

U.S. Eviction Filing Patterns in 2020

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Abstract

The coronavirus pandemic precipitated an economic crisis disproportionately affecting renter households. Attempting to prevent a surge in evictions, policy makers at the federal, state, and local levels extended emergency protections to renters. The authors describe eviction filing patterns in 2020 and analyze the efficacy of eviction moratoria. New filings were reduced dramatically since the start of the pandemic. Between March 15 and December 31, 2020, across sites for which data are available, 65 percent fewer eviction cases were filed than would be expected in a typical year. Extrapolating nationwide, the authors estimate that at least 1.55 million fewer eviction cases were filed in 2020 than in a normal year. The pace at which cases were filed increased in late 2020, however, and the amount of back rent claimed grew considerably. Filing rates exceeded historical averages when protections lapsed. Black and female renters received a disproportionate share of eviction cases filed during the pandemic.

Keywords

eviction, COVID-19, eviction moratorium, racial disparities

The coronavirus (COVID-19) pandemic precipitated an economic crisis in the United States that, as a function of the sectors most severely affected, has had a disproportionate impact on renter households (Airgood-Obrycki and Hermann 2021; Kneebone and Murray 2020). As concern grew that job losses might put a growing number of families at risk for eviction, and recognizing that a spike in evictions would likely exacerbate the spread of COVID-19 (Benfer et al. 2021; Leifheit et al. 2020; Nande et al. 2021), policy makers at the federal, state, and local levels initiated an unprecedented array of interventions intended to support residential stability, including temporary eviction moratoria. These policies varied considerably in terms of what protections were afforded, to whom, and for what duration (Benfer et al. 2021), but at least initially, they shared a common goal: to prevent housing instability during the public health emergency.

This article offers a snapshot of eviction filing patterns in 2020 and a first description of the efficacy of these interventions. We show that new eviction filings were reduced dramatically since the start of the pandemic. Between March 15 and December 31, 2020, across the sites for which we have data, 65 percent fewer eviction cases were filed than would be expected in a typical year. Extrapolating across the country, we estimate that at least 1.55 million fewer eviction cases

were filed in 2020 than in a normal year. However, the pace at which eviction cases were filed increased over the second half of 2020, and the amount of back rent claimed by landlords grew considerably. Consistent with prepandemic trends, Black and female renters received a disproportionate share of these filings.

Data

Our analysis relies on the records of eviction cases filed in civil courts across the United States, as well as data on eviction moratoria at the state, county, and municipal levels (Benfer, Koehler et al. 2020). Court record data were collected through the Eviction Tracking System (ETS), a tool we developed in response to the COVID-19 pandemic

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(Hepburn, Louis, and Desmond 2020a). Until the ETS was launched in June 2020, the United States had no data infrastructure that allowed policy makers, journalists, social service providers, community members, and researchers to track eviction filings in real time. Household mobility data are typically available only with a one- to two-year lag; the federal government does not collect eviction data; and no state reports eviction statistics on a regular, ongoing basis.

The ETS was designed to address this critical gap by collecting case-level data on eviction filings from courts' online record systems. Through the ETS, we observe case numbers, filing dates, plaintiff and defendant names, and addresses associated with eviction filings.¹ In a number of sites we collect additional data, including the amounts of back rent claimed by landlords in their filings. We clean the data, removing duplicate cases and filings against commercial defendants, geocode addresses and associate them with census tracts, and produce weekly counts that feed into the ETS Web site (<https://evictionlab.org/eviction-tracking/>), where we also make aggregate data publicly available for download.

As of the end of 2020, the ETS had collected data from 32 court systems: 5 at the state level (covering 305 counties or county equivalents), 26 at the county level, and 1 at the municipal level. This represents a purposive sample of court systems that met two inclusion criteria. First, the court must make the necessary data available. In most sites, these data were collected from public court Web sites, though in several cases courts share data with us directly (e.g., Maricopa County, Arizona). Not all courts have online records systems that allowed us to scrape the necessary data. Many have no online presence whatsoever, paywalls and other forms of restricted access are common, and few courts proactively shared data. Second, we must have historical data on eviction filings in the site. Historical data allowed us to establish a baseline of what eviction filings in a given week or month look like in a typical year. These data were either taken from the Eviction Lab's national database (Desmond et al. 2018) or collected directly from the court systems.² We selected

sites to maximize variation across geographic regions, historical eviction patterns, and policy responses to the pandemic. To allow controls on state-level housing policies, we favored adding court systems within the same state. To maximize coverage, we targeted data collection to the largest county or counties in a given metropolitan area.

Table 1 provides a detailed description of ETS coverage. Starting from the state level, we identify the jurisdictions from which we collected data, indicating region of the country, whether ETS coverage was complete or partial for the given state, and whether there was a consistent state-level response to the pandemic. If state-level ETS coverage was incomplete or pandemic response inconsistent, we list key municipal or county jurisdictions. We provide, either for the complete state or the smaller jurisdiction, the historical baseline eviction filing rate, the renter population, the filing fee for an eviction case, and the notice period (if any) that landlords are required to provide tenants prior to filing a case with the court. Using data gathered by Benfer, Koehler et al. (2020), we indicate the earliest state of the eviction process that was halted under the most restrictive state- or county-level eviction moratorium put in place in the jurisdiction, the dates during which these protections were in place, and a listing of any additional protections afforded. We provide additional information in Appendix Table A1.

As Table 1 demonstrates, the ETS provides coverage of a wide variety of jurisdictions. Charleston County, South Carolina, is southern, relatively small, and, thanks to a low filing fee and limited notice requirements, a site of many eviction filings under normal circumstances (historical filing rate of 24.5 percent). By contrast, Boston is northern, is larger, makes eviction relatively more onerous for property managers, and has a much lower baseline filing rate (2.6 percent). We caution that our sample is not designed to provide robust generalizability to the rest of the country. Notably, coverage of western jurisdictions is limited to Maricopa, Arizona, and we do not have coverage of a major jurisdiction that failed to implement any eviction moratorium.

With that being said, the ETS does resemble the nation as a whole in terms of sociodemographic composition and housing market characteristics (Table 2). The United States has 43.5 million renter households; 9 million of those households—approximately one in every five—are in areas covered by the ETS. Median rent in ETS sites is nearly identical to the national average (\$1,131 vs. \$1,122), and the poverty rates in covered areas are slightly above average. ETS sites include more Black and Latinx renting household heads, and fewer who are white or of some other race/ethnicity. Prepandemic eviction filing rates—the number of eviction

¹In four court systems—Allegheny County, Pennsylvania, Travis County, Texas, the state of Virginia, and the five counties that make up New York City—we rely on ZIP codes rather than exact defendant addresses. In New York City, we do not observe defendant names.

²We average across multiple years of historical data for all but one site (Richmond, Virginia), which allows us to produce a more stable baseline. The years used vary across jurisdictions; a full listing is available at <https://evictionlab.org/eviction-tracking/get-the-data/>. Eviction filing patterns tend to be consistent across years (Rutan and Desmond 2021), which gave us confidence in using data as far back as 2012, though we favored using the most recent available data when available. When using data from the Eviction Lab's national database, which is based on data collected from the courts by LexisNexis Risk Solutions, we included county-years only if the total number of filings fell between 87 percent and 114 percent of

the county courts' publicly reported total. For years when county court-level aggregates were not available, we extrapolated the most recently reported total a maximum of two years and applied the same validation range. We excluded county-years for which external validation was not possible.

Table I. ETS Sample Characteristics.

