

Losing Home

Evictions in Seattle

The Seattle Women's Commission and the Housing Justice Project

Seattle Women's Commission

The Seattle Women's Commission advises the Mayor, City Council and city departments on issues that impact the women of Seattle. The Commission identifies areas of concern and recommends policy and legislation, provides feedback and opinion on issues of city and state budget, and acts as a liaison between the women of Seattle and City government. The Equitable Development Subcommittee's mission is to identify and address barriers to shelter and housing and to support safe, affordable, accessible housing and transit options for women and families in Seattle.

Housing Justice Project

The Housing Justice Project (HJP) is a homelessness prevention program of the King County Bar Association providing accessible volunteer-based legal services for low-income tenants facing eviction in King County.

Overview of the Study

- Manual review of all 1,218 residential eviction actions filed in Seattle in 2017
- Surveys and interviews of tenants during 2018
- Interviews with homeless prevention providers
- Cross-reference of evictions with Medical Examiner's records
- Examination of Department of Construction and Inspection records regarding code violations
- Research began in January 2018.

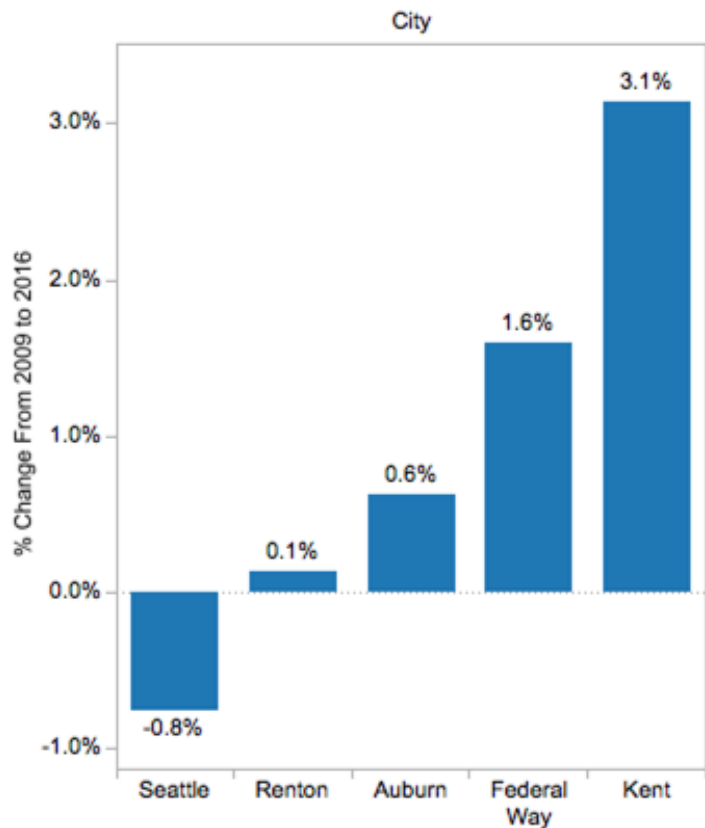
**What is the
eviction process in
WA?**

**Who gets evicted
in Seattle?**

Women

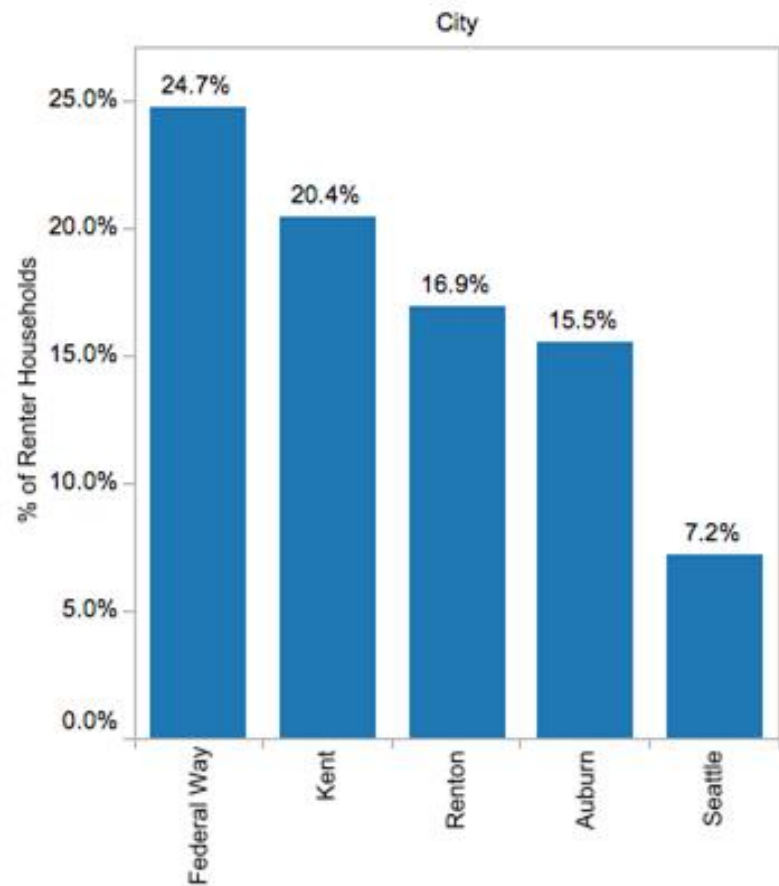
- Women were more likely to be evicted over small amounts of money: of single-tenant household cases where a tenant owed \$100.00 or less, 81% were women.
- Among women, women of color were more likely to be evicted than white women.
- Women represented a smaller portion of tenants - likely because they represent a smaller number of tenants in the city

Percentage Change of Female-Led Renter Households From 2009 to 2016



Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates / U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates

