of a Right to Counsel in Detroit

187. To estimate the cost of providing a right to counsel to tenants in Detroit, a variety of factors must be considered – the annual number of filings, the eviction filing rate, tenant eligibility for free legal representation, the rate of tenant eviction due to default (i.e., not appearing at the scheduled court date), the rate at which eligible tenants accept the offer of free legal representation, the number of hours required to effectively represent a tenant, and the cost of an attorney (e.g., salary, benefits, office supplies, technology, and other overhead) and supporting staff. Stout collaborated with the providers of eviction defense in Detroit and other stakeholders to develop a deeper understanding of the possible costs of a right to counsel and to incorporate their expertise and experience in the calculations. Stout conducted an analysis of landlord-tenant cases filed in 36th District Court to estimate the total cost of a right to counsel for tenants facing eviction.

188. **Landlord-Tenant Filings.** Based on data from the 36th District Court, Stout and the Detroit eviction defense providers estimated that there were approximately 30,000 filings in Detroit in 2017. As discussed in paragraph 84, Stout did not receive eviction data from the 36th District Court for 2018 or 2019. Stout used annual caseload reports published by Michigan Courts to develop a trend analysis of eviction filings in the 36th District Court from 2010 to 2019 (see Figure 22). Based on the 10-year trend analysis and factors related to Detroit's housing stock and demographics, Stout determined that the 2017 eviction filing data is a reasonable proxy for post-pandemic eviction filings and displacement in Detroit. Additionally, because court operations and the ability to file evictions were significantly impacted by the pandemic in 2020 and 2021, prior years' data more reasonably reflects filing expectations going forward.

189. If a right to counsel were fully implemented in Detroit, the annual number of filings would be expected to decrease, as has been observed in New York City and San Francisco – two

jurisdictions that have implemented a right to counsel for tenants facing eviction.[637] Stout estimated that Detroit could experience an annual decrease in filings of approximately 5 percent per year. Accounting for this annual expected decrease in filings, Stout estimated that at full implementation, which would be phased in over 5 years, a reasonable expectation would be that approximately 24,400 landlord-tenant cases would be filed in Detroit.

190. As with other civil legal services in Detroit, it is Stout's understanding that eligibility for free legal representation under a right to counsel would be determined by a tenant's income. Stout estimated the cost of a right to counsel for tenants facing eviction with household incomes at or below 80 percent of the Area Median Income (AMI) adjusted for family size. At this income eligibility level, Stout estimated that approximately 91 percent of tenants facing an eviction filing in Detroit would be income eligible.[638] Studies supporting this estimate are detailed in the following paragraph.

191. A study by the New York City City-wide Task Force on Housing Court found that 50 to 60 percent of tenants who are in housing court have household incomes that would qualify them for free civil legal services.[639] However, an estimated 69 percent of tenants who are in housing court are unlikely able to afford representation and would benefit from free legal representation.[640] A 2007 study by researchers at the Graduate Center of the City University of New York found that 44 percent of tenants in housing court had annual household incomes of less than $15,000, and 24 percent had annual household incomes between $15,000 and $24,000, indicating that approximately 68 percent of tenants would likely be eligible for free legal representation.[641] The Milwaukee Area Renters Study (MARS) was a survey administered via in-person interviews to approximately 1,100 renter households about their experiences as renters related to eviction, housing instability, and poverty. MARS respondents had an average household income of approximately $30,000, which was equivalent to approximately 175 percent of the FPL at the time of the study.[642]

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[637] "Press Release: Supervisor Dean Preston Holds Hearing on Implementation for Right to Counsel Law." February 24, 2020. & "New York City Residential Eviction Filings Decline." NYU Furman Center. November 18, 2019.

[638] Stout's estimate is based on studies of household incomes of people facing eviction.

[639] "Housing Court, Evictions and Homelessness: The Costs and Benefits of Establishing a Right to Counsel." Community Training and Resource Center and City-wide Task Force on Housing Court, Inc. 1993.

[640] Ibid.

[641] Krenichyn, Kira and Shaefer-McDaniel, Nicole. "Results From Three Surveys in New York City Housing Courts." Center for Human Environments, Graduate Center of the City University of New York. 2007.

[642] Desmond, Matthew. "Who gets evicted? Assessing individual, neighborhood, and network factors." Social Science Research. 2016.

The United Way, through its ALICE (Asset Limited, Income Constrained, Employed) metrics, seeks to develop an alternative measure of poverty rather than using the FPL. One measure is the ALICE household survival budget which is the bare minimum costs a household needs to afford housing, child care, food, transportation, health care, and technology.[643] A family of four would need to have a household income of approximately $67,000 for a survival budget – approximately one-third more than 200 percent of the FPL.[644]

192. AMI is calculated at the metropolitan level, which for Detroit includes Livonia and Warren and is approximately $71,000 for a three-person household.[645] At 80 percent of AMI, a three-person household earns approximately $57,000 in the Detroit-Livonia-Warren metropolitan area.[646] A May 2021 City of Detroit Legislative Policy Division letter describes how Detroit's median income and poverty rate differ significantly from Livonia and Warren.[647] The median incomes and poverty rates for each city are:

City	Median Income	Poverty Rate
Detroit	$30,000	35%
Livonia	$80,000	6%
Warren	$50,000	18%

193. Because of the significant difference in median income and poverty rate in Detroit, Stout and the Detroit eviction defense providers estimated that a higher proportion of tenants experiencing eviction filings would be unable to afford representation and would benefit from access to free representation. Using the aforementioned studies of the household incomes of people experiencing eviction filings, Stout and the Detroit eviction defense providers estimated that 91 percent of tenants facing eviction in Detroit would have incomes making them eligible for free representation under a right to counsel.

194. Using the previously mentioned studies and Detroit eviction defense providers' experience and expertise as a basis for Stout's estimate of 91 percent of tenants facing an eviction filing in Detroit being income eligible for free representation, Stout estimated that, of the

[643] "ALICE Research Methodology." United for ALICE. 2020.
[644] Ibid.
[645] Income and Rent Limits 04/01/2020 for Wayne County.
[646] Ibid.
[647] City of Detroit City Council Legislative Policy Division Letter to Council Members dated May 6, 2021 re: AMI Report.

24,400 tenants with eviction filings against them, approximately 22,200 would be income eligible for free legal representation under a right to counsel.

195. In recent years, approximately 47 percent of tenants with eviction filings against them in Detroit did not appear for their court hearing and lost their cases by default. With effective community outreach, default rates can be reduced significantly. Stout included in its right to counsel cost estimate a line item expense for community outreach, and Stout modeled an expected annual 3 percentage point decline in the default rate. As discussed in paragraph 176, New York City has experienced a 34 percent decline in its default rate since increased funding for eviction defense. At full implementation, Stout estimates the default rate in Detroit could decline to 35 percent, and approximately 14,500 non-default landlord-tenant cases in Detroit would be income eligible for free legal representation.

196. As discussed in paragraphs 80-81, the eviction filing rate in Detroit is significantly higher than other comparable Midwest cities, and there are a variety of reasons that could explain why. A potential explanation is that the lack of legal representation for tenants has created an environment where landlords are more likely to file evictions, even when the tenant may have defenses, and particularly when those defenses are related to housing conditions. Unrepresented tenants in these situations may be able to negotiate with their landlord about the back rent owed and stay in the unit. It is important to note that portion of unrepresented tenants who "resolve" the issue with their landlord includes a significant volume of cases with expected conditions or habitability issues related to the building conditions and / or the inability of the tenant to advocate for such repairs to be completed. The expectation is that representation in these cases can assist in correcting "unlivable" conditions by using the courts to compel landlords to make necessary repairs. The importance of representation here is to ensure safe, livable housing for tenants. One of the benefits of representation is keeping tenants in their homes. However, keeping tenants in homes that have inadequate plumbing, mold and mildew, rodent infestation, or inoperable furnaces may not provide safety and stability to tenants living in these environments. Rather, lawyers can assist (through representation) with getting these conditions remediated.

197. To accurately estimate the cost of providing a right to counsel for tenants facing eviction in Detroit, an adjusted eviction filing rate that considers the portion of unrepresented tenants remaining in their units but who have conditions defenses must be developed. Stout collaborated with Detroit eviction defense providers to estimate that 8 percent of non-default cases are likely situations where unrepresented tenants are negotiating with their landlords to stay in their units, but they have conditions defenses that could be raised

if they were represented. As discussed in paragraph 60, approximately 10 percent of Detroit household with incomes of less than $20,000 are living in moderately or severely inadequate housing, and Black renters living in inadequate housing outnumber their white counterparts nearly 4 to 1 in Detroit. Stout estimates that after making this adjustment, the eviction filing rate in Detroit may be 7 to 15 percent (i.e., the total number of filings each year as a proportion of total rental units). As discussed in paragraph 80, the significant variation in Detroit's eviction filing rate is a product of significant variation in the estimates as to the number of rental units in Detroit, which ranges from 90,000 to 180,000.

198. Stout developed this estimate with input from eviction defense providers in Detroit and used publicly available eviction data for jurisdictions comparable to Detroit to assess the reasonableness of these estimations. For example, Cleveland and Milwaukee have similar demographics and housing characteristics as Detroit.[648] The eviction filing rates (i.e., the total number of filings each year as a proportion of total rental units) in Cleveland and Milwaukee are 8 percent and 9 percent, respectively.[649] Because of the comparability of Cleveland and Milwaukee to Detroit, the methodology Stout and the Detroit eviction defense providers developed to estimate the filing rate in Detroit is reasonable. This adjusted eviction filing rate of between 8 percent and 9 percent (of total renter households) is likely a more accurate measure of eviction filings needing representation rather than the current eviction filing rate of 18 percent to 36 percent.

199. Of the approximately 14,500 non-default, landlord-tenant cases in Detroit that would be income eligible for free legal representation, approximately 12,500 are cases with legal issues to resolve where representation would be beneficial. Eviction defense providers in Detroit expect that approximately 99 percent of tenants would accept the offer of free representation at full implementation of a right to counsel.[650]

200. Tenants may have reasons for declining the offer of representation. They may not think there is a benefit to having representation, they may not trust the legal profession, or they may simply feel they can represent themselves. Therefore, Stout's cost calculation for a

[648] According to U.S. Census Bureau data, Milwaukee and Cleveland have the following demographics and housing characteristics that are similar to Detroit: poverty rate, portion of renter households, median gross rent, rent burden, and median household income.
[649] Data compiled by The Eviction Lab at evictionlab.org.
[650] The expected representation acceptance rate was developed based on the experience and expertise of Detroit eviction defense providers and housing advocates as well as discussions Stout has had with housing advocates in other jurisdictions.

right to counsel includes only non-default cases where the tenant is income eligible and accepts the offer of representation – approximately 12,400 cases.[651]

201. **Total Cases and Total Cost of a Right to Counsel.** If a right to counsel were fully implemented, Stout estimated that there would be approximately 12,400 tenants receiving free representation. Stout estimates that providing representation to these 12,400 tenants would cost approximately $16.7 million annually.

202. Of the estimated $16.7 million annual cost of a fully implemented right to counsel in Detroit, approximately $15.4 million would be for direct personnel costs to hire approximately 82 staff attorneys, 14 supervising attorneys, 41 paralegals, 10 social workers[652], and 14 intake specialists. The remaining estimated costs would be for non-personnel costs necessary for service delivery including, but not limited to, facilities costs, utilities, technology and equipment, training, community organizing and communications, and program evaluation. Detroit eviction defense providers reviewed and confirmed Stout's estimates for each of these costs based on their experience and expertise delivering eviction defense and prevention services. For direct personnel costs, Stout and Detroit eviction defense providers estimated the average salary of a civil legal aid housing staff attorney, supervising attorney, paralegal and social worker as well as fringe benefits as a percentage of their salaries. For non-personnel costs, Stout and Detroit eviction defense providers used the costs of their current operations as benchmarks. At a total cost of approximately $16.7 million, providing a right to counsel to approximately 12,400 eligible tenants in Detroit equates to approximately $1,300 per case for which representation is provided. Figure 35 shows the estimated cost of a right to counsel by cost category.

[651] These 12,400 cases represent 56 percent of eligible tenants facing eviction. Given the availability of rental assistance, eviction prevention programs, and increased outreach through the pandemic, it is possible that more tenants seek representation in the future. The combination of resources available and awareness of them over the past 2 years may create an increased awareness of future services, and therefore, it is possible that more eligible tenants seek representation that would have previously.

[652] This could include a variety of necessary support positions for lawyers and tenants, including social workers, housing navigators, or others who can assist residents with their housing or other needs.

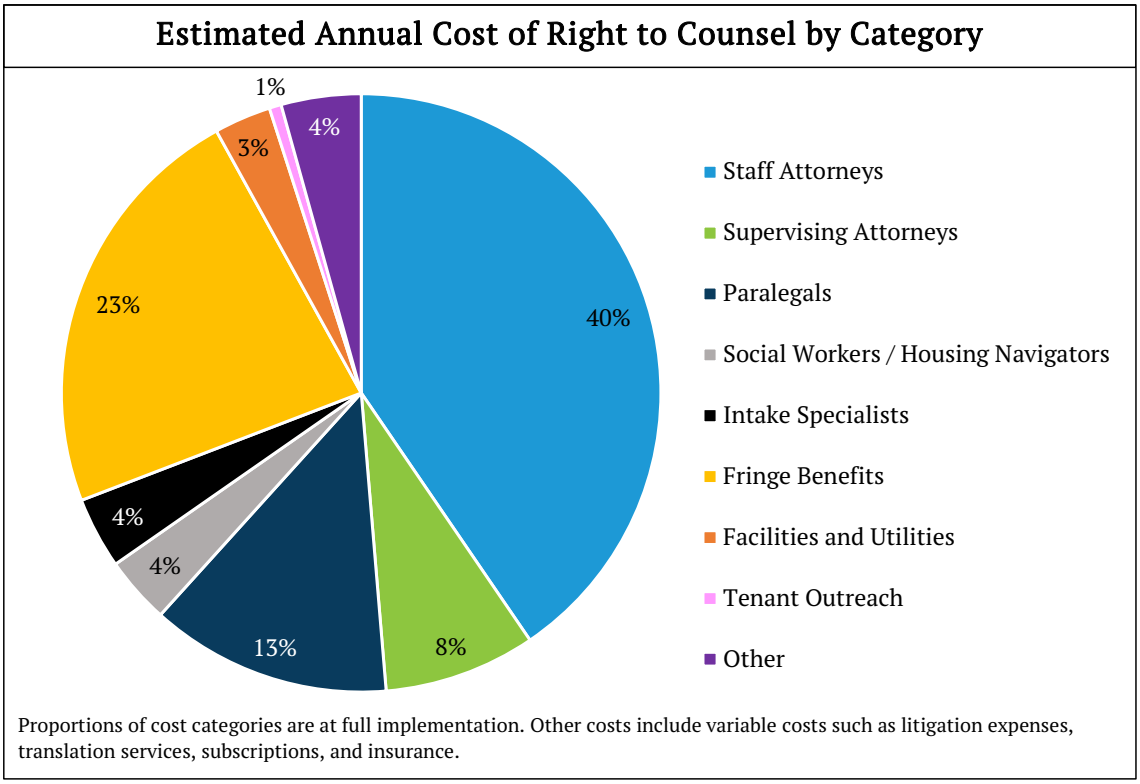


Figure 35

The Estimated Impact of a Right to Counsel in Detroit

203. Stout analyzed the 2017 landlord-tenant filings in 36th District Court to estimate how many income eligible tenants would have a high likelihood of avoiding disruptive displacement if right to counsel were implemented. If a right to counsel were fully implemented in Detroit, an estimated 12,400 tenant households would be eligible for representation and would likely accept the offer of representation each year. Based on Stout's analysis court-assigned case outcome data and the experience and expertise of Detroit eviction defense providers, represented tenant households avoid the high likelihood of disruptive displacement in 97 percent of cases (approximately 12,000 tenant households), and unrepresented tenant households avoid disruptive displacement in 47 percent of cases (approximately 5,600 tenant households). Figure 36 shows the difference in likelihood of

disruptive displacement based on whether a tenant household is represented or unrepresented.