Jurisdiction	Region	ETS Coverage	Consistent Intervention	Baseline Filing Rate (%)	Renter Population	Filing Fee	Notice Period (Days)	Earliest Stage Frozen	Date range of Earliest Stage Frozen	Additional Protections
Arizona Maricopa County	W	Partial	Yes	10.88	587,655	\$119	5	Enforcement	03/24/2020–10/31/2020	Rental assistance
Connecticut	NE	Complete	Yes	4.28	460,240	\$205	12	Filings	04/10/2020–04/20/2021	No utility shutoffs; grace period; no late fees; no reporting to credit bureau; rental assistance
Delaware	S	Complete	Yes	16.96	103,457	\$40	5	Filings	03/24/2020–07/01/2020	No utility shutoffs; no late fees; no rent raise; rental assistance
Florida Alachua County Duval County Hillsborough County Pinellas County	S	Partial	Yes	3.6 7.76 5.25 4.44	42,854 153,499 216,639 139,705	\$185	3	Filings	04/02/2020–07/29/2020	Rental assistance
Indiana	MW	Complete	Yes	8.66	793,086	\$101.38	10	Filings	03/19/2020–08/15/2020	No utility shutoffs; rental assistance
Massachusetts Boston	NE	Partial	Yes	2.6	290,123	\$211	14	Notice	04/20/2020–10/18/2020	No utility shutoffs; no reporting to credit bureau; no late fees; rental assistance
Minnesota	MW	Complete	Yes	2.73	616,511	\$295.51	0	Notice	03/16/2020–03/15/2021	No utility shutoffs; rental assistance
Missouri Jackson County	MW	Complete	No	6.75	794,426	\$62	0	Hearings	03/19/2020–05/31/2020, 1/11/2021–1/24/2021	No utility shutoffs; no late fees
St Louis County						\$36		Hearings	03/19/2020–05/31/2020	None
St Louis City						\$129		Hearings	03/19/2020–07/22/2020	None
New York Richmond County Kings County Queens County New York County Bronx County	NE	Partial	Yes	9.75 9.13 7.55 7.88 20.47	50,313 665,526 431,495 575,184 401,745	\$45	14	Filings	03/22/2020–07/07/2020, 12/28/2020–5/2/2021	No utility shutoffs; no late fees; execution of pre-pandemic writs suspended; rental assistance

(continued)

Table 1. (continued)

Jurisdiction	Region	ETS Coverage	Consistent Intervention	Baseline Filing Rate (%)	Renter Population	Filing Fee	Notice Period (Days)	Earliest Stage Frozen	Date range of Earliest Stage Frozen	Additional Protections
Ohio	MW	Partial	No	9.87	290,123	\$110	3	Filings	03/16/2020–06/15/2020	No utility shutoffs; rental assistance
Cleveland										
Franklin County				7.79	235,187	\$133		Hearings	03/16/2020–06/01/2020	Rental assistance
Hamilton County				8.92	143,539	\$110		Hearings	03/16/2020–06/01/2020	Rental assistance
Pennsylvania	NE	Partial	Yes	7.19	189,760	\$147	10	Notice	03/19/2020–09/01/2020	No utility shutoffs; rental assistance
Allegheny County										
Philadelphia County				7.56	279,681	\$139.75				
South Carolina	S	Partial	Yes			\$30	5	Filings	03/17/2020–05/15/2020	No utility shutoffs; rental assistance
Greenville County				22.84	63,421					
Charleston County				24.53	60,804					
Tennessee	S	Partial	Yes			\$102.50	14	Hearings	03/13/2020–06/01/2020	No utility shutoffs
Shelby County										
Texas	S	Partial	No	17.23	156,381		3	Hearings	03/19/2020–05/19/2020	No utility shutoffs
Tarrant County				10.51	276,285	\$121		Hearings	03/19/2020–05/19/2020	No utility shutoffs; rental assistance
Travis County				4.2	219,276	\$116		Notice	03/19/2020–04/01/2021	No utility shutoffs; rental assistance
Harris County				7.76	717,841	\$121		Hearings	03/19/2020–05/19/2020	No utility shutoffs; rental assistance
Galveston County				6.76	40,213	\$145		Hearings	03/19/2020–05/19/2020	No utility shutoffs
Denton County				8.47	100,604	\$121		Hearings	03/19/2020–05/19/2020	No utility shutoffs
Virginia	S	Partial	Yes	27.9	51,890	\$42	5	Hearings	03/16/2020–05/18/2020	No utility shutoffs; no late fees; rental assistance
Richmond City				19.4	30,188	\$44			06/08/2020–06/29/2020	
Chesterfield County										
Wisconsin	MW	Partial	Yes			\$98	5	Notice	03/27/2020–05/26/2020	No utility shutoffs; no late fees; rental assistance
Milwaukee County				10.29	192,990					

Note: ETS = Eviction Tracking System; MW = Midwest; NE = Northeast; S = South; W = West.

Table 2. ETS Sites in Comparison with the United States.

	ETS		United States	
	Estimate	SE	Estimate	SE
Number of renter HHs	9,271,824	17,124	43,481,667	21,378
Median rental housing age (y)	51.3	15.9	45.7	22.6
Median rent (\$)	1,131	277	1,122	334
Percentage children renting HH	29.7%	.1%	32.1%	.05%
Percentage female renting HH	19.0%	.06%	18.6%	.03%
Poverty rate	25.2%	.02%	24.4%	.007%
Vacancy rate	10.7%	.03%	12.1%	.01%
Renting Householder Head Race				
Black	25.0%	.05%	19.9%	.02%
Latinx	19.7%	.04%	19.3%	.02%
Other	7.4%	.004%	8.1%	.05%
White	47.9%	.06%	52.7%	.02%
Prepandemic eviction filing rate	8.04%		8.51%	

Note: With the exception of the first row, all estimates are means weighted by the number of renting households at the county level. Standard errors were calculated using the margin of error provided by the Census Bureau for the American Community Survey. The estimate of U.S. eviction filing rate is based on a national estimate of 3.7 million total eviction filings in 2016 (Desmond 2020), divided by the count of U.S. renter households. ETS = Eviction Tracking System; HH = household.

filings in a given area divided by its number of renter households—in ETS sites are slightly below the national average.

Findings

Do Eviction Moratoria Work?

Federal, state, and local eviction moratoria were designed to reduce residential instability during the COVID-19 pandemic. However, many laws, particularly housing laws, are notoriously difficult to administer or are underenforced (Kushner 1988; Massey 2015; Sabbeth 2019). Few of the emergency eviction-related policies enacted in 2020 had clear enforcement mechanisms, and all were applied during a period of policy confusion, when entrenched procedures often prevail (Stark 2014). Policies also varied considerably in the protections they afforded renters (Benfer, Alexander, et al. 2020; Benfer et al. 2021). Data drawn from the ETS allow us to begin to evaluate the efficacy of various approaches to moratoria and the consequences of policy design decisions.

Between March 15 and December 31 of a typical year, we would expect to see 594,731 eviction filings across the ETS sites. In 2020, we observed 208,563 filings, or roughly 65 percent fewer than normal. In Figure 1, we plot total weekly eviction filings as a percentage of historical average over the course of the year. For nearly every week since the pandemic began, filings were far below average.

The reduction in eviction filings can be understood as a measure of the overall effect of eviction moratoria at the local, state, and federal levels, as well as Coronavirus Aid, Relief, and Economic Security (CARES) Act stimulus

payments, limited supportive measures (e.g., rental assistance), the expansion of unemployment benefits, and, in several cases, closures of the courts that created effective halts on all eviction proceedings. Although we cannot assess the relative importance of each of these items independently, ETS data offer several suggestive pieces of evidence.

First, federal eviction moratoria appear important in reducing eviction filings. Over the course of the year, two such moratoria were implemented: the first as part of the CARES Act and the second ordered by the Centers for Disease Control and Prevention (CDC). The former restricted eviction filings against renters in properties that had federally backed mortgages or some form of federal assistance. This limited protections to approximately one third of all renter households (Stein and Sutaria 2020) and, in practice, required tenants to identify eligibility for protection unless states required affidavits of compliance from landlords prior to initiating an eviction. By contrast, the CDC moratorium restricted the execution of evictions—though not the filing of nonpayment of rent eviction cases—against tenants who provided a declaration in order to qualify for protections. These two moratoria were nonoverlapping, and state interpretation, adoption, and implementation varied widely (Benfer et al. 2021; Ernsthautsen, Simani, and Elliott 2020). CARES Act protections were written such that landlords at covered properties could begin to file against tenants starting the week of August 23, while the CDC eviction moratorium did not go into effect until September 4, 2020.