Percentage of Female-Led Renter Households



Source: U.S. Census Bureau, 2016 American Community Survey 1-Year Estimates

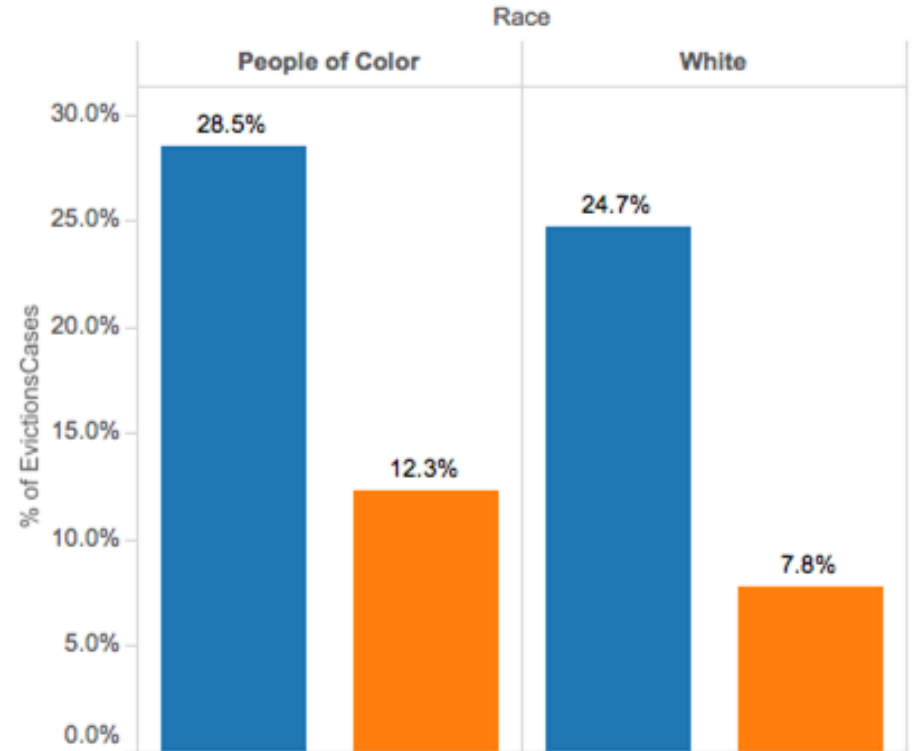
People of Color

- People of color represented the majority of the tenants
- Black tenants, who represented 31.2% of tenants with eviction filed against them, faced the greatest disproportionality, experiencing eviction at a rate 4.5 times what would be expected based on their demographics in Seattle.
- People of color were more likely to be evicted for smaller amounts of money

Less than \$1,000 Rent Owed in Eviction Filings by Race

Legend

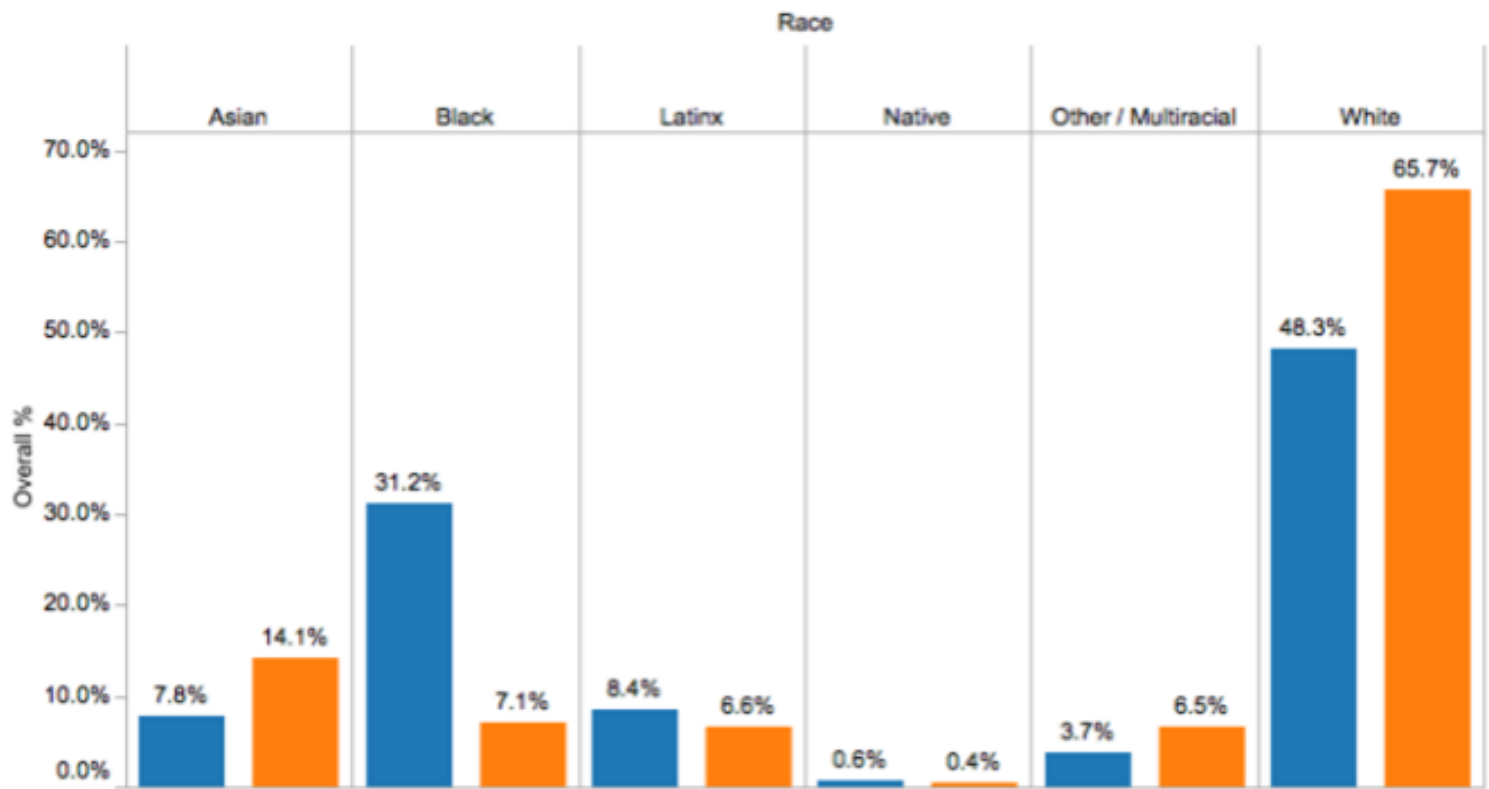
- Less than \$1,000 Rent Owed
- Less than \$500 Rent Owed