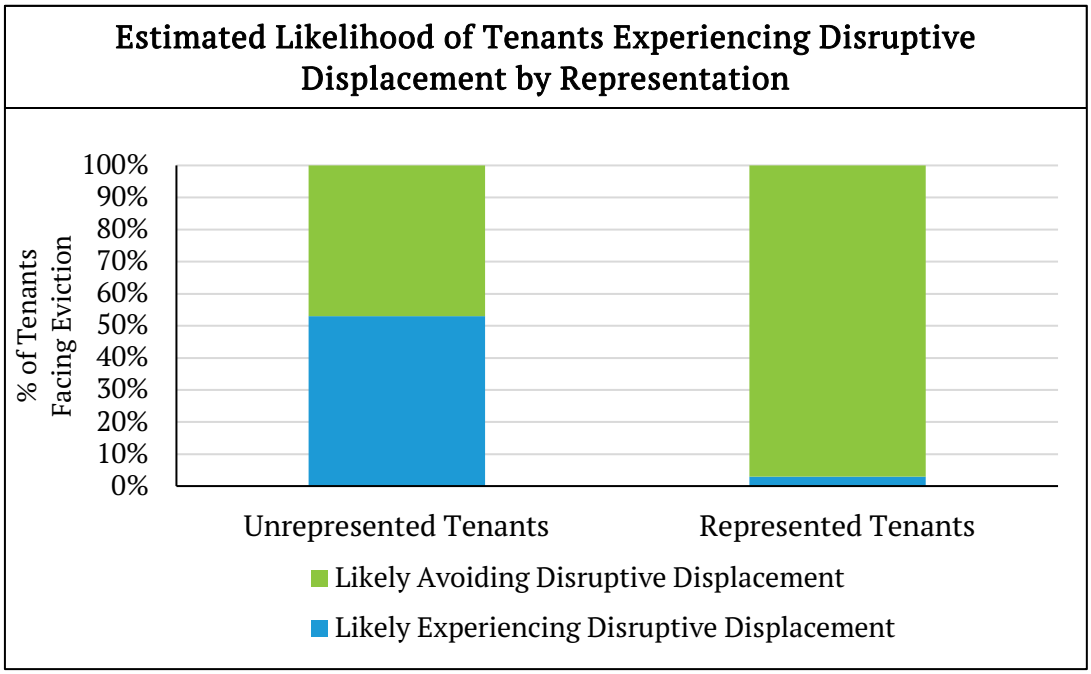


Figure 36

204. Comparing the approximately 12,000 represented tenants avoiding the high likelihood of disruptive displacement to the approximately 5,600 unrepresented tenants avoiding the high likelihood of disruptive displacement results in an estimated 6,400 additional tenants that would avoid the high likelihood of disruptive displacement and the potential for the negative impacts of disruptive displacement if a right to counsel were implemented in Detroit.[653] Based on the average household size of 3 people in Detroit, Stout estimates that annually 19,300 people in Detroit are likely to avoid the high likelihood of disruptive displacement each year through a right to counsel.[654]

205. The impact of a right to counsel and the number of income eligible households and people avoiding the likelihood of disruptive displacement could be higher or lower based on the facts of any individual case. How a right to counsel is implemented and communicated to tenants as well as how supportive policymakers and the judiciary are of a right to counsel

[653] The exact number of incremental renter households avoiding the high likelihood of disruptive displacement is 6,419. The calculation in this paragraph is rounded to the nearest hundred for presentation purposes. Stout uses the exact 6,419 for its cost of eviction calculations for precision.
[654] U.S. Census Bureau. American Community Survey 5-Year Estimates. 2018.

can also affect the impact. In some cases, tenants may experience disruptive displacement with or without a right to counsel. However, a right to counsel can ensure tenants' rights are exercised, favorable judgment terms are negotiated, and enough time is given to tenants if they need to find new living arrangements. The benefit of a right to counsel in these circumstances is less disruption to tenants' lives and therefore fewer social safety net costs to Detroit.

Estimated Cost Savings, Economic Benefits, and the Return per Dollar Invested in a Right to Counsel to Detroit

206. See **Exhibit A** for a summary of the estimated annual cost savings and economic benefits to Detroit and the return per dollar invested in a right to counsel.

Estimated Economic Value of Keeping Residents in Detroit Who Would Have Likely Migrated Out of Detroit Due to Disruptive Displacement

207. Detroit's population decline over the last 60 years is well documented, and residents have moved out of the city for a variety of reasons, including disruptive displacement of renter households facing eviction. Stout quantified the estimated economic benefits that Detroit loses because of migration out of the city related to disruptive displacement of renter households facing eviction.

208. As discussed previously, Stout estimates that 6,419 households in Detroit have a high likelihood of avoiding disruptive displacement if an eviction right to counsel were implemented. Based on its analysis of a sample of 36th District Court data and Experian data, as well as the Mah study (see paragraphs 70-76), Stout conservatively estimates that approximately 12.4 percent of the 6,419 households would have left Detroit if there were not a right to counsel.

209. A primary factor for this out-migration is Detroit's lack of a robust social safety net relative to other cities. That is, when Detroit residents face disruptive displacement, housing instability and related trauma, and need assistance from social safety net responses, they often must leave the city to receive services or to secure stable housing. Applying the 12.4 percent metric to the 6,419 households results in an estimated 796 households that will likely migrate out of Detroit because of disruptive displacement. The average household size in Detroit is 3 people, resulting in an estimated 2,388 people in renter households who will likely migrate out of Detroit because of disruptive displacement from eviction each year. Over the last 10 years, as many as 24,000 Detroit residents may have left the city following eviction filing as they were not able to find safe and stable housing and could not

access assistance to help them navigate the legal process and avoid disruptive displacement.

210. Nearly 50 cities throughout the country have recently developed incentive packages to attract new residents to their cities. These incentives range from approximately $2,000 to $20,000 with a median incentive package value of $5,000. See **Exhibit B.1 Table 1** for the incentive package value for each participating city. The value of these incentives can be interpreted as the present value of future economic benefits that a city attributes to a resident. The value also reflects a city's expectation as to the economic benefits that a resident will bring to the city. For example, the incentive package value that Greensburg, Indiana is offering to new residents is $7,000. The city government of Greensburg expects that a new resident would add more than $7,000 in economic value to the city or else Greensburg would not be willing to make the $7,000 investment. It is likely that this estimate understates the fiscal benefits to the city, as the city would not offer more to attract residents than it would expect to receive from their residency.

211. A second means for estimating the economic value of a resident is the amount of federal funding that a city receives per resident. See **Exhibit B.1 Table 2**. Detroit receives an estimated $5,500 annually per resident in federal funding.[655] A portion of the $5,500 is in the form of reimbursement payments. That is, Detroit must spend its own money and then seek reimbursement from the federal government. According to analyses by the Urban Institute, an estimated 32 percent of the $5,500 is reimbursement payments to Detroit, which means that approximately $3,751 is the non-reimbursement portion of federal funding received by Detroit.

212. The distinction between reimbursement and non-reimbursement federal funding is important for calculating the economic impact of residents leaving Detroit because of disruptive displacement. If a resident migrates out of Detroit because of disruptive displacement, it a reasonable to expect that the resident will not use Detroit's social safety net programs, and thus Detroit would not be expected to pay for social safety net services that the resident would have used. This is true for the reimbursement portion of federal funding only. For example, if a Detroit resident who experienced disruptive displacement needed to enroll in public benefits programs, they would enroll, Detroit would pay for the public benefits, and then Detroit would be reimbursed by the federal government. If a Detroit resident who experienced disruptive displacement migrated out of Detroit, they would not use public benefits in Detroit, Detroit would not bear the cost of the public

[655] Aguilar, Louis. "Detroit population continues to decline, according to Census estimate." Bridge Michigan. May 2020.

benefits and therefore would not need to be reimbursed by the federal government (i.e., the reimbursement portion of federal funding is directly related to whether a resident is using the social safety net).

213. The non-reimbursement portion of federal funding works in the opposite manner. That is, regardless of whether a resident is using the social safety net, Detroit receives a per resident amount of funding from the federal government ***as long as that person is a resident of Detroit***. When a resident of Detroit migrates out of the city, Detroit loses the non-reimbursement portion of federal funding, which Stout estimates to be $3,751 per resident per year. Over 5 years, the non-reimbursement portion of federal funding to Detroit is approximately $19,000, which could be a reasonable proxy for the economic value of a resident to Detroit.

214. Stout calculated the average economic value of a resident to Detroit to be approximately $12,000 (i.e., $5,000 as the median incentive package reflecting a resident's value to a city and $19,000 in value of federal funding received per Detroit resident) and multiplied it by the estimated 2,388 people who will likely migrate out of Detroit because of disruptive displacement for an estimated $28.7 million in economic value lost by Detroit because of out-migration related to disruptive displacement arising from eviction. See **Exhibit B.2.**

Estimated Annual Housing Social Safety Net Costs Related to Disruptive Displacement

215. Detroit's housing interventions for people experiencing homelessness include emergency shelter, rapid re-housing, transitional housing, and permanent supportive housing. Because eviction has been linked to homelessness, avoiding disruptive displacement through a right to counsel will likely reduce costs associated with these housing social safety net responses. When people experience homelessness, research has shown that a portion of them will experience homelessness again even after exiting a housing program, as is true in Detroit. Stout estimated the average annual housing social safety net cost savings to Detroit for initial interaction with the housing social safety related to disruptive displacement and the first subsequent reentry to these systems.

216. **Housing Social Safety Net Costs Related to Disruptive Displacement.** Stout estimates that 5,623 households in the Detroit have a high likelihood of avoiding disruptive displacement and will remain residents of Detroit if a right to counsel were implemented. Without a right to counsel, approximately 14.5 percent of these households will likely enter

emergency shelter.[656] The eviction process (for some people but not all) creates a degree of housing instability that requires costly intervention to return people to stable housing. Cities and states have demonstrated their dedication to returning people to stable housing through the variety of housing programs/interventions that are funded and for which the cities and states incur the costs. Stout's estimate of shelter entry as a result of disruptive displacement is a directional estimate based on the quantitative data available and qualitative feedback from legal aid providers and other stakeholders. Applying the findings of the Abt study and giving consideration to the experience and feedback of legal aid providers and housing case managers, for purposes of this analysis, Stout conservatively estimates that while 18.2 percent of households experiencing the eviction process may apply for shelter, 14.5 percent of households experiencing the eviction process are likely to enter emergency shelter. The expectation of case managers in the Abt Study and Robin Hood staff working directly with low-income populations at risk homelessness was that 25 percent would experience homelessness absent an intervention to assist with housing stability. Actual shelter entry as a result of disruptive displacement is contingent on a variety of different factors and is challenging to precisely estimate with the data currently available. Using this metric, Stout estimated that 815 households in Detroit will likely experience homelessness and need to access a housing social safety net program but for a right to counsel.

[656] Rolston, Howard et al. "Evaluation of the Homebase Community Prevention Program." Abt Associates. June 2013. See paragraphs 120-131. The Abt Study was an evaluation of the Homebase Community Prevention Program on households' use of homeless shelters and services. The Homebase program was a network of neighborhood-based homelessness prevention centers located in high-need neighborhoods of New York City. Homebase was designed to prevent homelessness and to prevent repeated stays in shelter. One of the research questions to be answered by the evaluation was: does Homebase affect the rate of shelter use (nights in shelter)? The evaluation population, as agreed upon with the New York City Department of Homeless Services, was 295 families with at least one child – 150 in the treatment group, and 145 in the control group. The evaluation indicated that over the evaluation period of 27 months (September 2010 to December 2012) a statistically significant difference the likelihood of spending at least one night in shelter between the treatment and control groups – 14.5 percent compared to 8 percent. Evaluators had access to individual-level administrative data from systems operated by three New York City social services agencies (the Department of Homeless Services, the Administration for Children's Services, and the Human Resources Administration) and the New York State Department of Labor. This individual-level data was matched with Homebase data based on social security number, name, date of birth, and gender. Evaluators then used this data and a linear probability model to assess the likelihood of shelter entry.

217. According to data from the Homeless Action Network of Detroit (HAND), there are three primary housing social safety net programs for people experiencing: permanent supportive housing, rapid re-housing, and transitional housing. The range of annual costs per unit of housing for these programs is shown in Figure 37.

	Annual Cost per Household / Unit of Shelter	
Housing Intervention	**Low**	**High**
Permanent supportive housing	$16,540	$18,740
Rapid re-housing	$17,516	$18,616
Transitional housing (2013)	$15,902	$23,287
Average	**$18,434**	

Figure 37

218. Stout used the average cost of $18,434 as a proxy for what it would cost to resolve homelessness in Detroit.[657] Because there are many ways that individuals experience homelessness, particularly after an eviction when re-renting can be challenging, there are a variety of possible outcomes. For a portion of individuals and households, there may be short shelter stays, attempts to move in with family or friends, and re-entry into shelter. Others may experience longer shelter stays, rapid re-housing, or permanent supportive housing. Each of these scenarios has different (but significant) cost implications. Stout focused on the average cost of a unit of shelter for the primary housing social safety net programs because it is likely to be a necessary cost for people experiencing homelessness and likely incurred by Detroit over time.

219. Applying the average cost of $18,434 per unit of shelter for the primary housing social safety net programs to the 815 households in Detroit who would likely experience homelessness and require a housing social safety net program because of disruptive displacement results in a cost of $15 million to Detroit. A portion of the 815 households that required a housing social safety net response will likely need a second housing social safety net response. According to Detroit's 2019 State of Homelessness report, an estimated 20 percent of households that exit homelessness will return to homelessness. Applying the 20 percent metric to the 815 households that experienced homelessness results in 163 households that experience homelessness a second time and require a subsequent housing social safety net program. At an average cost of $18,434 per exit from emergency shelter, the cost to exit the 163 households requiring a second housing social safety net program will be approximately $3 million.

[657] The average cost of $18,434 per household / unit of shelter contemplates all funding that the city of Detroit receives and allocates to permanent supportive housing, rapid re-housing, and transitional housing.

220. The total estimated annual cost to Detroit related to people experiencing homelessness because of disruptive displacement who will require a housing social safety net program and who will exit homelessness but subsequently return to homelessness is $18 million – an estimated $15 million related to the first housing social safety net response and an estimated $3 million related to the second housing social safety net response.[658]

- Lack of Right to Shelter. Like nearly every other U.S. jurisdiction, residents of Detroit do not have a formal, legislated right to shelter. Very few jurisdictions in the United States guarantee people experiencing homelessness an indoor place to sleep. For example, New York City and Milwaukee County have an unconditional right to shelter while Massachusetts and Washington, D.C. have a right to shelter based on cold weather temperatures. There are numerous studies in jurisdictions without a right to shelter that demonstrate a similar significant need for a social safety net response to housing instability. Emergency shelter costs are one form of a social safety net response to the desperate need for shelter, even in jurisdictions without a right to shelter and jurisdictions with people experiencing homelessness who are living unsheltered. Emergency shelter costs provide a proxy for costs jurisdictions bear (or are willing to bear) in response to severe housing instability. Furthermore, the incremental nature of shelter beds (i.e., the number of shelter beds increasing as the number of people experiencing homelessness increases) does not restrict the application of these costs to the households that are experiencing disruptive displacement because the costs may manifest in other ways, particularly if households are unable to enter emergency shelter and must use other Detroit services to achieve housing stability. Regardless of actual emergency shelter entry by households experiencing disruptive displacement, housing social safety net program costs can be a proxy for the other costs necessary to achieve housing stability for these households.