In Figure 1, we see the effect of this gap in coverage in the two weeks marked in orange: a dramatic increase in case filings during the weeks of August 23 and August 30. In no other week since the start of the pandemic did we observe filings above 68 percent of the historical average. For the

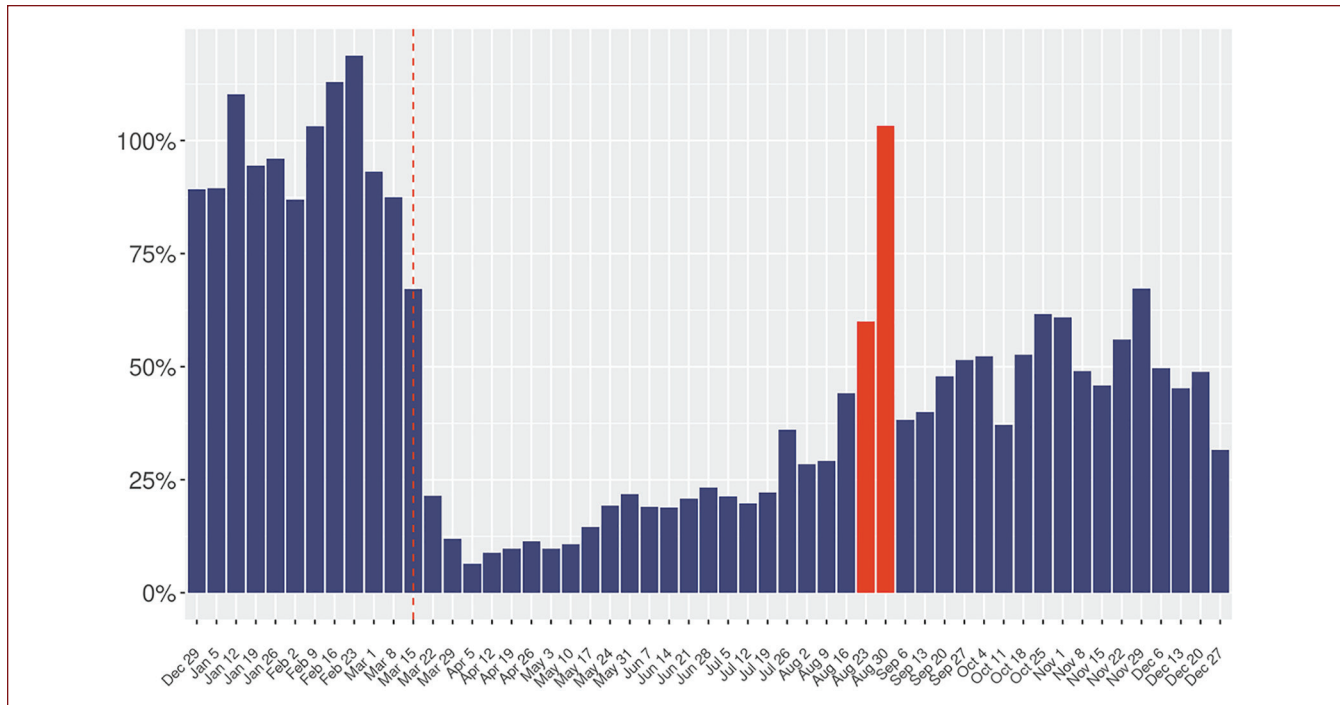


Figure 1. Weekly eviction filings in Eviction Tracking System sites relative to historical average.

Note: Weekly eviction filings are aggregated across sites tracked by the Eviction Tracking System in 2020. Historical averages are calculated for the same seven-day periods in previous years. The vertical red dashed line in mid-March marks the start of the COVID-19 pandemic. The bars in orange are the two weeks between the Coronavirus Aid, Relief, and Economic Security Act eviction moratorium and the Centers for Disease Control and Prevention eviction moratorium when no federal moratorium was in effect.

week of August 30, case filings returned to prepandemic levels. These numbers were, in fact, skewed downward by sites with state or local eviction moratoria still in effect during the gap in federal protections. When we limit to sites without such measures in place at the time, filings for the week of August 30 were 12 percent above historical average.³ This increase suggests a substantial pent-up “demand” for eviction filings among landlords.

State and local eviction moratoria have also reduced eviction filings. At the outset of the pandemic, many cities, counties, and states across the country adopted moratoria, some of which exceeded protections offered by the federal government. These policies varied in which tenants were protected, what types of evictions were forestalled, what steps of the eviction process were halted, under what conditions, and for how long (Benfer, Alexander, et al. 2020; Benfer et al. 2021). The formal eviction process can generally be categorized in five stages:

1. The landlord provides notice to the tenant of the intention to evict,⁴

2. the landlord files an eviction case in court,
3. the court holds a hearing,
4. the judge issues a judgment and orders a writ of possession, and
5. the sheriff or a third party executes the writ of possession and removes the tenant.

In some jurisdictions, only the final stage of the eviction process was halted: courts held hearings and even handed down eviction orders but did not allow sheriffs to enforce the orders of eviction. The most protective moratoria suspended all stages of eviction, followed by those that stopped the initiation of the eviction process (i.e., notice and filing). Nationwide, only four states froze all stages of eviction at some point; the notice and filing stages of eviction were frozen in 40.9 percent and 54.5 percent of moratoria, respectively (Benfer et al. 2021). Halting the earliest stages of the eviction process is particularly important in minimizing displacement because many tenants never make it to court, electing to move when they are filed against (Desmond 2016; Hartman and Robinson 2003). Halting filings also helps tenants avoid the durable negative consequences that court records have on credit reports and the ability to find future housing (Garboden and Rosen 2019; Kimble 2020; Leung, Hepburn, and Desmond 2020; Swenson 2021)

When state and local moratoria were in place, eviction filings were well below historical average. In Figure 2, we

³Sites that we excluded from analysis to derive this statistic were Connecticut; Minnesota; Boston; and Austin, Texas.

⁴This stage is not required in all jurisdictions (see Table 1). There are also jurisdictions where notice is generally required, but landlords may be able to write exceptions into lease documents.

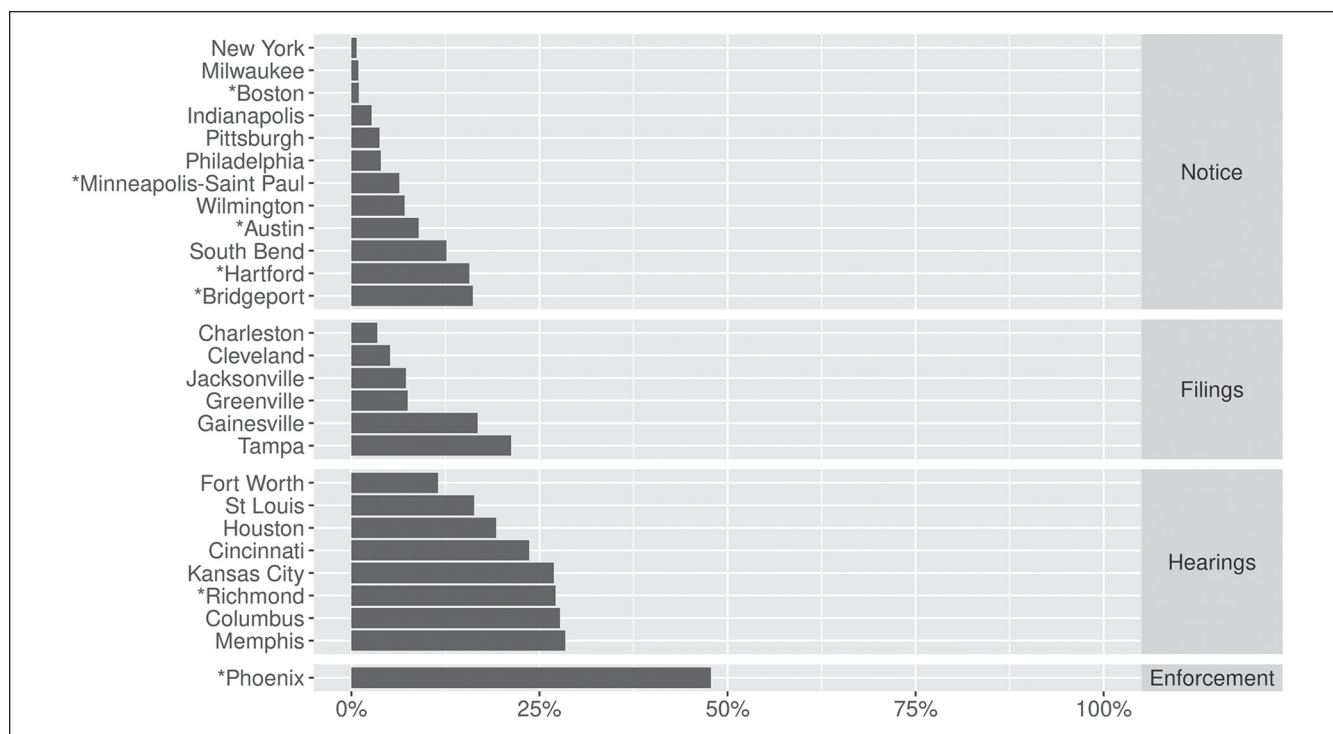


Figure 2. Eviction filings during the local moratorium period, relative to historical average for the same period.

