

# ONE-MONTH SNAPSHOT

CHARLOTTE - MECKLENBURG EVICTIONS PART 3

RELEASED MAY 2018



This toolkit is designed to help you take the information from the report, Charlotte-Mecklenburg Evictions Part 3: One-month Snapshot of Eviction Court Records, and convert it into action.

Part 3 marks the first time local eviction data from court records has been analyzed and reported in Mecklenburg County. The report provides unique details of eviction cases in small claims court that occurred during July 2016, which show how and why tenants are being evicted and the cost of evictions for landlords and tenants.

The UNC Charlotte Urban Institute prepared the report as part of the Housing Instability and Homelessness Report Series funded by Mecklenburg County Community Support Services.

## THE HOW & WHY OF LOCAL EVICTIONS

Eviictions can be formal or informal. Formal evictions involve a legal process in which landlords attempt to regain possession of a premises from a tenant. Informal evictions happen outside of the court system. Data in the report refer to formal evictions and are likely an undercount of all evictions in Mecklenburg County. [Data in the report are generated from summary ejection case files with a small claims court trial date in July 2016.](#)

### PLAINTIFFS HAVE LEGAL REPRESENTATION

In **82% of eviction cases** filed in July 2016, the plaintiff (landlord) had legal representation.

### TENANTS RARELY APPEAR IN COURT

In **84% of cases that received a judgment to evict**, the tenant was not present at the small claims court trial.

### EVICITION CASES ARE WITH PRIVATE LANDLORDS

**95% of eviction cases** filed in July 2016 were conventional rental agreements.

### MEDIAN RENT OWED FOR EVICTION \$850

Most attempts to evict a tenant were due to **failure to pay rent**. The median amount owed for past due or unpaid rent was **\$850**.

In July 2016 in  
Charlotte-Mecklenburg

**1,940**

EVICITION CASES FILED

**61%**

RECEIVED JUDGMENT  
TO EVICT

# HOW TO REDUCE AND PREVENT EVICTIONS

## **The cost of evictions for families, neighborhoods and the community extends beyond what occurs within the court system.**

Evictions impact the well-being of families and children, create residential instability and perpetuate patterns that lead to disparity rather than upward mobility. In addition to advocating for more affordable housing, below are short-term and long-term broad impact opportunities to make a difference through policy and systems change.

## **LINK SYSTEMS TO PREVENT EVICTIONS & STABILIZE NEIGHBORHOODS**

The loss of housing from an eviction negatively impacts a family even if they do not become homeless in a shelter or on the streets. The cost to provide shelter and to re-house a family once homeless is expensive. It is important to view homelessness assistance and eviction prevention as interventions along a continuum from homelessness to housing instability.