221. See **Exhibit C** for Stout's detailed calculation of estimated annual cost savings related to housing social safety net responses in Detroit. Figure 38 depicts the estimated annual cost savings related to households that will experience homelessness as a result of disruptive displacement.

[658] Cost metrics may not total exactly due to rounding.

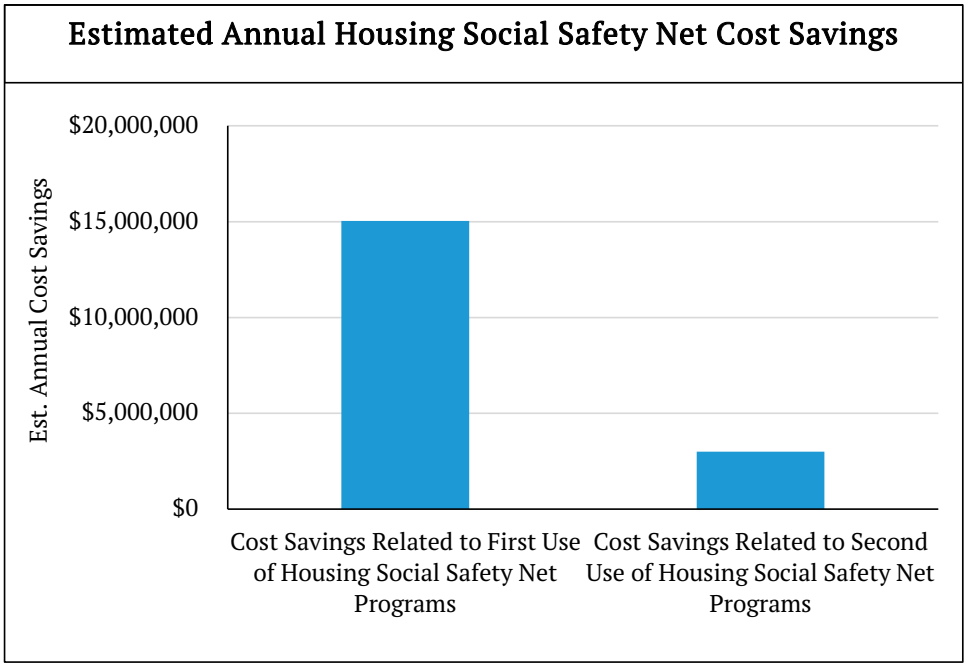


Figure 38

222. In addition to the cost of housing social safety net responses, the 2020 Data Report for Detroit's Homelessness Response Coordinated Entry System details costs related to rental assistance, bus tickets, groceries, hotel stays, ridesharing programs, and gas that were identified as financial assistance needed to divert a person or household from experiencing homelessness.[659] These expenditures ranged from $50 for a gas card to more than $40,000 (total) in rental assistance for 35 households.[660]

Estimated Annual State and Local Funding Lost Funding for Detroit Public Schools Community District Due to Migration out of Detroit

223. Stout quantified potential state and local funding lost for Detroit Public Schools Community District (DPSCD) due to student migration out of Detroit because of disruptive displacement.

224. Stout estimates that 987 students may migrate out of Detroit each year due to disruptive displacement. DPSDC receives approximately $9,745 per student in funding from Michigan and approximately $1,605 per student funding from Detroit local government. Applying each of these per student funding amounts to the 987 students who will likely migrate out of Detroit due to disruptive displacement results in approximately $9.6 million in lost

[659] Detroit's Homelessness Response Coordinated Entry 2020 Data Report. CAM Detroit.
[660] Ibid.

funding for DPSDC from Michigan and approximately $1.6 million from Detroit local government. The total estimated state and local funding lost for DPSDC due to students migrating out of Detroit due to disruptive displacement is $11.2 million annually. See **Exhibit D**.

225. Detroit may also recognize cost savings related to complying with the McKinney-Vento Act. To minimize the educational disruption of a student experiencing homelessness or housing instability, the federal government enacted the McKinney-Vento Act in 1987. The federal legislation gives students experiencing homelessness the right to continue attending their school of origin (i.e., the school that the student attended when stably housed) regardless of where they are living while experiencing homelessness or housing instability.[661] Transportation to and from student's school of origin is both logistically and financially the responsibility of the local educational agency.[662] Using local government general funds is often necessary for local educational agencies to comply with the McKinney-Vento Act transportation mandate.[663] Stout could not quantify potential cost savings related to McKinney-Vento Act compliance due to lack of data. However, if fewer students experienced homelessness due to disruptive displacement, it would be reasonable to expect that Detroit would realize cost savings by no longer needing to transport a portion of students experiencing homelessness to and from their schools of origin. Because Stout could not quantify this cost savings or other cost savings related to reducing the number of students experiencing homelessness, the cost savings and economic benefits related to DPSDC are understated.

Estimated Annual Additional Medicaid Spending by Detroit Related to Individuals Experiencing Homelessness as a Result of Disruptive Displacement

226. Stout quantified Medicaid spending on health care by Detroit that may be avoided if a right to counsel were implemented in Detroit. The two categories of care that could reasonably be quantified are in-patient care and emergency room care.

227. Stout estimates that 16,869 individuals in Detroit will avoid the high likelihood of disruptive displacement and will remain in Detroit if a right to counsel were implemented in Detroit. Of the 16,869 individuals that will avoid the high likelihood of disruptive displacement and remain in Detroit, approximately 25 percent will likely experience

[661] "McKinney-Vento Law Into Practice Brief Series, Transporting Children and Youth Experiencing Homelessness." National Center for Homeless Education. August 2017.
[662] Ibid.
[663] Ibid.

homelessness as a result of disruptive displacement.[664] Stout uses the 25 percent metric instead of the 14.5 percent metric from the Abt Study as a reasonable proxy for experiencing homelessness. The Abt Study metric reflects entering shelter, which a subset of people experiencing homelessness will do. Stout uses the 25 percent metric for people experiencing homelessness to capture instances of homelessness where people do not enter shelter but are nonetheless experiencing homelessness.

228. Applying the 25 percent metric to the population of 16,869 individuals results in approximately 4,217 individuals that will experience homelessness as a result of disruptive displacement. Of these 4,217 individuals that will likely experience homelessness, Stout estimates that approximately 23 percent will likely utilize in-patient care, and approximately 32 percent will utilize emergency room care, resulting in 970 and 1,350 individuals experiencing homelessness utilizing in-patient care and emergency room care, respectively.[665]

229. Research indicates that individuals experiencing homelessness utilize in-patient care and emergency room care more frequently than people who are not experiencing homelessness.[666] Approximately 80 percent of people experiencing homelessness and accessing in-patient care are utilizing this type of care solely because of their experiencing homelessness.[667] For emergency room care, this metric is 75 percent. Furthermore, approximately 84 percent of people experiencing homelessness and utilizing either type of care will be enrolled in Medicaid.[668]

230. Research indicates that the average cost to treat people experiencing homelessness with in-patient care and emergency room is approximately $5,600 per person and $18,500 per person, respectively.[669] Applying individual costs to the portion of individuals who will experience homelessness as a result of disruptive displacement, will utilize each type of

[664] Robin Hood is a New York City based non-profit organization that provides funding to more than 200 programs across New York City. See paragraph 130.
[665] Kushel, Margot, et. al. "Factors Associated With the Health Care Utilization of Homeless Persons." The Journal of the American Medical Association. January 10, 2001.
[666] Kushel, Margot, et. al. "Factors Associated With the Health Care Utilization of Homeless Persons." The Journal of the American Medical Association. January 10, 2001. & Kushel, Margot, et. al. "Emergency Department Use Among the Homeless and Marginally Housed: Results From a Community-Based Study." The American Journal of Public Health. May 2002.
[667] Ibid.
[668] DiPietro, Barbara et al. "Early Impacts of the Medicaid Expansion for the Homeless Population." The Kaiser Commission on Medicaid and the Underinsured. November 2014.
[669] Salit, Sharon, et al. "Hospitalization costs associated with homelessness in New York City." National Library of Medicine. 1998. And "The Cost of Homelessness Facts." Green Doors. N.d.

care, and will be enrolled in Medicaid and then adjusting for the local portion of Medicaid expenditures results in an estimated cost savings to Detroit of approximately $170,000 for in-patient care and approximately $730,000 in emergency room care.[670] The total estimated Medicaid cost savings to Detroit will be approximately $900,000. See **Exhibit E**.

Estimated Annual Out-of-Home Foster Care Cost Savings

231. Stout quantified potential out-of-home foster care costs avoided by Detroit related to children who may be placed in out-of-home foster care if their household experiences disruptive displacement.

232. Stout estimates that 5,623 households in Detroit will avoid the high likelihood of disruptive displacement and remain in Detroit if a right to counsel were implemented in Detroit. An estimated 62 percent of households experiencing an eviction filing have children, and the average number of children per household with children is two.[671] Approximately 4 percent of children from evicted families are placed in foster care and are likely living in foster care for at least one year. [672] In Detroit, this means that an estimated 279 children from evicted families are placed in foster care each year. As of April 2019, there were approximately 3,300 children in foster care in Wayne County.[673]

233. Based on cost data published by the State of Michigan Department of Health and Human Services, Stout estimated an average annual per child in out-of-home care cost of $6,935. Applying the $6,935 annual per child out-of-home care cost to the estimated 279 children in Detroit who will enter foster care each year because of eviction results in a total cost of approximately $1.9 million. Of the estimated $1.9 million in annual out-of-home foster care cost in Detroit for children living in foster care because of eviction, approximately 1 percent is funded by local governments. Stout estimated that Detroit may avoid

[670] Stout's calculation incorporates a utilization rate for in-patient and emergency room care based on the utilization rate of these services by people experiencing homelessness. While the starting populations for these calculations are the same, the utilization rates for people experiencing homelessness vary based on the type of care. The state portion of Medicaid expenditures is 29 percent based on "Federal and State Share of Medicaid Spending." Kaiser Family Foundation. Referencing Urban Institute estimates based on data from CMS (Form 64), as of FY 2019.
[671] Desmond, Matthew et al. "Evicting Children." Social Forces. 2013. And U.S. Census. Average Number of Children per Family and per Family with Children by State. 2004.
[672] Berg, Lisa and Brannstrom, Lars. "Evicted children and subsequent placement in out-of-home care: a cohort study." Public Library of Science. April 18. 2018.
[673] Chambers, Jennifer. "Michigan needs more foster mothers and fathers." The Detroit News. May 2019.

approximately $19,000 annually related to out-of-home foster care placements due to disruptive displacement if a right to counsel were implemented. See **Exhibit F**.

234. The potential cost savings related to out-of-home foster care placements for Detroit are likely significantly understated. There are many additional services offered to children who are living in foster care that accompany foster care. The cost of social workers, case managers, maintenance payments, clothing, and monitoring the well-being of children placed with families, for example, are not included in Stout's analyses as reliable, publicly available data to estimate these costs was limited. There may also be cost savings related to children who are living in foster care for reasons not related to housing but who cannot return home because their family is facing a housing instability issue that could be addressed by a right to counsel.

The Preservation of Affordable Housing

235. In October 2020, Michigan State Housing and Development Authority announced the awarding of Low Income Housing Tax Credits for five affordable housing development or preservation projects in Detroit.[674] The five awards – totaling $122.9 million – will preserve or develop 282 units of affordable housing for residents earning between $16,500 and $44,000 per year. Dividing the total award amount of $122.9 million by the 282 affordable units to be preserved or developed results in an estimated cost per affordable unit of $436,000.

236. In August 2021, Detroit announced the opening of an $8 million 25-unit affordable housing development in the Milwaukee Junction neighborhood.[675] Using the same estimation methodology in the previous paragraph, each unit cost approximately $320,000 to develop. Figure 39 summarizes additional affordable housing development or preservation projects in Detroit.[676]

[674] "Mayor: Nearly 300 Units of Affordable Housing to be Build or Preserved as State Approves 5 Projects." City of Detroit Housing and Revitalization Department. October 2020.
[675] Williams, Candice. "Detroit neighborhood gets $8 million affordable housing development." The Detroit News. August 2021.
[676] Wilson, Ben. "Detroit touts low-income tax credits toward $150M in affordable housing projects." The Detroit News. July 2021.

Project	Total Cost	Units Developed/Preserved	Est. Cost per Unit Developed/Preserved
Meyers Senior	$20 million	105	$190,000
Cass-Henry	$30.4 million	84	$362,000
AFG Miller Grove Center	$14.5 million	45	$322,000
Woodward Ave. Apartments	$17 million	53	$321,000
Brush Park	$13 million	53	$245,000
MLK on 2nd	$8 million	33	$242,000

Figure 39

237. If a right to counsel can keep tenants who are currently living in affordable housing units or subsidized units in those units, Detroit may not need to build as many affordable units each year. The current planned investments in building affordable housing units in Detroit fall far short of the need. As such, the expected investments in building and preserving affordable housing units may not change if a right to counsel could keep tenants who are currently living in affordable housing units. However, if a right to counsel does prevent tenants from being evicted from affordable housing units, there is certainly value to Detroit by providing a mechanism to alleviate the ongoing erosion of affordable housing stock during a time when Detroit is investing in new affordable units to address the crisis.

Conclusion

238. Stout quantified the estimated potential annual cost savings and economic benefits to Detroit and the estimated return per dollar invested in a right to counsel. Fully implementing a right to counsel in Detroit would cost approximately $16.7 million. The estimated potential annual cost savings and economic value to Detroit from a right to counsel in eviction proceedings is approximately $58.8 million (see Figure 40 for cost savings and economic benefit proportions by category):

- $28.7 million in estimated economic value related to retaining Detroit residents;
- $18 million in estimated cost savings for housing social safety net responses for residents remaining in Detroit;
- $11.2 million in additional state and local funding for DPSCD related to retaining Detroit residents;
- $900,000 in Medicaid cost savings related to physical health care for residents remaining in Detroit; and

- $19,000 in out-of-home foster care savings for residents remaining in Detroit.