Source: 2017 Seattle Unlawful Detainer Cases

Comparison of Tenants in 2017 Eviction Filings and Seattle Population by Race

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■ Tenants in 2017 Eviction Cases
■ Seattle Population



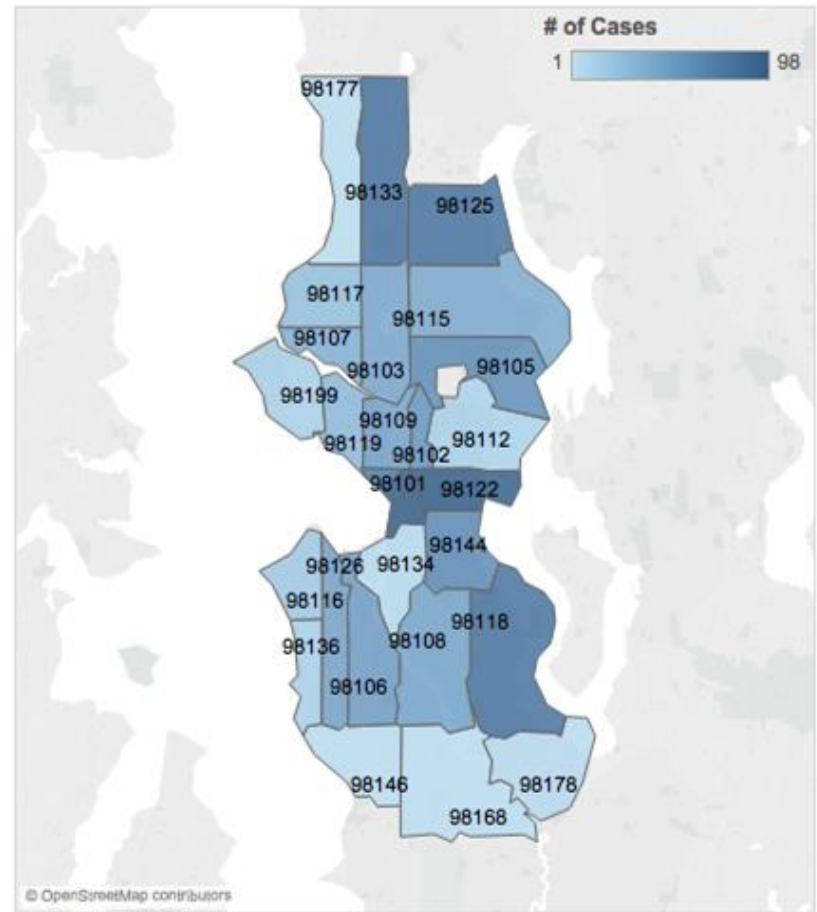
Source: 2017 Seattle Unlawful Detainers and U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

**Where are tenants
evicted from?**

By Zip Code

98122 and 98104 saw the most evictions of any zip code in Seattle (16.0% combined).

These zip codes also had the greatest increase in the proportion of white residents from 2011 to 2016 (a 5.2% and 3.5% increase, respectively).



Source: 2017 Seattle Unlawful Detainers

Note: Some of the zip codes at the south and north end of the city overlap the surrounding cities, which is why this graph does not reflect the city limits of Seattle.

5% of cases were from a building in which at least one landlord-tenant violation had been found.

**Why are tenants
evicted?**

Reasons for Eviction

- Nonpayment of rent (1,035 cases / 86.5%)
- Lease Violation (98 cases / 8.0%)
- Mutual Termination (28 cases / 2.3%)
- Non-rent Charges (16 cases / 1.3%)
- No-cause Termination (12 cases / 1.0%)
- Other (11 cases / 0.9%)

52.3%

**of nonpayment of rent cases were
for a month or less in rent**

19 II

20 The rent for the premises is \$1,050.00 per month, or \$35.00 per day payable in advance, and
21 defendant(s) is/are in actual possession of the premises. The rental agreement provides for late charges if rent is
not paid by the due date.