Note: The top panel includes Eviction Tracking System sites in which eviction moratoria suspended landlords' issuing notice to tenants, the second panel sites in which filings were suspended except in exceptional circumstances, the third panel sites in which hearings were suspended, and the bottom panel sites in which judgments could be issued but enforcement was suspended.

compare eviction filings during the effective dates of moratoria in a subset of cities covered by the ETS with eviction filings for the same dates and locations in previous years. We restrict our sample to cities for which we have confirmed data about state and local measures.⁵ We split the figure into four panels, grouping cities according to the earliest stage of the eviction process that was suspended under the most restrictive applicable state, county, or city moratorium. All of these moratoria coincided with CARES Act protections, and we mark with an asterisk those jurisdictions in which moratoria overlapped with the CDC order (see Table 1 for additional detail).

In many cities, state or local moratoria temporarily cut eviction filings to zero (or near zero). This is especially true of sites that suspended the first and second stages of the eviction process: notice and filings. In these cities, new eviction filings were at or below 12.6 percent of the historical average while their moratoria were in place. In Cleveland, for instance, the courts accepted only "emergency action" eviction filings when the local moratorium was in place.⁶

⁵We are in the process of collecting data about the presence and timing of such measures across all areas covered by the ETS. We are also collecting data about the implementation of these policies in practice.

⁶The court in this case did not explicitly lay out what qualified as an emergency. In most jurisdictions, emergency exceptions were defined as situations in which a tenant was deemed a danger to others and/or was engaged in criminal activities on the premises.

They handled 148 new eviction filings between March 16 and June 15, compared with 1,192 on average during this period between 2012 and 2016. Connecticut's statewide eviction moratorium froze notice and filing starting on April 10; it remained in effect through the end of the year.⁷ Neither Bridgeport nor Hartford saw more than 10 percent of typical filings after April 23. By contrast, cities that allowed filings but suspended hearings were less successful in reducing new eviction filings. On average across the eight cities that fell in this category, new filings were at 22.6 percent of historical average. In Phoenix, which allowed eviction filings and hearings but froze enforcement of eviction orders, total filings rose to 47.8 percent of average.

As the pandemic progressed, policy makers added restrictions to the moratoria that limited protections to nonpayment of rent cases only and/or to tenants who could prove that their hardship was due to COVID-19 job or wage loss or health outcomes. This shifted the intervention from a strict moratorium to an affirmative defense that tenants had to raise in court—a considerably more onerous requirement. The vast majority of state and local moratoria expired by the summer of 2020 (Benfer et al. 2021). As more state and

⁷It bears noting that the order was amended on September 30, 2020, to allow notice where there was "serious nonpayment of rent" or "a rent arrearage equal to or greater than six months' worth of rent due on or after March 1, 2020." Filings increased following this change.

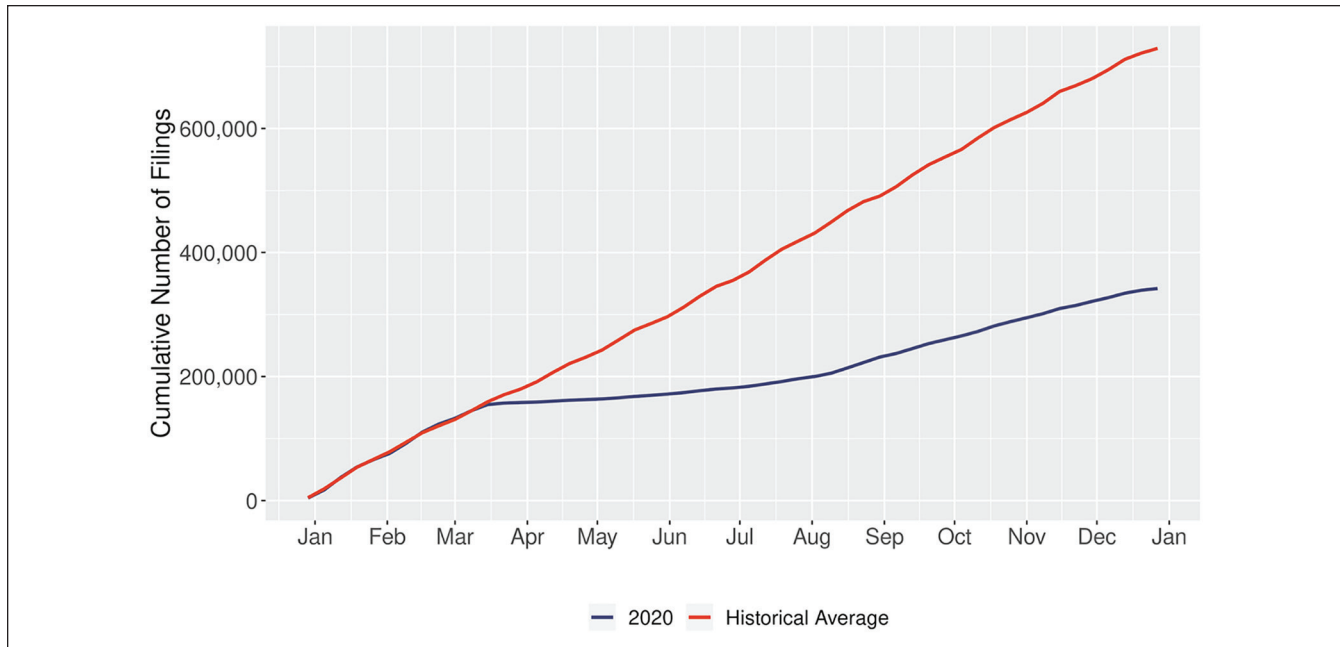


Figure 3. Cumulative eviction filings across Eviction Tracking System sites in 2020 and in historical average.

local moratoria lifted, and as emergency measures established by the CARES Act expired, the pace of eviction filings increased. In Figure 3, we plot the cumulative number of eviction filings across all ETS sites over the course of 2020, as well as the historical baseline.

Prior to the start of the pandemic, the pace of eviction filings in 2020 almost exactly matched the historical average: roughly 50,000 cases filed each month. Between March and the end of July, only 2,100 new cases were filed per month on average, or 4.2 percent of the normal rate. From September onward—with the CDC eviction moratorium in place, but with the majority of state and local eviction moratoria expired—this rose to more than 7,000 cases filed per month. Although this rate remains significantly below historical average, it is nonetheless more than triple the rate of new filings observed when the CARES Act was in place and local and state moratoria were at their strongest. Strict moratoria reduced eviction filings dramatically. As protections have been weakened, more cases have been filed.

This increase in eviction filings over the last four months of 2020 is also indicative of flaws with the CDC moratorium. As noted previously, interpretation and implementation of both federal moratoria varied widely across jurisdictions (Ernsthausen and Simani 2020; Ernsthausen et al. 2020). ETS data allow us to observe heterogeneity in local implementation of the CDC order reflected in eviction filing data. In Figure 4 we plot eviction filings relative to historical average between when the order went into effect (September 4) and the end of the year. Each bar is one of the cities listed in Figure 2, excluding cities or city-months in which state or local eviction moratoria were also in place.