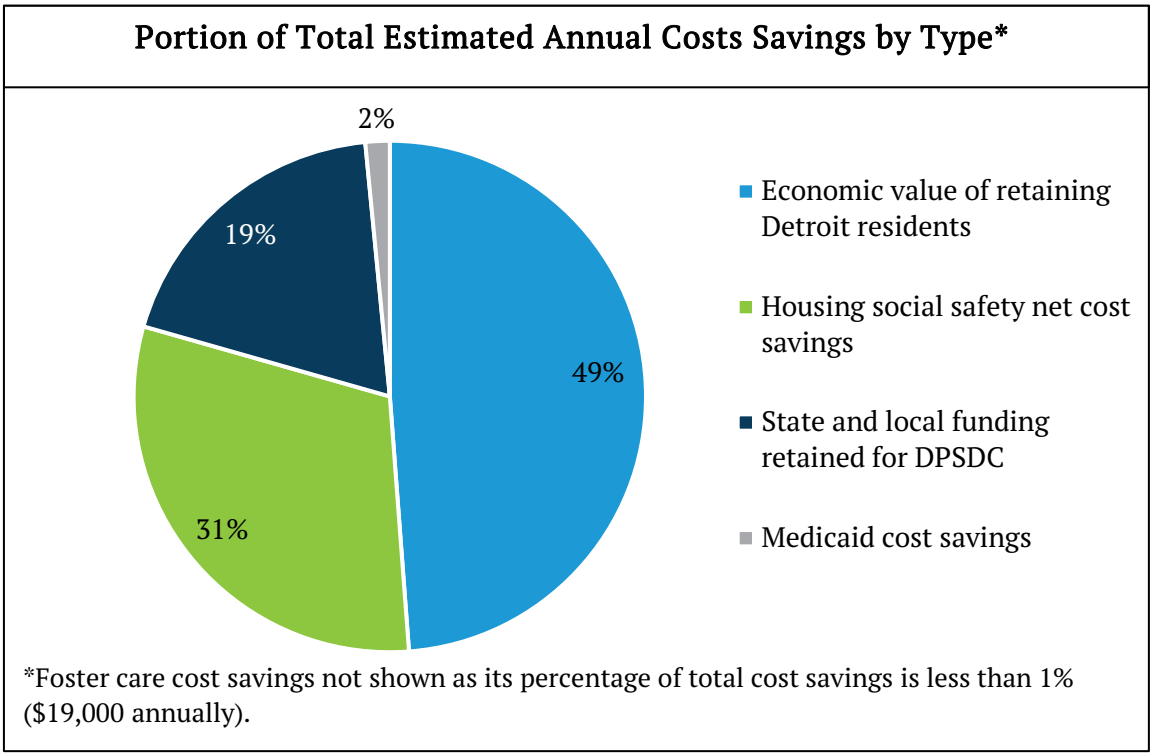


Figure 40

239. These estimated potential annual cost savings and economic benefits to Detroit are 352 percent greater than the cost of implementing a right to counsel. That is, for every dollar invested in a right to counsel for low-income tenants facing eviction in Detroit, Stout conservatively estimates a cost savings or economic benefit to Detroit of at least $3.52.

240. Stout's estimate of potential annual cost savings to Detroit is likely significantly understated. Included in Stout's calculations are cost savings of a right to counsel that are quantifiable and reasonably reliable with available data. However, if tenants experienced more stable housing, Detroit would enjoy many benefits that are not at this time reliably quantifiable and therefore are not included in Stout's calculations. The costs that would be avoided and benefits that would be enjoyed include, but are not limited to:

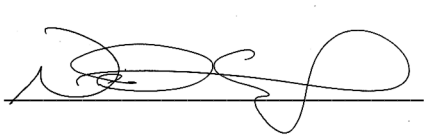
- The education costs, juvenile justice costs, and child welfare costs associated with children experiencing homelessness;
- The effects of stabilized employment and income and the economic and tax benefits to the state associated with consumer spending;
- The negative impact of eviction on tenants' credit score and ability to re-rent;

- The cost of providing public benefits when jobs are lost due to eviction or the eviction process;
- Certain additional costs associated with homelessness, such as additional law enforcement and incarceration costs;
- The cost of family, community, and neighborhood instability;
- Preservation of financial assets and personal belongings; and
- A reduction, over time, of the number of eviction cases filed resulting in improved use of the 36th District Court's resources.

Assumptions and Limiting Conditions

241. Stout's conclusions are based on information received to date. Stout reserves the right to change those conclusions should additional information be provided.

242. Stout's review, research, and analysis was conducted on an independent basis. No one who worked on this engagement has any known material interest in the outcome of the analysis.



Neil Steinkamp
Managing Director
Stout Risius Ross, LLC

Exhibit A

Summary of the Estimated Annual Cost Savings and Economic Benefits to Detroit

The Economic Impact of an Eviction Right to Counsel in Detroit
Exhibit A - Summary of the Estimated Annual Cost Savings and Economic Benefits to Detroit

		Costs (Rounded)	Exhibit
1	Estimated economic value to Detroit lost because of out migration related to disruptive displacement	$28,700,000	B.1 and B.2
2	Estimated annual costs of first and second housing social safety net responses to homelessness	$18,000,000	C
3	State and local funding lost for Detroit Public Schools Community District due to student migration out of Detroit because of disruptive displacement	$11,200,000	D
4	Estimated annual additional Medicaid spending by Detroit related to individuals experiencing homelessness as a result of disruptive displacement	$900,000	E
5	Estimated annual costs avoided by Detroit related to out-of-home foster care placements	$19,000	F
6	Total estimated annual costs avoided by Detroit related to disruptive displacement if a right to counsel were implemented	**$58,800,000**	
7	Total estimated cost to Detroit to provide a right to counsel to eligible tenants	**$16,700,000**	
8	Cost savings to Detroit per dollar invested in a right to counsel	**$3.52**	

Exhibit B.1
Estimated Economic Value of a Resident to Detroit

The Economic Impact of an Eviction Right to Counsel in Detroit
Exhibit B.1 - Estimated Economic Value of a Resident to Detroit

Table 1

	Jurisdiction	Incentive Value [a]	Jurisdiction	Incentive Value [a]
1	Morgantown, WV	$20,000	Quincy, IL	$5,000
2	Southwest, MI	$16,000	Balitmore, MD	$5,000
3	Augusta, ME	$15,660	Bemidji, MN	$4,000
4	Montpelier, VT	$15,000	Curtis, NE	$3,000
5	Newton, IA	$12,500	Mankato, KS	$3,000
6	Harmony, MN	$12,000	La Villa, TX	$3,000
7	Topeka, KS	$11,000	Osceola, IA	$3,000
8	Northwest, AR	$10,750	Elwood, NE	$3,000
9	Tulsa, OK	$10,000	Claremont, MN	$3,000
10	Rutherford County, TN	$10,000	Lincoln, KS	$3,000
11	Bloomfield, IA	$10,000	Wilson, KS	$3,000
12	The Shoals, AL	$10,000	New Richland, MN	$3,000
13	Britt, IA	$10,000	Manilla, IA	$3,000
14	Ontario, OR	$10,000	Marquette, KS	$3,000
15	Natchez, MS	$8,500	Halstad, MN	$3,000
16	Stillwater, OK	$7,500	Juneau, AK	$3,000
17	Greensburg, IN	$7,000	Osborne, KS	$3,000
18	Bloomington, IN	$6,600	Buffalo, NY	$2,500
19	Jasper, IN	$5,000	Honolulu, HI	$2,500
20	French Lick, IN	$5,000	Savannah, HA	$2,000
21	West Lafayette, IN	$5,000	Janesville, MN	$1,730
22	Charleston, WV	$5,000		
23	Johnstown, PA	$5,000	**Average**	**$6,605**
24	Daviess County, IN	$5,000	**Median**	**$5,000**

[a] https://www.makemymove.com/get-paid

Table 2

25	Annual per resident federal funding received by Detroit [a]	$5,500
26	Estimated portion of federal funding received as reimbursement payments [b]	32%
27	Estimated annual per resident non-reimbursement federal funding received by Detroit	$3,751
28	Period (in years) over which non-reimbursed federal funding is received by Detroit	5
29	**Value to Detroit of 5 years of non-reimbursed federal funding per resident**	**$19,000**

[a] Aguilar, Louis. "Detroit population continues to decline, according to Census estimate." Bridge Michigan. May 2020.
[b] "State and Local Expenditures." Urban Institute. 2018. Referencing State & Local Government Finance Data Query System and Data from U.S. Census Bureau, Annual Survey of State and Local Government Finances, Volume 4. 2020.

Exhibit B.2

Estimated Economic Value of Keeping Residents in Detroit Who Would Have Likely Migrated Out of Detroit Due to Disruptive Displacement

The Economic Impact of an Eviction Right to Counsel in Detroit

Exhibit B.2 - Estimated Economic Value of Keeping Residents in Detroit Who Would Have Likely Migrated Out of Detroit Due to Disruptive Displacement

1	Estimated number of households with a high likelihood of avoiding disruptive displacement because of a right to counsel [a]	6,419
2	Estimated percentage of households that would have likely required housing or other social safety net responses [b]	12.4%
3	Estimated number of households that would have likely migrated out of Detroit because of disruptive displacement	796
4	Average number of people per households in Detroit [c]	3
5	Estimated number of people who would have likely migrated out of Detroit because of disruptive displacement	2,388
6	Estimated economic value of a resident to Detroit [d]	$12,000
7	Estimated economic value to Detroit lost because of out migration related to disruptive displacement	$28,700,000

[a] Stout's calculation of the estimated number of income eligible households with a high likelihood of avoiding disruptive displacement as a result of right to counsel

[b] Stout's estimate based on its analysis of a sample of 36th District Court eviction filings supplemented with address information supplied by Experian

[c] U.S. Census Population Estimates July, 1, 2019 for Detroit, Michigan.

[d] Stout's calculation of the estimated economic value of a resident to Detroit based on: (1) $5,000 as the median investment that cities and states have been willing to make to attract new residents and (2) $19,000 in present value of federal funding received by Detroit per resident over five years. Stout used the average of these two metrics ($12,000) to estimate the economic value of a resident to Detroit. See Exhibit B.1 and paragraphs 207-214 the report for additional details.

Exhibit C

Estimated Annual Cost Savings Related to First and Second Housing Social Safety Net Responses Due to Disruptive Displacement

The Economic Impact of an Eviction Right to Counsel in Detroit
Exhibit C - Estimated Annual Cost Savings Related to First and Second Housing Social Safety Net Responses Due to Disruptive Displacement

	Estimated Annual Housing Social Safety Net Cost - First Use of Housing Social Safety Net	
1	Estimated number of households with a high likelihood of avoiding disruptive displacement because of a right to counsel [a]	5,623
2	Estimated portion of households that would have likely required a housing social safety net response but for a right to counsel [b]	14.5%
3	Estimated number of households that would have likely required a housing social safety net response but for a right to counsel	815
4	Estimated average annual per household cost of a housing social safety net response [c]	$18,434
5	**Estimated annual cost to provide housing to households that would have likely avoided disruptive displacement because of a right to counsel**	**$15,000,000**
	Estimated Annual Housing Social Safety Net Cost - Second Use of Housing Social Safety Net	
6	Estimated number of households that would have likely required a housing social safety net response but for a right to counsel	815
7	Estimated portion of households that would have required a second housing social safety net response but for a right to counsel [d]	20%
8	Estimated number of households that would have required a second housing social safety net response but for a right to counsel	163
9	Estimated average annual per household cost of a housing social safety net response [c]	$18,434
10	**Estimated annual cost to provide subsequent housing to households that would have likely avoided disruptive displacement because of a right to counsel**	**$3,000,000**
11	**Total estimated cost of first and second housing social safety net responses to households that would have likely avoided disruptive displacement because of a a right to counsel**	**$18,000,000**

[a] Stout's calculation of the estimated number of income eligible households with a high likelihood of avoiding disruptive displacement as a result of right to counsel and that would have not migrated out of Detroit.
[b] Rolston, Howard et al. “Evaluation of the Homebase Community Prevention Program.” Abt Associates. June 2013.
[c] See Figure 37 in report.
[d] "Annual Report for the Detroit Continuum of Care 2019 State of Homelessness." Homeless Action Network of Detroit (HAND). 2019.

Exhibit D

Estimated Annual State and Local Funding Lost for Detroit Public Schools Community District Due to Migration out of Detroit

The Economic Impact of an Eviction Right to Counsel in Detroit

Exhibit D - Estimated Annual State and Local Funding Lost for Detroit Public Schools Community District Due to Migration out of Detroit

1	Estimated number of Detroit Public Schools Community District students who migrated out of Detroit due to disruptive displacement [a]	987
2	Per pupil state funding received by Detroit Public Schools Community District [b]	$9,745
3	Estimated total state funding for Detroit Public Schools Community District lost due to student migration out of Detroit because of disruptive displacement	$9,618,173
4	Estimated number of Detroit Public Schools Community District students who migrated out of Detroit due to disruptive displacement [a]	987
5	Per pupil local funding received by Detroit Public Schools Community District [b]	$1,605
6	Estimated total local funding for Detroit Public Schools Community District lost due to student migration out of Detroit because of disruptive displacement	$1,584,112
7	**Total state and local funding lost for Detroit Public Schools Community District due to student migration out of Detroit because of disruptive displacement**	**$11,200,000**

[a] Stout's estimate using it's methodology for out-migration and the number of households experiencing disruptive displacement that likely have children.
[b] Calculated using U.S. Census Fiscal Year 2018 Annual Survey of School System Finances.

Exhibit E

Estimated Annual Additional Medicaid Spending by Detroit Related to Individuals Experiencing Homelessness Due to Disruptive Displacement

The Economic Impact of an Eviction Right to Counsel in Detroit
Exhibit E - Estimated Annual Additional Medicaid Spending by Detroit Related to Individuals Experiencing Homelessness Due to Disruptive Displacement

	Cost Type	Individuals Avoiding the High Likelihood of Disruptive Displacement [a]	Portion of Individuals Experiencing Homelessness Due to Disruptive Displacement [b]	Individuals Experiencing Homelessness as a Result of Disruptive Displacement	Utilization Rate by People Experiencing Homelessness [c]	Individuals Experiencing Homelessness as a Result of Disruptive Displacement Utilizing Healthcare Services	Portion of Individuals Experiencing Homelessness as a Result of Disruptive Displacement Utilizing Healthcare Services But For Experiencing Homelessness [c,d]	Portion of Individuals Experiencing Homelessness as a Result of Disruptive Displacement Enrolled in Medicaid [e]	Average Cost per Individual Experiencing Homelessness [f,g]	Estimated Annual Additional Health Care Cost Related to Individuals Experiencing Homelessness as a Result of Disruptive Displacement	Non-Federal Portion of Medicaid Expenditures [h]	Local Government Portion of Non-Federal Portion of Medicaid Expenditures [i]	Estimated Annual Additional Medicaid Spending by Detroit Related to Individuals Experiencing Homelessness as a Result of Disruptive Displacement
1	In-patient Care	16,869	25%	4,217	23%	970	80%	84%	$5,600	$3,650,210	29%	16%	$169,370
2	Emergency Room Care	16,869	25%	4,217	32%	1,350	75%	84%	$18,500	$15,728,779	29%	16%	$729,815
3	**Total (rounded)**												**$900,000**

[a] Stout's calculation of the estimated number of income individuals with a high likelihood of avoiding disruptive displacement as a result of right to counsel and that would have not migrated out of Detroit.
[b] Estimated by Robin Hood. https://robinhoodorg-production.s3.amazonaws.com/uploads/2017/04/Metrics-Equations-for-Website_Sept-2014.pdf. See also paragraphs 129-130 of the report.
[c] Kushel, Margot, et al. "Factors Associated With the Health Care Utilization of Homeless Persons." The Journal of the American Medical Association. January 10, 2001.
[d] Kushel, Margot, et al. "Emergency Department Use Among the Homeless and Marginally Housed: Results From a Community-Based Study." The American Journal of Public Health. May 2002.
[e] DiPietro, Barbara, et al. "Early Impacts of the Medicaid Expansion for the Homeless Population." The Kaiser Commission on Medicaid and the Underinsured. November 2014.
[f] Salit, Sharon, et al. "Hospitalization costs associated with homelessness in New York City." National Library of Medicine. 1998. Average cost of $3,000 adjusted for inflation.
[g] "The Cost of Homelessness Facts." Green Doors. N.d.
[h] "Federal and State Share of Medicaid Spending." Kaiser Family Foundation. Referencing Urban Institute estimates based on data from CMS (Form 64), as of FY 2019.
[i] "Medicaid Financing States' Increased Reliance on Funds from Health Care Providers and Local Governments Warrants Improved CMS Data Collection." United States Government Accountability Office. July 2014.

