



CITY LIFE
VIDA URBANA
Stand Up, Fight Back

EVICTIONS IN BOSTON

The Disproportionate
Effects of Forced Moves on
Communities of Color
2020

ABSTRACT

The goal of this report is to provide rigorous research to systematically analyze who faces evictions in Boston. Using eviction records from Boston Housing Court (2014 – 2016) merged with data on neighborhood characteristics from the U.S. Census Bureau and property assessment data from the Boston Assessing Department, this report identifies patterns in the neighborhoods and properties most affected by evictions. Among other results, we find that eviction filings are disproportionately affecting neighborhoods of color, particularly neighborhoods with a large share of Black renters. We suggest a variety of paths forward to mitigate the chronic housing instability faced by Boston's communities of color.

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 **CITY LIFE
VIDA URBANA**
Stand Up, Fight Back

City Life Vida Urbana is a non-profit grassroots community organization and housing advocacy group committed to fighting for racial, social and economic justice and gender equality by building working class power.

   CLVU.org

Figure 1
City Life/Vida Urbana members and supporters rally to stop evictions of older women in Boston (2018).
Photo by Marilyn Humphries.



Figure 2
City Life/Vida Urbana Organizer
Antonio Ennis leads an eviction
protest in Dorchester (2015).
Photo by Marilyn Humphries.

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EXECUTIVE SUMMARY

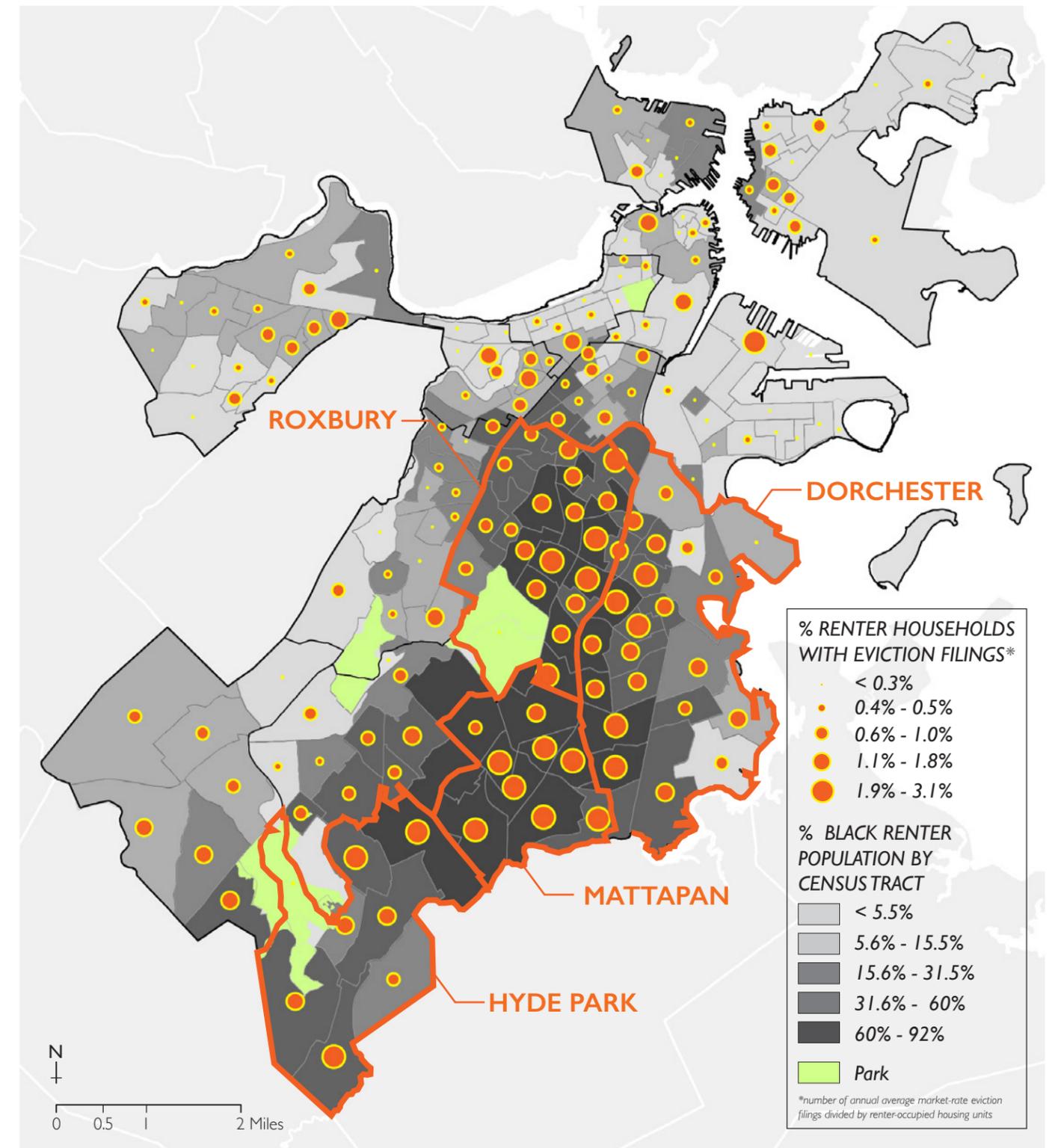
In the Boston neighborhoods where a majority of renters are people of color, half of renters spent 30 percent or more of their gross income on housing costs in 2015. **Between 2010 and 2019, property owners filed more than 50,000 evictions in Boston Housing Court**—an average of 5,451 per year.¹

While court records of eviction filings significantly undercount the extent of evictions and displacement, they are the best available data source on evictions. Our analysis of Boston Housing Court eviction records in Boston from 2014 to 2016 finds that:



Communities of color are disproportionately affected by eviction filings in both subsidized and market-rate rental housing. The focus of this report is eviction filings in market-rate rental housing.

Market-rate eviction filings are correlated with indicators of poverty. However, they are more closely correlated with the neighborhood racial composition, particularly the share of Black renters. These adverse impacts of eviction filings in communities of color are intertwined with decades of documented discriminatory policies and institutional racism--policies which have faced strong grassroots community resistance.



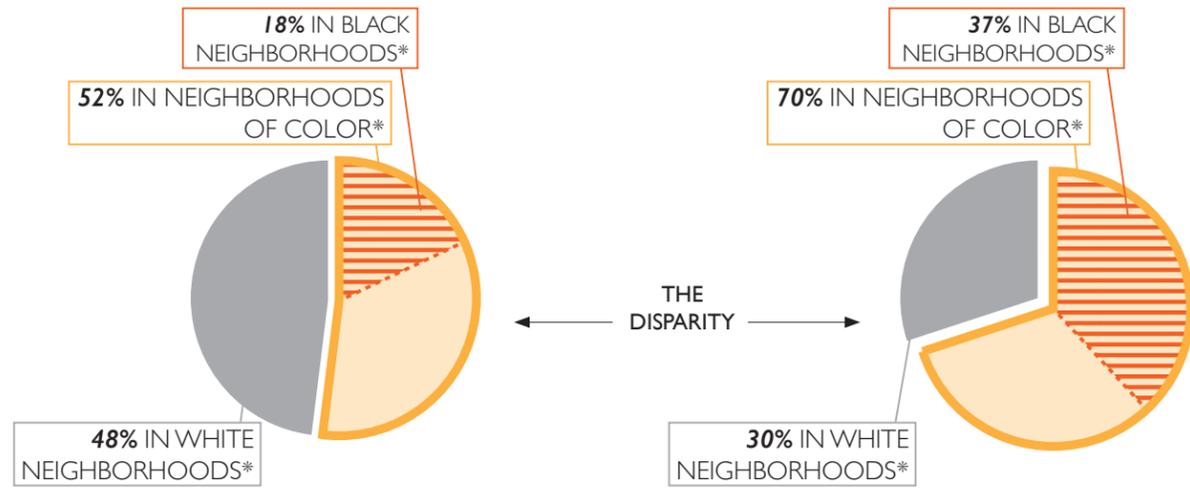
Annual Market-Rate Housing Eviction Filing Rate Underlaid with Black Renter Population, 2014-2016

Author: David Robinson, 2020; Design: Patricia Cafferky
Source: Boston Department of Neighborhood Development;
American Community Survey 2013-2017 5-Year Estimate

RACIAL COMPOSITION AND MARKET-RATE EVICTION FILINGS

WHERE RENTERS LIVE:

WHERE EVICTIONS ARE FILED:



*renter-occupied units as percent of Boston total (left chart); market-rate eviction filings as percent of Boston total (right chart); majority race defined as 50% or greater

Figure 3

EVICTION FILINGS PER 100 MARKET-RATE RENTAL UNITS, BY NEIGHBORHOOD (2014-2016)

The highest eviction filing rates in market-rate housing occur in Mattapan and Roxbury. These rates are 7 times greater than in Allston and Brighton, and 6 times greater than in Back Bay, South Boston, and Beacon Hill.



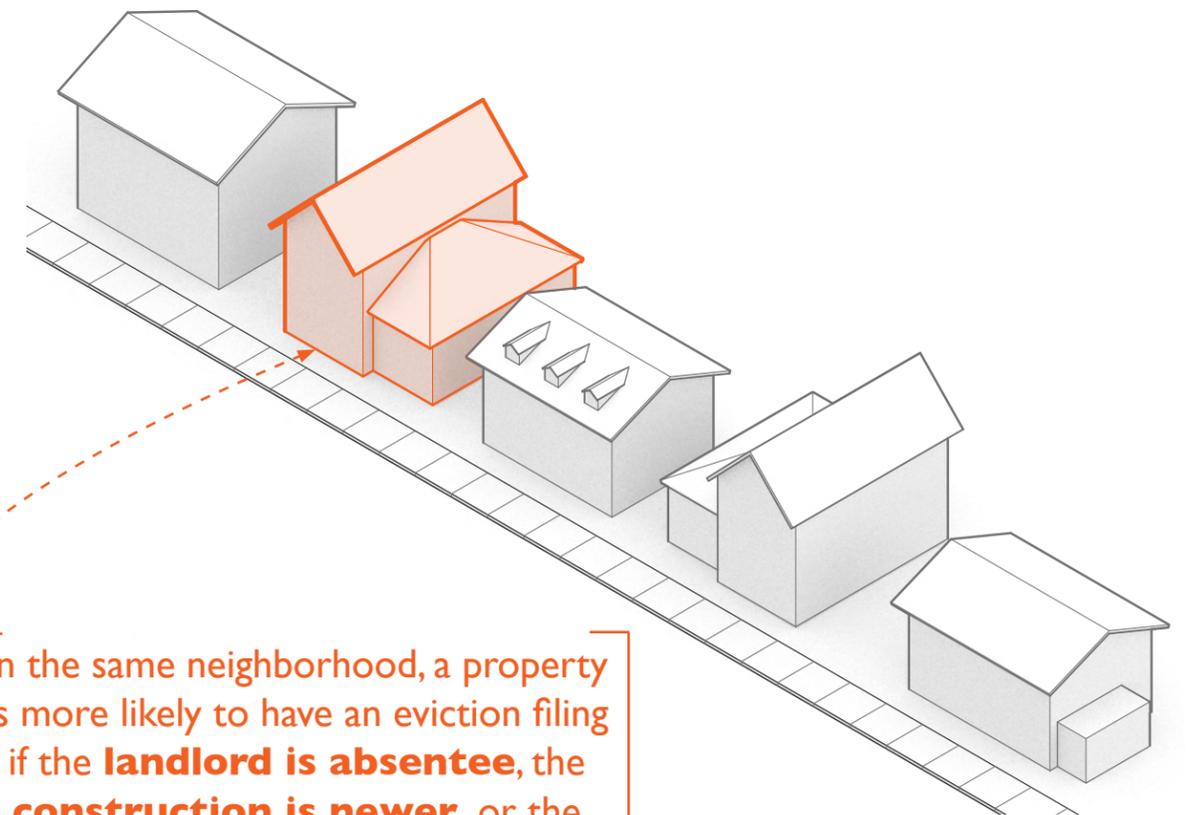
Figure 4

2

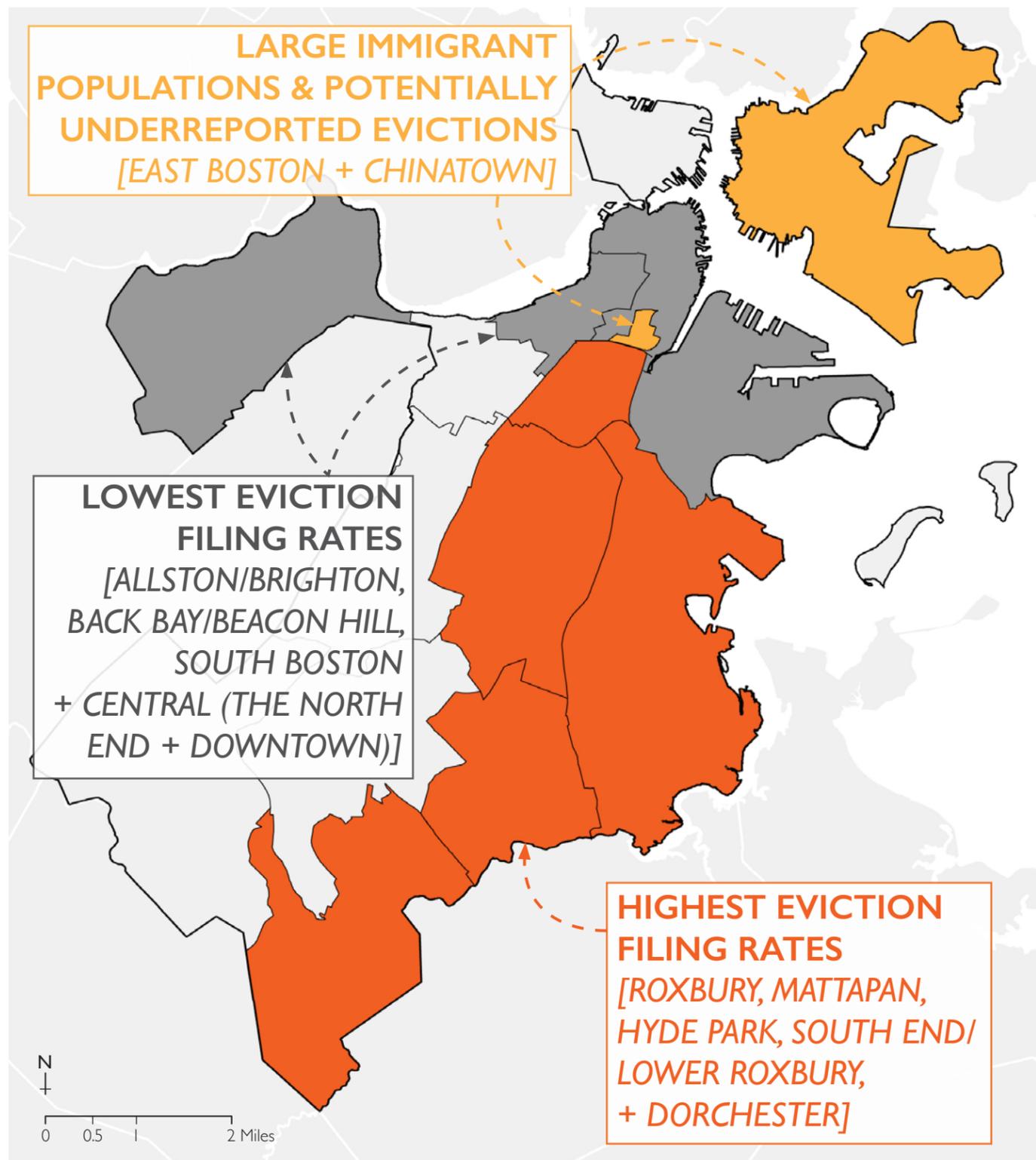
The frequency of market-rate eviction filings is 24 percent higher in rental units in small properties with absentee landlords than in units in comparable size rental buildings with an owner-occupant.

3

Market-rate eviction filings are concentrated in neighborhoods with lower property values and older buildings. However, within these neighborhoods, owners of market-rate housing are more likely to file evictions in more recently constructed or remodeled buildings with higher property values per square foot than the neighborhood average.



In the same neighborhood, a property is more likely to have an eviction filing if the **landlord is absentee**, the **construction is newer**, or the **property value is higher**.



Boston Neighborhoods Categorized by Market-Rate Eviction Filing Rates

Author: Patricia Cafferky + David Robinson, 2020
Source: Boston Department of Neighborhood Development;
American Community Survey 2013-2017 5-Year Estimate

MOVING FORWARD

Current housing policy largely treats housing as a commodity, not a basic human right. Addressing the disproportionate effects of evictions and housing instability on Boston's communities of color requires policy solutions that help shift to a housing system based on the principle that housing should be recognized as a fundamental human right.

There are currently a number of viable policy options, endorsed by organizations that work with residents most impacted by evictions, which take incremental steps towards a housing system that prevents evictions, stabilizes people's housing, and treats housing as a fundamental human right. All of these policies are currently under consideration in the Massachusetts state legislature, and many are part of the City of Boston's legislative agenda. These include:

- 1 **LIMITS** on annual **RENT INCREASES**
- 2 **LEGAL REPRESENTATION** for low-income renters in Housing Court
- 3 Requirements that **EVICCTIONS MUST HAVE "JUST-CAUSE"**
- 4 **OPPORTUNITIES** for tenants **TO PURCHASE** their rental homes at the point of sale
- 5 **SEALING OF EVICTION RECORDS** to prevent discrimination based on an eviction record
- 6 **A TAX ON LARGE REAL ESTATE TRANSFERS** to support the development of affordable housing
- 7 Expanding **RENTAL ASSISTANCE**

NOTE FROM THE AUTHORS

Eviction and Housing Instability in the Era of Covid-19



Figure 5
City Life/Vida Urbana protest on March 12, 2020, outside of Eastern Housing Court, urging for an end to eviction proceedings during the COVID-19 pandemic.
Photo by Marilyn Humphries.