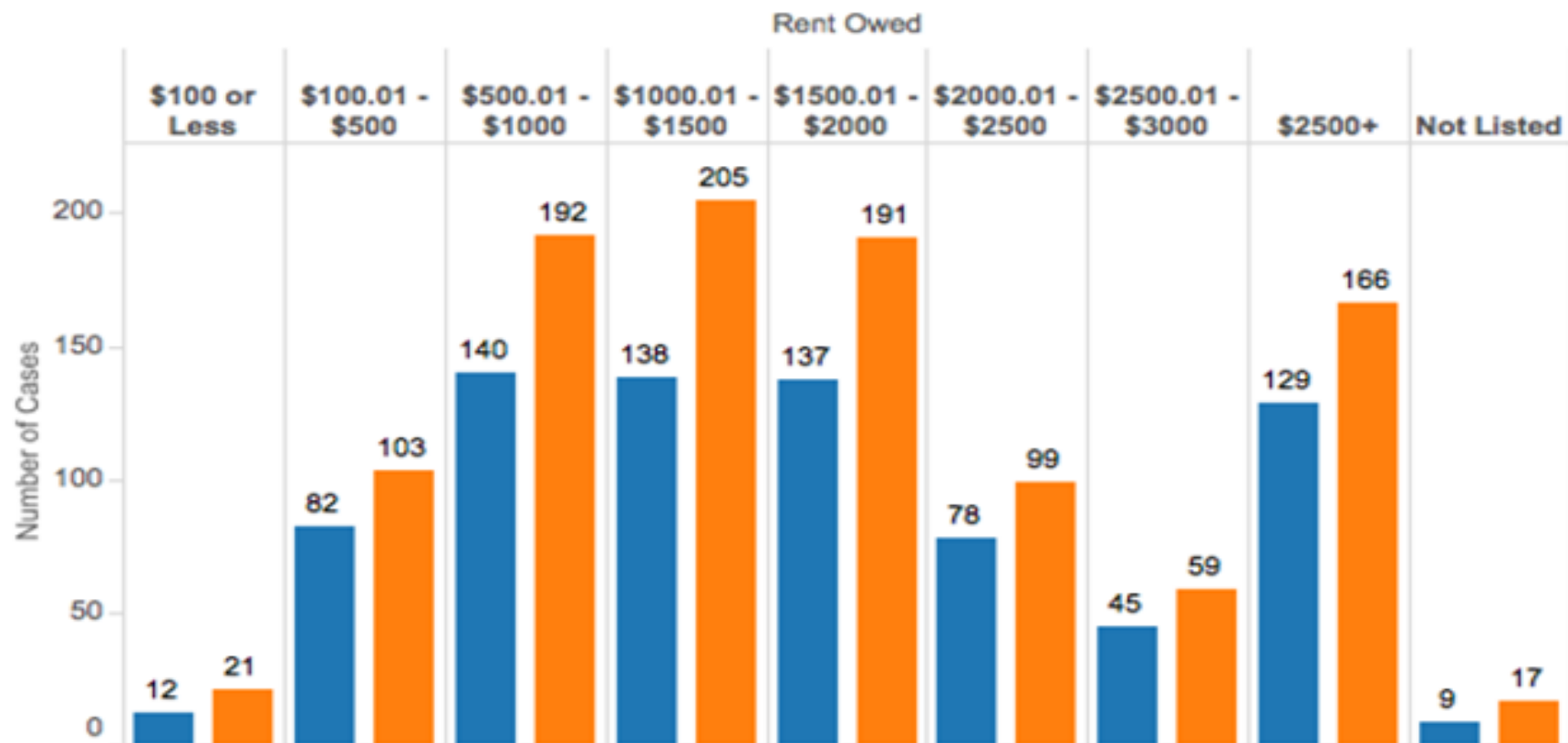
22 III

23 A Three Day Notice to Pay Rent or Vacate, for rent in the amount of \$15.67 was served on the
24 defendant(s) on August 13, 2018.
25

Nonpayment of Rent Cases by Amount Owed and Evicted Households

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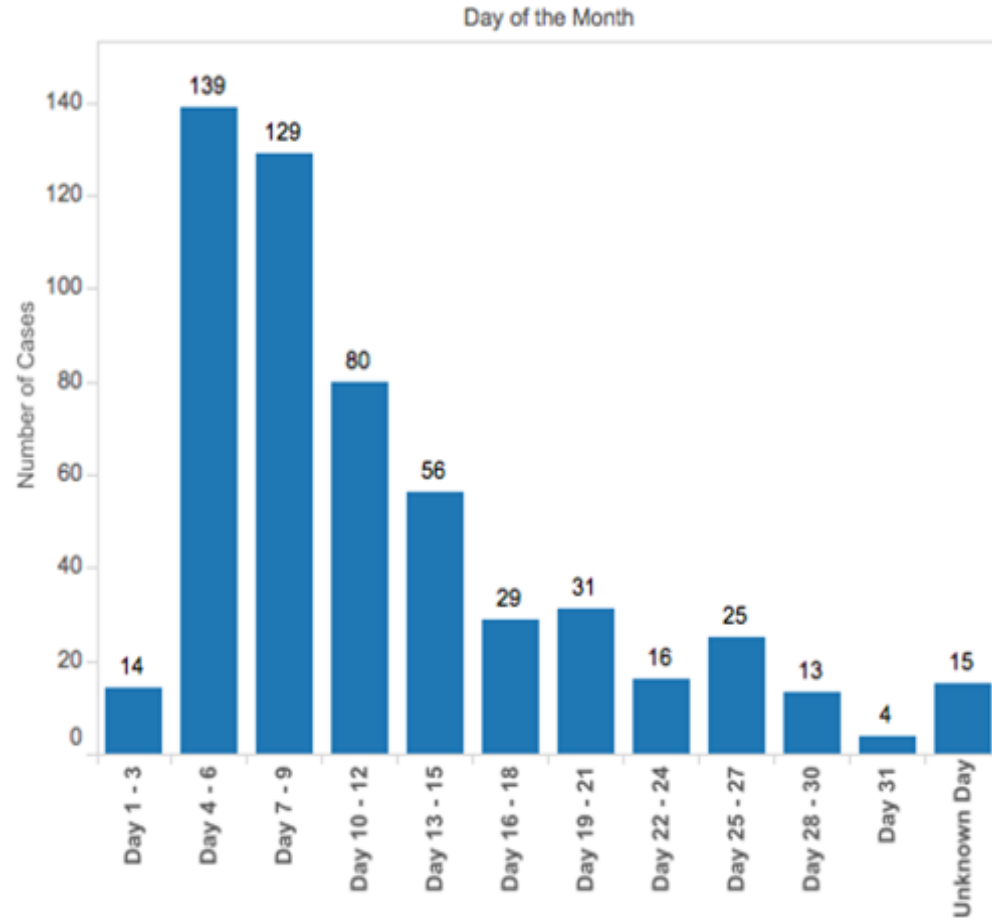
- Evicted Households
- Number of Cases



Day of the Month Notice Served in Nonpayment Cases 1 Month of Rent or Less Owed

Tight Timelines

If a tenant fell behind on rent due to an emergency, there was little time to catch up before the eviction process started.