Exhibit F

Estimated Annual Out-of-Home Foster Care Cost Savings

The Economic Impact of an Eviction Right to Counsel in Detroit
Exhibit F - Estimated Annual Out-of-Home Foster Care Cost Savings

1	Income eligible households likely to avoid the high likelihood of experiencing disruptive displacement [a]	5,623
2	Estimated portion of households experiencing an eviction filing with children [b]	62%
3	Estimated number of households experiencing an eviction filing with children	3,486
4	Average number of children per household [c]	2
5	Portion of children from evicted families placed in foster care [d]	4%
6	Estimated number of children from evicted families placed in foster care in Detroit	279
7	Estimated annual out-of-home foster care cost per child in foster care in Michigan [e]	$6,935
8	Estimated annual out-of-home foster care cost in Detroit for children living in foster care because of disruptive displacement	$1,934,192
9	Portion of foster care funding paid for by Detroit [f]	1%
10	**Estimated annual out-of-home foster care cost savings (rounded)**	**$19,000**

[a] Stout's calculation of the estimated number of income eligible households with a high likelihood of avoiding disruptive displacement as a result of right to counsel and that would have not migrated out of Detroit.
[b] Desmond, Matthew et al. “Evicting Children.” Social Forces. 2013.
[c] U.S. Census. Average Number of Children per Family and per Family with Children by State. 2004.
[d] Berg, Lisa and Brannstrom, Lars. "Evicted children and subsequent placement in out-of-home care: a cohort study." Public Library of Science. April 2018.
[e] Estimated using daily foster care rates published by State of Michigan Department of Health & Human Services (DHHS). DHHS pays a daily rate of $17-$21 per child living in foster care, depending on the age of the child. The daily rate includes payment for room and board, personal incidentals, and clothing. Stout calculated an average cost per day cost of foster care of $19 per child and an average annual cost of $6,935 per child ($19 per day for 365 days). Research on the length of stay in foster care in Michigan supports an average length of stay of at least 12 months.
[f] "Child Welfare Agency Spending in Michigan." Child Trends. March 2021.

Exhibit G

Qualitative Data Companion Report

QUALITATIVE DATA COMPANION REPORT

The Economic Impact of an Eviction Right to Counsel in Detroit

QUALITATIVE DATA COMPANION REPORT
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EXECUTIVE SUMMARY

According to The United Nations Committee on Economic, Social and Cultural Rights, adequate housing is not only a basic human need, "it should be seen as the right to live somewhere in security, peace and dignity." Beyond seeing these three rights as simply connected to housing, g. bailey winston enterprise (gbwe) considers these to be fundamental tenets to all aspects of respecting and appreciating humanity as a whole. We approached capturing the qualitative data to accompany the Stout Economic Impact of an Eviction Right to Counsel in Detroit (Detroit RTC Evaluation) within the full spirit of housing as security, peace and dignity.

This Qualitative Data Companion Report (QDCR and/or Companion Report) opens a prologue consisting of the key findings of the research effort, followed by the first chapter of the QDCR, which presents the thoughts and insights from the researchers' point-of-view about the participants, the data gathering process as well as Detroit's housing legacy and the momentum building opportunities toward the adoption of RTC legislation in the city moving forward.

The next chapter contextualizes significant City of Detroit historical housing milestones as detailed in the Stout Detroit RTC Evaluation that shape Detroit's current housing reality. With Detroit's housing legacy as a baseline, Chapter Two's "Connecting the Dots," section makes explicitly clear the city's legacy of creating systemic and structural challenges to disenfranchise Black and Brown Detroiters. By connecting the dots using the narratives from the qualitative data compiled for this report it is quite clear the negative initiatives and intentions from the 1930s through 1970s continue to adversely impact the most recent three generations of specifically targeted Detroit residents. The subsequent section in this chapter, "There's Still More To Say," provides additional direct quotes from focus group members and interviewees within three themes that emerged while conducting the research.

Chapter III discusses how the authors of the QDCR worked collaboratively with Stout, a partnership that we refer to herein as the Detroit Research Engagement Appreciation Partnership (REAP). The chapter also provides the agreed upon goals and scope of work developed within the REAP along with discussing the partnership's commitment to authentic communication within their internal engagements as well as providing consistent and authentic transparency when engaging external stakeholders.

The fourth chapter presents the data collection methods as well as the data collection approach. The chapter also explains the participant recruitment/solicitation outreach strategy, covering a period initiated in January 2021 and continued through the last days of the data collection period, which concluded in the first week of May. The section concludes by sharing the prompts and questions used within the focus groups and interviews to gather the qualitative data. The concluding chapter pivots to a brief update on community level organizing efforts since the conclusion of the qualitative research in May (2021).

ACKNOWLEDGEMENTS

The Detroit Research Engagement and Appreciation Partnership (REAP) fully acknowledges with profound gratitude all of the community organizations that hosted focus groups.

Host Organizations (listed alphabetically)

Better Men Outreach
19800 Pembroke Detroit, MI 48219
https://bmo-detroit.org

Cody Rouge Action Alliance
19321 W Chicago, Detroit, MI 48228
https://www.codyrouge.org

Congress of Communities
4870 St Hedwig St, Detroit, MI 48210
https://www.congressofcommunities.com

Detroit Change Initiative
535 Griswold St Suite 111-563 Detroit, MI 48226
https://dcimovement.org

Detroit Peoples Platform
7700 Second Ave. #509, 48202
https://www.detroitpeoplesplatform.org

East Michigan Environmental Action Council
4605 Cass Ave, Detroit, MI 48201
http://www.emeac.org

Eastside Community Network
4401 Conner St, Detroit, MI 48215
https://www.ecn-detroit.org

Neighborhood Services Organization
9641 Harper Ave # 2, Detroit, MI 48213
https://www.nso-mi.org

Wisdom Institute
17401 Wisconsin St. Detroit, MI 48221
https://www.facebook.com/The-Wizdem-Institute

The REAP would also like to thank Tonya Phillips, Public Policy Advisor for Michigan Legal Services, for connecting Stout and gbwe allowing for the formation of the partnership.

KEY FINDINGS

The depth of structural racism in Detroit's housing legacy

As is the case with most critically insightful and thorough reviews of historical moments, the presence of both overwhelming and insidious racism are undeniably obvious. Detroit's housing legacy certainly substantiates this assertion. The insights and personal narratives from the research participants finds the intentions and effects of Detroit's legacy of city level planning of structural racism to still be operating as a constant in the lives of Black and Brown Detroit residents. Reading Chapter III makes the following quite clear:

- *Housing racism in Detroit was planned with clear intentions*
- *The generational impact of racism in housing is still present*
- *Housing insecurity is an extremely high impact factor on multiple other aspects of many Detroiters' lives.*
- *The prevailing and overused narrative by many landlords and those representing landlords in pursuit of eviction is the primary reason renters are evicted is ground in the refusal or inability to pay rent. Throughout the responses (including insights that were expressed, yet, are not explicitly shared in this report) focus group members lay out the broader and more intricate circumstances related to evictions and housing insecurity.*

The toll of human trauma

This research effort brings to the forefront the personal trauma along with the unrelenting resilience of the Detroiters who shared their experiences. In many instances, not only has the legacy of housing discrimanation transitioned from generation to generation but the trauma that accompanies housing displacement too has been passed along as a form of morbid inheritance. However, it is also equally apparent that focus group participants reflected an admirable, honorable, and clearly identifiable level of personal resilience. It can only be hoped that this resilience is not appropriated as an opportunity to overlook and further disenfranchise Black and Brown Detroiters from any rights to live somewhere in security, peace and dignity.
(See Chapter III)

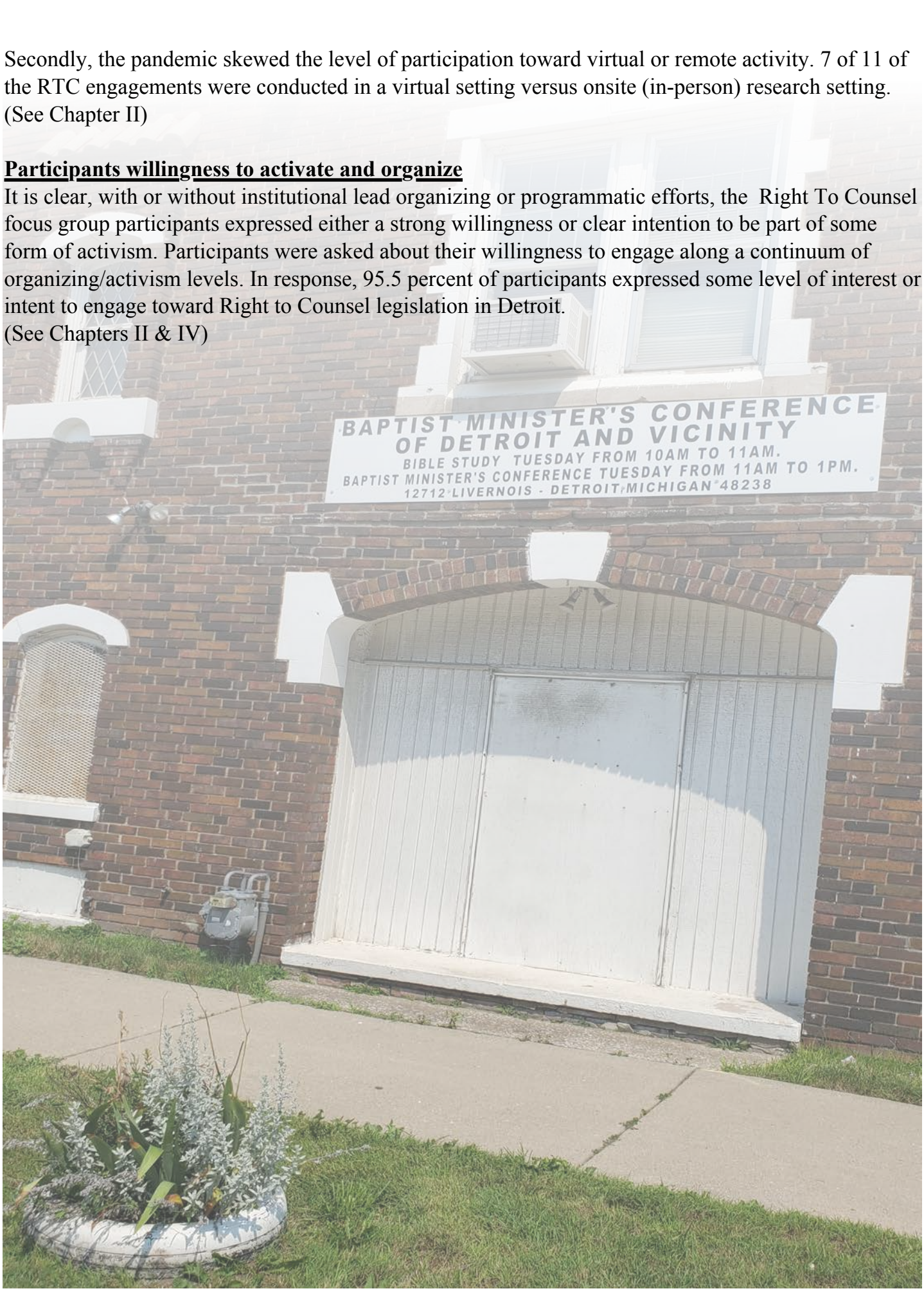
The impacts of COVID-19

The pandemic's impact on the qualitative research effort was two-fold. A consistent occurrence of both individual and organization fatigue was a factor limiting the response to solicitations from the gbwe team for focus group participation as well as individual and organizational fatigue resulting in the delay, dismissal, or decline to follow-up and follow-through to schedule and/or organize the focus group participants. Moreover, this same level of "pandemic" fatigue is an occurrence in many local and regional jurisdictions. In fact, as early as October of 2020, the World Health Organization found pandemic fatigue to be a global reality.

Secondly, the pandemic skewed the level of participation toward virtual or remote activity. 7 of 11 of the RTC engagements were conducted in a virtual setting versus onsite (in-person) research setting. (See Chapter II)

Participants willingness to activate and organize

It is clear, with or without institutional lead organizing or programmatic efforts, the Right To Counsel focus group participants expressed either a strong willingness or clear intention to be part of some form of activism. Participants were asked about their willingness to engage along a continuum of organizing/activism levels. In response, 95.5 percent of participants expressed some level of interest or intent to engage toward Right to Counsel legislation in Detroit.
(See Chapters II & IV)

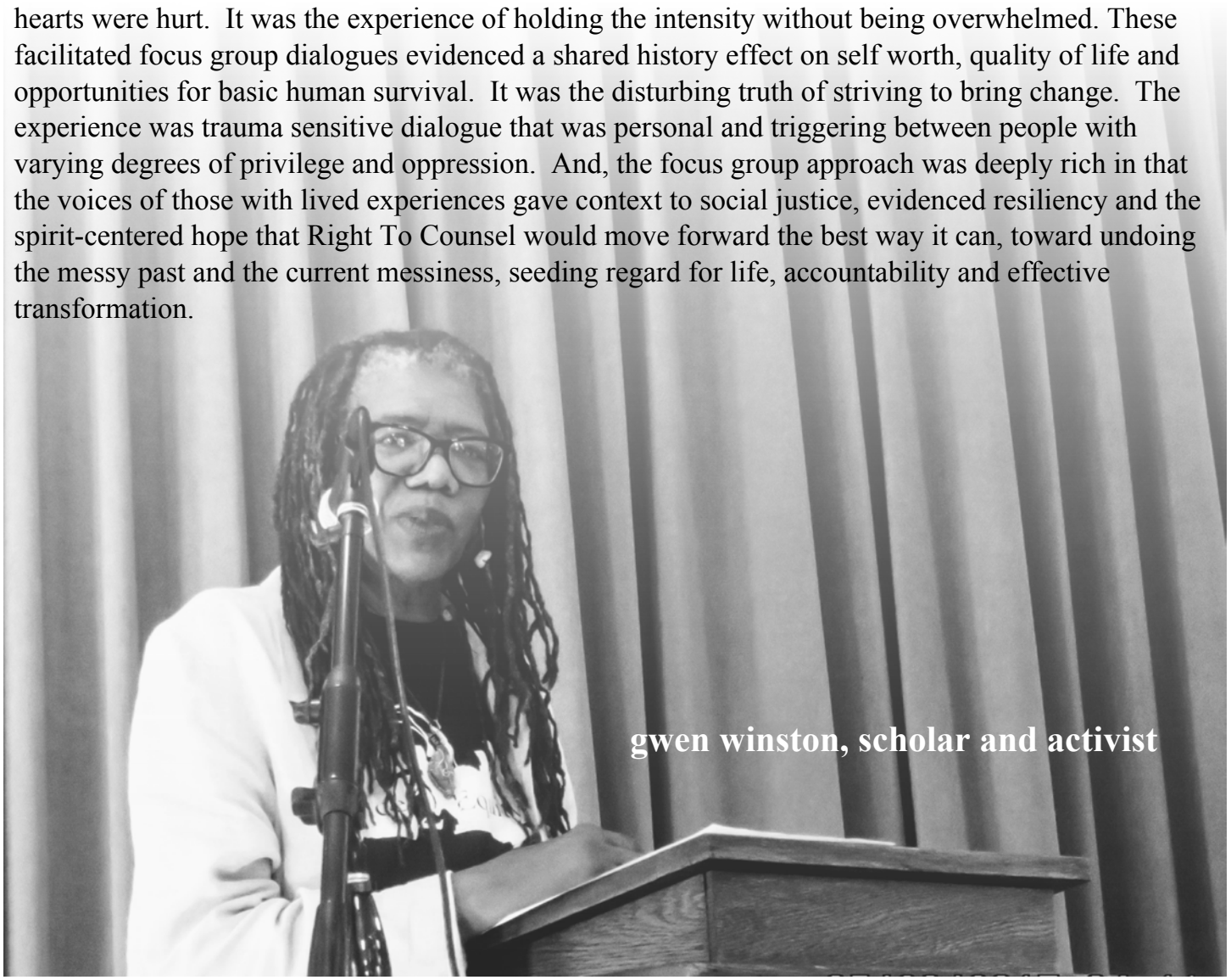


Chapter I: THE RESEARCHERS' PERSPECTIVE

gbaileywinstonenterprise

A unique choice was made by Stout for its Detroit Right To Counsel Evaluation and that choice was to center the evaluation on listening to the lived experiences of those evicted or displaced using a racial equity lens. It was a unique call for the Detroit Research Engagement Appreciation Partnership (REAP) to design a container for triggering, difficult conversations outside the predominant paradigm beyond the politics of the day. "It's a painful piece of knowing that someone to a certain degree has a level of power over you" (Congress of Communities focus group)