Local interpretation led to wildly divergent conditions for renters. Filings were below 40 percent of historical average in Philadelphia, Richmond, Virginia, and New York City, whereas they exceeded 80 percent of historical average in Columbus, Ohio, and the three sites we monitor in Florida (Gainesville, Tampa, and Jacksonville). Across all sites, filings were at 49.7 percent of historical average. Filings also generally increased between the start of the CDC moratorium and the end of the year. Averaging across sites, filings fell at 48.7 percent of historical average in September and 65.7 percent in December. Only two cities saw notable declines in filings over this period.

Nationwide, how many fewer eviction cases were filed in 2020 than we would have expected? Because the majority of renting households do not live in areas covered by the ETS, we cannot provide a precise tally. We can, however, extrapolate what we observed in the ETS to counties for which we have historical eviction filing data. This allows us to cover an additional 30.3 million renter households, bringing overall coverage to 39.5 million (90.1 percent of all renter households). To do so, we fit a Poisson regression model in ETS sites predicting county-week eviction filings in 2020 as a function of historical eviction filing patterns, sociodemographic factors, and pandemic-related policy interventions.⁸ We used the trained model to predict the number of filings that likely occurred in out-of-sample counties for which we had valid baseline data. Once we generated these

⁸Pandemic-related policy interventions were measured at the state-week level; more information and full model results are available in the Appendix.

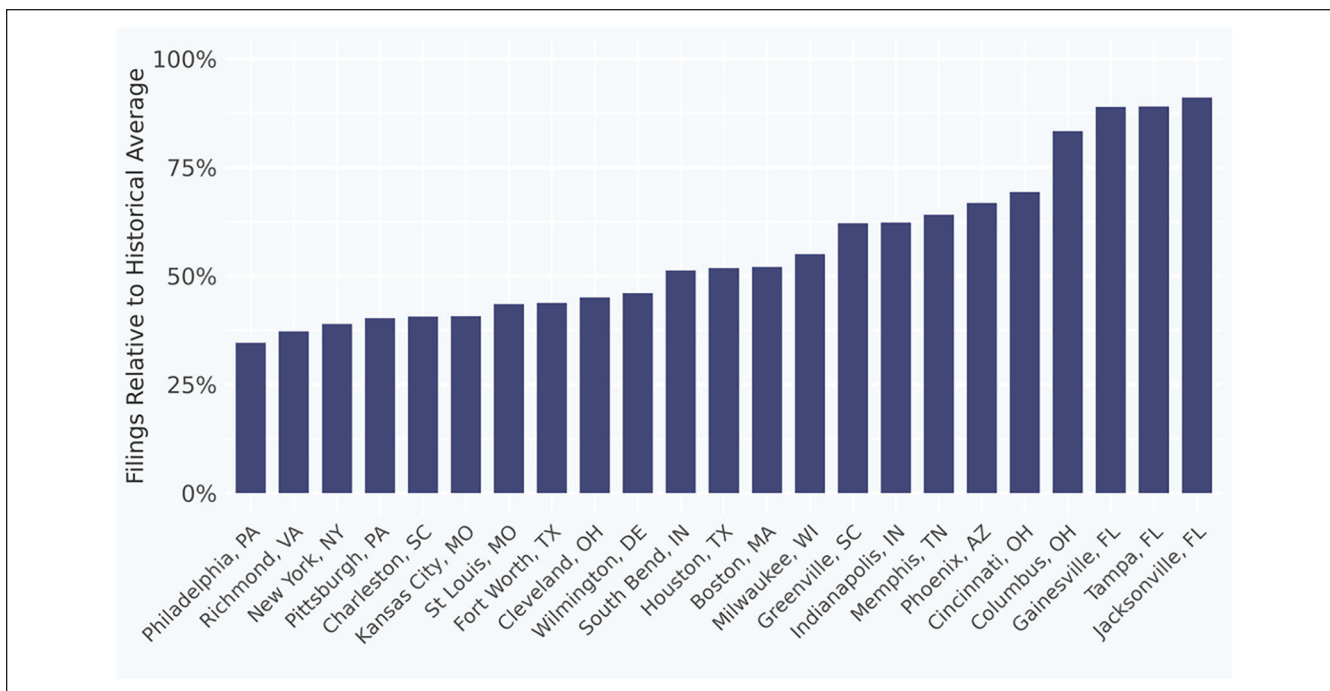


Figure 4. Eviction filings relative to historical average during the Centers for Disease Control and Prevention eviction moratorium across Eviction Tracking System sites with no overlapping state or local moratoria.

Note: Sites are included for the portion of the year from September 4, 2020, onwards only if no state or local eviction moratorium was in place.

county-week predictions, we aggregated by county and compared the cumulative number of predicted filings with the historical baseline. Finally, we aggregate across counties to estimate the total number of “missing” filings across all counties.

We estimate that there were likely 927,000 eviction filings across all non-ETS counties for which we have historical data between March 15 and December 31 (95 percent confidence interval: 703,000–1,170,000). In a typical year over this period, these counties would have experienced more than 2.1 million eviction filings, thus leaving 1.17 million fewer filings than expected. When combined with numbers from the ETS, this results in at least 1.55 million fewer eviction cases filed in 2020 than would be filed in a typical year.

Who Was at Risk for Eviction in 2020?

Fewer eviction cases than normal were filed after the pandemic began, but the demographic characteristics of those facing these cases did not change. Previous research has demonstrated that Black and Latinx renters, particularly female renters, are disproportionately at risk for being filed against for eviction and being evicted (Desmond 2012; Hepburn, Louis, and Desmond 2020b; Thomas et al. 2019). Eviction filings after March 15 targeted the same communities and individuals who were at risk for eviction prior to the pandemic.

Eviction court records do not identify the race, ethnicity, or gender of tenants who face removal. As such, we use well-validated statistical techniques to impute, on the basis of names and addresses listed on the court records, defendants’ race/ethnicity and gender (Hepburn et al. 2020b). (The imputation methodology is described in the Appendix.) We do this for both historical data and records collected in 2020, which allows us to compare patterns before and during the pandemic. In Figure 5 we plot the share of eviction filings against Asian, Black, Latinx, and white individuals before and during the pandemic, as well as the share of all renters in those racial/ethnic groups.⁹

Prior to the pandemic, Black renters received a disproportionate share of all eviction filings. They made up 22.8 percent of all renters in ETS sites but received 37.9 percent of eviction filings. Black renters continued to be overrepresented during the pandemic, receiving 35.2 percent of filings between March 15 and December 31. Prepandemic, Asian, Latinx, and white renters were underrepresented in eviction filings relative to their share of the renting population. That remained true during the pandemic as well, although the share of filings against Latinx and white renters increased slightly. For example, the share of filings against white individuals increased from 42.0 percent to 43.6 percent, still

⁹Because we do not observe defendant names in New York City, we are unable to run the necessary imputation algorithms and therefore drop cases from that site for this analysis.

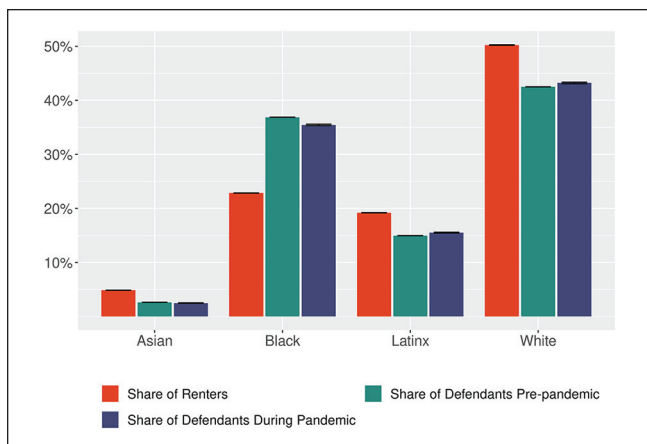


Figure 5. Share of all renters and eviction filing defendants, before and during the pandemic, by race/ethnicity.