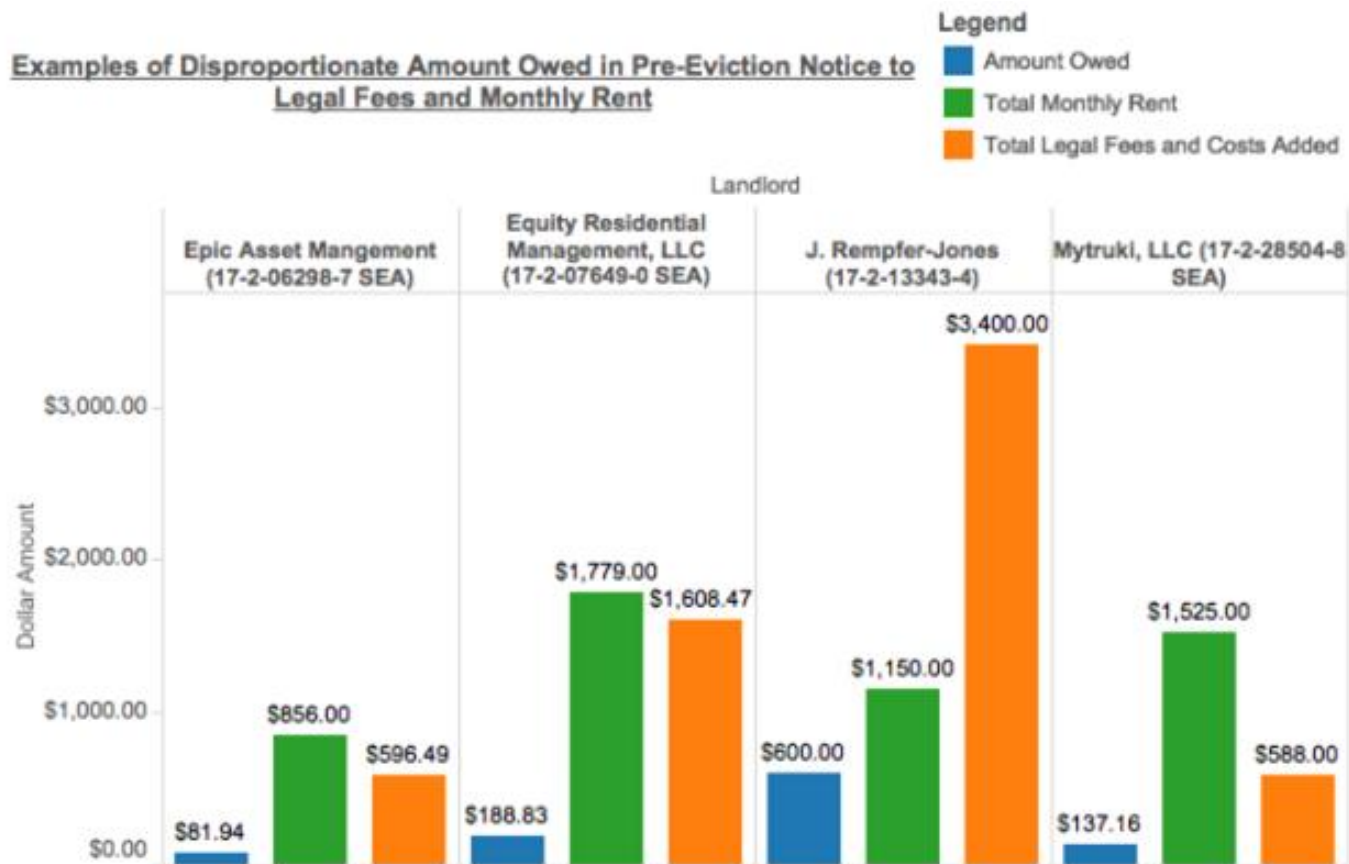


Attorney's fees were charged to tenants in **90.6%** of cases, with a median charge of **\$416.19**.

Court costs were charged in **92.2%** of cases, with a median charge of **\$358.98**.

**Legal costs could
even exceed the
rent owed.**

Examples of Disproportionate Amount Owed in Pre-Eviction Notice to Legal Fees and Monthly Rent



Source: 2017 Seattle Unlawful Detainers

**Why are tenants
falling behind on
rent?**

Temporary unemployment, medical emergency, and a death in the family often contributed to falling behind on rent.

A Federal Reserve Report found that **40%** of Americans could not come up with **\$400** in the event of an emergency.



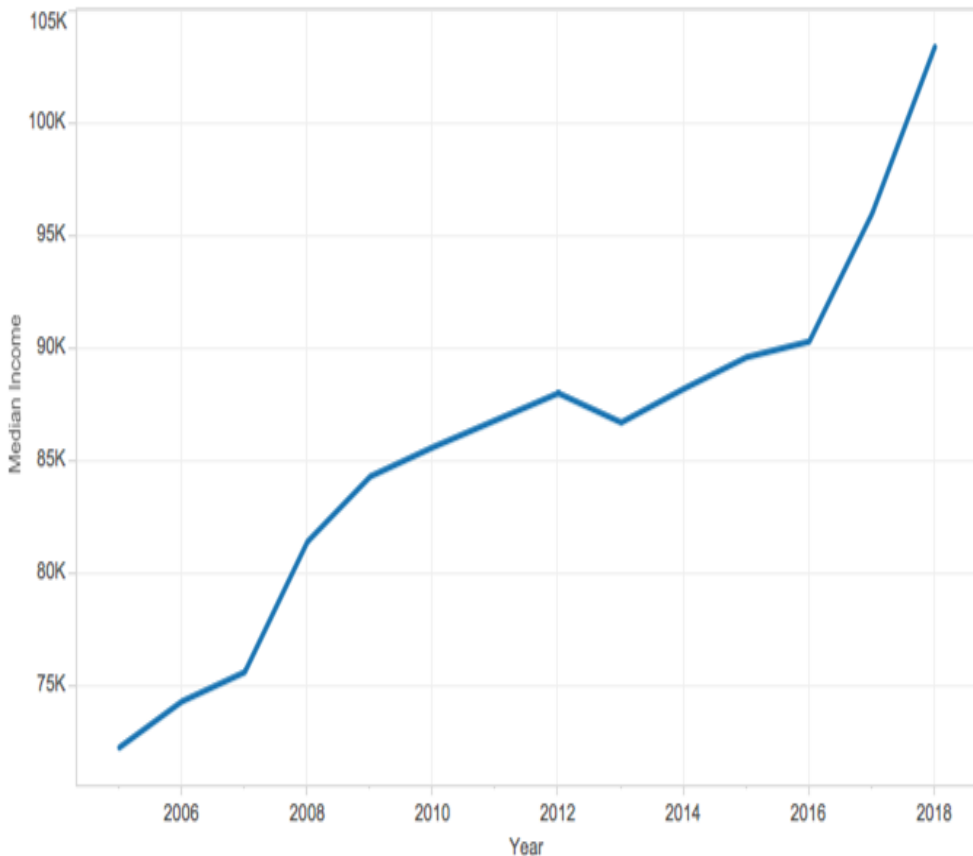
Economic Well-Being of U.S. Households in 2017.
<https://www.federalreserve.gov/publications/files/2017-report-economic-well-being-us-households-201805.pdf>