This listening experience was deep work. It was the uncomfortable work of opening hearts when hearts were hurt. It was the experience of holding the intensity without being overwhelmed. These facilitated focus group dialogues evidenced a shared history effect on self worth, quality of life and opportunities for basic human survival. It was the disturbing truth of striving to bring change. The experience was trauma sensitive dialogue that was personal and triggering between people with varying degrees of privilege and oppression. And, the focus group approach was deeply rich in that the voices of those with lived experiences gave context to social justice, evidenced resiliency and the spirit-centered hope that Right To Counsel would move forward the best way it can, toward undoing the messy past and the current messiness, seeding regard for life, accountability and effective transformation.



gwen winston, scholar and activist

In 1903 sociologist, historian, and equal rights activist, William Edward Burghardt (W.E.B.) Du Bois authored the iconic Souls of Black Folk. In this book DuBois discusses a concept he first created in 1897. The Harvard educated scholar frames this concept as experiential, where Black folks in America experience life through both trauma and triumph. Charged with the responsibility to record and present the experiences of Detroit residents in dealing with housing insecurity and displacement I was continually brought back to what W.E.B. DuBois refers to as Double Consciousness.

> *It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness,—an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder. The history of the American Negro is the history of this strife – this longing to attain self-conscious manhood, to merge his double self into a better and truer self.*
>
> **Du Bois, W. E. B. (1903). The Souls of Black Folk. New York: Dover Publications**.

As someone who faced homelessness for almost two-years prior to returning to graduate school, the experiences shared by the focus group participants touched me to the depth of my soul as a Black man. While I was homeless for about 20 months, I was not shelterless. Yet, experiencing housing insecurity and displacement kept my soul in constant upheaval. My consciousness continuously ebbed and flowed between embarrassment about my life condition at the time and enthused about changing my life condition through reengaging my education.

It is almost impossible to read the qualitative components presented in Chapter III and not be pulled within intimate proximity to the double consciousness quite authentically expressed by the 68 courageous human beings who chose their voice over their vulnerability. As this report juxtaposes Detroit's historical housing legacy of systemic and structural racism to its currently unfolding legacy as voiced through the focus groups, the clear double consciousness of…

disillusioned along with being determined
endangered and empowered
fatigued yet faithful
grieving while grateful
heartbroken then hopeful
insulted and inspired
traumatized as well as tenacious

is both explicit and more importantly, undeniable.

My heartfelt aspiration is that this work can be used as a tool towards a single-minded effort to gain Right to Counsel legislation in Detroit.

Chapter II: The Historical Context & The Current Connection

In Stout's Economic Impact of an Eviction Right to Counsel in Detroit there is a section outlining both the national and Detroit's history of housing and housing discrimination. Chapter III connects Detroit's housing legacy with its current reality. As such, the Connecting the Dots section in this chapter pulls relevant excerpts, which explicitly detail occurrences of racial injustice and/or racial insensitivity from the historical context of the Detroit RTC Evaluation. Immediately following each excerpt this report then provides qualitative data from the focus groups and interviews (personal narratives) reflecting the current lived experiences of Detroit residents. Juxtaposing the harsh realities of Detroit's housing history with the even harsher realities currently being experienced by many Detroit residents creates two opportunities. The first, allows us to see how the Detroit housing history still serves as a high impact variable with extraordinarily negative effects on the Black and Brown residents of Detroit today. The second, allows us to explicitly understand the pervasive negative effects by hearing directly from those most impacted.

In reading the **Connecting the Dots** content below, please note, the statistics and assessments from the Detroit RTC Evaluation as **bolded** text. The subsequent italicized text below the legacy content provides direct quotes (qualitative data) from interview and focus group participants.

In addition to the **Connecting the Dots** content, the subsequent **There's Still More to Say** section provides additional qualitative data couched within three themes: 1) Right to Counsel legislation making a difference for the focus group and interview participants; 2) Focus group and interview participants willingness to organize around and be active in the pursuit of Right to Counsel legislation; and 3) The opportunity the focus groups and interviews provided for the participants to be heard and feel that their experiences matter. The **There's Still More to Say** theme is **bolded** and the subsequent italicized text below each theme provides direct quotes (qualitative data) from interview and focus group participants.

CONNECTING THE DOTS

The increase in outside investment in Detroit has been followed by an increase in residents with higher incomes, particularly white residents. For example, the four census tracts in the Islandview neighborhood experienced a 20 percent decline in Black residents from 2010 to 2018 while simultaneously experiencing a tripling of white residents (6 percent to 18 percent). From 2016 to 2019, there was a 61 percent increase in the number of Detroit residents earning more than $150,000 per year, compared to only 37 percent statewide.

Once they saw our skin we were magically disqualified from the place after we had signed everything. And, we lost our money. Detroit is changing in a way that is discriminatory.
Congress of Communities focus group

I didn't look like what they wanted in their community. It's sick. Looking for a good environment for my family; my money matters too, in a neighborhood that I have supported business in my whole life; to say it's a private owner. **Congress of Communities focus group**

My son had a full ride to Michigan State University, worried about his Mama, instead of full time student he became a full time worker at a factory. I felt like it was a rotten system, no help for someone going through the states of bureaucracy. **Detroit People's Platform focus group**

As outside capital and growth policies target specific areas of Detroit, the property values in those areas increase. When property values in a neighborhood increase significantly, native residents must pay more in rent and property taxes often with the same household income prior to the increase in property value. Detroiters who cannot afford the increasing rent resulting from gentrification may be forced to move to a different, more affordable neighborhood – often outside of Detroit.

I didn't want to be on the street and I was desperate. With the voucher you have 60 days to find decent housing or lose Section 8. Challenge – time ran out. Hard to find decent, quality housing in Detroit – time ran out. Pain, stress, trauma learning what to do in that atmosphere, cry, breakdown, mental break because of something I didn't cause. I followed the rules and it's still not good enough. **Congress of Communities focus group**

The world sees me as a black woman. They don't care about any of this stuff. There are laws, there are things that literally discriminate against us. We know this as people of color, as women, women in certain cities, certain area codes, zip codes. Discrimination is very real in all areas of life. I'm dedicated. What do I need to do? What do Queen Mothers need to do? **Congress of Communities focus group**

My neighborhood is called gentrification at its best in the last couple of years. **Wisdom Institute & The Women in Ministry & Spirituality focus group**

I describe my neighborhood as gentrification and how close to a very white neighborhood of people who are intentionally seeking out specific zip codes, on the black side of Mack, in some type of time our taxes, water will be raised higher until we can't afford it, will chase us out. Mack segregates the community—the white side (recently gentrified) and black side. Wealthier black people have begun to move out to a point there is all Europeans. **Wisdom Institute & The Women in Ministry & Spirituality focus group**

On the black side—over the summer last year lots of abandoned buildings connected to lots that Detroiters were trying to purchase, white folks are purchasing. They are the same folk in the neighborhood circling the blocks, certain zip codes, addresses and streets. The homes look good, are rehabbed, the plan is to eventually move in on us and push us out. Rent has increased. A couple of years ago rent was $500-$600, now $950-$1000—rental space in the hood!

Wisdom Institute & The Women in Ministry & Spirituality focus group

Poverty in Detroit is concentrated, with some of the highest levels in the country since 2009. From 2000 to 2016, 49 percent of all Detroiters lived in an area of concentrated poverty. This trend is reflected in the relative increase of renter households in Detroit. From 2010 to 2019, Detroit lost over 23,000 – or approximately 16 percent – of the total owner-occupied units. Over the same period, total renter-occupied units increased by nearly 16,000, representing an increase of approximately 13 percent.

Poverty is something people try to tell you how to get out of. They are not even in your shoes. They don't have a clue. And you get through it but you don't have a place to lay your head with your children, your family. That does something to your mind. It is a destroyer. I don't understand why people don't realize, I understand you need to make money, but don't hurt people in the process.

Congress of Communities focus group

We still need to appreciate that we have been fighting poverty for so long. CDC definition for poverty that's so painful that it has you in tears. Put the income piece in there. So far below the poverty line, trying to climb up the ladder. The rug is pulled out from under you, what do you do then? How do you do that?

Congress of Communities focus group

Blessed to have a family I can lean on. Single handedly I could not make it by myself.

Detroit People's Platform focus group

Renting is never a secure situation. Renting is not stable at all. We are living in a time of change.

Wisdom Institute & The Women in Ministry & Spirituality focus group

We were kids and did not see the bad stuff. At school, teachers understood whatever situation we were going through. They helped a lot. Free meals. The principal helped a lot. Principal and teachers spoke to truancy officers. In shelter multiple times, shelter to shelter. EMEAC helped. Welfare Rights helped, Wayne Metro and some other program.. Water restart plan helped.

Family Interview - Mother of 11, 8 children participated in the family interview

In 2019 United Community Housing helped me get our house back. Little by little getting repairs. Lead pipes, City finally fixed. Lot of programs got denied and turned down trying to get help with repairs, payment plans for water, DTE. Something wasn't going to get paid. How is my gas bill so high? I didn't have a gas stove. Smacked with humungus bill. The service person didn't put in that my service was reconnected. The plan was $500 month. Water was $400 month. It was becoming too much. It was getting frustrating. Really a struggle.

Family Interview - Mother of 11, 8 children participated in the family interview

With the high rate of blight and abandonment in Detroit, opportunistic owners of these properties often lease them to low-income tenants, notwithstanding the property's substandard conditions. A whitepaper published by the University of Michigan Poverty Solutions found that approximately 10 percent of households – or approximately 32,000 households (nearly 100,000 Detroiters) – with less than $20,000 annual income lived in moderately or severely inadequate housing during 2017. The whitepaper defines "moderately inadequate" and "severely inadequate" housing units using the definitions published by the American Housing Survey.

You need to have a voice as a renter sometimes because you're put in the position that you don't have the money to go up against the person you are renting from. I am the mother of five and the actual threat of being homeless is debilitating. My oldest daughter has graduated now from college. It angers me to no end. Bug problems, no repairs; keep security deposit when I clean the house better than when I moved in and keep your security deposit. Pop up bills you weren't aware of that you had to pay, when you read the lease, it wasn't there.
Congress of Communities focus group

It's a painful piece of knowing that someone to a certain degree has a level of power over you, keep raising the rent, take rent from $500 to $1000 in the blink of an eye. That should be against the law. It's very, very painful.
Congress of Communities focus group

The prevalence of substandard housing in Detroit is particularly high among Black renter households. Black renters living in inadequate housing outnumber their white counterparts nearly 4 to 1. The history of housing discrimination experienced by Black people in Detroit has contributed significantly to the current substandard housing conditions in Detroit. The options available to most Black people to secure housing have historically been unfavorable, which often forces Black tenants into substandard housing.

People don't understand the assistance programs that are supposed to be here to help literally discriminate more because they know you really need them. It's really messed up.
Congress of Communities focus group

Two evictions on my record and I've never been evicted.
Congress of Communities focus group

I am living in fear that I might be put out. I pay my rent. Section 8 didn't pay their share. **Detroit People's Platform focus group**

If I was a month behind I should have gotten information right then and there. I have been paying my portion of Section 8 rent. DHC did not. I didn't know 'til year later. I got help from Lakeshore. The judge ruled in my favor. **Detroit People's Platform focus group**

Often have people who come to church who have been evicted and wrongfully evicted. Stories are traumatizing. I had assumed that if you went to court you could ask for a lawyer. I didn't realize that it was not a right.

Wisdom Institute & The Women in Ministry & Spirituality focus group

A church member was being evicted, was served the wrong papers. She should not have been put out. She had a lawyer and the bank kept sending letters that she would be evicted. The church picketed the bank. The church positively influenced the situation.

Wisdom Institute & The Women in Ministry & Spirituality focus group

Housing experience has not been good in Detroit —landlord issues, issues with the home, struggle trying to get a place to be told too many kids. Didn't want to take a chance because maybe had past experiences. **Family Interview - Mother of 11, 8 children participated in the family interview**

Need services in the system where we got people helping us and treating us fairly not looking at what we're going through or skin color.

Family Interview - Mother of 11, 8 children participated in the family interview

In some cases, Detroit landlords who do not properly maintain their property attempt to evict their tenants for escrowing rent payments or raising concerns about property conditions. During 2015, most landlords who filed evictions against their tenants were illegally operating their rental units. This is largely a result of the city's failure to enforce rental ordinances. While landlords often argue that Detroit's rental property ordinances are overburdensome, the city maintains its view that the increase in protections for renters is the correct stance, as historically the city has afforded its renters few protections.

Backed up and supported legally it would have felt like I have a voice instead of continuing to fight alone against a major corporation who's just gonna write off some money – they don't care.

Congress of Communities focus group

Sometimes we are so grateful to have a roof over our heads, we allow them to get away with too much.

Detroit People's Platform focus group

When you got money, you got a voice. When I don't have money, things play out different. You have to find a landlord with good intentions who is a good human. You're blessed to come across that.

Detroit People's Platform focus group

I am a retired social worker. A lot of my clients were evicted because the landlord wanted the property back, they would be evicted on a whim. How can I help someone who came to me?

Wisdom Institute & The Women in Ministry & Spirituality combined focus group

Transparency is what's missing. People don't understand and get trampled on.

Better Men Outreach & Eastside Community Network combined focus group

I have moved a lot being a single Mom. I moved based on employment. "Can you be out by this date" even though I was paying my rent. I'm in good Spirit now. I am employed.

Better Men Outreach & Eastside Community Network combined focus group

After I called the news about the top porch falling down and the story got out people offered to help. Some did. **18 year old's interview**

Even though I was renting from him, he had no right to come into my home whenever he felt like it.

Family Interview - Mother of 11, 8 children participated in the family interview

The University of Michigan's Poverty Solutions concluded that physical health and housing are strongly correlated, housing conditions are a strong predictor of mental health, and that inadequate housing exacerbates chronic disease, especially among children. These findings are particularly alarming in the context of Detroit's housing landscape, where substandard living is more common than it is in the majority of the country. A study released by Wayne State University researchers found that older adults who live in Detroit are dying at rates approximately 2.5 times higher than older adults who live in the rest of Michigan. This excess mortality, potentially exacerbated by poor housing conditions, could be one of several factors contributing to the overall population decline in Detroit.

Just the threat of not having a place to rest your head is the worst experience ever.

Congress of Communities focus group

When you ain't got no place to rest your head at night, that is one of the most saddest things on the planet."