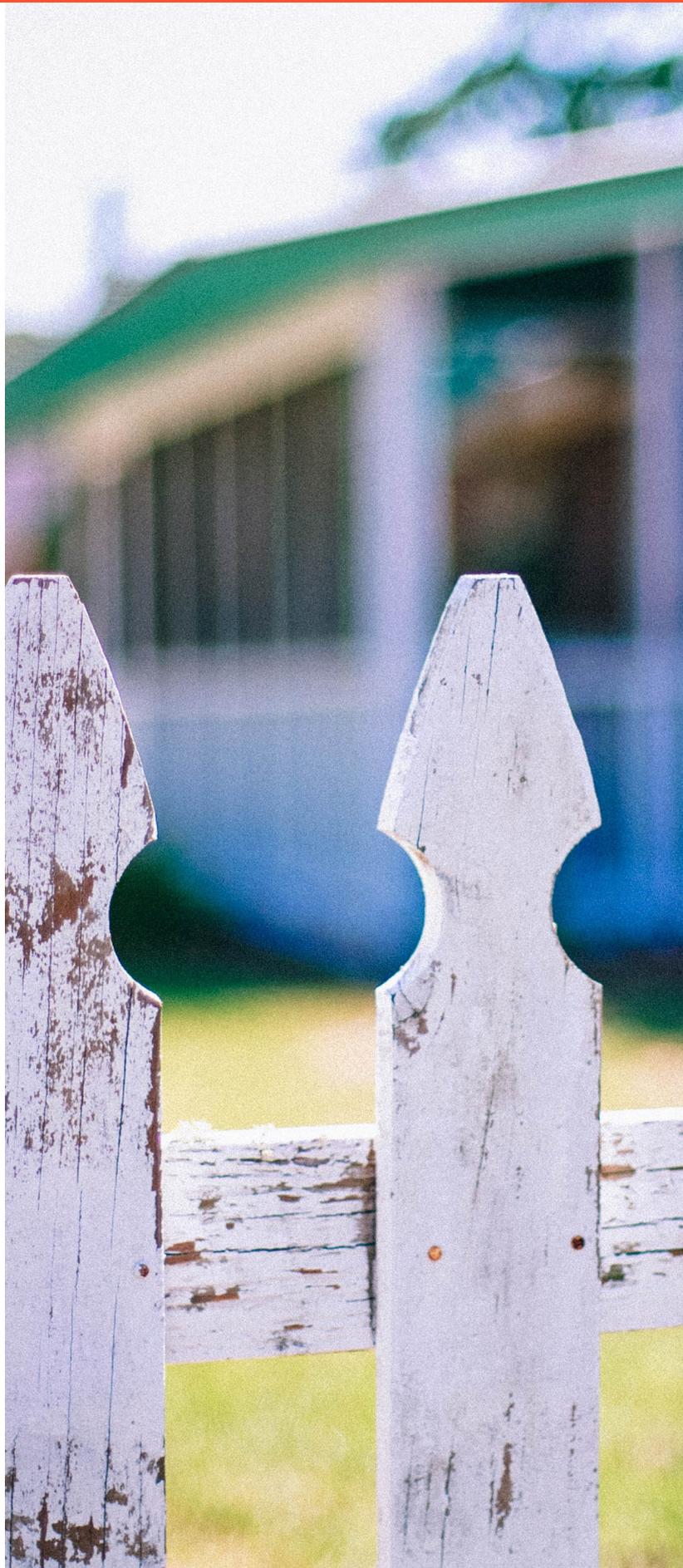
## **ADVOCATE FOR POLICIES THAT INCREASE ACCESS TO LEGAL REPRESENTATION & REDUCE BARRIERS TO HOUSING**

Most landlords have legal representation and most tenants do not. A single eviction filing can prevent a family from obtaining future housing. It is critical to create policies that level the playing field for tenants.



## **PROMOTE OPPORTUNITIES TO STRENGTHEN TENANT- LANDLORD RELATIONSHIPS**

The legal process is difficult to navigate for landlords and tenants and many are not aware of their rights and responsibilities. Education, mediation and increased resources to support landlords and tenants are key to creating lasting change.





# LINK SYSTEMS TO PREVENT EVICTIONS & STABILIZE NEIGHBORHOODS

## LEVERAGE EXISTING SYSTEMS TO PROVIDE LEGAL, FINANCIAL & SUPPORTIVE SERVICES

Montgomery, Pennsylvania launched an eviction prevention pilot in 2018 that provides court-based eviction prevention and legal advice coupled with long-term financial assistance and supportive services to prevent future evictions. The project utilizes the housing concepts of progressive engagement and Housing First. Staff across service sectors participate in training on evictions. Partners include Legal Aid, Bar Association and Social Services.

To learn more, visit [YourWayHome.org](https://YourWayHome.org)

## HOLISTIC, COMMUNITY REDEVELOPMENT APPROACH THAT PROMOTES OPPORTUNITY

Renaissance West Community Initiative (RWCI) is a local, holistic model that provides mixed-income housing, case management services cradle-to-career educational opportunities, youth and adult development programs, jobs and job training, wellness programs, transportation access and recreational opportunities. This model helps prevent evictions for residents while simultaneously tackling the the complex system issues that contribute to evictions.

To learn more, visit [RWCI.org](https://RWCI.org)

## TWO-GENERATIONAL APPROACH THAT SUPPORTS SCHOOL SUCCESS & HOUSING STABILITY

The Siemer Institute for Family Stability partners with United Way in communities across the United States to fund housing and educational supports, which reduces housing instability and prevents evictions for families with school-aged children. Since 2011, the Siemer Institute has helped over 30,000 families and 60,000 children, including in Mecklenburg County in partnership with United Way of Central Carolinas.