Note: The pandemic period is defined as March 15 through December 31, 2020. The share of renters by race was estimated using 2014–2018 American Community Survey data. Error bars indicate 95 percent confidence intervals.

well below their share of the renting population in this sample (50.2 percent).

The majority of eviction filings were against women. In a typical prepandemic year, 52.4 percent (95 percent confidence interval: 52.40 percent to 52.45 percent) of individuals filed against for eviction in our sample were women. Since the pandemic began, much the same held true: 49.2 percent (95 percent confidence interval: 49.06 percent to 49.23 percent) of individuals filed against for eviction after March 15th were women.¹⁰ Gender disparities in filing patterns were reduced to a greater degree for some racial/ethnic groups than for others. Under normal circumstances, between March 15 and December 31 we would expect to observe approximately 114,900 eviction filings (95 percent confidence interval: 114,709 to 115,125) against Black women in our sample. That amounts to more than 45 percent more filings than the expected 79,400 filings (95 percent confidence interval: 79,190 to 79,564) against Black men. Since the start of the pandemic, that gap has narrowed but remains large: we have observed 24.2 percent more filings against Black women than against Black men.¹¹ Among Latinx renters, we would expect to see 8.0 percent more filings against women than men. The pattern inverted for this group, and we saw 1.9 percent more filings against men than women from March 15 onward. Normally, we see 9.2 percent more filings against white female renters than

against white male renters. After March 15, filings were nearly equal, with only 1 percent more filings against men than women in this group.

How Much Rent Is Owed?

In five ETS sites—Cincinnati, Houston, New York, Philadelphia, and Phoenix¹²—we are able to observe claim amounts in eviction filings: the back rent, late fees, and damages landlords claim when filing an eviction case. In Figure 6, we plot monthly median eviction claim amounts as a ratio of median rent over the course of 2020. We omit months for which we do not have data or in which very few cases were filed.

We observe much higher claim amounts late in 2020 than were typical of early months of the year. For example, in Houston, median eviction claim amounts in January (\$1,099), February (\$1,050), and March (\$1,064) hovered just above the median rent in Harris County (\$1,031), suggesting that the typical tenant facing eviction at the beginning of 2020 was roughly a month behind in rent. In December, by contrast, the median eviction claim was for \$1,928, 187 percent of median rent in Harris County. In New York City, the typical prepandemic eviction claim was for \$2,645, or just under double the median rent. Since August, landlords have been claiming upward of \$4,650—more than three times median rent. It bears noting that the sites that instituted more restrictive moratoria (New York and Philadelphia) saw more dramatic increases in claim amounts.

Several hypothetical mechanisms may underlie this pattern of rising claim amounts. One hypothesis is that landlords were choosing to file against only those furthest behind on rent, thus artificially raising median claim amounts. The number of eviction filings and the claim amounts of those filings are rising in lockstep, however, which runs contrary to a simple selection explanation.

A second hypothesis is that increases in claim amounts were driven by landlords' filing against more affluent households with higher rents—households previously at low risk for being evicted. To investigate this possibility, we assigned every filing in Houston in 2020 to its census block group. We found that eviction filings were and continue to be limited to a small set of low-income neighborhoods. In January and February 2020, more than half of all eviction filings in Houston concerned tenants who lived within just 9 percent of block groups. The median claim

¹⁰Female renters were likely still the majority of those facing eviction. We cannot impute gender for approximately 4 percent of those facing eviction. We assume that roughly half are likely to be women.

¹¹We predict that 44,951 Black female defendants (95 percent CI: 44,699–45,203) and 36,181 Black male defendants (95 percent CI: 35,940–36,422) were filed against during this period.

¹²Although we refer to cities for rhetorical purposes, the data are collected from counties that are in some cases smaller or larger than the given city. The city (county) combinations are: Cincinnati (Hamilton), Houston (Harris), Philadelphia (Philadelphia), Phoenix (Maricopa), and New York City (Bronx, Kings, New York, Queens, and Richmond). This represents a small subset of counties within a sample that is already of limited generalizability.

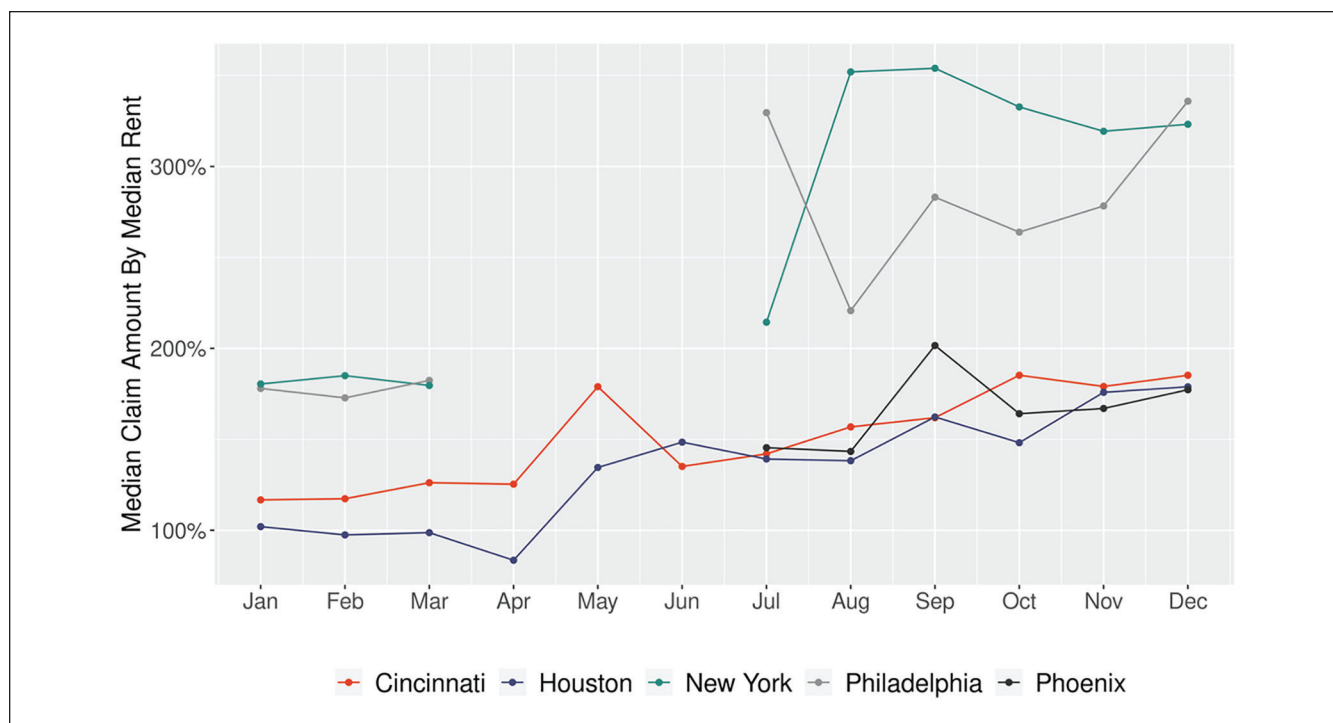


Figure 6. Monthly median eviction claim amount as a ratio of median rent.

Note: County-level median rent was taken from the 2015–2019 American Community Survey five-year estimates. For New York, median rent was averaged across the five constituent counties.

amount in these areas was \$1,018. In December 2020, the median claim amount for cases in these neighborhoods was \$2,013. The distribution of neighborhood median rents associated with eviction filings is almost identical before and after March of this year. Landlords are filing evictions in the same neighborhoods as prior to the pandemic, but for much more money.

This leads us to favor a third hypothesis, in many ways the simplest: the pandemic-related economic crisis is causing more renters to fall further behind on rent, and most of those renters live in low-income neighborhoods (Airgood-Obrycki and Hermann 2021; Kazis 2020; Kneebone and Murray 2020). Under normal circumstances, many landlords file to evict tenants after their first month of partial or missed rent. Where they were able to exercise rights, eviction moratoria, including the CDC moratorium, allowed tenants to stay in their homes without making full rent payments but did not obviate the obligation to pay. As moratoria lifted, more eviction cases were filed against households that had fallen several months behind on rent.