Neighborhood Services Organization focus group

To see how discrimination still plays a part in real estate, one of the most important things. To control someone's health, living, control someone's opportunity is a recipe for keeping people in a very trauma induced state. **Congress of Communities focus group**

I've learned to turn this hurt into healing. You are doing the right thing, you are taking care of business. Having a living situation that is stable that is a cure to a whole lot of sadness and pain. How do we get there? How do we repair that pain? **Congress of Communities focus group**

Public housing is anxiety dancing to their music. **Detroit People's Platform**

The struggle is real. It's tough. It's hard as hell. It's real. I was right at the edge. Messy divorce. Ordered to move to Macomb. My rights were taken from me. **Detroit People's Platform focus group**

Mentally, physically depending on God to help me no **Detroit People's Platform focus group**

Thank God for anger management. **Detroit People's Platform focus group**

When I look at the community that our ministry serves, I would put housing stability as work to do. **Wisdom Institute & The Women in Ministry & Spirituality combined focus group**

Housing is at the root of every basic need structure that you look at.

Wisdom Institute & The Women in Ministry & Spirituality combined focus group

Nothing impacts adults more than not being able to take care of yourself and your kids. Worse than living in the shelter, if you can't get into a shelter.

Wisdom Institute & The Women in Ministry & Spirituality combined focus group

Talked down to, felt everyone was against me, didn't trust people, lot of doors being shut, treated really bad. It was really hard.

Family Interview - Mother of 11, 8 children participated in the family interview

Housing is an existential problem that affects all of us.

Wisdom Institute & The Women in Ministry & Spirituality combined focus group

Stability in my head and my heart. I want my children to see there is a door open somewhere. When a door closes another will open somewhere. I have lived pain all my life. I don't want them to feel that pain. I heard one of the greatest persons I have ever known say when asked which place he loved more Atlanta or Detroit. He said the tribe is his home.

Family Interview - Mother of 11, 8 children participated in the family interview

I fought to keep my children off the street. Losing my son has been a struggle. He was hurting. All of us were hurting. People turning their backs on us. I was looking for help to get out of the situation, lessen the load. I was getting really tired. It was too much. No one should have to go through that.

Family Interview - Mother of 11, 8 children participated in the family interview

I didn't have no friends but my adaptation skills grew tremendously as I moved from school to school.

Better Men Outreach & Eastside Community Network combined focus group

I moved every year when I was with my parents. The environment was not suitable.

Better Men Outreach & Eastside Community Network combined focus group

I am 18 years old now. I was displaced from my home not long ago. My grandmother and mom lost our house last June. Low credit. My mom is my grandmother's caregiver. I am caregiver to both.

18 year old's interview

Before I lost my son it was hurting being in Detroit because of the way I was being treated. But I had a lot of support in Detroit. I will stay in Detroit. What I love about the city, I grew up family oriented and think about how it used to be way better than it is now.

Family Interview - Mother of 11, 8 children participated in the family interview

Even though we've been through a lot of stuff, we see other people like us. People go through the same stuff we go through.

Family Interview - Mother of 11, 8 children participated in the family interview

Hard to make and keep friends and not be so hard on myself.

Family Interview - Mother of 11, 8 children participated in the family interview

THERE'S STILL MORE TO SAY

This sections provides qualitative data connected to the themes:

1. **Right to Counsel legislation making a difference for the focus group and interview participants**

2. **Focus group and interview participants willingness to organize around and be active in the pursuit of Right to Counsel legislation**

3. **The opportunity the focus groups and interviews provided for the participants to be heard and feel that their experiences matter.**

The **There's Still More to Say** theme is **bolded** and the subsequent *italicized* text below the theme provides *direct quotes* (qualitative data) from interview and focus group participants.

1) Right to Counsel legislation making a difference for the focus group and interview participants

I didn't know my rights as a tenant. If you don't know, people will take advantage of you.
Better Men Outreach & Eastside Community Network combined focus group

My grandma felt she didn't have no kind of help. Felt stuck. The family became more distant. It affected us as a family because my grandma left for Alabama without saying anything.
Better Men Outreach & Eastside Community Network combined focus group

Lots of people didn't know there was an eviction diversion office that was right across the hall from the judge's chambers. I was referred to it. It was a very positive experience.
Neighborhood Services Organization

All could have been fixed faster with a lawyer….Working now with East Michigan Environmental Council (EMEAC). **18 year old's interview**

If Detroit reformed itself it would be a community, about family and togetherness. Now, you don't see that no more. **Family Interview - Mother of 11, 8 children participated in the family interview**

Having a legal advisor in place, standing with us, fighting for us would be a lot of help. Landlords are ruthless sometimes. Having a lawyer in a couple of situations would have helped a lot. My voice wasn't being heard in court. I needed a lawyer to defend me. [Landlord] took me to court and lied. In one situation, the landlord knew the judge. I felt there was no chance for me.
Family Interview - Mother of 11, 8 children participated in the family interview

It is so important to have a lawyer. Like having tape on your mouth and no voice, now removed. Keep the synergy going.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

When I lost my home, evicted and home taken unjustly they sent me $200 through a court settlement. There was no due process. I had no idea what was going on. It was done all wrong and I didn't know who to go to, what to do….When the home was taken away from me, the renter had to move also. She had 5 children.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

It was the bubble, predatory lending, interest rate exorbitant, banks were cashing in. I didn't know I had any rights. All correspondence was going to the rental home, not to the owner. I read in the paper. The process went right past me. I was treated like I was no one.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

I didn't have enough to retain a lawyer, started calling elected officials who didn't help but gave promises. I was able to get assistance through a personal friend's network, was in touch with the Detroit Housing Coalition. I went to court a lot of times. There was lots of paperwork. It was a long process. I spent 6-7 times in court in that year. Going to court bought me more time, money in escrow.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

2) Focus group and interview participants willingness to organize around and be active in the pursuit of Right to Counsel legislation

I will stay in Detroit and try to make a change; try to help other people in situations.
18 year old's interview

Encouraged by this direction, push, persevere. It is life bringing.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

Keep the synergy going.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

I want to support RTC and organize. This is really something important to me. I meet families everyday who are, to me, round robined because of their eviction or displacement. One or two can help one or two. Every moment starts with a moment. We can get stakeholders to rally around it.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

Detroit is the new Detroit. We have to have a seat at the table, because if we don't we will be fighting for the next several generations to be equally heard. We don't have time to sleep. I am one million percent recommitted to really being part of that and raising little activists is important.
Congress of Communities focus group

I want to learn more about organizing. I am definitely ready to put my activist hat on. This is very personal.
Congress of Communities focus group

3) The opportunity the focus groups and interviews provided for the participants to be heard and feel that their experiences matter.

It was good to be able to talk about this. **Neighborhood Services Organization**

It's a very hard topic to open up to.
Better Men Outreach & Eastside Community Network combined focus group

Everybody deserves respect, dignity, humanity
Neighborhood Services Organization

What is this data going to do? Knowing this gives me more reason to share past experiences.
Wisdom Institute & The Women in Ministry & Spirituality combined focus group

You opened up that we all have a story that is so significant even though the experience made me salty to talk about.
Congress of Communities focus group

Chapter III: The Research, Engagement, and Appreciation Partnership (REAP)

Stout and gbwe came together through an introduction by Tonya Phillips, an attorney who serves as the Public Policy Advisor for Michigan Legal Services and is the Director of Community Partnerships and Development at the Sugar Law Center for Economic and Social Justice. In the initial meetings between Stout and gbwe, discussions focused on the economic trends and complexities of housing in Detroit, Michigan; be it the lack of affordable housing, the gradual and consistent transition of Detroit from a city grounded in home ownership to a majority of the city residents living as renters, or the loss of jobs and shifts in local industries to name a few. It is with these and other housing issues in mind that members of each organization came together and formed a Detroit Research Engagement Appreciation Partnership (REAP).

The primary goal of the Stout *Economic Impact of an Eviction Right to Counsel in Detroit* (Detroit RTC Evaluation), similar to efforts in other major cities, was to **develop a tool** that independently assess the practice as well as the economic costs and benefits of eviction RTC legislation. To complement Stout's analytical methods and evaluation the REAP set out to more fully illuminate the impact eviction, displacement, and housing insecurity had on a community's human condition or an individual's humanity. Thus, the REAP chose to widen the lens purview and broaden the focus to include the narratives which made clear the cost of evictions and housing displacement on the humanity of Detroit's most housing vulnerable residents. It was established that gbwe would consult on the design of the instruments used for interviews and focus groups to ensure racial equity, diversity and inclusion. In turn, gbwe conducted the interviews and focus groups capturing the narratives of Detroit residents' lived experiences of housing insecurity and displacement. More simply put, focus group participants and those individually interviewed were the voices of their own stories.

A secondary goal in writing this report was for it to be more than an informative tool. This report also sets out to offer candid insights and compassionate inspiration to the full breadth of stakeholders in order to potentially accelerate the transformation of the Detroit housing situation from one of crisis to one of stability, void of exploitation, and grounded in equity along with economic and racial justice.

g. bailey winston enterprise (gbwe) is a detroit based independent business operating in the marketplace since 1994; focused on racial justice, equity, gender inclusivity, capacity building, empowerment, and the infusion of grassroot sensibilities

gwendolyn winston specializes in small and large group facilitation, designing and leading racial equity and justice dialogic processes for organization development, civic and community engagement action planning for nonprofit, health, government, academia, social justice initiatives and organizations engaged in community and human renewal and transformation. Art, storytelling, movement, music and the oral tradition show up in her co-facilitated "real time" designs. She creates space for conversations that allow participants to bring their full selves into the room in new ways that gain a fresh perspective with renewed energy.

Winston is a visionary and strategic leader with more than 20 years of accomplished history, she assists diverse communities lead the way--with vision, strategic intentions and strategic execution--with transparency and accountability. She plans and coordinates state, regional and international conferences focused on women and human rights issues; was named woman business owner of distinction by the National Association of Women Business Owners Greater Detroit Chapter, received the Harriet Tubman Award from the National Organization for Women Detroit, and Systems Thinking Recognition from Women's Action for New Direction (WAND) Southeast Michigan. She provides pro-bono grant writing services to grass root and emerging community-based organizations.

Winston is a Fellow of the Michigan Political Leadership Program and a Fellow, Advisor and Lead Facilitator of the Detroit Equity Action Lab (DEAL) program at Wayne State University Law School, Damon J. Keith Center for Civil Rights; and amember of the LEAP Design Team (Leadership Equity Action Practitioners). Gwen Winston earned a Master in Public Administration from Central Michaigan University and Bachelor of Science in Business Education from Wayne State University.

anthony w. dunbar (tony) is an equity, inclusion, and justice thought leader who utilizes a justice framework built upon the core values of *Access, Participation, Empowerment, and Anti-Discrimination*. He applies all aspects of the justice framework to issues related to gender bias, gender identity, racial injustice, sexual choice, economic disparities, and information resources. Tony received his Ph.D. in Information Studies and a Masters in Library and Information Science from UCLA's School of Education & Information Studies.

He holds Masters Degrees in Education with an emphasis in teaching and learning from the University of Utah along with a MA in Communication and Training from Governors State University.

Dr. Dunbar is an Assistant Professor in the School of Information Studies at Dominican University along with being an Adjunct Sociology Professor at Lewis University where he teaches Diversity and Social Justice as well as the introductory course Principle of Sociology Course. Tony has also taught graduate courses at Chicago State University and UCLA along with undergrauate communication courses at Salt Lake Community College.

Tony's insights through his development in the areas of Information, Communication, and Education allows him to assess both apparent needs and hidden issues within any organization seeking shifts as subtle as internal practice enhancements to full culture transformation engagements. He is a (servant) leader capable of creating the strategies, developing the plan(s), and leading the actions of the post assessment phase.

Neil Steinkamp

Managing Director
Transformative Change Consulting

Neil Steinkamp is a Managing Director at Stout and a well-recognized expert and consultant on a range of strategic, corporate, and financial issues for businesses, non-profit organizations and community leaders and their advisors. His work often includes assessments of data reporting, data collection processes, the interpretation or understanding of structured and unstructured data, the review of documents and databases, the development of iterative process improvement strategies, and the creation of data monitoring platforms to facilitate sustained incremental change toward a particular outcome. Mr. Steinkamp also has premier experiencing with housing related issues, including eviction and those related to public housing and its management. He has authored numeruous economic impact studies on providing low-income tenants with attorneys in eviction proceedings, one of which assisted in the passing of New York City's historic right to counsel law. Mr. Steinkamp currently serves as the court-appointed Independent Data Analyst in Baez v. New York City Housing Authority overseeing NYCHA's compliance with the timely remediation of mold and leak work orders.

Mr. Steinkamp also leads Stout's Pro Bono practice. In this capacity, Mr. Steinkamp has been engaged as an independent consultant on numerous social justice matters including financial analyses related to eviction prevention subsidies, analyses of court docket data for eviction cases in several cities throughout the country, data monitoring and data assessments related to public benefits, and analyses of reasonable workloads for attorneys. Mr. Steinkamp has authored numerous impact assessment studies using large complex data sets and data visualization tools for his for-profit and non-profit clients. Neil holds a B.A., Finance, Michigan State University (Magna Cum Laude)

Samantha R. DiDomenico
Certified Public Accountant

Manager

Samantha R. DiDomenico is a Manger in Stout's Transformative Change Consulting Practice providing consulting services to for-profit and non-profit clients in a variety of industries. She has developed expertise in understanding large, complex systems and data sets and their intersection with business and social issues. Samantha's work often includes conducting economic impact assessments, conducting independent research, interpreting and analyzing voluminous data sets, and developing transformative change strategies for her clients.

She has extensive experience related to housing issues, including those related to public housing, housing instability, and representation of low-income tenants in eviction proceedings. Samantha has assisted in housing related analyses in jurisdictions throughout the country including, New York City, Philadelphia, Los Angeles, Newark, Baltimore, Cleveland, Delaware, Detroit, and Chicago. Specifically, she has analyzed court docket data, developed complex models, and applied her financial skills to estimate eviction proceedings.

Furthermore, Samantha has experience leading collaborative settings such as focus groups, which are often a key element of her engagements. Through these interactions, she is able to create an environment where her clients can share their expertise and experiences, which informs her approach to her engagements and ultimately results in the transformative change her clients are seeking. She holds a M.B.A. and a B.B.A. in Accounting, both from Marshall University (Summa Cum Laude)

Chapter IV: Data Gathering Process

Recruiting the Participants

As with most research efforts, the initial planning of the data collection asks, *what data is needed and how best to gather that data?* In addressing the foundational data collection questions, the key considerations are the time available to collect the data, resources to support the data collection, and the data collection instruments.

REAP set an initial goal of conducting 4-5 focus groups consisting of 5-8 participants, an expected range of 20 to 40 focus group participants. In actuality, nine (9) focus groups were held totaling 66 focus group participants. There were also two individual interviews, bringing the total number of qualitative research participants to 68.

An initial assessment of the qualitative data participation analytics reflect multiple occurrences of exceeding baseline expectations. The qualitative research effort resulted in conducting 80% more focus groups than the baseline. Similarly, the total number of actual focus group participants is 65% above the initial goal. While the individual interviews were anticipated the REAP did not set an individual interview benchmark; as such, the interviews are *not* part of the calculation within the focus group participation analytics other than being part of the cumulative total of qualitative research participants.