“I had a significant medical issue that put me in the hospital for 2 weeks at Harborview Medical Center.

Given my very long term tenancy at [rental], and [Property management company's] knowledge of my hospital stay, and ongoing medical issues, I was surprised at how rapidly they moved to eviction...

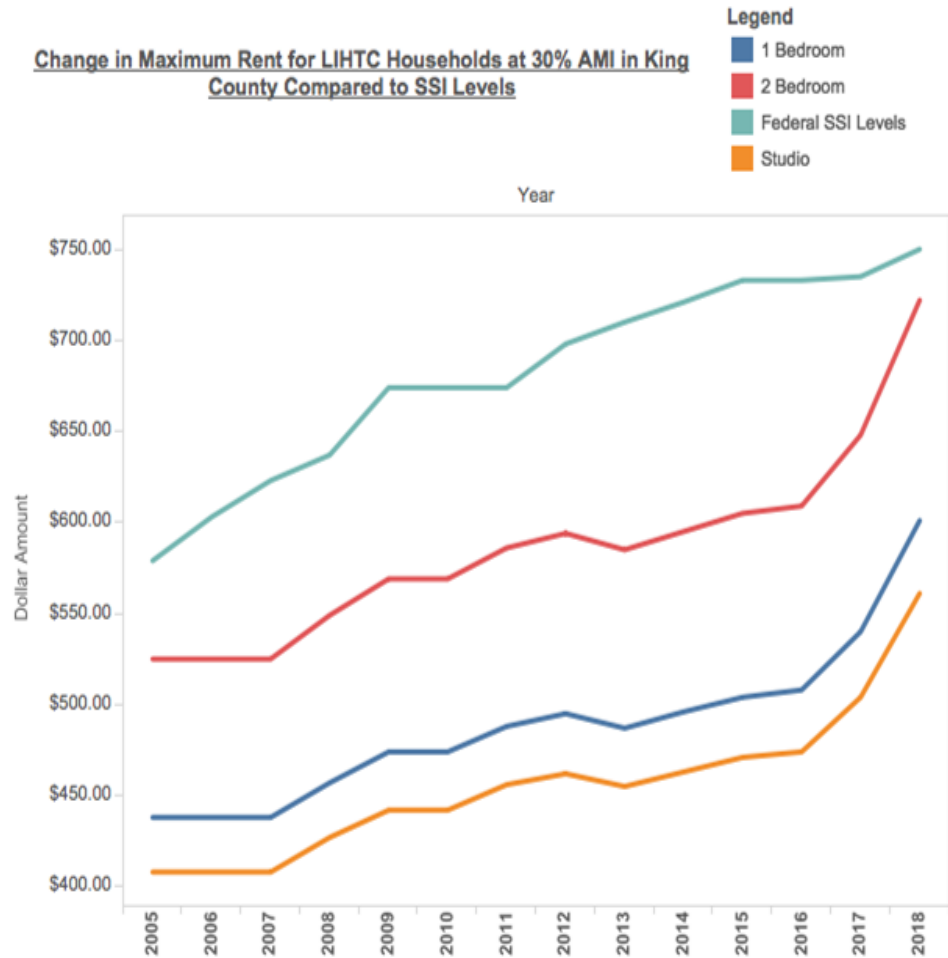
I am currently looking for housing better suited for me, but I am finding it difficult given the housing situation in Seattle.”

King County Median Income By Year



Over the last five years, the King County Area Median Income has increased **19.3%**, rising from **\$86,700** in 2013 to **\$103,400** in 2018.

**Rent is tied to AMI
in Low Income
Housing Tax Credit
Buildings - leading
to drastic rent
increases**



Source: Washington State Housing Finance Commission and U.S. Social Security Administration