DISPLACEMENT IN A PANDEMIC

This research began long before the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2, which causes the disease COVID-19), spread to humans in late 2019. From the beginning, the goal of this project was to provide rigorous data and research to systematically analyze who faces evictions in Boston. Our findings demonstrate that prior to the COVID-19 pandemic, the housing crisis in Boston was severe and that the struggles of housing instability and trauma of evictions disproportionately affect low-income renters of color in neighborhoods like Roxbury, Dorchester, and Mattapan. The report also discusses the ways that evictions may negatively impact immigrant communities, such as Chinatown and East Boston.

The COVID-19 pandemic only exacerbates the disproportionate effects of evictions on communities of color. We are on the precipice of a severe housing crisis that will adversely impact Boston's communities of color.

On April 20th, Governor Charlie Baker signed into law a moratorium on all eviction proceedings during the COVID-19 pandemic. This moratorium, which was the result of a concerted organizing effort of grassroots groups, non-profit organizations, and municipalities across the state, has provided temporary housing stability in a public health crisis for thousands of families. Nonetheless, in the 7 weeks between March 1, 2020, when the virus began to spread rapidly in Greater Boston from the Biogen Conference in late February, and the passage of the eviction moratorium on April 20, 2020, property owners filed hundreds of eviction cases in

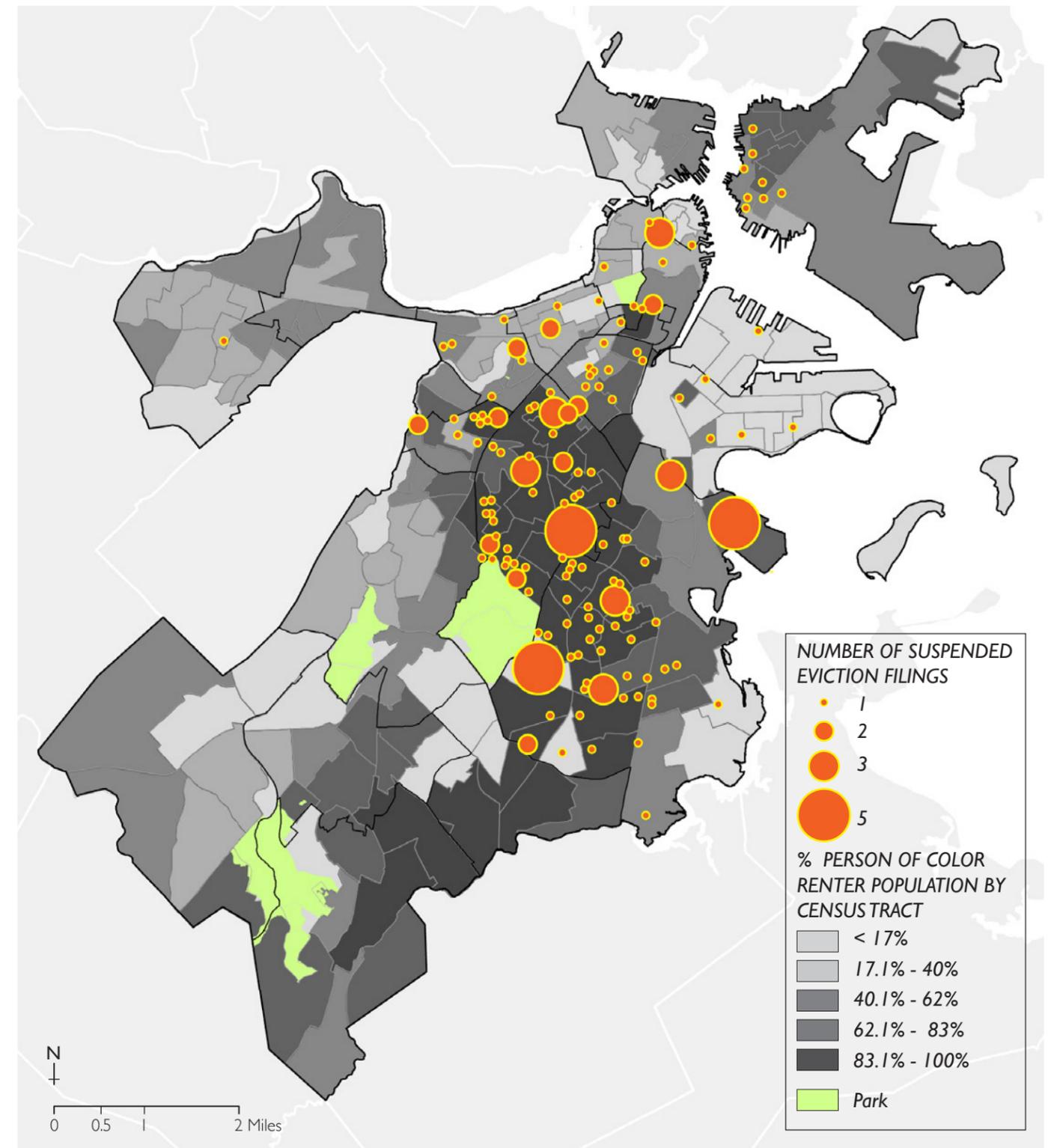
Boston Housing Court. According to court data, **78 percent of eviction cases in Boston that were suspended due to COVID-19 were in communities of color.**

The eviction moratorium is currently set to expire in August of 2020. When the dust settles on the immediate crisis, and evictions once again proceed, Boston's communities of color will face an unprecedented surge in evictions. Unemployment claims in Massachusetts are higher than they have been since the Great Depression, with an estimated 21 percent of renter families across the state unable to afford housing costs.² In the first five days of the City of Boston's COVID-19 Emergency Rental Assistance Fund opening, 5,500 Boston renters applied, indicating the huge need for help paying for housing.³ Low-income people of color, who often work hourly jobs and pay more of their income on housing costs to begin with, are especially at risk of losing their housing.

In light of this impending crisis, this research provides timely and critical information about who evictions effect and how we can respond. **This report demonstrates that we must act swiftly and comprehensively to prevent a surge of evictions that disproportionately threatens the most vulnerable among us.**

- Report Writing Team
June 14, 2020

**78% of SUSPENDED
EVICTION CASES in Boston
were in COMMUNITIES
OF COLOR**



Eviction Filings in Boston Housing Court Suspended Due to COVID-19 (March 1, 2020 - April 20, 2020)

Author: Ben Walker, 2020; Design: Patricia Cafferky
Source: Masscourts.org [Housing Court records were recorded individually];
American Community Survey 2013-2017 5-Year Estimate

INTRODUCTION

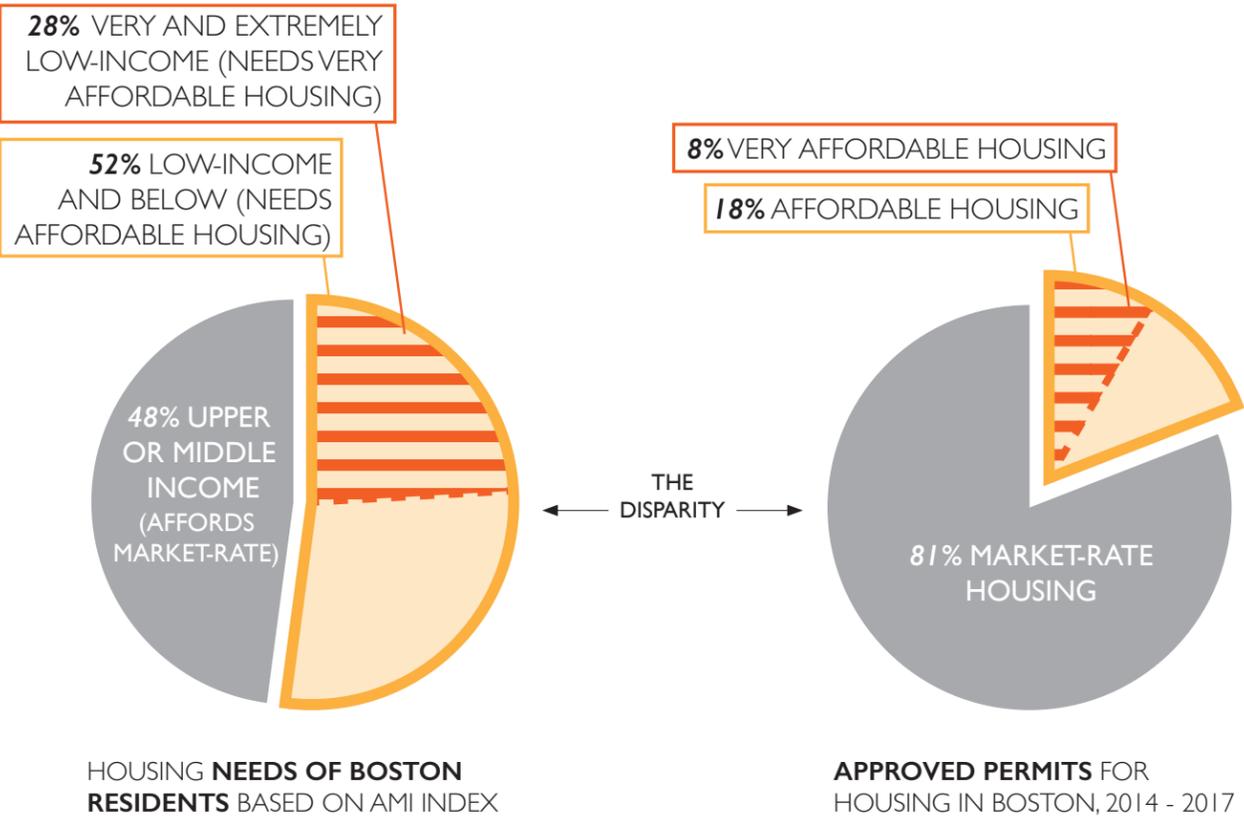


Figure 6
Affordable Housing Needed Versus Affordable Housing Permitted

DISPLACEMENT IN CONTEXT

Alongside San Francisco and New York City, **Boston has one of the most expensive rental housing markets in the United States.**⁴ Since the 2008 recession, construction of new housing and commercial buildings has boomed. Between 2014 and 2017, the Boston Planning and Development Agency (BPDA) approved 24.6 million square feet of large-scale residential construction, and 20 million square feet of commercial development. Between 2014 and 2017, 18 percent of the approved permits for housing met federal standards of affordability. Only 8 percent of approved housing permits were affordable to extremely low-income households.⁵

Even with construction of new affordable housing, there is a large gap between the affordable housing being built and the affordable housing that Boston residents need. In 2017, 52 percent of Boston households met federal standards for affordability and 39 percent were considered very or extremely low-income.⁶ Low-income families face significant barriers in finding and maintaining quality housing—waiting lists for subsidized housing are years long.⁷ **Although 20 percent of the city’s housing stock is income-restricted—among the highest share of any major city in the country⁸—there is still a shortage of over 32,000 units for extremely low-income households.**⁹

Rental burdens in Boston are high—a third of renters pay more than 30 percent of their income on housing costs. These **rental burdens are unevenly distributed, with renters in some of Boston’s lower-income neighborhoods, including Roxbury, Dorchester, and Mattapan, paying a greater**

KEY TERMS

LOW-INCOME is defined as rents that would be affordable to households making 80 percent of the Greater Boston Area Median Income or \$78,150 for a family of four in 2017.

VERY LOW-INCOME is defined as rents that would be affordable to households making 60% of the Greater Boston Area Median Income, or \$51,700 for a family of four in 2017.

Boston has a **SHORTAGE** of over **32,000** very affordable housing units

percentage of their income toward housing costs than renters in higher income neighborhoods.¹⁰

One consequence of high rental burdens and a scarcity of affordable housing to meet the need is that low-income families with less generational wealth can be displaced. We define displacement as occurring when households are forced to move from their home because of conditions that affect their home or surrounding neighborhood. This includes a property owner evicting a renter household, or a tenant being forced to leave because of changes to rent or income (often tied to changing economic conditions) that make them unable to afford housing costs.¹¹

With much smaller margins between income and rent than the margins for middle- or high-income households, **any shock to income or expenses, such as a rent increase, unexpected medical bill, decrease in wages, or loss of employment can quickly cause a low-income family to fall behind on rent.** This process can be exacerbated with gentrification. As property values and rents rise, low-income families are increasingly at risk of not being able to pay rent and having to leave their homes and sometimes neighborhoods in search of

more affordable housing.¹² Displacement can cause low-income families to move to lower quality and more crowded housing, or out of a neighborhood entirely.¹³ Displacement also tears the social and cultural fabric of existing communities.¹⁴

EVICTIONS: WHAT AND HOW

As described above, displacement occurs in many ways. For instance, landlords can convert their rental units to condominiums and sell them; they can raise rents to take advantage of rising demand; or they can neglect a property until a tenant moves out, among other actions that cause displacement. This report focuses on displacement caused by evictions. An eviction is when a property owner seeks to remove a tenant from a property. **Evictions can happen through a formal legal process or without formal court approval.**

A formal eviction process starts with a landlord issuing a notice to the tenant that their tenancy is being terminated. The notice is a demand that a tenant vacate the unit. If a tenant does not vacate, an owner then goes through a formal court process.¹⁵ An informal (and unrecorded) eviction occurs when a landlord forces a tenant to leave before going to court.