To learn more, visit [FamilyStability.org](https://FamilyStability.org)



# ADVOCATE FOR POLICIES THAT INCREASE ACCESS TO LEGAL REPRESENTATION & REDUCE BARRIERS TO HOUSING

## PROVIDE ACCESS TO LEGAL REPRESENTATION & ADVICE

In 2017, New York City became the first city to guarantee legal representation in eviction proceedings and other cities including Baltimore, Washington, D.C., Denver and Philadelphia are considering doing the same. In Boston, lawyers volunteer their time for one day in housing court, providing pro bono services for tenants facing eviction. Other communities have stationed free eviction prevention resources at eviction court to assist tenants and landlords who do not have legal representation.

## START A PRE-COMPLAINT RESOLUTION PROCESS

In Philadelphia, a Task Force on Eviction Prevention and Response including planning officials, researchers, lawyers, landlords, and tenant advocates released 17 recommendations to address the local housing crisis. One recommendation is to leverage neighborhood relations resources to create a space for landlords and tenants to negotiate repayment of rent outside of the court process which reduces added legal costs and court resources.

## ADVOCATE FOR POLICY THAT REDUCES BARRIERS TO HOUSING

In North Carolina, tenants whose landlords provide them the opportunity to "pay and stay" prior to a judgment are erroneously assumed to have been evicted. This is because the eviction filing shows up on the rental history even if the tenant is not formally evicted which can serve as a barrier to obtain future housing. By pursuing a legislative change and trying to make positive modifications to the eviction process, the system can work more effectively for both displaced tenants, who benefit from an accurate record of their actual eviction history, and landlords, who would receive higher quality screening results from accurate records of applicants' actual eviction histories.



# PROMOTE POLICIES THAT SUPPORT STRONG TENANT - LANDLORD RELATIONSHIPS

In **Evicted: Poverty and Profit in the American City**, Matthew Desmond illustrates the cause and effect of evictions through the lives of tenants and landlords in two communities. Desmond's work weaves together the systemic issues and individual circumstances that contribute to evictions while also shedding light on the complex relationship that exists between landlords and tenants. This relationship, Desmond writes, is integral to understanding the problems that cause evictions and perpetuate poverty. **Strong landlord-tenant relationships can also lay the foundation for solutions that can bring real change.**

## ADOPT A LOCAL TENANT - LANDLORD RELATIONSHIP BILL OF RIGHTS

Local communities can adopt a local Bill of Rights that integrates the needs and rights of tenants and landlords, including access to quality, affordable, safe housing, access to legal representation, education on rights and responsibilities, and housing policy and court processes that support landlords and tenants.

# WHAT IT TAKES

**Evictions rest at the heart of homelessness, housing instability, and housing stability.**

New information continues to be released on the prevalence, cause and cost of evictions across the United States. Most recently, The Eviction Lab at Princeton University (EvictionLab.org) released the first nationwide database of evictions. Charlotte ranks 21 out of 100 large cities in the United States for the highest rate of evictions in 2016. This number does not include informal evictions that occur outside of the court system. Informal evictions can include when a landlord defaults on their mortgage or increases rent resulting in tenant displacement, or when a property is demolished for redevelopment.

As new information on the problem of evictions continues to enter the public dialogue, recommendations for solutions that target short and long term impact including those highlighted in this toolkit have been shared in communities across the United States. Some solutions have been evaluated and proven effective while others offer new, innovative practices that can be integrated into existing local programs and systems.

## So, What?

**Political will** exists when there is a sufficient set of decision-makers who share a common understanding of a particular problem and are committed to supporting a commonly perceived, potentially effective policy solution.

**Decision-makers in Mecklenburg County have the opportunity to address the consequences of the past or perpetuate and pay for mistakes in the future. Are you a landlord? Tenant? Funder? Housing Provider? Concerned Citizen? What role will you play in shaping the future of housing in the community?**

**You can make a difference by sharing or supporting one of the solutions from this toolkit with others in the community, especially decision-makers.** To find out more information or to request assistance with sharing information with others, use the contact information below.



**CONTACT  
INFORMATION**

Courtney Morton, Housing & Homelessness Research Coordinator  
Courtney.Morton@mecklenburgcountync.gov