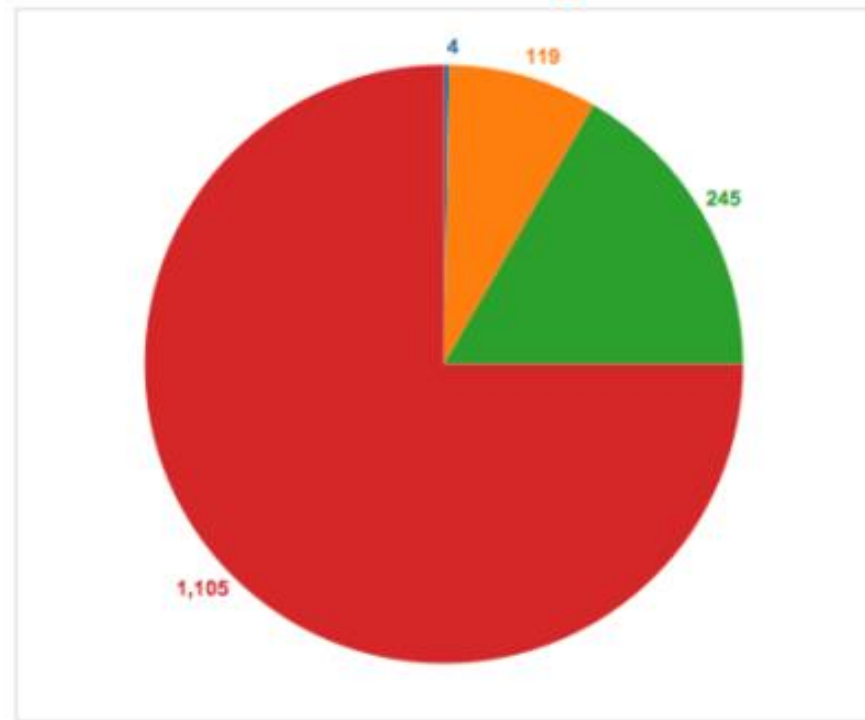
**What are the
outcomes of the
cases?**

Of the 1,473 tenants in the eviction cases, **75%** vacated.

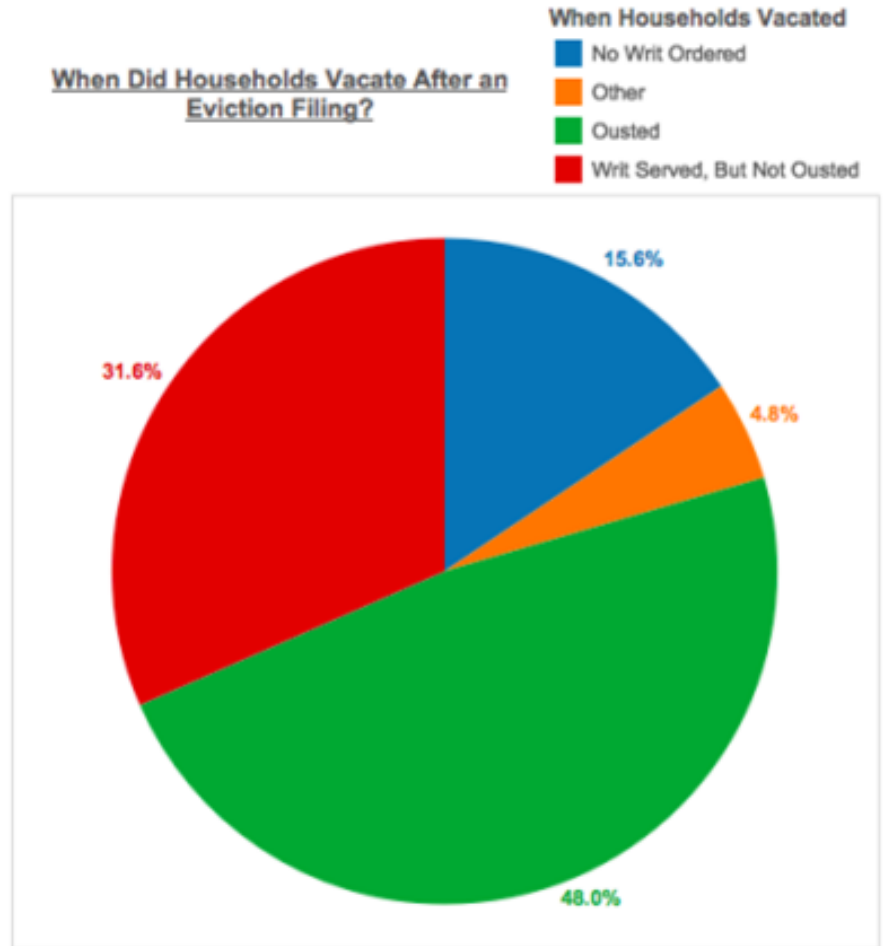
Did Tenants Vacate After Eviction Filed?

Outcome of Eviction

- Died During Eviction Process
- Unclear
- Remained Housed
- Evicted



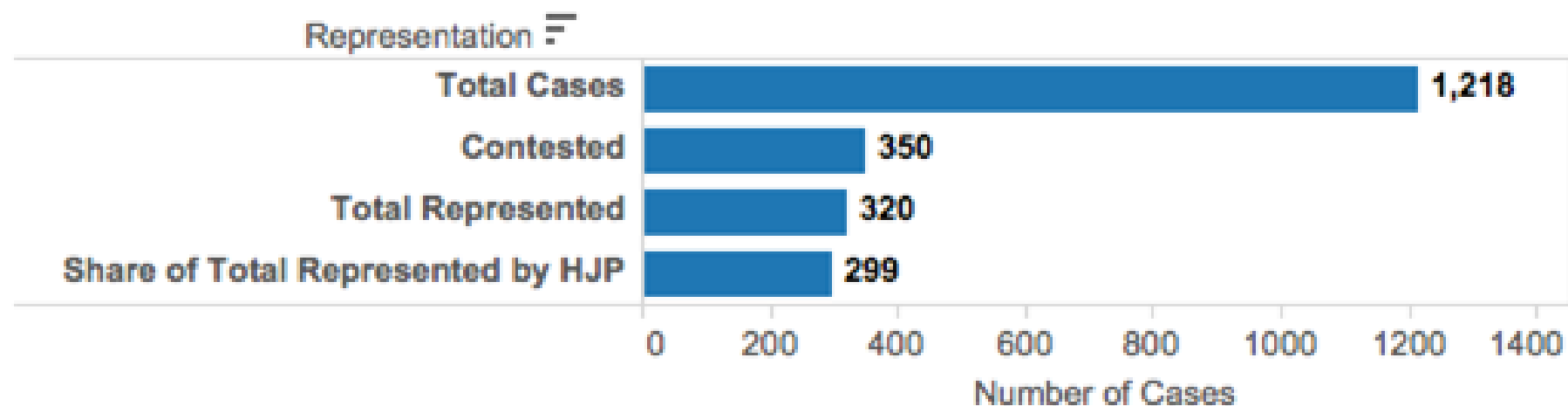
In **47.8%** of cases, a default judgment was issued.