THE FORMAL EVICTION PROCESS

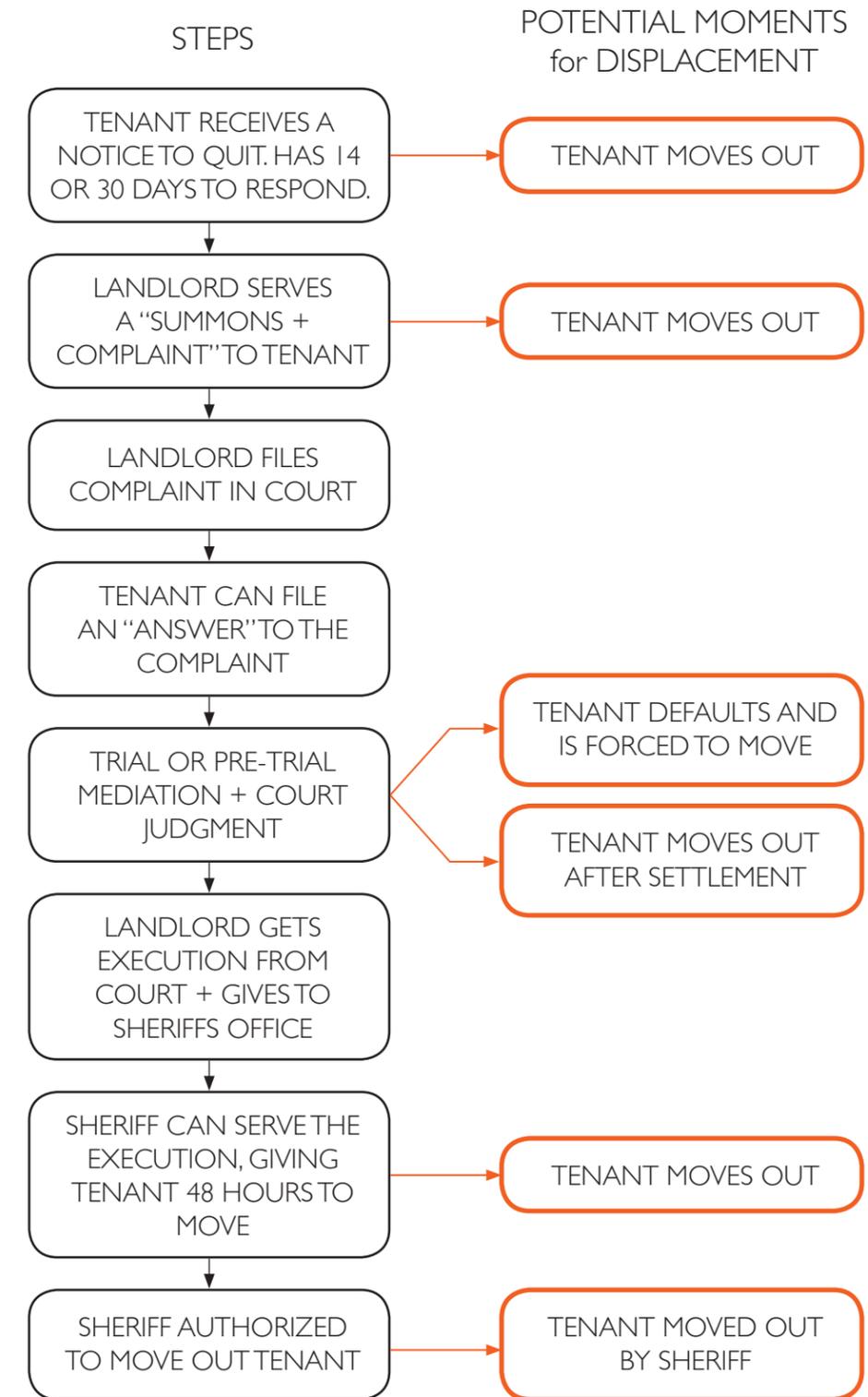


Figure 7
The Formal Massachusetts Eviction Process

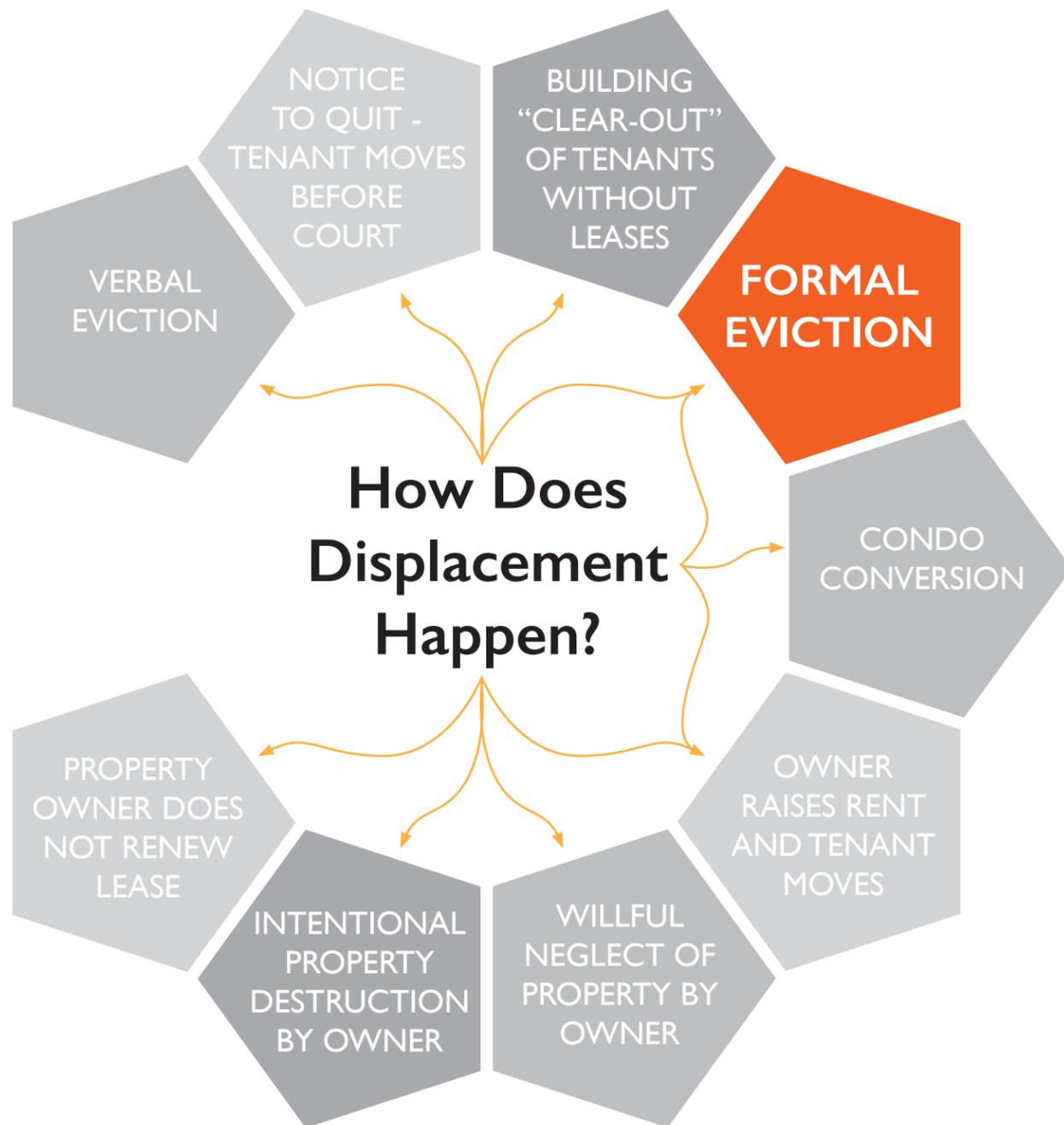


Figure 8
How Displacement Happens

UNDERCOUNTING EVICTIONS

Because many evictions do not go through a formal court process, eviction filings in court significantly undercount the number of evictions that occur.

The legal eviction process is complex and fast-moving. Many tenants do not know their rights or where to receive help. Other tenants do not have formal leases, which offer some protections against evictions and rent increases. Often, when a landlord serves the first step in a legal eviction process (a "notice to quit"), the tenant leaves without going to court because they do not know that they may have rights to remain in their home or to due process.

There are no centralized records of notices to quit or other informal evictions, making quantifying informal evictions extremely challenging. The few studies that attempt to quantify informal evictions find that they are even more common than evictions in courts. A survey in Milwaukee found

that informal evictions happened at twice the rate of formal evictions.¹⁶

It is possible that informal evictions are particularly common in low-income immigrant communities, especially those where many residents are undocumented. These communities may be vulnerable to informal evictions because of limited English language proficiency, precarious housing arrangements, and incomplete knowledge about their rights as renters.

In Boston, immigrant communities from Asia, Latin America, and the Caribbean may be especially at risk of evictions without legal process. In one survey of renters in Boston's Chinatown, 4 of 10 respondents said that they did not have a formal lease and nearly 8 out of 10 said they did not know where to access information about their rights as tenants. Of those in the survey who faced an eviction, nearly 6 out of 10 (59 percent) reported that the property owner or manager served the notice of eviction verbally, which does not comply with state law and leaves no record of

Eviction filings in court **SIGNIFICANTLY UNDERCOUNT** the number of evictions that occur

KEY TERMS

DISPLACEMENT occurs when households are forced to move from their home due to conditions that affect their home or surrounding neighborhood. Displacement can happen directly through physical removal or through indirect economic changes that cause people to move.¹⁸

HOUSING INSTABILITY is when households do not have reliable access to safe, decent, and affordable housing. Housing instability includes living in poor quality housing or overcrowded conditions, experiencing homelessness, or having high housing costs as a share of income.¹⁹ High housing costs are often measured by the **rent burden**, or the percent of income that a household spends on housing costs. According to standards set out by the U.S. Department of Housing and Urban Development, if a household spends more than 30 percent of their income on housing costs, they are considered rent-burdened, and if they spend more than 50 percent of their income on housing costs, they are considered severely rent-burdened.²⁰

EVICTIONS are a type of displacement in which a property owner seeks to remove a tenant and their belongings from a property. Evictions can occur through formal legal processes or informally, without a court process.²¹

displacement.¹⁷ Although court records are the best available data on evictions, they show only a fraction of the true extent of displacement and evictions.

IMPACTS OF EVICTIONS ON FAMILIES + COMMUNITIES

Eviction is a profoundly destabilizing experience that affects the health and wellbeing of families and their communities. Families who experience an eviction frequently have difficulty finding subsequent stable housing. Landlords often use publicly-available eviction filing records from housing court (including evictions filed for no-fault) to screen out applicants.²² A formal eviction may also disqualify renters from many affordable housing programs.²³ Evictions also make residential selection more difficult in ways that drive low-income households into worse housing conditions, such as lower quality housing or more isolated neighborhoods, than the places they lived before being evicted.²⁴

Evictions can also lead to homelessness. Using the random assignment of eviction cases to judges more or less likely to order an eviction, a study in New York found that tenants who were evicted were five times more likely to subsequently apply to a homeless shelter than those similarly-situated renters who had received an eviction filing but not lost possession of their unit. These evicted tenants were also more likely to have worse physical and mental health than those who did not lose possession of their unit.²⁵

ANNIE GORDON: ONE OF MANY FIGHTING EVICTION



Figure 9
City Life/Vida Urbana member Annie Gordon speaks out about her rent hike and eviction notice at a rally in Mattapan (2019).
Photo by Helen Matthews.

Annie Gordon is one of the thousands of renters in Boston who receive eviction notices each year. A grandmother and Boston resident for 44 years, Annie lives at an apartment complex of nearly 400 units in Mattapan. She pays rent from her monthly social security check. Last year, the complex was sold to a national investor, who renamed the building “SoMa at the T” to highlight its proximity to the newly-opened train station across the street. Soon after the acquisition, the owners increased Annie’s rent by \$300—a 17 percent increase. Many other tenants received similar rent increases.

With a fixed income and limited options of where else to move, Annie came to City Life/Vida Urbana, who helped other residents and her form a tenants’ association. Her and other tenants, many of whom are also on fixed incomes, did not pay the rent increases. In response, the owner issued her and many others eviction notices. Due to the statewide moratorium on evictions, Annie’s case has been suspended, yet she risks losing her housing in several months when it is lifted.

“It’s simple - we all need and deserve stable housing. It should be guaranteed. That’s what we’re fighting for.”
- Annie Gordon



Figure 10
City Life/Vida Urbana Organizer Jim Brooks
leads an eviction protest in Dorchester (2015).
Photo by Marilyn Humphries.

In a study of families in Milwaukee, mothers who experienced eviction reported having lower incomes and more material hardship (such as not eating because they could not afford to) compared to similarly-situated mothers who were not evicted.²⁶ Low-income people who have experienced eviction are also more likely to be laid off, compared to those without an eviction.²⁷

Academic research alone cannot fully describe the trauma of eviction on both a personal and community level. The stories of people and communities that experience eviction are essential to fully grasping the impacts of evictions.

RESEARCH METHODS

The goal of this research is to systematically analyze trends in the neighborhoods and properties where eviction filings occur in Boston. The

report analyzes eviction records from Boston Housing Court (which became Eastern Housing Court in 2017) from 2014, 2015, and 2016. We use the addresses attached to the records to locate the evictions and spatially combine the records with parcel-level property assessment data from the City of Boston and census tract-level demographic information from the 2013-2017 sample of the American Community Survey, conducted by the U.S. Census Bureau. These data allow us to explore patterns in the types of evictions, and the properties and neighborhoods where evictions occur.²⁸ Our analysis combines both statistical and spatial methods, including several logistic regression models on the relationship between the likelihood of a property having a market-rate eviction filing and the neighborhood and property characteristics. The detailed results of these statistical analyses are presented in Appendix B.

Eviction is a **PROFOUNDLY DESTABILIZING** experience, with impacts on the stability, health, and wellbeing of **FAMILIES AND ENTIRE COMMUNITIES**

BOSTON EVICTION FILINGS

5451 Average Annual
Eviction Filings = **Over
104 Families Weekly**
with Eviction Cases in
Boston Housing Court

ANNUAL EVICTION FILINGS IN
BOSTON HOUSING COURT (2010-2019)

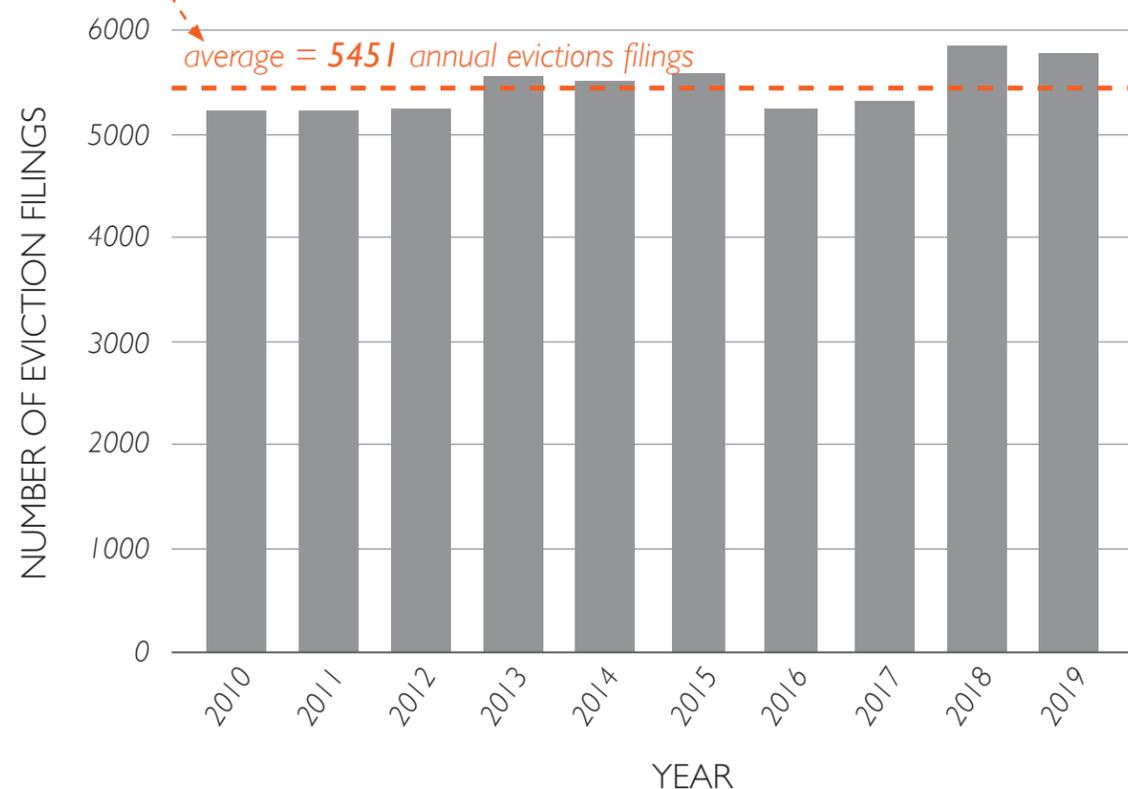


Figure 11

A CONSTANT PROBLEM

Between 2010 and 2019, 54,506 eviction cases were filed in Boston Housing Court. Over this time period, the number of eviction filings was remarkably consistent, with **landlords filing an average of 5,451 evictions each year.**²⁹ As noted earlier, this metric only accounts for formal eviction filings in Boston Housing Court.

Boston's formal eviction filing rate is similar to the median for large cities in the United States. Of the 42 largest U.S. cities for which there is data, Boston has the 30th highest eviction filing rate (an average of 2.9 percent between 2014 and 2016, which includes eviction filings in both subsidized and market-rate rental housing).³⁰ For comparison, Detroit—the city with the highest average eviction filing rate among large cities between 2014 and 2016—had an eviction filing rate of 22.7 percent.³¹ Among the twelve largest cities in Massachusetts, Boston accounts for a third (32 percent) of eviction filings, though Boston also has a lower eviction filing rate than many of these other Massachusetts cities. Nonetheless, within Boston, as in other cities, the rates of eviction filings vary dramatically between neighborhoods. Neighborhoods such as Roxbury and Mattapan have eviction filing rates that are double the city's rate overall and more than five times higher than the eviction filing rate in most other neighborhoods.

EVICTION OUTCOMES

An eviction filing is recorded when a landlord starts an eviction case by filing a formal complaint in court, starting an eviction case. The Boston Housing Court data does not track whether tenants stay in their homes after an eviction filing is recorded. Available data from other cities finds that a majority of eviction filings lead tenants to lose possession of their housing.³²

COMPARISON OF EVICTION FILINGS IN MASSACHUSETTS CITIES, 2016

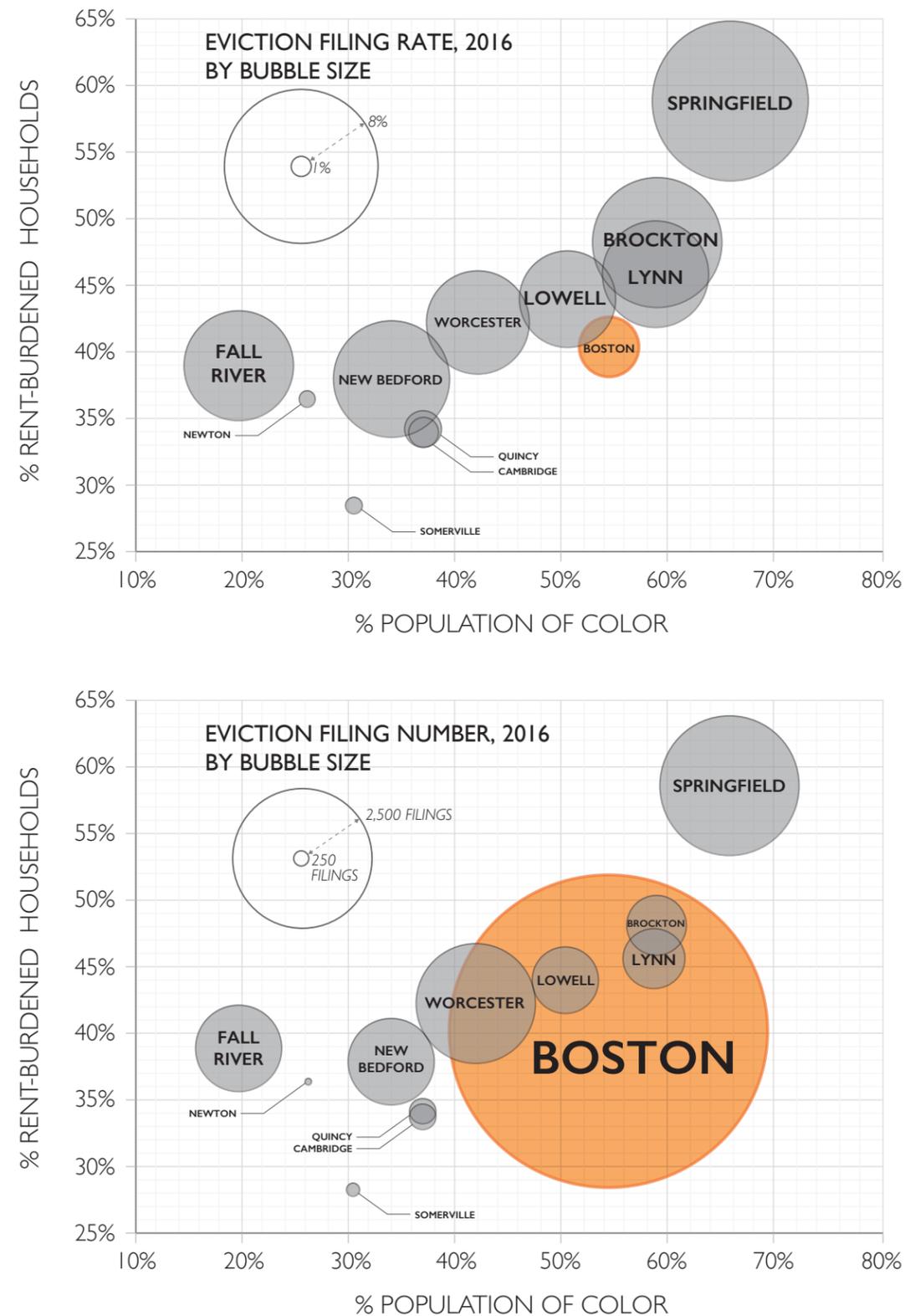


Figure 12
Eviction Filing Rates/Numbers for Massachusetts Cities with Largest Populations (2016)

A common outcome of an eviction filing is default, in which a tenant does not show up to court, and therefore loses possession of their unit. Between 2015 and 2017, 21 percent of cases in Boston Housing Court ended in default.³³ Based on a survey of Massachusetts renters who were evicted after receiving default judgments, **the most common reasons for default were that tenants either did not know that they needed to go to court or were told by landlords or property managers that they did not need to show up to court.**³⁴

Some of the cases that do not end in a default judgment end in a settlement, in which the landlord and tenant reach a legal agreement without a formal eviction execution. Settlements are often negotiated directly between the lawyer for a property owner and the tenant. Many settlements require a tenant to move out of their unit by a certain date. Other settlements can impose significant requirements on the tenant to avoid eviction or set out some type of probationary period, which can result in the tenant losing possession of the unit shortly after the settlement. There is no current data available in Boston on the share of settlement agreements that ultimately lead to tenants losing possession of their housing.