Snapshot of Qualitative Data: Participation Analytics

Participation Category	Baseline Goals	Actual Participation	Performance Analytics
Number of Focus Groups	4-5	9	80% above target
Total Focus Group Participants	20 - 40	66	65% above target
Individual Interviews	Not Set	2	Not Applicable

During the initial meetings in early February (2021), the REAP created a preliminary timeline to recruit and conduct the focus groups. After developing the timeline Stout provided the gbwe team with a list of 21 stakeholders with whom they had already spoken. These stakeholders represented: city government department directors, analysts, 36th district court personnel; academia; community development organizations and

councils; legal aid organizations; community organizers; the research funder, and others. The contact status of the listed organizations were in one of two dispositions, initial contact or not yet contacted. The gbwe team, subsequently, launched in earnest the focus group recruitment phase in week nine of 2021 (week of February 21). The *"planned"* recruitment period ran from week nine through the end of week 13 (March 27). The planned strategy of a research project often requires adjustments based on unforeseen or unavoidable circumstances. One of those adjustments turned out to be extending the focus recruitment period from the end of week 13 to week 19, which was the last week for conducting focus groups.

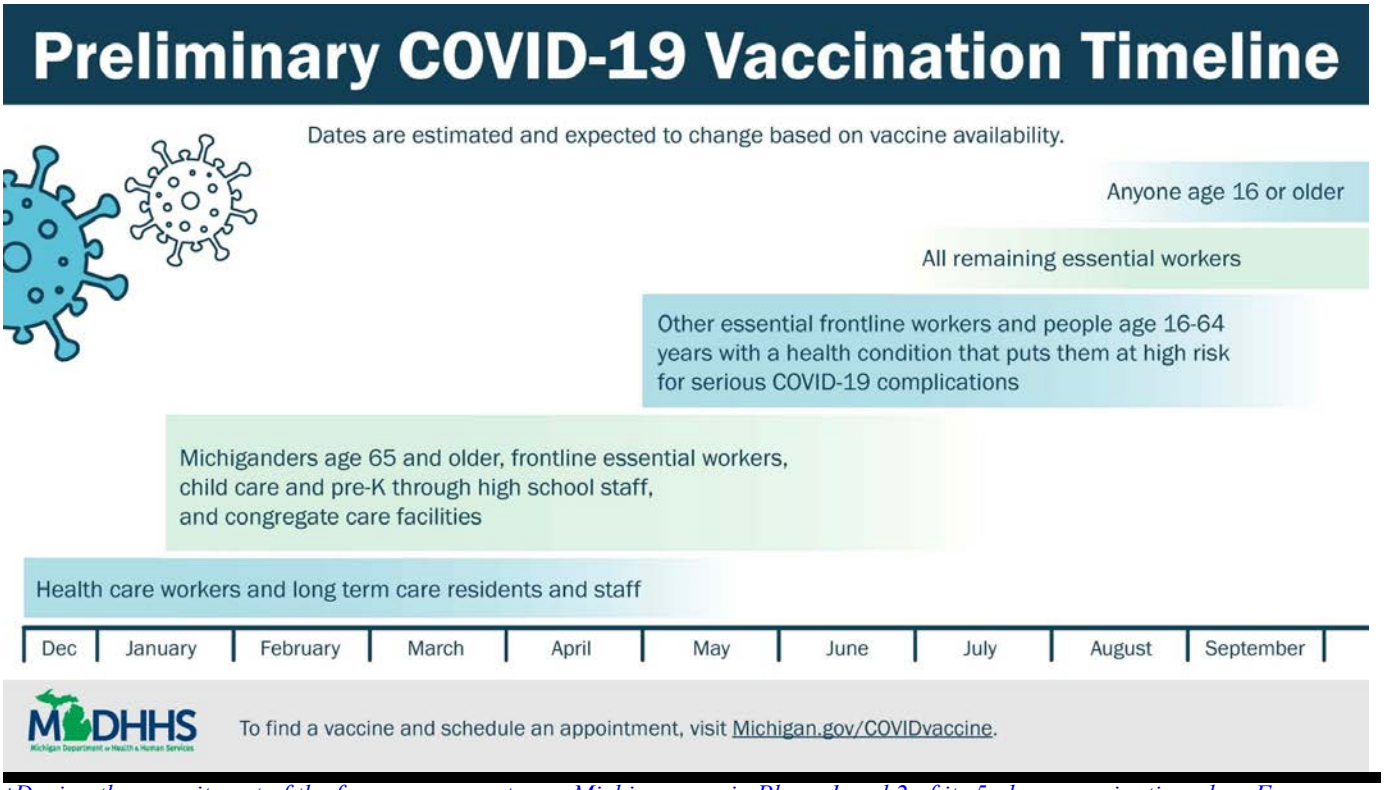
In recruiting participants, outreach to community organizations was made by email, postal delivered letter, and phone. The follow-up and follow-through components of the participation recruitment presented the gbwe team with layers of challenges. While interest was expressed by nearly all the representatives of potential focus group hosting organizations during initial contacts, actually scheduling and executing the focus group sessions became challenging for many reasons. The number of individual solicitation contacts required per potential hosting organization to confirm interest, schedule the session, and execute the data gathering engagement ranged from 4-22 solicitation efforts per potential host. Through extended networking by gbwe, the list of possible collaborative partners expanded to 67 enrolling organizations. More often than not, initial solicitation, follow-up, and follow through efforts resulted in unreachable representatives of potential hosts.

Snapshot of Qualitative Data: Recruitment Analytics

Recruitment Category	**Number of Organization at Handoff (Feb. 2021)**	**Total Number of potential host Organizations contacted**	**Performance Analytics**
Number of Host Organizations Contacted	21	67	46 additional organizations contacted, increasing the potential host population by 220%

Recruitment Category	**Total Number of potential host Organizations contacted**	Actual Focus Conducted through Host Organizations	**Performance Analytics**
Number of Host Organizations Contacted versus Number of Actual Focus Conducted through Host Organizations	67	9	13% of potential contacted organization actually hosted a focus group

There was another unavoidable timing consideration in planning and conducting the focus groups and interviews during the first two quarters of 2021. The global pandemic affected the research setting and served as a high impact independent variable. The data collection period ran parallel to the first three phases of Michigan's statewide vaccination effort.



**During the recruitment of the focus group partners, Michigan was in Phase 1 and 2 of its 5 phase vaccination plan. From February through the end of April.*

As such, the gbwe team put in place two modes for capturing the data: online or onsite. The online capture tool of choice was the Zoom video conferencing platform and the onsite capture instrument was a digital audio recorder with a six microphone input capability.

The data collection settings included 3 onsite focus groups and 2 onsite interviews for a total of 5 face-to-face engagements. All sessions were recorded with permission for note taking purposes. Recordings were offered and available to focus group host organizations. One host organization requested the recording of their hosted engagement which was provided.

Snapshot of Qualitative Data: Research Setting Analytics

Participation Category	Online	Onsite	Total
Number of Focus Groups	6	3	9
Individual Interviews	1	1	2
Total Engagements	7	4	11

The online focus groups via Zoom were susceptible to the same occasional technological challenges any other video conference event experiences:

- Connectivity challenges, such as internet bandwidth and/or Wi-Fi availability
- Focus group participant's technological skill level and familiarity with Zoom menu and features
- Challenges with the range of (mobile and desktop) devices used to participate in the online Zoom sessions and if devices were current with software updates

The pandemic impacted the onsite sessions as well. Each onsite session required some basic safety guidelines such as requiring face coverings, maintaining reasonable social distances, and sanitizing the microphones between uses. Sessions with more than 5 participants required some individual focus group members to share microphones in pairs, which was placed between the participants. In those instances, the participant who wanted to share pulled the microphone in front of them while speaking and returned the microphone to the midpoint when comments were completed.

Prior to conducting the focus groups and interviews the gbwe team developed a focus group content engagement approach, which was made available to participants either prior to the focus group session or on the day of the session prior to recording. The gbwe team was committed to each focus group engagement being more relational than transactional. More specifically, it was important for each focus group participant and interviewee to know that we understood the value of their lived experiences and; in turn, the gbwe team also fully acknowledged that every participant sharing a deeply personal aspect of their life story was gifting one of the most intimate and generous acts a human being can offer.

From the Focus Group Frame Document

> *A combination of service and humility are cornerstones for all of the (gbwe) engagement approaches. Those cornerstones will ground the approach and delivery of the advocate organized RTC focus groups that will be part of the Detroit RTC Evaluation. Not only is gathering the data points (participant responses) important; it is equally, if not more important, that each engagement be respectful, safe, and conducted in a thoughtfully curated space. These focus groups addressing the situations of housing instability and displacement are intentionally designed to thoughtfully capture one of humanity's most precious commodities --the lived experience,*

Each session (onsite and online) was scheduled for 90 minutes. This timeframe was established to take into account a number of variables; namely, the range of participants within a session, late arrivals to a session, addressing any technological challenges during the session, the attention span of participants to stay engaged in the session, other time commitments of the participants, along with allowing time for in depth follow up questions. There were a few occasions when the session went beyond the 90 minute point; however, the session that lasted longer than the designated time was less than 10 percent.

Conducting the Focus Groups

To initiate each focus group the session opened with an introductory prompt consisting of seven basic inquiries:

- Name
- Age (Optional):
  - 12 and under
  - 13 -20
  - 21-34
  - 35-49
  - 50-64
  - 65+
- How long have you been in Detroit?
- How long is your current residence?
- Do you rent or own - Apartment / House?
- Current Neighborhood/Community?
- One word/phrase to describe your community?

In responding to the introductory prompt we were able to both develop rapport with the participants and establish the level of stability of their current living situation.

The more substantive data gathering inquiry prompts were within the following context:

CONTEXT – Current living situation (Stability – Landlord)

On a scale from 0 – 10, how stable (or secure) would you consider your current living situation. 0/1(Not at all stable) & 10 (Extremely stable)

FOLLOW-UP - What challenges / situations were you experiencing that may have contributed to your level of housing stability

On a scale from 0 – 10, rate your relationship with either your landlord or mortgage holder - 0 (Extremely poor /Poor Communication/not supportive) & 10 (Excellent / exactly what I need)

FOLLOW-UP - Please share your specifics

CONTEXT – Housing Conditions

On a scale from 0 – 10, How would you describe the conditions in your home? - 0/1 (Extremely poor /multiple repair needs both major or minor) & 10 (Excellent / merely expected upkeep)

FOLLOW-UP - How would you describe the conditions in your home? Have you ever experienced not having heat in the winter, leaks or plumbing issues, water shut off, rodent or vermin infestation, mold or mildew, lead paint, holes in ceilings / walls / floors, sewage issues, etc.?

CONTEXT – Housing Insecurity and Displacement

Is anyone actively in the eviction process?

FOLLOW-UP - If you had an eviction filing against you, how did you learn that an eviction was filed?

CONTEXT – Housing Insecurity and Displacement II (Eviction and the administrative process)

FOLLOW-UP – how were you expecting it to go, or what were your expectations of the administrative legal process?

CONTEXT – Advocacy/Activism/Organizing Interest 1

On a scale from 0 – 10, interest in activism and/organizing toward RTC legislation in Detroit - 0 (Little to no interest) & 10 (Great me interest, sign me up now)

FOLLOW-UP – Advocacy/Activism/Organizing Interest 2 (ENGAGEMENT LEVEL)

I'd rather:

A. SUPPORT Attend rallies and events; share information
B. ORGANIZE Help with planning and governance of groups
C. SUPPORT and ORGANIZE
D. I WILL NEITHER SUPPORT nor ORGANIZE but I will VOTE based on candidates support of RTC
E. NONE of the above

Snapshot of Qualitative Data: Interest In (RTC) Organizing Analytics

Participation Category	Number of Focus Group/Interview Participant Responses	Percentage of the 68 Focus Group/InterviewParticipant
A. SUPPORT Attend rallies and/or events; share information	22	32.4%
B. ORGANIZE help with planning and governance of groups	18	26.5%
C. SUPPORT and ORGANIZE	15	22%
D. I WILL NEITHER SUPPORT nor ORGANIZE but ***I will VOTE*** based on candidates support of RTC	10	14.7%
E. NONE of the above	**3**	**4.4%**
Highly Active Support A, B, and/or C	55	80.9%
Some level of Support A, B, C, and/or D	**65**	**95.6%**

Chapter III's, ***There's Still More to Say*** *section shares some of the actual quotes from the focus group members and interviewees, which are quantitatively reflected in the (above) Interest in Organizing analytics. Additionally, The Interest in Organizing analytics appear to be substantiated by actual organizing efforts after completion of the qualitative data gathering for the QDCR. In Chapter IV, Building Momentum, there is a section (The Momentum Begins) that discusses a well attended Right To Counsel Summit (June 2021) with many of the focus group participants in attendance.*

Chapter V: BUILDING MOMENTUM

In discussing a topic as intricate and delicate as building momentum related to an issue as important and complex as housing displacement transpiring in a city such as Detroit whose housing legacy is both layered and still unfolding, setting the context for the discussion is as essential as the discussion itself. In like manner and consistent with previous discussions in this report, setting the context is necessary before delivering the content.

This chapter, first, is limited in scope to the specific context of efforts pursuing RTC legislation. Thus, this chapter does not, nor does it seek to, establish itself as a definite authority on all the community organization activities nor the even more organic and deeply planted grassroots efforts of individuals or small groups who are committed and fully engaged in bringing security, peace and dignity to housing in Detroit. Second, the chapter is limited to the observations and efforts of the REAP towards developing the Stout *Economic Impact of an Eviction Right to Counsel in Detroit*, which includes the capturing and sharing of the qualitative component.

THE BACKGROUND FOR MOMENTUM

Chapter IV opens with background about the initial momentum toward RTC in 2019 when a group of RTC supporters consisting of civic, corporate, and community organizations initiated efforts for Detroit to join other major US cities in adopting RTC legislation. Unfortunately, the group became dormant during the Governor's COVID shut down.

Subsequent to the REAP formulating in February of 2021, the RTC group reconvened in March 2021. With knowledge that the gbwe team was partnering with the Stout team, gbwe was invited to group meetings, which evolved into a Coalition to participate as observer and committed listener. In its planning process, the REAP completed an internal draft of a relationship-building Tenant Advisory Committee (TAC) development strategy as a component of its focus group framework.

THE MOMENTUM BEGINS

By late June 2021, the RTC Advisory Coalition organized a RTC Summit. The primary goal of the RTC Summit was to take the discussions of the RTC Advisory Coalition out to Detroit residents in an effort to build interest, which is key towards developing the momentum necessary to getting RTC legislation passed by the Detroit City Council.

The June Summit resulted in 125 community members attending via the Zoom video conferencing platform; while another 438 Detroiters were reached on Facebook. As part of the RTC Summit 197 attendees engaged in dialogue about RTC legislation immediately following the conclusion of the RTC Summit. The RTC Summit program included participation of members from RTC focus groups conducted by the gbwe team. Two members of the REAP, Gwen Winston and Neil Steinkamp, were presenters during the program. The Summit was a tremendous first step for activating the grassroots excitement towards a vibrant Detroit RTC movement.

What has emerged after the summit, and in the wake of the federal eviction moratorium sun setting, is the activist organizing grassroot-led Keep Detroiters in Their Homes project that expands ongoing work of tenants/renters, Detroit residents; nonprofit and legal aid organizations; landlords; government leaders and court officials, to keep Detroiters in their homes.

THE MOMENTUM CONTINUES

At the time this report concludes and is published, the next episode of the building momentum story will still be unfolding. As mentioned in the opening of this Chapter, building momentum is an intricate and delicate process. That momentum building process toward RTC legislation ***has started*** in Detroit, whose housing legacy is quite layered. The path and level of success of the initial momentum has moved from opportunity to possibility.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