Discussion

This article offers a first picture of eviction filing patterns during the COVID-19 pandemic of 2020, a preliminary analysis of displacement risk for a year in which policy makers

instituted a broad set of protections improving residential stability. Our findings suggest that these measures, in tandem with expansions to the social safety net, prevented at least 1.55 million eviction filings across the country. After March 15, fewer than half as many eviction cases were filed as we would normally expect.

This reduction in eviction filings is significant and demonstrates the potential of moratoria as an effective mechanism for halting evictions. Despite wide variability, restrictions on application, problems of implementation and interpretation, and demands placed on renters, eviction moratoria resulted in fewer cases than normal being filed from the start of the pandemic onward, a period of severe economic hardship among renters. Still, our analysis suggested several troubling trends. First, the pace at which eviction cases were filed increased over the course of 2020. Second, the populations facing eviction filings remained relatively static, a pattern that put Black and female renters at disproportionate risk for eviction. Third, the amounts claimed in eviction cases rose dramatically in the later months of 2020.

As the pandemic wore on, more state and local actors either prematurely repealed or limited protections to smaller segments of the renter population. By the time the CDC moratorium went into effect, the majority of state and local eviction moratoria had lapsed, and many of those that remained required tenants to assert COVID-19 hardship (Benfer et al.

2021). This required tenants to have the knowledge of and ability to raise their rights with the court. The vast majority of tenants lack access to counsel (Desmond 2015), and only a few U.S. cities have adopted a civil right to counsel. Because the CDC moratorium required the tenant to understand and exercise rights, and allowed landlords to file evictions and challenge tenant declarations of eligibility, it left substantial gaps in protection. These gaps were widened by agency guidance that allowed landlords to challenge tenant declarations of eligibility, courts to adjudicate cases, and widespread inconsistency in interpretation, adoption, and enforcement at the state and local levels. Thus, as the year progressed, a growing number of households faced the risk for eviction.

Taken jointly, these trends represent cause for concern. As of the time of publication the CDC eviction moratorium was set to expire on June 30, 2021. At that time, renters will have the fewest protections available to them since the start of the pandemic. Many of the eviction cases that were averted in 2020 may be filed, and with significant amounts of back rent due. The Consolidated Appropriations Act of 2021 (signed into law December 27, 2020) included \$25 billion for rental assistance and the American Rescue Plan included an additional \$21.6 billion, money that should help settle some of these claims and to keep families housed. Distribution of those funds remains challenging, and the total may fall far short of the balance of unpaid rent owed.¹³ This emergency aid also does not address the underlying affordable housing crisis or economic hardships faced by renters, especially low-income Black and Latinx households (JCHS 2020). One of the major tests for 2021 will be whether policy makers prove willing and able to address long-term needs, including investment in affordable housing, while also instituting effective short-term solutions: eviction moratoria that halt all stages of the eviction process, especially the initiation stages, as opposed to allowing existing protections to lapse or relying on affirmative defenses of limited practical utility to most tenants. If not, who will bear the costs and the associated long-term harm?

Appendix

Out-of-Sample Predictions

Data collected from ETS sites can be used to predict eviction filing patterns in other sites for which we have validated historical eviction filing data (see note 2 in the main text). To begin, we fit a Poisson regression model in areas covered by the ETS predicting county-week eviction filings in 2020 as a function of historical eviction filing patterns, sociodemographic factors, and pandemic-related

policy interventions. Specifically, the predictors were poverty rate, number of renter households, historical eviction filing numbers for the county-week, and an indicator of whether the state was under a moratorium during that week. We tested models with a number of additional county-level sociodemographic variables. Predictions were stable across specifications, so we favor the simpler model. We use state-wide indicators for eviction moratoria and make no distinction among different types of moratoria. We do not account for county- or local-level eviction moratoria. This effectively overestimates the effect of a “nonmoratorium” week for a site that was, at that time, covered by a local moratorium but no state-level measure. We believe this may improve the fit of the model overall, as there were other out-of-sample examples of counties with protections in states that lacked active moratoria. We use robust standard errors and cluster at the county level. Formally, the model can be written as:

$$\begin{aligned} \text{Pandemic eviction filings}_{cw} = & \beta_0 + \text{Poverty rate}\beta_c \\ & + \text{Renter households}\beta_c \\ & + \text{Historical eviction filings}\beta_{cw} \\ & + \text{Moratorium indicator}\beta_{cw} + \varepsilon_{cw}. \end{aligned}$$

The intuition for this model is built on the fact that evictions are a durable phenomenon and that the historical analog for a county-week’s number of filings will be predictive (Rutan and Desmond 2021). We augment the predictive power of the model by adding an indicator variable specifying whether that county was under a state or federal moratorium during that week. Finally, we add in additional demographic covariates such as the county’s poverty rate and its number of renter households. Although filing rates are stable across time, the severity of the economic downturn has meant that even more people are now at risk for eviction. These variables serve to capture those who may be at risk, above and beyond what would be predicted by historical filing counts. Results from the model are presented in Table A2.

As explained in the main text, we used the trained model to predict the number of filings that likely occurred in out-of-sample counties for which we had valid baseline data. Once we generated these county-week predictions, we aggregated by county and compared the cumulative number of predicted filings with the historical baseline. Finally, we aggregate across counties to estimate the total number of “missing” filings across all counties.

Imputing Gender and Race/Ethnicity

We use the same imputation and aggregation strategies detailed by Hepburn, Louis, and Desmond (2020b). This process involved four steps:

¹³Estimates of back rent due vary from a low of \$8.4 billion to a high of \$52.6 billion (Goodman, Reynolds, and Choi 2021).

1. Impute gender. We produced three predictions of defendant gender using the R packages *gender* (Mullen 2018) and *genderizeR* (Wais 2016), as well as the web service Gender API (<https://gender-api.com>). Drawing on defendants' first names, each method produced a prediction (0–1) that the defendant was female and the inverse probability that the defendant was male.¹⁴ We took the mean across all available predictions.
2. Impute race/ethnicity. We used a Bayesian predictor algorithm—the *wru* package in R (Khanna, Imai, and Jin 2017)—that calculated race/ethnicity probabilities on the basis of two Census Bureau data sets: the Surname List and the 2010 Decennial Census. These data sets provide, respectively, the frequencies with which common surnames are associated with racial/ethnic groups and the racial/ethnic composition of each tract in the United States. Jointly, they allowed us to estimate the conditional probability of a defendant's race/ethnicity, given his or her surname and geolocation.
3. Cross probabilities. These imputation procedures allowed us to assign to each defendant a probability of being female or male and of being white, Black, Latinx, Asian, or of another race/ethnicity. For each

individual, the probabilities of belonging to each of the racial/ethnic groups summed to 1, as did the probability of being female and male.¹⁵ We multiplied gender probabilities by race/ethnicity probabilities, allowing us to categorize defendants by race/ethnicity and gender. Individuals were not assigned to a single race/ethnicity-by-gender category but given probabilities of falling into each. Assuming that cross-classified probabilities followed a multinomial distribution, we calculated the variance of each estimate. This approach allowed us to maintain and assess uncertainty inherent to the imputation process and to avoid misclassifications at the individual level.

4. Aggregate counts. We aggregated these probabilities within jurisdiction-years to produce annual estimates and variance of the number of individuals filed against in each cross-classified group (e.g., Black women, white men). For historical counts, we then averaged these estimates and the associated variance across the jurisdiction-years for every year available. These counts reflect only those individuals who were listed as defendants in these cases, typically leaseholders (Desmond 2012). They omit any additional adults who may have been living in the household but who were not formally contracted with the unit.

¹⁴The *gender* package relies on year-specific Social Security Administration name data. We listed all defendants as being born between 1940 and 1996. Given that records were drawn from 2012 to 2016, the provided range entails an assumption that tenants fall in the 18- to 74-year age range. Previous surveys of tenants in eviction court have recorded an age range of 19 to 64 years (Desmond 2012, Table 3).

¹⁵Those individuals for whom no gender imputation was possible were scored as having zero probability of being male or female (4.2 percent of defendants). They are assigned to an “unknown” gender category.

Table A1. ETS Sample Characteristics, Expanded.