Other eviction filings that do not end in default judgments or settlement agreements may end in the judge issuing an execution order, which authorizes the landlord to have the tenant removed by a sheriff or constable. Between 2014 and

2016, 38 percent of all eviction filings in Boston Housing Court ended in an order of execution. However, because tenants can lose their housing in a variety of ways before an eviction filing or in the process of an eviction filing, measuring only eviction executions misses the many tenants forced to move before or during the process of an eviction filing.³⁵ Some eviction filings, especially where tenants are represented by legal counsel, also end up in tenants taking a case to trial or presenting affirmative defenses or counterclaims to the eviction filing and end in the case being dismissed and the tenant being able to remain in the unit.

The few studies that have analyzed the outcomes of eviction cases find that a majority of tenants who face an eviction filing end up being displaced from their housing. A study of eviction cases in District Court in Quincy, MA found that 68 percent of tenants who received limited legal assistance lost possession of their home, compared to only 38 percent of those who received full legal representation.³⁶

Even in the cases where a tenant retains possession of their unit, eviction filings in and of themselves are often a harmful and traumatic experience for tenants. Eviction filings leave a permanent record on tenants' housing history—making it difficult for tenants with an eviction filing to find subsequent housing, even if the case was dismissed.³⁷ Since eviction filings are a key indicator of chronic housing instability, and the majority of

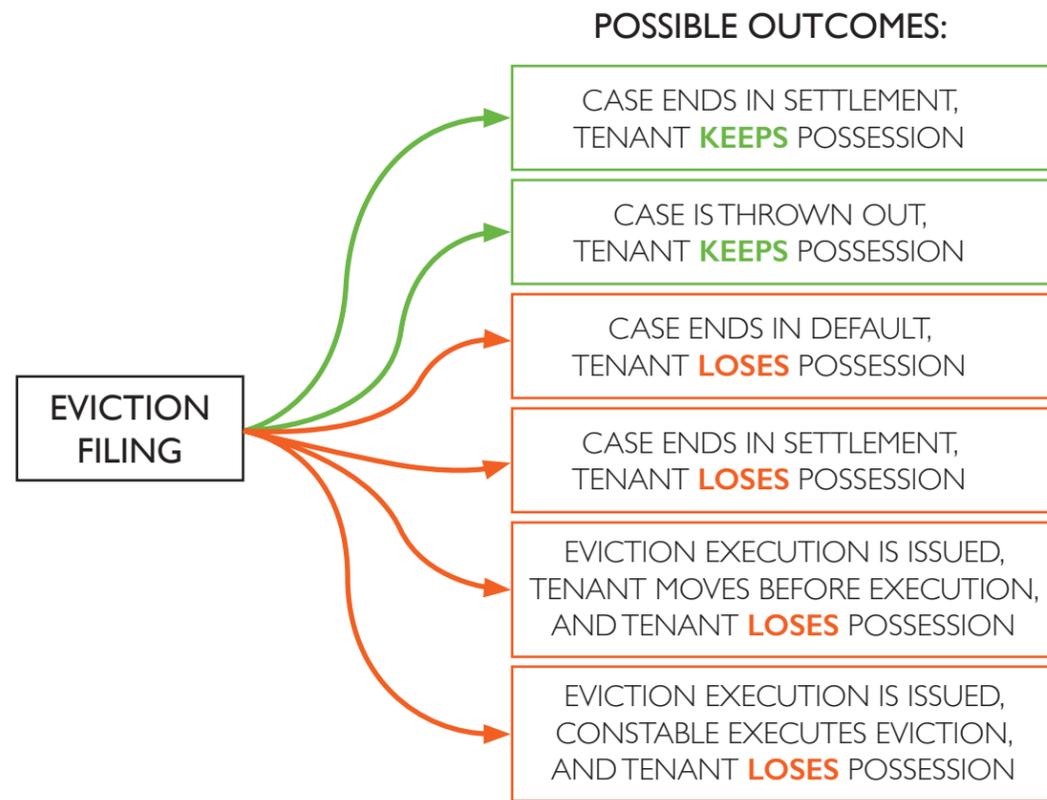


Figure 13
Possible Outcomes of Eviction Filing for Tenants

eviction filings result in renters being displaced from their homes, we focus our analysis on eviction filings, not just on court orders of issued eviction executions.

THE DIFFERENT TYPES OF EVICTION

There are three primary categories in which a landlord can file an eviction. The first, and most common category in the Boston Housing Court data, is a filing made because a renter has not been able to pay the rent in part or in full. Eviction filings for non-payment account for 75 percent of all eviction filings in Boston Housing Court.³⁸ If a tenant falls behind on rent, a landlord can legally begin the

formal eviction process by sending a non-payment notice to quit. If the tenant does not pay the rent owed or move out, the landlord can proceed to file an eviction in court.

The reasons for non-payment eviction filings are complex. **For many severely rent-burdened, low-income renters in Boston, significant rent increases or unexpected life events can quickly lead people to fall behind on rent and face an eviction for non-payment.**

The other two categories of eviction filings are fault and no-fault evictions. Fault evictions are infrequent (5 percent of all eviction filings in Boston Housing Court),

and occur when a renter has violated the terms of the lease for something other than falling behind on rent. These include eviction filings in which the landlord alleges property damage or other types of disturbances. Fault eviction filings can also happen when a renter does not have a formal lease.

No-fault eviction filings do not require the landlord to allege a reason to evict.³⁹ They generally occur at the end of a lease term, when a landlord wants to sell a property or rent to a higher-paying tenant, or at any time for renters who do not have formal leases. **While no-fault eviction filings make up approximately 20 percent of all eviction filings in Housing Court, it is likely that many no-fault evictions, in particular, occur outside of formal court records.**⁴⁰

EVICTONS: SUBSIDIZED V. MARKET-RATE HOUSING

As discussed above, roughly 20 percent of Boston's rental housing is subsidized, income-restricted housing. Evictions occur in both subsidized and market-rate rental housing. The majority of formal eviction filings in Boston occur in subsidized housing (70 percent compared to 30 percent in market-rate housing). Subsidized units include units that are owned by private individuals, businesses, or by non-profit organizations and that are built with financing through the federal Low-Income Housing Tax Credit program. They also include units funded through federal project-based Section 8, units subsidized through other federal, state, or city programs, units occupied by tenants using housing vouchers (such as Housing Choice or Section 8 vouchers),

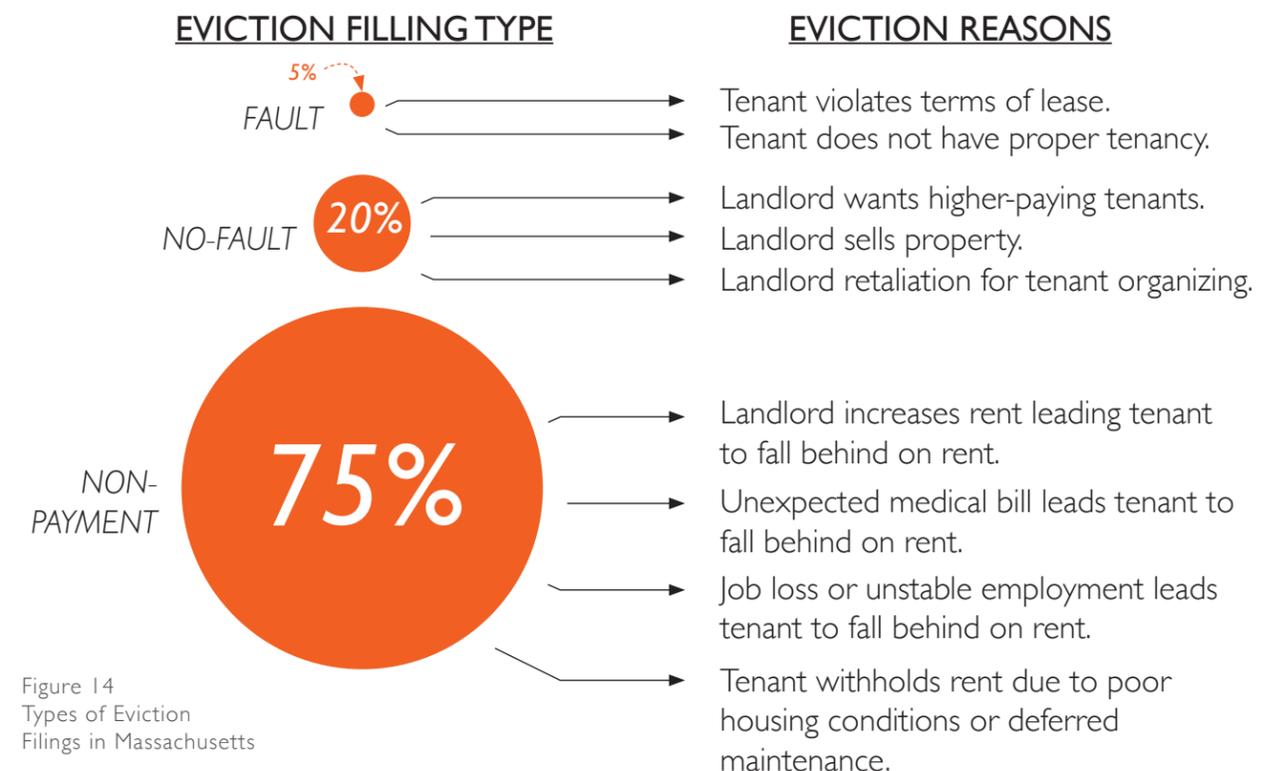


Figure 14
Types of Eviction Filings in Massachusetts

EVICTIION FILINGS BY HOUSING TYPE

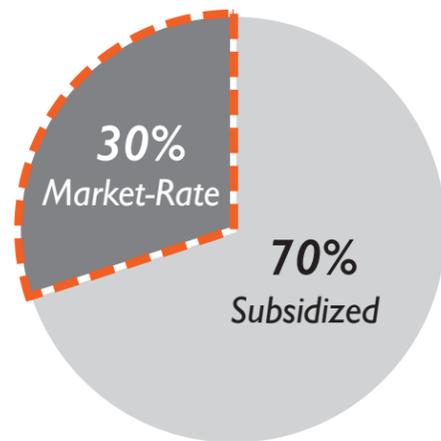


Figure 15

units produced through the City's Inclusionary Development Program, and public housing units owned by the Boston Housing Authority.⁴¹ Although market-rate eviction filings are the minority of formal court filings, it is possible that evictions in market-rate rental housing occur informally outside of the court system more often than eviction filings in subsidized housing, potentially undercounting the true magnitude of evictions in market-rate housing.

Many subsidized housing providers in Boston, such as the Boston Housing Authority and the many neighborhood and community development corporations, are mission-driven and seek to preserve housing stability for tenants. When they do file for an eviction, it is likely that mission-driven subsidized housing providers do so through a court process. Not all subsidized housing providers, however, are mission-driven public or

non-profit organizations. Others are small private landlords who (as required by local and state law) accept tenant-based vouchers, or for-profit investors and property management companies whose real estate portfolios include both subsidized and market-rate housing. More than three-fourths (77.5%) of income-restricted housing in Boston is privately-owned, and 91 percent of all subsidized eviction filings in Boston Housing Court are filed by property owners who are not the Boston Housing Authority.⁴²

The differences in evictions in subsidized and market-rate housing are also apparent in the amount of rent that tenants owe in each eviction filing. A report by Boston's Department of Neighborhood Development found that the median rent owed at the time of an eviction filing in subsidized housing was \$1,712 over three months. For market-rate eviction filings, the median rent owed was \$4,063 over two months of rent.⁴³ These differences highlight the significantly higher rents among tenants facing eviction in market-rate housing compared to those in subsidized housing.

Even though evictions filed by owners of market-rate housing represent a minority of formal eviction filings in Boston Housing Court, we focus our report on eviction filings in market-rate housing because we believe differences in market-rate and subsidized housing markets, including ownership structures and profit motives, warrant a closer look at eviction filings in market-rate rental housing.

Further, including evictions filed by owners of subsidized housing would introduce bias into our analysis of where evictions take place. Subsidized housing is located disproportionately in low-income neighborhoods with high concentrations of people of color.⁴⁴ Given that a high portion of formal eviction filings occur in subsidized units, neighborhoods with

more subsidized housing, which are already disproportionately communities of color, are likely to have higher concentrations of eviction filings. By examining evictions filed by owners of market-rate housing independently, we are able to identify more clearly any relationship between neighborhood composition and eviction filings in market-rate housing.

LEGAL REPRESENTATION IN THE EVICTION PROCESS

% **WITH** FULL LEGAL REPRESENTATION IN HOUSING COURT (QUINCY, MA; 2014-2015)

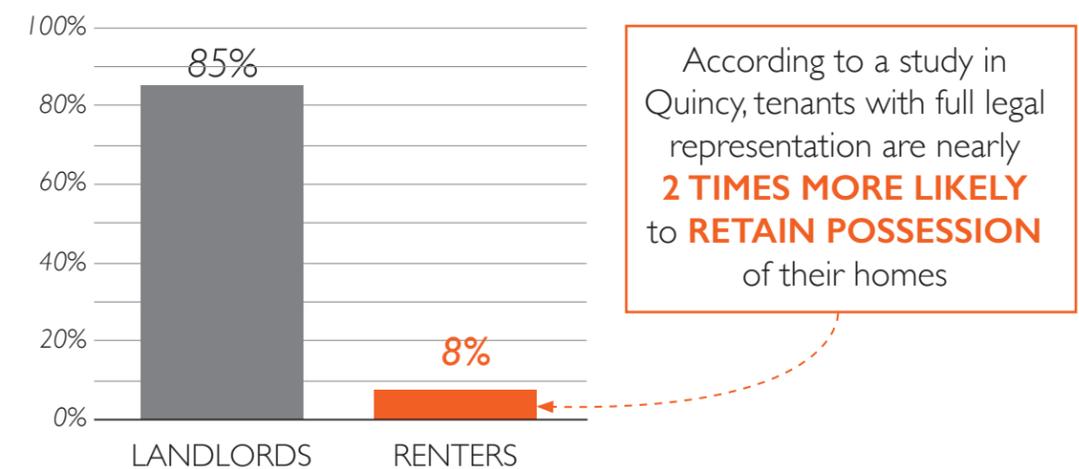
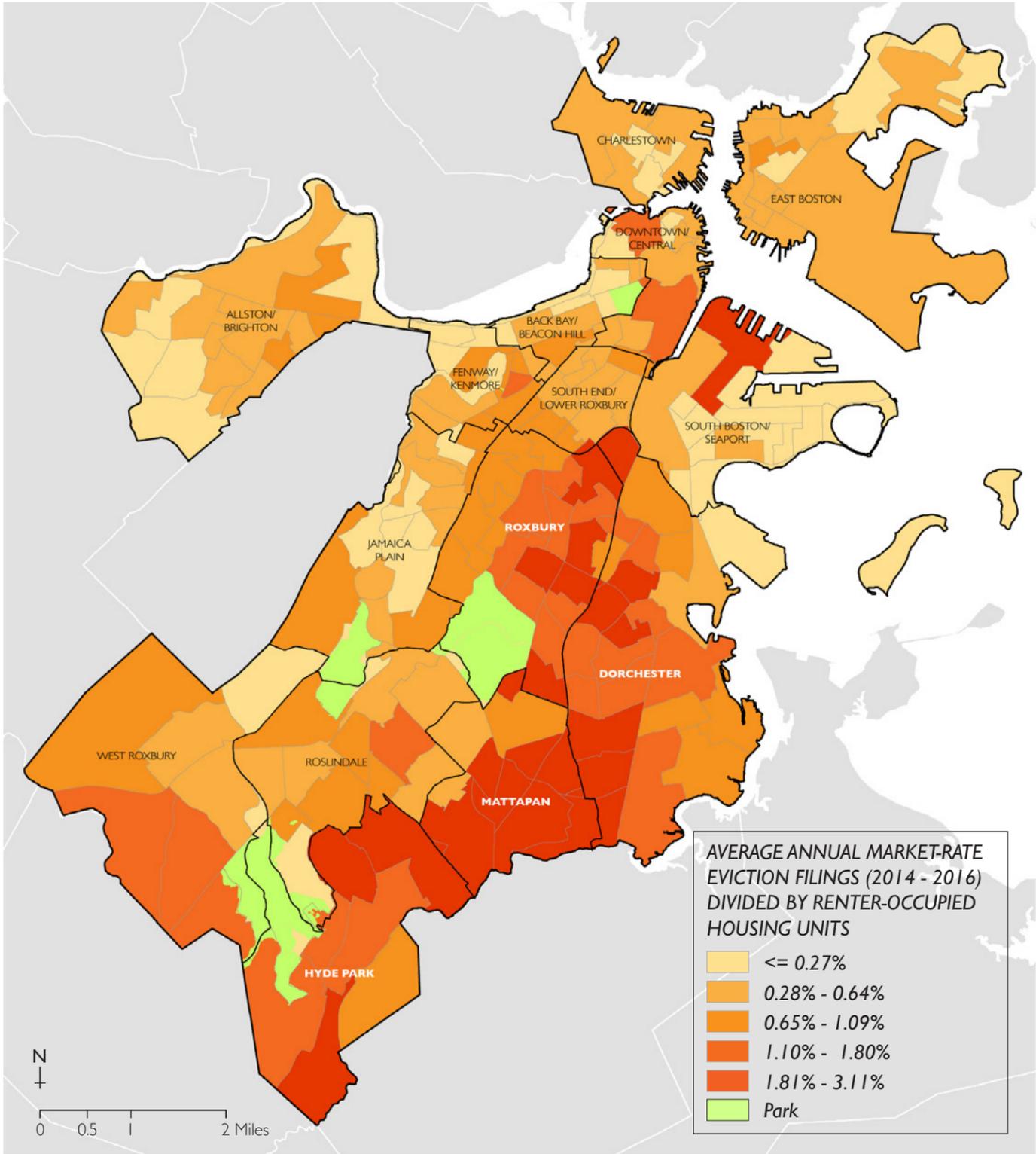


Figure 16

There are significant disparities in legal representation in eviction cases. While most landlords in Boston Housing Court have legal representation (85 percent), only 8 percent of renters have legal representation.⁴⁵ This disparity means that most renters face an eviction proceeding in court at a significant disadvantage, defending themselves against experienced housing lawyers. The enormous power imbalance in legal representation has severe consequences for whether or not tenants remain in their homes. A study of eviction cases in Quincy, MA found that having a lawyer nearly doubled the chances that a tenant maintained possession of their home.⁴⁶

DISPROPORTIONATE EFFECTS OF EVICTION FILINGS



Annual Market-Rate Eviction Filing Rate, 2014-2016

Author: David Robinson, 2020; Design: Patricia Cafferky
 Source: Boston Department of Neighborhood Development;
 American Community Survey 2013-2017 5-Year Estimate

INTRODUCTION

Evictions are not evenly distributed throughout the city of Boston. **The vast majority of eviction filings in Boston Housing Court are concentrated in communities of color, particularly Roxbury, Dorchester, Mattapan, and Hyde Park.⁴⁷** There are especially high concentrations of eviction filings in neighborhoods in which a majority of residents are Black, such as Mattapan and Roxbury. Eviction filings in neighborhoods with large immigrant populations, such as East Boston and Chinatown, may be underrepresented in official court records.⁴⁸

The following sections examine the disproportionate effects by neighborhood of eviction filings in market-rate rental housing. The primary focus of this report is eviction filings in market-rate housing. However, findings on the disproportionate impacts of all eviction filings, including those in subsidized housing, are presented in Appendix A.