Source: 2017 Seattle Unlawful Detainers

**What was the
impact of legal
counsel?**

Comparison of Total Cases to Those Where the Tenant Contested the Matter with Whether the Tenant Received Legal Representation



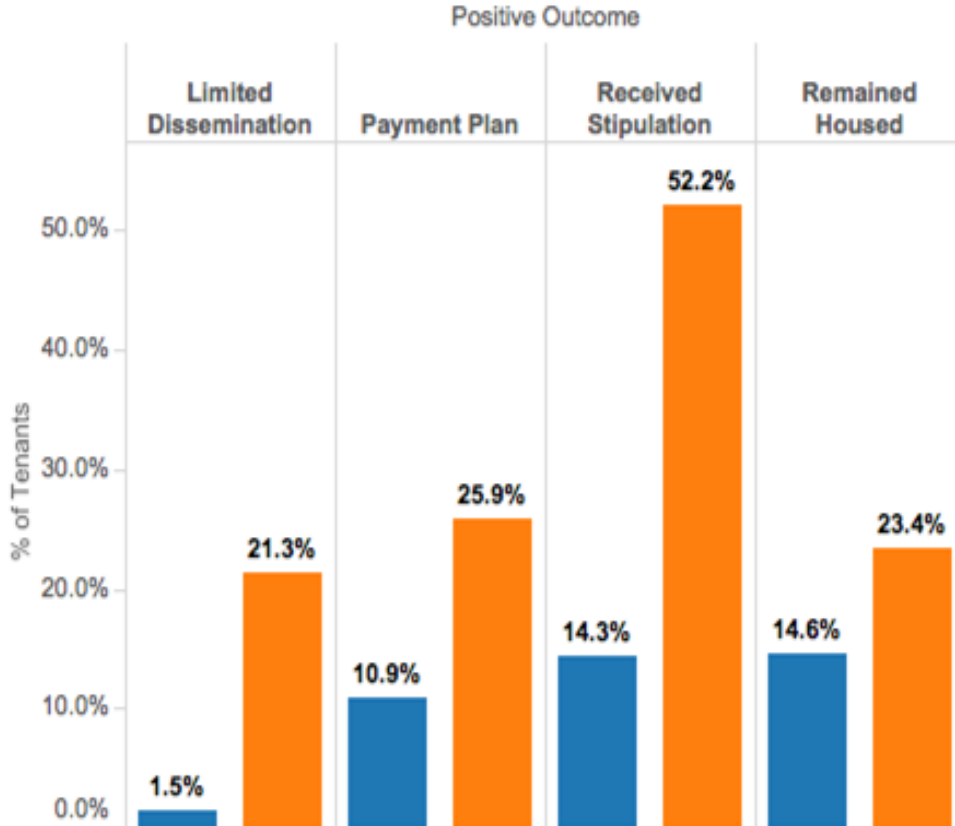
Source: 2017 Seattle Unlawful Detainers

Comparison of Positive Outcomes
Between Pro Se and Represented Tenants

Legend

■ Pro Se

■ Represented by Counsel



Tenants with representation fared better than those without.

**What happens
to tenants after
they are
evicted?**

“I’m finding myself in shady positions because I’m trying to find somewhere I can afford that avoids background checks because of the eviction. I’m ending up in situations that may either be illegal or I’m getting taken advantage of.”

Health and Education

- **Eviction negatively impacted tenants' health**
 - 36.7% of survey respondents reported experiencing stress
 - 8.3% experienced increased or newly onset depression, anxiety or insomnia caused by eviction
 - 5.0% developed a heart condition they believed to be connected to their housing situation
- **Eviction hurt children's education outcomes**
 - 85.7% of evicted respondents with school-age children said their children had to move schools
 - 87.5% of children reported their children's school performance suffered "very much" because of the eviction

Out of the 1,218 eviction cases, at least **six tenants died** either during the process or soon thereafter. Four of those individuals died by suicide.

Housing

- **Most evicted respondents became homeless after the eviction**
 - 37.5% were completely unsheltered
 - 25.0% were living in a shelter or transitional housing
 - 25.0% were staying with family or friends
- **Only 12.5% of evicted respondents found another rental**
- **43.5% of evicted respondents had to leave the city as a result of the eviction**

Policy

Recommendations

Make it Possible to Pay Rent

- Require Landlords to Offer Payment Plans
- Increase Time Period to Cure Nonpayment of Rent
- Increase Subsidies to Tenants At Risk of Eviction
- Centralize the Process for Obtaining Assistance In One Place
- Build More Housing for Low- and No-Income Residents, Especially Families

Improve the Landlord-Tenant Relationship

- Expand Cohabiting Rights to Help Address Affordability
- Curb Abuses of Mutual Termination Agreements
- Restrict Landlord Ability to Bring Eviction Actions for Minor Lease Violations and Limit Lease Changes
- Strengthen Just Cause Eviction Ordinance
- Prevent Evictions from Substandard Properties

Rebalance the Scales of Justice

- Increase Coordinated Funds for Legal Defense and Tenant Outreach Funds
- Provide Funding for an Eligible Guardian Ad Litem or Appointment of Counsel
- Create a Legal Path for Tenants to Enforce their Rights in Court
- Require Service of Information about Resources to be included on Legal Forms
- Provide Courts with More Flexibility When Determining if an Eviction is Warranted
- Limit Non-Rent Charges and the Imposition of Attorney's Fees
- Expand Courthouse-Based Resources to Include Social Services and Financial Assistance
- Limit Reporting of Landlord-Tenant Debt Unless Reduced to Judgment

Questions?

**Thank
You**