Jurisdiction	Region	ETS Coverage	Consistent	Earliest Stage Frozen	Date Range of Earliest Stage Frozen	Additional Stages Frozen	Additional Stage Frozen Date Range	Court-Issued Implementation Order on Federal Moratoria	Additional Protections
Arizona	W	Partial	Yes	Enforcement	03/24/2020–			Yes, both: CARES Act started on 03/27/2020. CDC on 09/04/2020	None
Maricopa County									
Connecticut	NE	Complete	Yes	Filings	10/31/2020 04/10/2020– 04/20/2021	Hearings	03/16/2020– 09/14/2020	Yes: CDC, started on 09/14/2020	No utility shutoffs; grace period; no late fees; no reporting to credit bureau
Delaware	S	Complete	Yes	Filings	03/24/2020– 07/01/2020			Yes, both: CARES Act started 07/01/2020, CDC on 09/11/2020	No utility shutoffs; no late fees; no rent raise
Florida	S	Partial	Yes	Filings	04/02/2020– 07/29/2020	Order/ judgment/ writ	04/02/2020– 10/1/2020	No	None
Alachua County									
Duval County									
Hillsborough County									
Pinellas County									
Indiana	MW	Complete	Yes	Filings	03/19/2020– 08/15/2020			No	No utility shutoffs
Massachusetts	NE	Partial	Yes	Notice	04/20/2020– 10/18/2020			Yes: CDC started on 09/04/2020	No utility shutoffs; no reporting to credit bureau; no late fees
Boston						Hearings	03/13/2020– 10/18/2020		
Minnesota	MW	Complete	Yes	Notice	03/16/2020– 03/15/2021			No	No utility shutoffs
Missouri	MW	Complete	No	Hearings	03/19/2020– 05/31/2020, 1/11/2021– 1/24/2021			No	No utility shutoffs; no late fees
Jackson County									
St Louis County									
St Louis City									
New York	NE	Partial	Yes	Filings	03/19/2020– 05/31/2020 07/22/2020– 03/22/2020– 07/07/2020, 12/28/2020– 5/2/2021		03/16/20– 10/12/20	No	No utility shutoffs; no late fees; execution of prepanemic writs suspended
Richmond County									
Kings County									
Queens County									
New York County									
Bronx County									

(continued)

Table A1. (continued)

Jurisdiction	Region	ETS Coverage	Consistent	Earliest Stage Frozen	Date Range of Earliest Stage Frozen	Additional Stages Frozen	Additional Stage Frozen Date Range	Court-Issued Implementation Order on Federal Moratoria	Additional Protections
Ohio	MW	Partial	No					No	
Cleveland				Filings	03/16/2020–06/15/2020				No utility shutoffs; rental assistance
Franklin County				Hearings	03/16/2020–06/01/2020				Rental assistance
Hamilton County				Hearings	03/16/2020–06/01/2020				Rental assistance
Pennsylvania	NE	Partial	Yes	Notice	03/19/2020–09/01/2020			Yes: CARES Act started on 03/27/2020	No utility shutoffs
Allegheny County									
Philadelphia County									
South Carolina	S	Partial	Yes	Filings	03/17/2020–05/15/2020			Yes: CARES Act started on 05/15/2020	No utility shutoffs
Greenville County									
Charleston County									
Tennessee	S	Partial	Yes	Hearings	03/13/2020–06/01/2020			Yes: CARES Act started on 05/26/2020	No utility shutoffs
Shelby County									
Texas	S	Partial	No	Hearings	03/19/2020–05/19/2020			Yes, both: CARES Act started on 03/27/2020, CDC started on 09/17/2020	No utility shutoffs; rental assistance
Tarrant County				Hearings	03/19/2020–05/19/2020				No utility shutoffs; rental assistance
Travis County				Notice to quit	03/19/2020–04/01/2021				No utility shutoffs; rental assistance
Harris County				Hearings	03/19/2020–05/19/2020				No utility shutoffs; rental assistance
Galveston County				Hearings	03/19/2020–05/19/2020				No utility shutoffs
Denton County				Hearings	03/19/2020–05/19/2020				No utility shutoffs
Virginia	S	Partial	Yes	Hearings	03/16/2020–05/18/2020, 06/08/2020–06/29/2020	Stays of order, writ, or judgment	08/10/2020–09/08/2020	No	No utility shutoffs; no late fees
Richmond City									
Chesterfield County									
Wisconsin	MW	Partial	Yes	Notice	03/27/2020–05/26/2020			No	No utility shutoffs; no late fees
Milwaukee County									

Note: CARES = Coronavirus Aid, Relief, and Economic Security; CDC = Centers for Disease Control and Prevention; ETS = Eviction Tracking System; MW = Midwest; NE = Northeast; S = South; W = West.

Table A2. Results Predicting Weekly Eviction Filings in Eviction Tracking System Sites.

Variable	(1) Filings
Poverty rate	-.00119 (.0141)
Moratorium indicator	-1.189*** (.218)
Historical filings average	.00124*** (.000333)
Number of renter households	4.87e-06*** (8.58e-07)
Constant	2.454*** (.391)
Observations	18,928

***p < .01.

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Author Biographies

Peter Hepburn is an assistant professor of sociology at Rutgers University–Newark and a research fellow at the Eviction Lab at Princeton University. His research explores how changes to the institutions of work, criminal justice, and housing serve to produce and perpetuate inequality. His work has been published in *Social Forces*, *Social Problems*, *Demography*, the *Journal of Marriage and Family*, and *Sociological Science*.

Renee Louis is a research specialist at the Eviction Lab at Princeton University. She conducts research at the Eviction Lab on topics such as gentrification and evictions, racial and gender disparities in eviction, and evictions in immigrant enclaves. Her research has been published on the Eviction Lab Web site and in *Sociological Science*. She holds a BA from Princeton University and is an in-coming doctoral student in the sociology program at Stanford University.

Joe Fish received his bachelor's degree in economics and applied math from Macalester College. As a researcher at the Eviction Lab, he hopes to establish causal relationships between property consolidation, corporate landownership, and eviction rates as well as to explore whether cities are getting more boring. Outside of research, Joe enjoys basketball, board games, and eating.

Emily Lemmerman is a research specialist at Princeton University's Eviction Lab. Her undergraduate thesis focused on modern-day debtor's prisons: detention as a punishment for unpaid criminal justice fines and fees. She is interested in work further exploring relationships between the law, markets, inequality and housing. This is her first publication.

Anne Kat Alexander is a researcher at the Eviction Lab at Princeton University. Her current research focuses on federal, state, and local eviction prevention policies during the COVID-19 pandemic. Her work is forthcoming in *Indiana Health Law Review*. She is an incoming law student at the University of Maryland.

Timothy A. Thomas is the research director at the Urban Displacement Project, specializing in urban sociology, demography, and data science. His research focuses on how neighborhood change, housing, and displacement affects household socioeconomic stratification and segregation by race and gender in the United States. He is also the principal investigator for the Evictions Study, a metropolitan analysis on the neighborhood drivers of eviction using census data and text mining court records. His research agenda is marked by an intellectual foundation in policy-relevant research operationalized through civic and academic col-

laborations that address real-world problems and advances scholarly research.

Robert Koehler is a law student at Columbia Law School. Prior to coming to Columbia, Robert completed a PhD in American literature at New York University.

Emily Benfer is a visiting professor of law at Wake Forest University School of Law. Her clinic practice and research focus on the legal and social determinants of health and their effect on historically marginalized groups, with a focus on laws and policies regulating or restricting housing conditions, stability, and access. Her work has been published in law reviews and peer-reviewed journals, including

Harvard Environmental Law Review, *Harvard Law & Policy Review*, *Yale Journal of Health Policy, Law, and Ethics*, *American University Law Review*, *Health Affairs*, the *Journal of Legal Medicine*, and the *Journal of Urban Health*. Her current research focuses on pandemic mitigation policies that control the eviction process and target housing preservation. She has received numerous commendations for her work, including the American Public Health Association David P. Rall Award for Advocacy.

Matthew Desmond is the Maurice P. During Professor of Sociology at Princeton University and principal investigator of the Eviction Lab.