Eviction filings in market-rate housing are correlated with indicators of poverty, and are even more closely correlated with the neighborhood racial composition, especially the share of Black renters. Market-rate eviction filings are also closely correlated with low educational attainment.⁴⁹ **These findings suggest that historic patterns of housing discrimination and residential segregation that persist today and the related concentration of disadvantage in communities of color are reflected in the disproportionate distribution of eviction filings and severe housing instability.**

70% of market-rate eviction filings occur in neighborhoods where a **MAJORITY OF RESIDENTS ARE PEOPLE OF COLOR**, even though **only 52%** of the city's rental housing is in these neighborhoods

RACIAL DISPARITIES IN MARKET-RATE EVICTION FILINGS

In market-rate housing there are significant racial disparities in the neighborhoods most impacted by evictions. Seventy percent of market-rate eviction filings occur in neighborhoods where a majority of residents are people of color, even though only half (52 percent) of the city's rental housing is in these neighborhoods, and less than half of the city's market-rate rental housing.⁵⁰ Roxbury, Mattapan, Hyde Park, the South End/Lower Roxbury, and Dorchester are particularly hard hit by eviction filings in market-rate housing. Nearly two-thirds (64 percent) of all market-rate eviction filings in Boston Housing Court between 2014 and 2016 occur in these 5 neighborhoods. More

than a third (39 percent) of all eviction filings in market-rate housing occur in Roxbury and Dorchester alone, even though only 20 percent of all market-rate rental housing in Boston is located in these neighborhoods.

Accordingly, the rates of eviction filings in market-rate housing are concentrated geographically by neighborhood. **The highest market-rate eviction filing rates occur in Roxbury, Mattapan, Hyde Park, the South End/Lower Roxbury, and Dorchester.**⁵¹ In Roxbury and Mattapan from 2014 to 2016, there was on average 1 eviction filing for every 33 market-rate rental housing units each year (an average annual market-rate eviction filing rate of 3 percent). At this rate, and assuming for

AVERAGE ANNUAL EVICTION FILING RATES IN MARKET-RATE RENTAL HOUSING BY NEIGHBORHOOD (2014-2016)

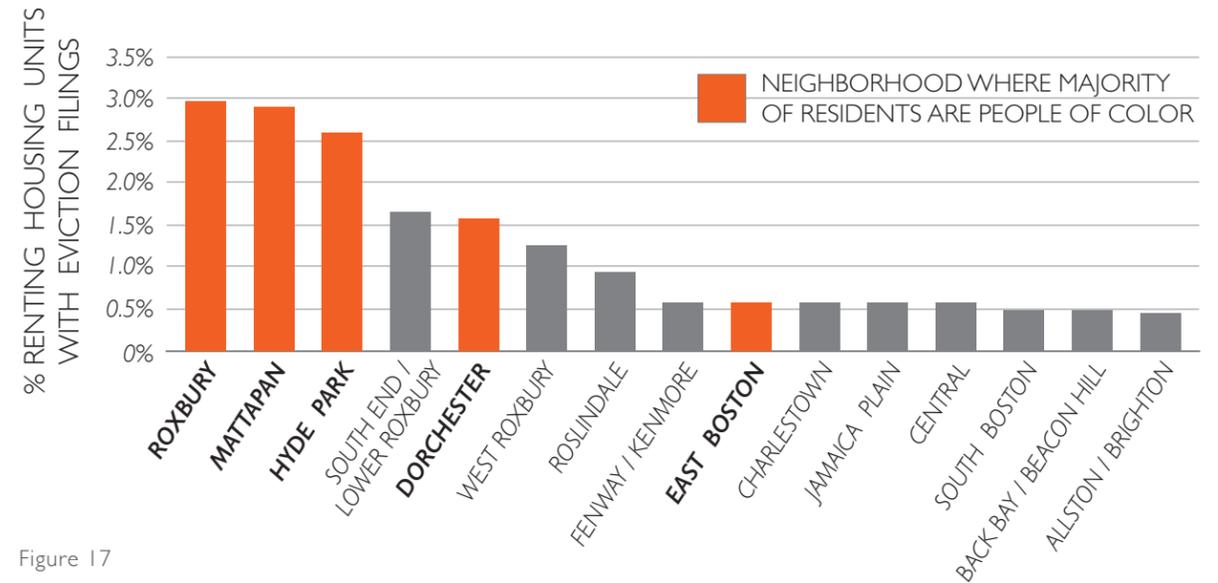


Figure 17

NUMBER OF EVICTION FILINGS IN MARKET-RATE RENTAL HOUSING BY NEIGHBORHOOD (2014-2016)

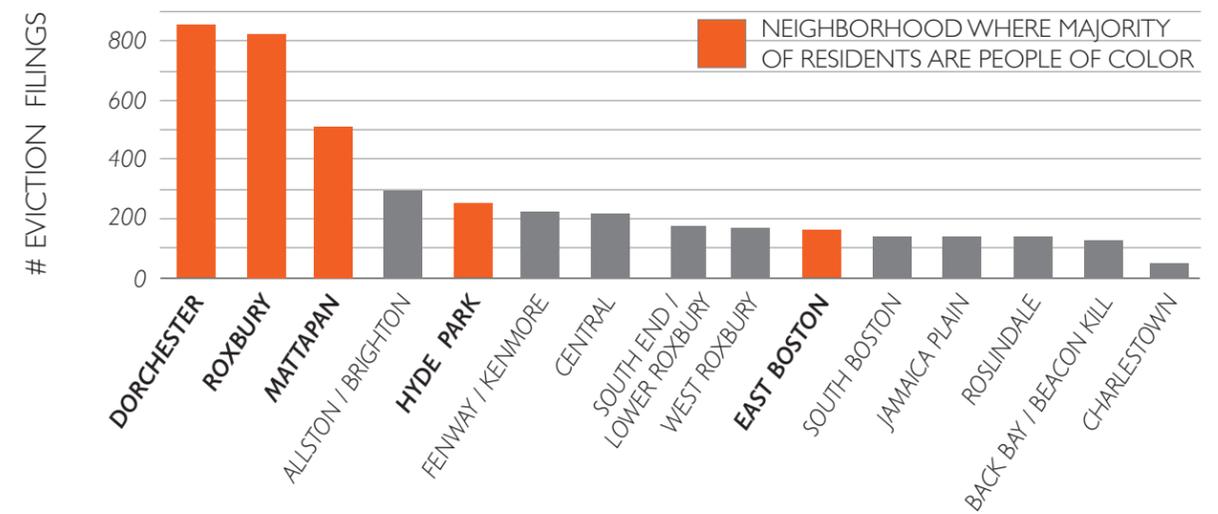


Figure 18

EVICTION FILINGS PER 100 MARKET-RATE RENTAL UNITS, BY NEIGHBORHOOD (2014-2016)

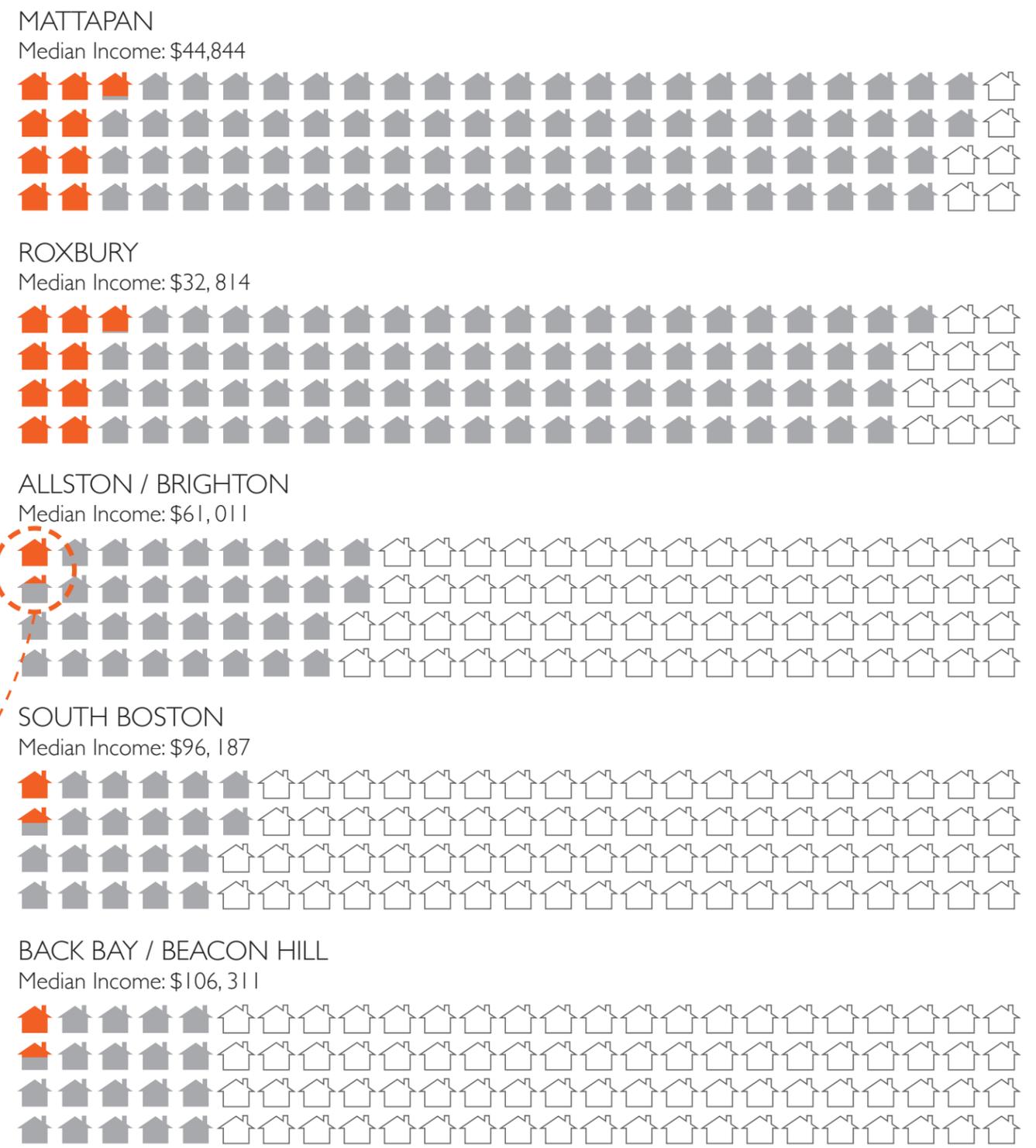


illustration purposes that eviction filings were evenly distributed throughout the neighborhood (which they are not), on a block with 20 market-rate rental properties and 60 units (three units in each property), approximately 2 units on every block in these neighborhoods would have an eviction filing.⁵²

GEOGRAPHIC CONCENTRATION OF EVICTION FILINGS

The following series of maps illustrates the overlap between the rate of eviction filings in market-rate rental housing and racial residential segregation in Boston. Whereas the charts above present eviction filing rates in market-rate rental housing at the neighborhood level, the maps show market-rate eviction filing rates at a more granular census tract level. Because there is no available census tract level count of market-rate housing units, the rates depicted in these maps show market-rate eviction filings over all rental housing units. In areas where a large portion of rental housing units is subsidized, such

Other neighborhoods have significantly lower market-rate eviction filing rates. The market-rate eviction filing rate in Roxbury and Mattapan was 7 times greater than in Allston and Brighton, and 6 times greater than in Back Bay and Beacon Hill, and South Boston.

1.3 Evictions Filings per 100 Rental Units in Allston/Brighton, compared to 8.8 in Mattapan - there are large differences in the racial compositions between the two neighborhoods



■ = Renter Household with Eviction Filing*
 ■ = Non-White Renter Household with No Eviction Filing
 ■ = White, Non-Hispanic Renter Household

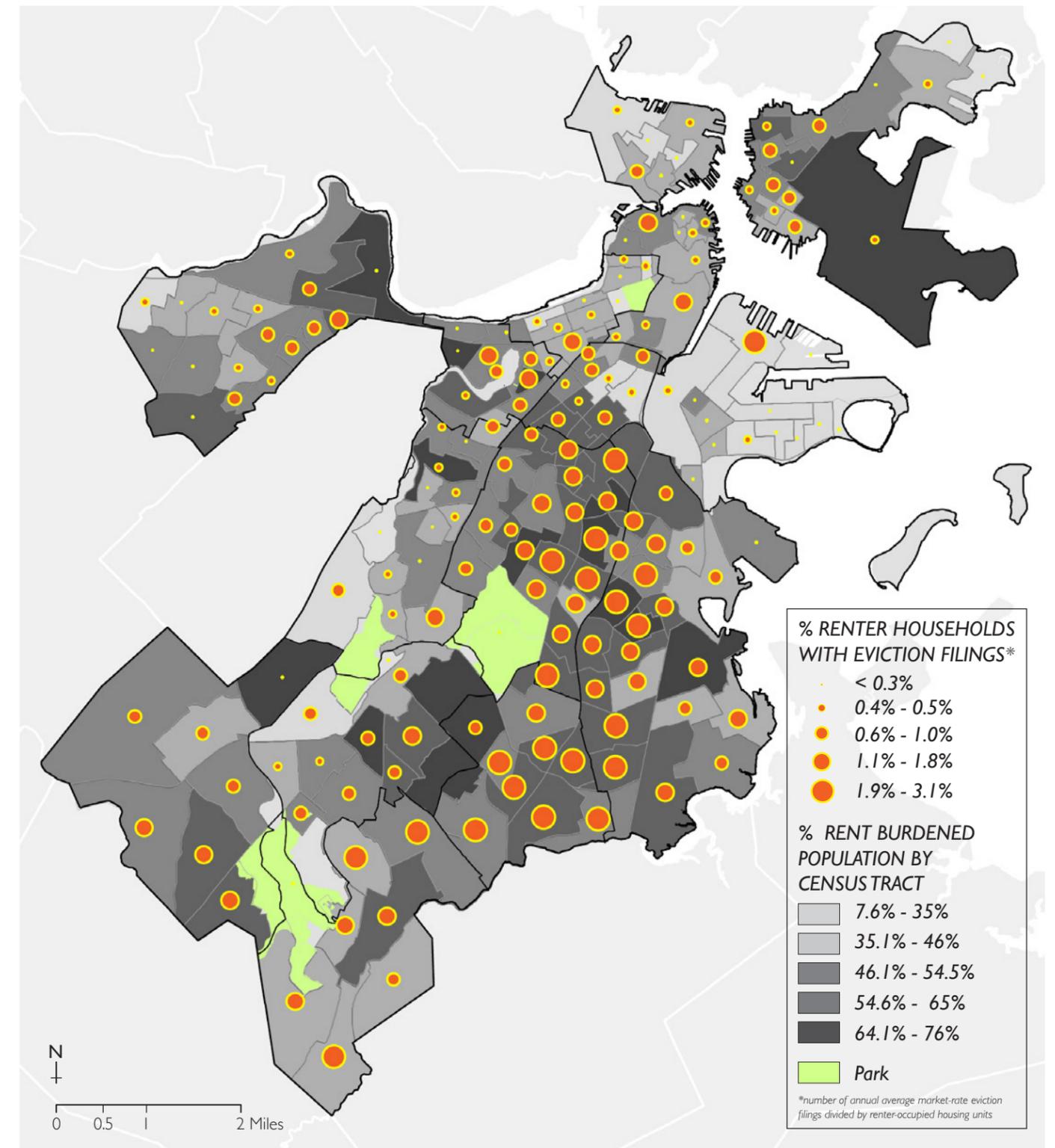
Figure 19

*number of private market eviction filings (2014-2016) divided by renter occupied housing units

as Roxbury and Mattapan, the rates depicted in the maps are therefore lower than the actual eviction filing rate in market-rate housing. Nonetheless, these maps are useful for visual representation.⁵³ Neighborhoods with the highest rental burden are largely those with the highest eviction filing rates. Neighborhoods with a large share of residents of color (especially neighborhoods with a large share of Black residents, such as Roxbury, Mattapan, Hyde Park, and areas of Dorchester that border Franklin Park) are even more closely correlated with

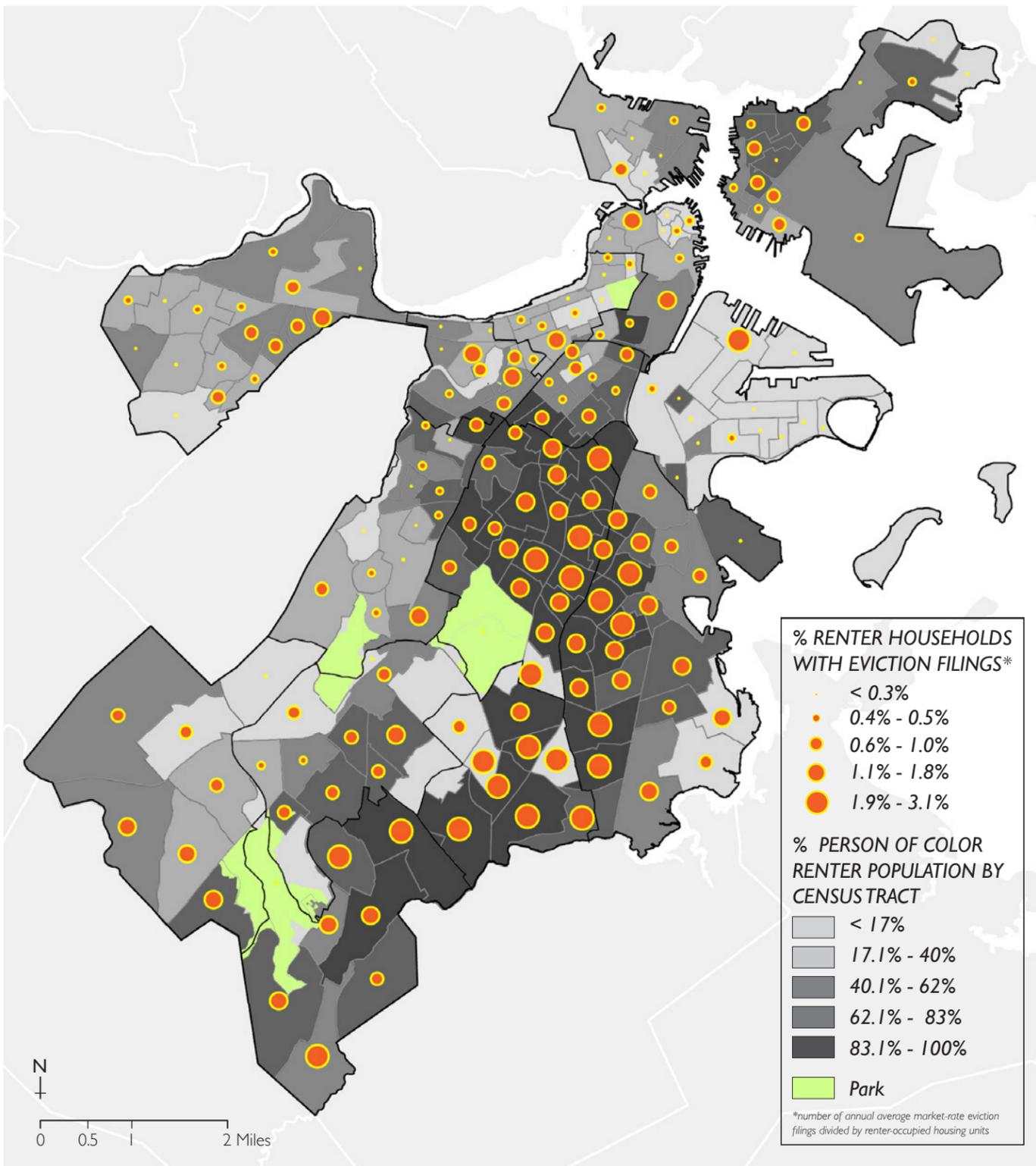
market-rate eviction filing rates than those with high rental burdens. These maps visually depict one of the key findings from our statistical analysis, that market-rate eviction filings are more likely in census tracts with a higher share of Black renters, above and beyond other indicators of poverty and disadvantage.⁵⁴ This relationship between neighborhood racial composition and eviction filings in market-rate housing suggest that housing instability and evictions have a disproportionate impact on Boston's Black residents.

The following series of maps illustrates the **OVERLAP** between the rate of **EVICTION FILINGS** in market-rate rental housing and **RACIAL RESIDENTIAL SEGREGATION** in Boston



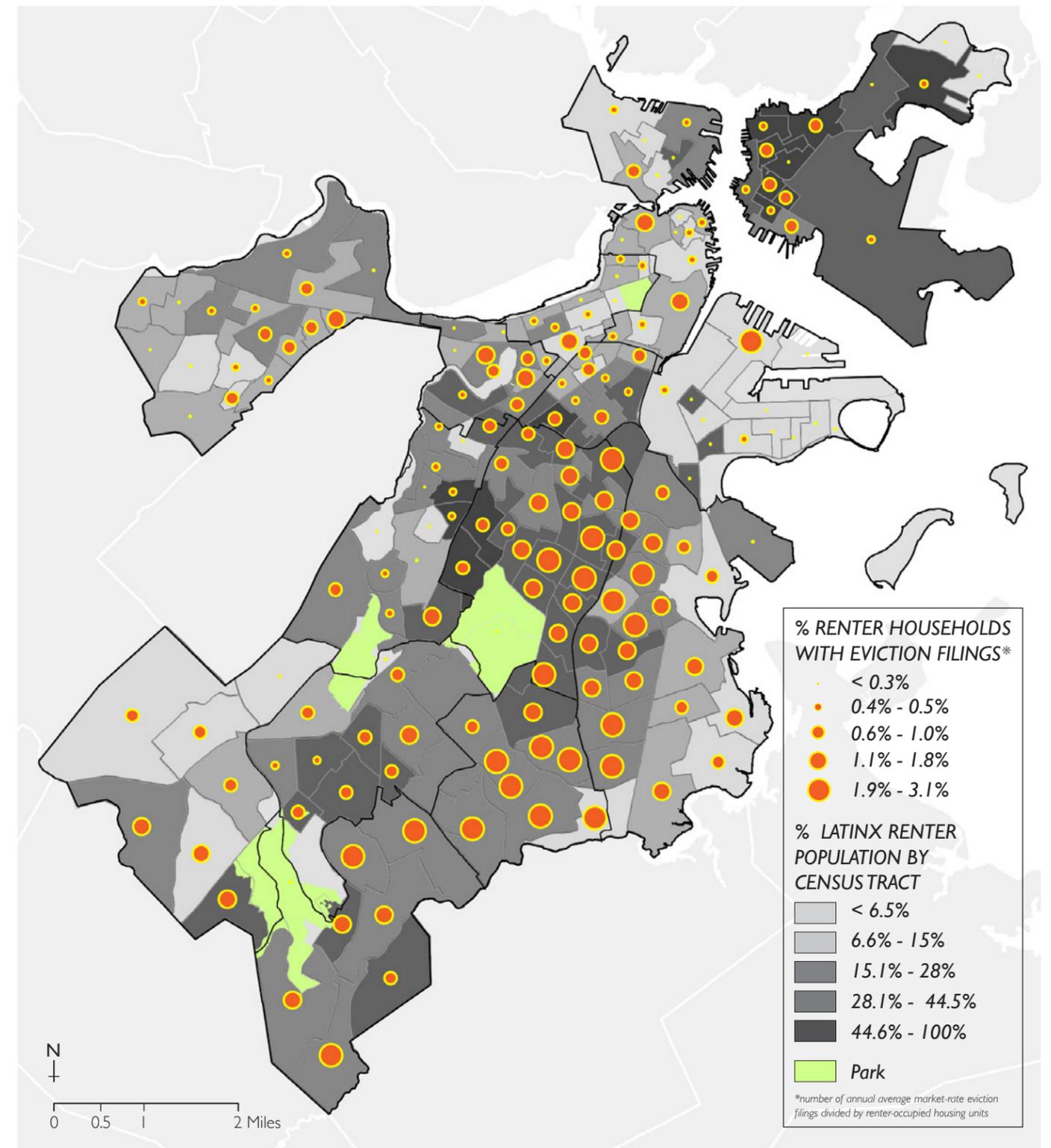
Annual Market-Rate Housing Eviction Filing Rate Underlaid with Rent Burdened Population, 2014-2016

Author: David Robinson, 2020; Design: Patricia Cafferky
 Source: Boston Department of Neighborhood Development;
 American Community Survey 2013-2017 5-Year Estimate



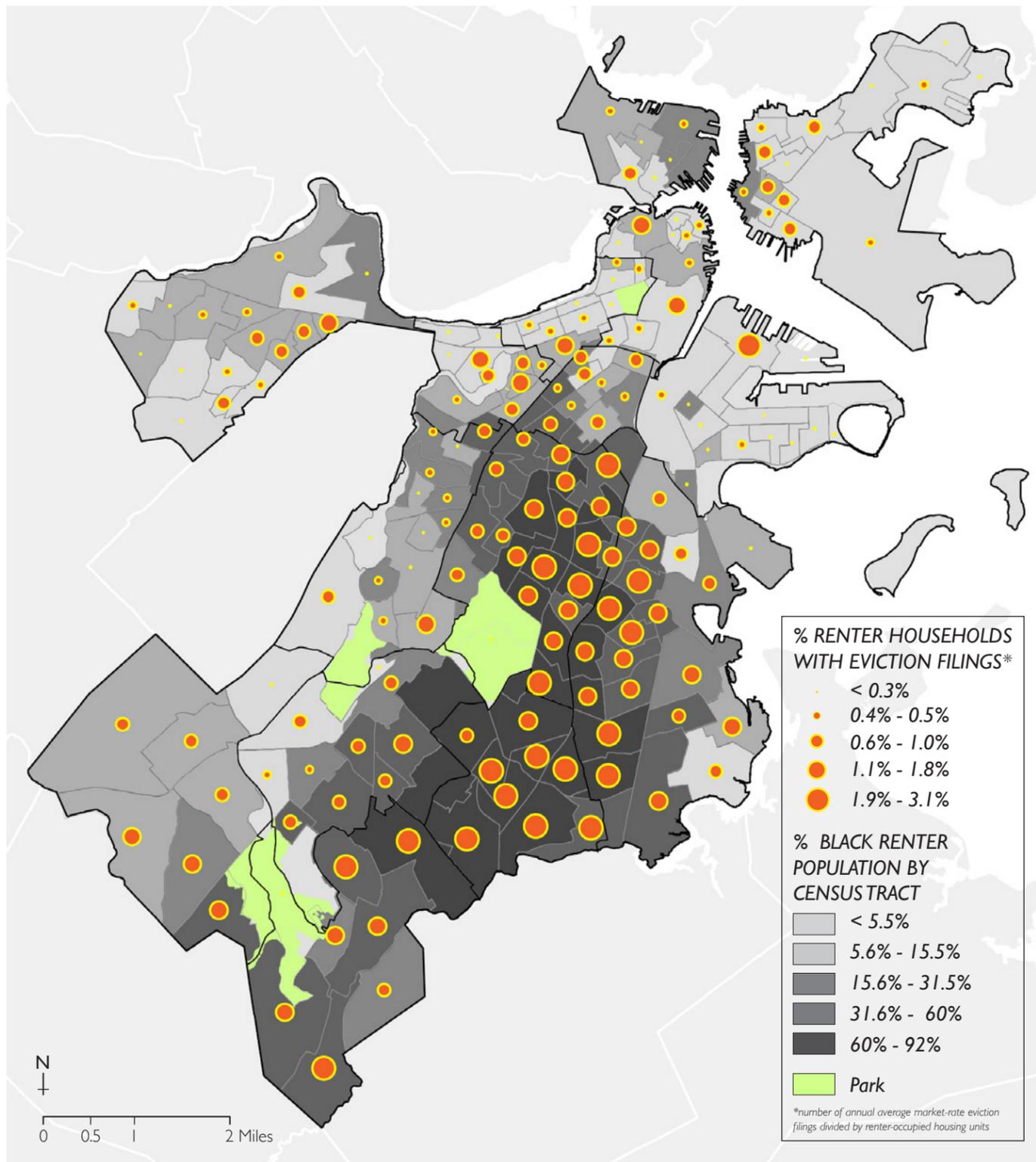
Annual Market-Rate Housing Eviction Filing Rate Underlaid with Renter Population of Color, 2014-2016

Author: David Robinson, 2020; Design: Patricia Cafferky
 Source: Boston Department of Neighborhood Development;
 American Community Survey 2013-2017 5-Year Estimate



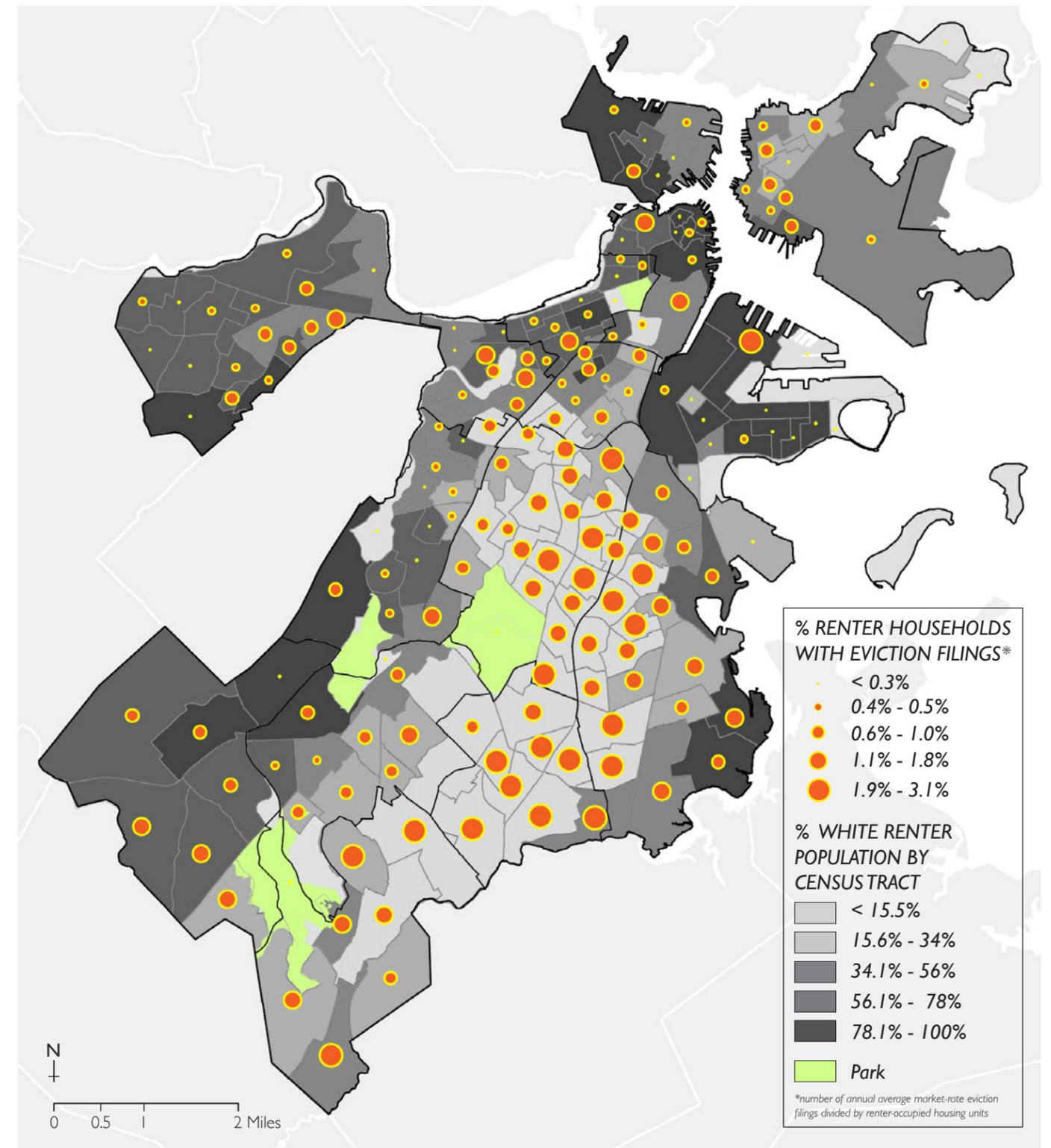
Annual Market-Rate Housing Eviction Filing Rate Underlaid with Latinx Renter Population, 2014-2016

Author: David Robinson, 2020; Design: Patricia Cafferky
 Source: Boston Department of Neighborhood Development;
 American Community Survey 2013-2017 5-Year Estimate



Annual Market-Rate Housing Eviction Filing Rate Underlaid with Black Renter Population, 2014-2016

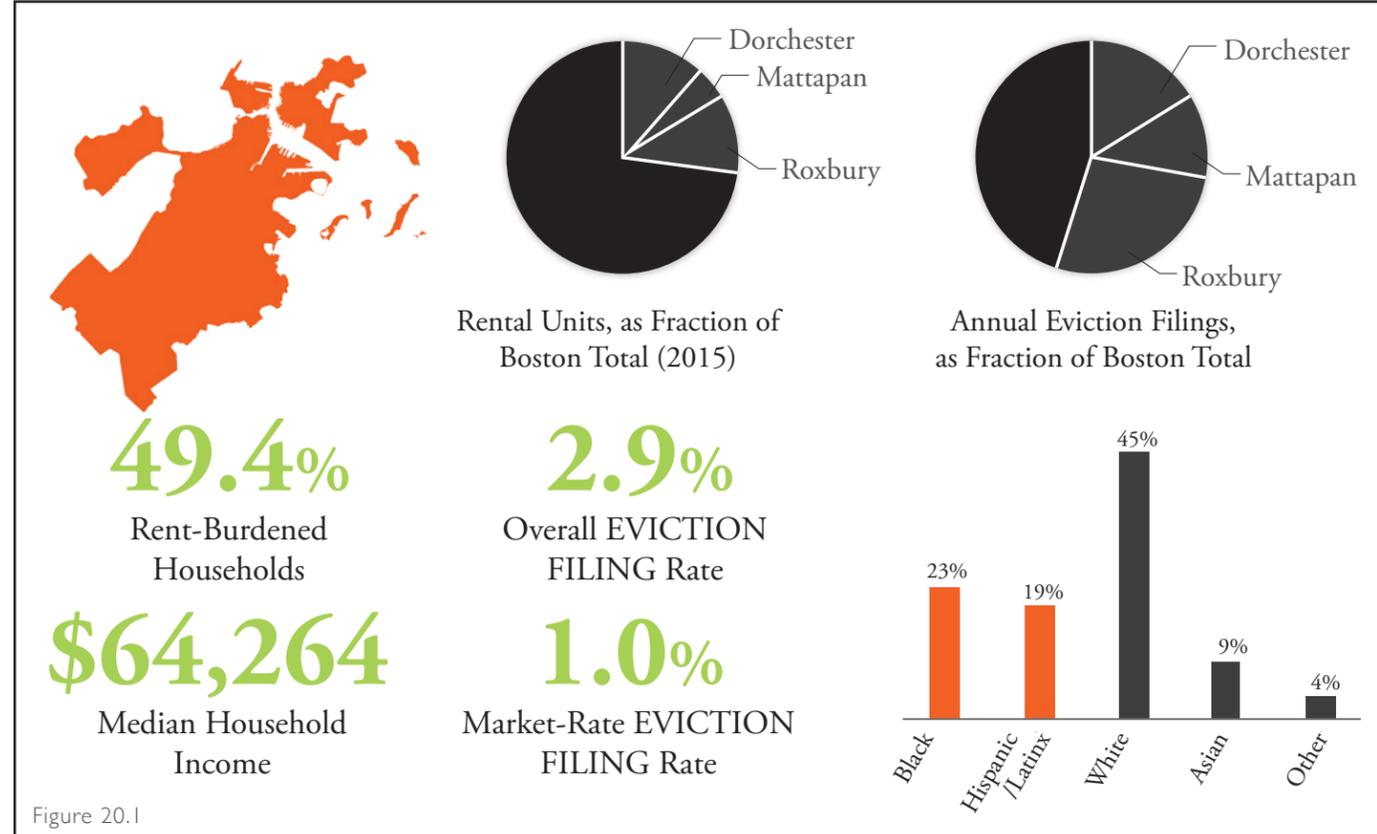
Author: David Robinson, 2020; Design: Patricia Cafferky
 Source: Boston Department of Neighborhood Development;
 American Community Survey 2013-2017 5-Year Estimate



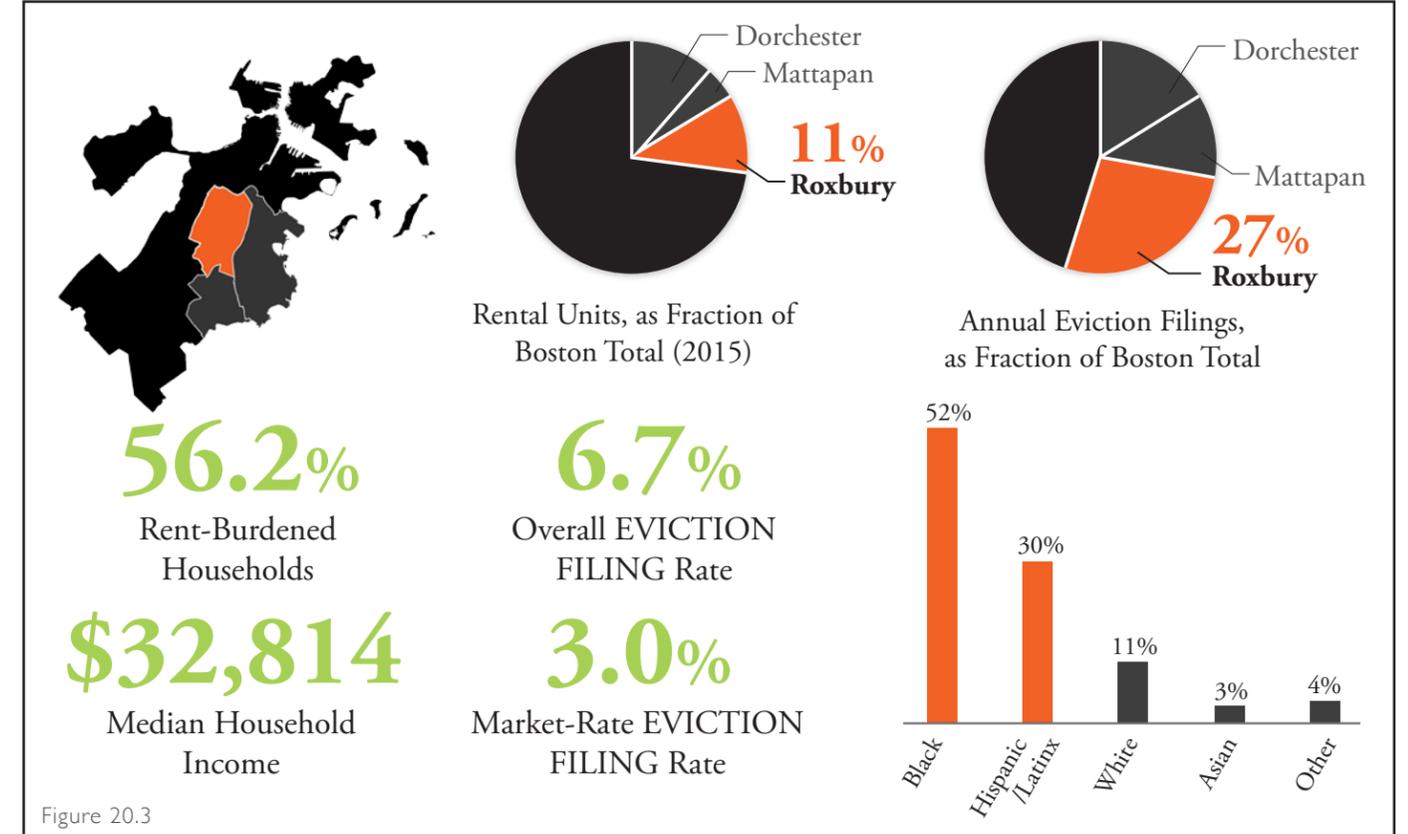
Annual Market-Rate Housing Eviction Filing Rate Underlaid with White Renter Population, 2014-2016

Author: David Robinson, 2020; Design: Patricia Cafferky
 Source: Boston Department of Neighborhood Development;
 American Community Survey 2013-2017 5-Year Estimate

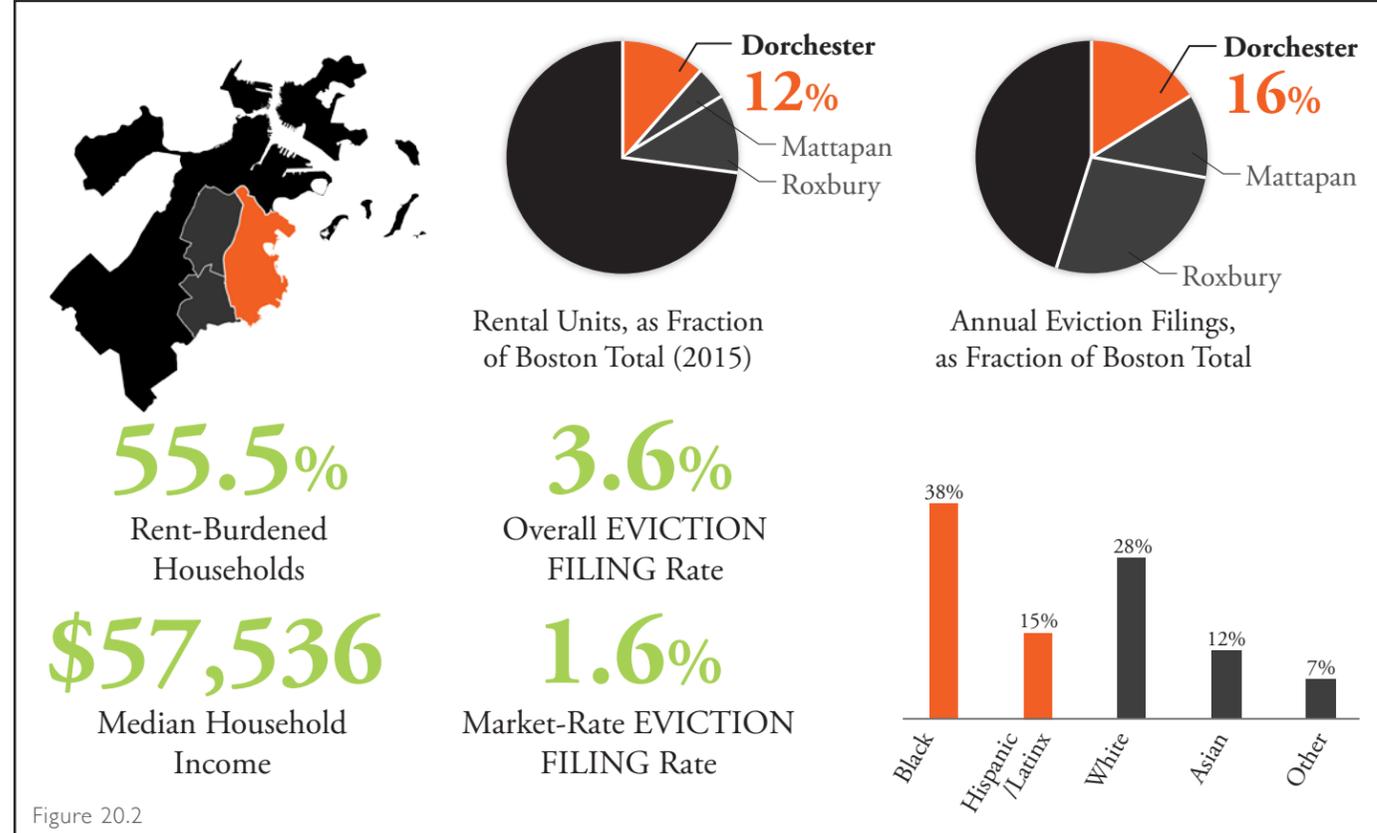
BOSTON - OVERALL



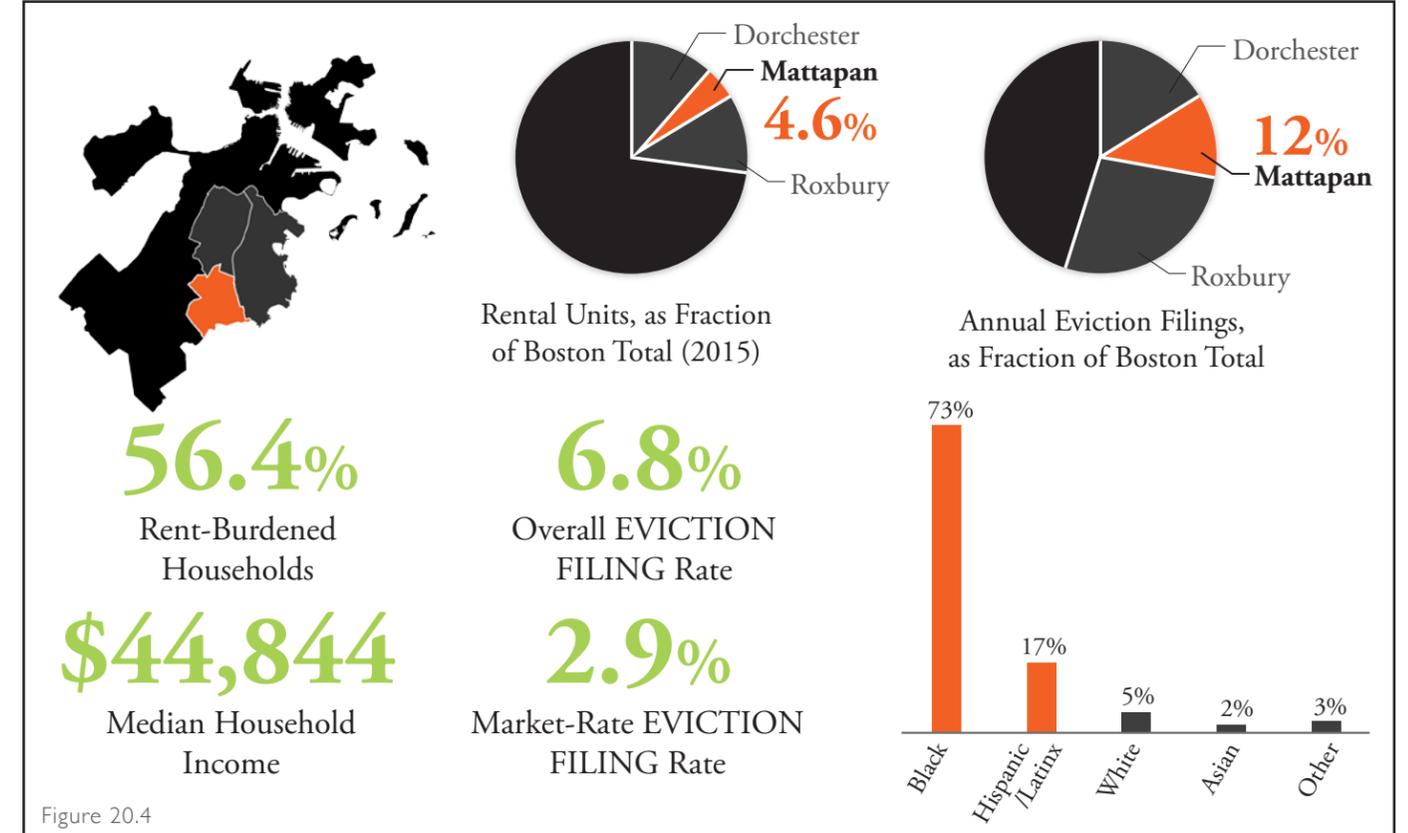
ROXBURY



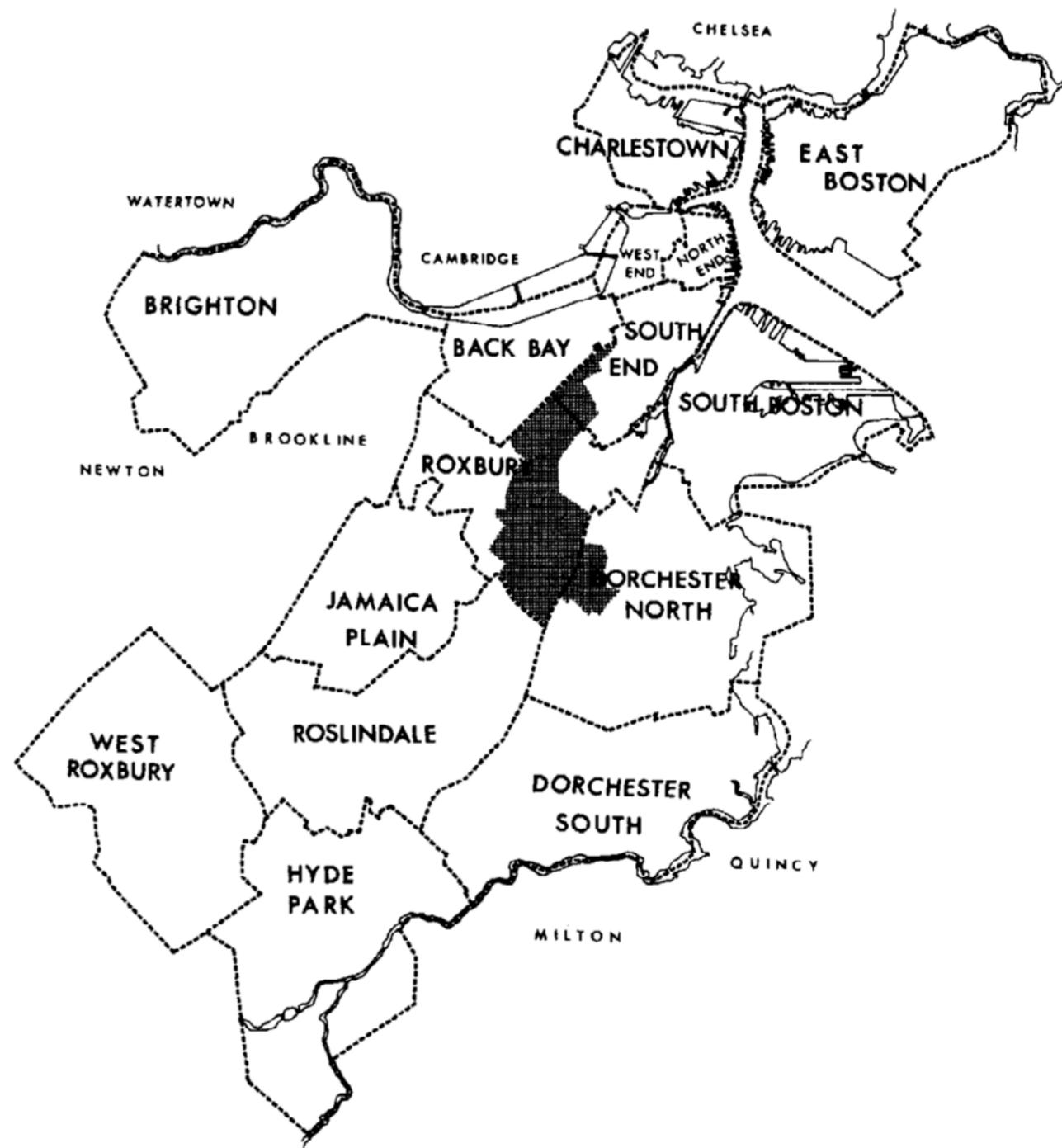
DORCHESTER



MATTAPAN



RACIAL SEGREGATION + HOUSING INSTABILITY



**CENSUS TRACTS IN WHICH NEGROES WERE
50% OR MORE OF TOTAL POPULATION IN 1960**

Source: U.S. Census of Population, 1960.

Figure 21
Map of Boston Showing Black Population as Shaded Area, 1960.
Reproduced from "Report on Massachusetts: Housing in Boston", December 1963.
By the MA Advisory Committee to the US Commission on Civil Rights.

INTRODUCTION

Evictions and housing instability are closely related to income and wealth. With unstable or low-paying employment and few assets to provide a safety net in the event of a financial emergency, low-income families are particularly vulnerable to eviction.⁵⁵ This vulnerability is especially acute in an expensive rental market such as Boston, where 49 percent of households already spend more than 30 percent of their income on housing, and rents in the metropolitan area have been rising steadily over the past decade.^{56, 57}

Low-income families are more at risk of being evicted, and evictions then exacerbate income insecurity and poverty. Evictions have high costs for low-income families, from storage costs for belongings, to debt on rental payments owed for their old apartment, to moving costs, and security deposits for new housing. As discussed above, evictions are also associated with negative effects on employment, such as job loss,⁵⁸ and have significant physical and psychological consequences for those who are evicted.⁵⁹ As sociologist Matthew Desmond explains, "Eviction is both a condition and a cause of poverty."⁶⁰

Because eviction filings in Boston are concentrated in communities of color, understanding the relationship between evictions and race requires unpacking the role of structural racism in generating and perpetuating racialized disadvantage in Boston. We first explore the current state of concentrated disadvantage among communities of color and Black communities in Boston in particular. Concentrated disadvantage in communities of color is at least in part the result of decades of segregation and racial discrimination in housing, employment, education, and policing.

KEY TERMS

RACIAL SEGREGATION when residential, is the systematic separation of people based on their race or ethnicity due to public or private action.

DISPROPORTIONATE EFFECTS are when something adversely impacts one or more groups more than others.

RED LINING which began in 1934, was the practice of rating neighborhoods with immigrant and non-White residents lower than neighborhoods with White residents for mortgage underwriting processes. Redlining made it difficult or impossible for many families of color to obtain federally-backed mortgages to purchase or improve homes on the same terms as White families.⁶⁶

EXCLUSIONARY ZONING is when cities and towns use their land use regulations to exclude certain land uses and certain groups of people from a given neighborhood or municipality, often by prohibiting or heavily restricting multi-family dwelling units and requiring large minimum lot sizes, among other common provisions. These land use regulations inflate the cost of housing, to the financial benefit of current residents, and make it exceedingly difficult for poor and working class families to live in these places. Today, 70 percent of municipalities in Greater Boston have more than 80 percent of their land zoned for single-family use.⁶⁷

POVERTY AND BOSTON'S RACIAL WEALTH GAP

Just over half of Boston's residents identify as people of color. Twenty-three percent of Boston's population identify as Black or African American, 19 percent identify as Latinx, and 9 percent identify as Asian.⁶¹ While Boston as a whole has experienced a significant economic boom since the 2008 recession, levels of poverty in Boston's communities of color and historically Black neighborhoods have remained high. Although the median household income in Boston in 2017 was \$64,264, the average median income in Boston's census tracts in which a majority of residents identified as people of color

was roughly one-third lower, \$42,880. In census tracts in which a majority of residents identified as Black, the median household income was still lower, at \$38,807. The average poverty rate across all census tracts in Boston was 14 percent, compared to 20 percent in census tracts where a majority of residents identify as people of color and 23 percent in majority Black census tracts.⁶²

Income and poverty rates, however, are limited measures of systemic disadvantage. Wealth (also known as net worth) more accurately measures systemic disadvantage. Net worth is the sum of all assets, such as homes, cars,

businesses, stocks or other investments, minus all debts, such as outstanding loans. According to a study by the Federal Reserve Bank of Boston in 2015, **the racial wealth gap in Boston is striking. While the average net worth of a White household in Boston is \$247,500, the average net worth of a Black households is only \$8, and the average net worth of Latinx households is \$2,700.** In other words, the average net worth of a White household in Boston is more than 30,000 times the average net worth of a Black family in Boston.⁶³ This gap is far larger than the already dramatic national average. Based on data from the 2016 Survey of Consumer Finances, White

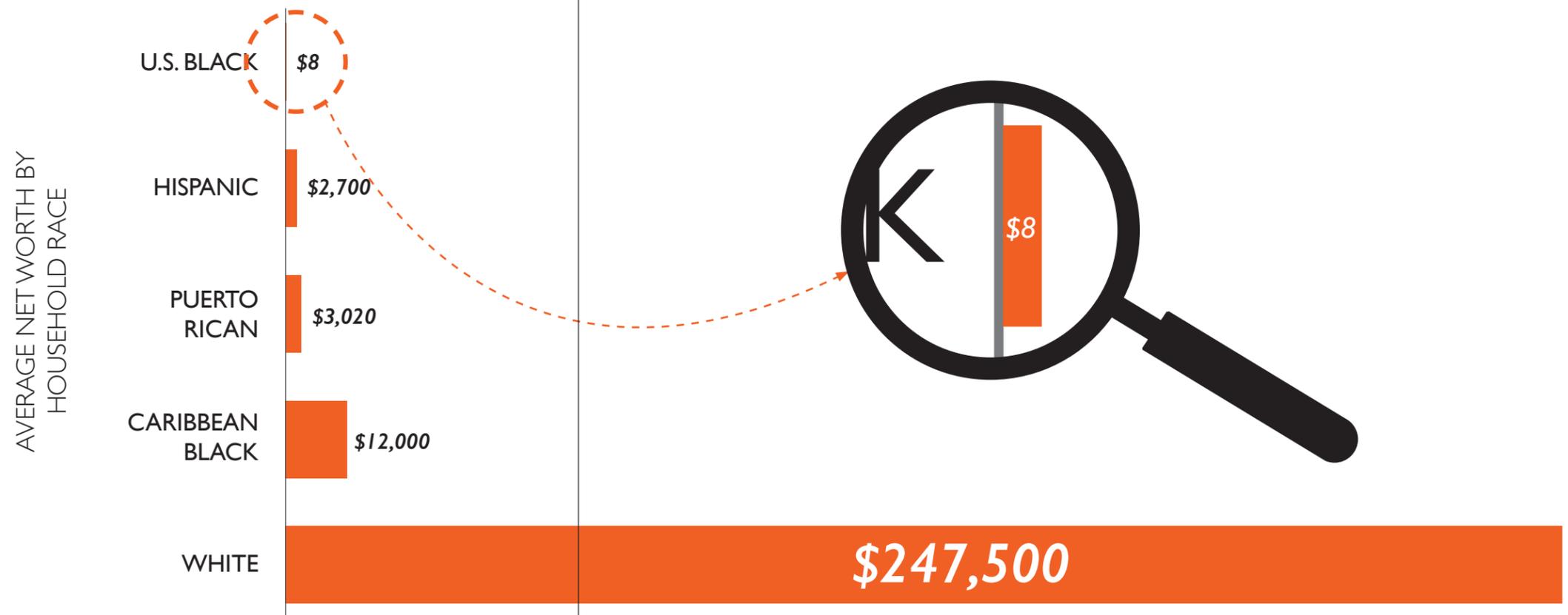


Figure 22
Average Net Worth by Race of Household in Boston; Reproduced from "The Color of Wealth in Boston" (2015), by Munoz et al.

families in the United States have 10 times the median net worth of Black families, and 8 times the median net worth of Latinx families.⁶⁴ Above and beyond disparities in income and poverty status, the racial wealth gap in Boston points to decades of compounding disadvantage in Boston's communities of color.

Wealth disparities, like eviction filings, are highly concentrated in neighborhoods where a large share of the residents identify as Black, such as Roxbury, Mattapan, Dorchester, and Hyde Park. Of the 73 census tracts in the City of Boston in which at least 15 percent of residents identify as Black, there is only one census tract (in Hyde Park) that might be described as middle-class, in which 30 percent or more of residents over 25 have a Bachelor's degree and the median household income is at or above the greater Boston median.⁶⁵ In other words, residents of the neighborhoods in Boston where a substantial number of Black residents live experience significant socioeconomic disadvantages. These compounding forms of disadvantage in wealth, in educational attainment, and in poverty are geographically concentrated along stark racial lines.

A HISTORY OF RACIAL SEGREGATION IN BOSTON

The concentrated disadvantage in Roxbury, Dorchester, and Mattapan is not a coincidence. **Over the course of the 19th and 20th centuries, local, state, and federal government agencies**

and private actors enacted and institutionalized a series of policies and practices designed to create and maintain racially segregated and unequal residential patterns that were supported and enforced, often violently, by property owners, real estate brokers, and White communities and voters. These policies limited Black residents and other residents of color to a few neighborhoods and then starved those neighborhoods of the public and private investments necessary to build wealth and access to quality education and stable, living-wage jobs.

The legacy of this institutional racism is arguably reflected in the disproportionate effects of evictions on Boston's communities of color, and especially Black communities. While this history is too complex to explain fully in this report, the following section provides a brief overview of a few of the policies and practices that have contributed to this residential segregation and concentration of disadvantage.⁶⁸ Although the focus is on Black communities, Boston also has high levels of poverty and concentrated disadvantage in neighborhoods with large immigrant populations today, such as East Boston and Chinatown.

RACIALLY-RESTRICTIVE COVENANTS (1920 – 1949)

In the early 20th century, public and private actors designed regulations to sort households by race. One of the ways this occurred was through racially-restrictive covenants. Racially-restrictive

covenants from this time period are well-documented nationally, though there is limited historical documentation from Greater Boston.⁶⁹ In the early 20th century, towns and cities enacted ordinances that explicitly required Black and White residents to live on separate blocks and in separate neighborhoods. When the Supreme Court in 1917 held that these municipal ordinances violated the Constitution's Equal Protection Clause in *Buchanan v. Warley*, private real estate developers and neighborhood associations began using deed restrictions to prohibit selling or leasing property to non-White or non-Christian residents. In 1924, the National Real Estate Board amended its code of ethics to prohibit its members from introducing "any race or nationality, or any individual whose presence will clearly be detrimental to

property values in that neighborhood." After extensive litigation by the National Association for the Advancement of Colored People (NAACP), the Supreme Court found that court enforcement of racially restrictive covenants would constitute state action in violation of the Constitution's Equal Protection clause in *Shelley v. Kraemer* in 1948.⁷⁰

REDLINING (1934 – 1968)

Congress created the Federal Housing Administration during the New Deal to encourage and expand access to homeownership by standardizing long-term, fixed-rate mortgages. As part of this effort, the Federal Housing Administration sought to make housing appraisal processes more uniform. In its underwriting manual, the Federal Housing Administration encouraged

FORM B
10-1-37

AREA DESCRIPTION - SECURITY MAP OF Greater Boston, Mass.

1. AREA CHARACTERISTICS:

a. Description of Terrain. Level to hilly

b. Favorable Influences. Good transportation, schools, etc. Close to central Boston employment area.

c. Detrimental Influences. Congested. Heavy traffic. Large assessments. unimproved property. Poor housing. Cosmopolitan population. Obsolescence.

d. Percentage of land improved 100 %; e. Trend of desirability next 10-15 yrs. Down

2. INHABITANTS:

a. Occupation Clerks - labor - relief; b. Estimated annual family income \$ 600-1500

c. Foreign-born families 50 %; Mixture predominating; d. Negro Yes ; 25 %

e. Infiltration of Foreign - negro ; f. Relief families Heavy

g. Population is increasing _____; decreasing _____; static Yes

Figure 23
"Area Characteristics" and "Inhabitant Composition" from 1937 HOLC D9 Roxbury neighborhood evaluation.

mortgage underwriting standards that favored neighborhoods with wealthier, White, native-born residents and that used racially-restrictive covenants to exclude others.⁷¹

The Home Owners Loan Corporation created color-coded maps that rated neighborhoods for mortgage underwriting purposes. Their neighborhood ratings relied in part on the race and national origin of residents. This practice of rating neighborhoods with immigrant and non-White residents lower for underwriting purposes (known as redlining) made it difficult or impossible for many families

of color to obtain federally-backed mortgages to purchase or improve homes on the same terms as White families.⁷² Largely due to their high concentrations of Black families in the South End and Roxbury, and immigrant families in Dorchester, Mattapan, and Hyde Park, the HOLC deemed the South End and much of Roxbury “hazardous,” and Dorchester, Mattapan, and Hyde Park “declining.”⁷³ Without opportunities to purchase affordable mortgages, Black families and other families of color were denied equal opportunities to build wealth and severely restricted in their ability to choose where to live.

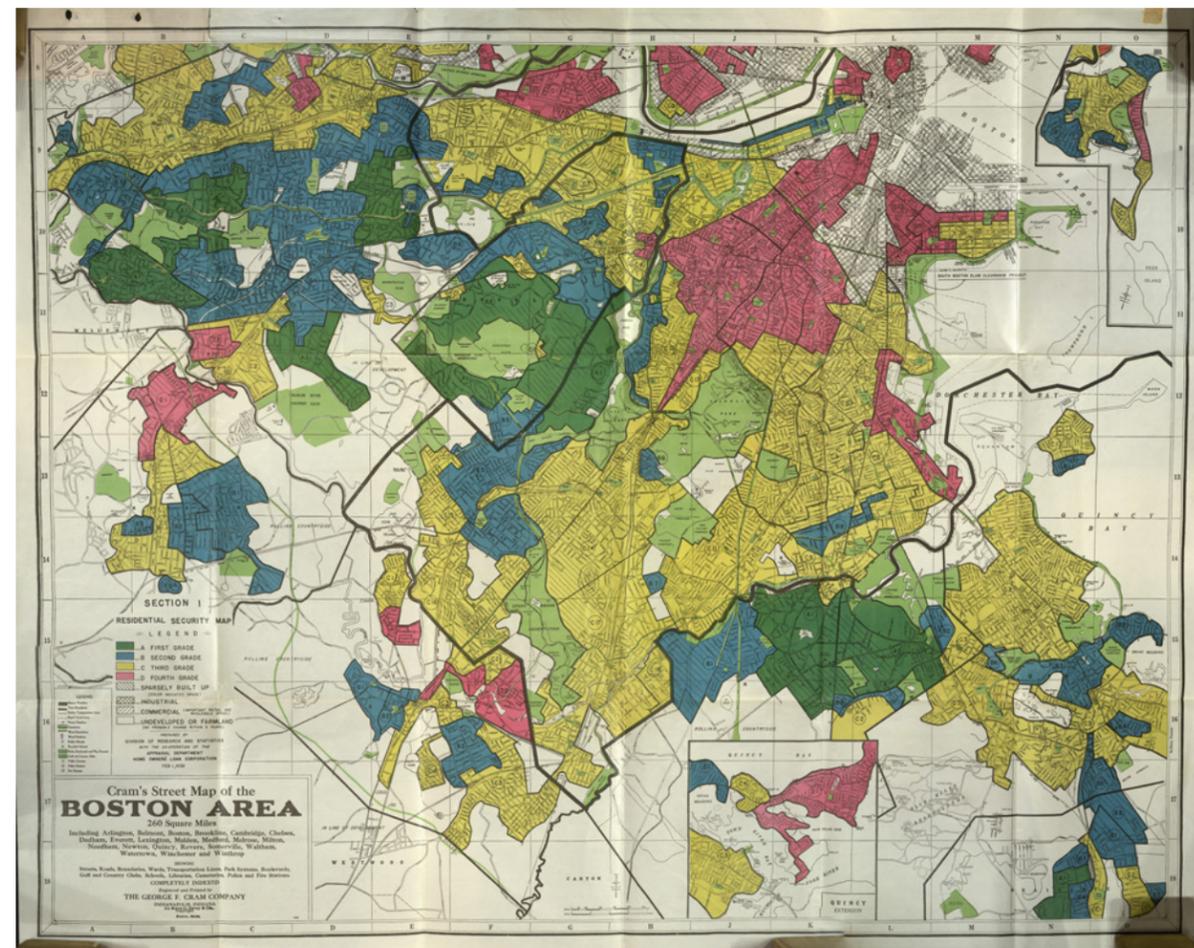


Figure 24
Homeowners Loan Corporation “Redlining” Map of Boston and the Surrounding Area (1938)

The Civil Rights Movement won passage of the Civil Rights Act of 1964, part of which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance, thus rendering discrimination by the Federal Housing Administration and Home Owners Loan Corporation illegal. Redlining, however, had already limited the residential opportunities of African-American households moving to Boston from the U.S. South in the early to mid-20th century.⁷⁴ Immigrant families to Boston from places like Haiti and Cape Verde frequently followed these established residential patterns in the final third of the 20th century and into the 21st.⁷⁵

HOUSING DISCRIMINATION (1940s – Present)

While the Home Owner’s Loan Corporation visibly drew boundaries around neighborhoods for underwriting purposes, these borders were further enforced by housing discrimination among private property owners, real estate brokers, and lenders. These patterns of discrimination made it nearly impossible for families of color to find housing outside of segregated neighborhoods. In some cases, housing discrimination was overt—in one case a Black tenant was told “Negro tenants were unacceptable” and then was abruptly invited to seek housing in Roxbury”. In others it was more hidden, such as real estate agents telling prospective buyers of color that housing had already been sold or rented.⁷⁶ Civil Rights advocates finally won passage

of the Federal Fair Housing Act in 1968, which made these types of housing discrimination illegal, but they continue in various forms today.⁷⁷ For instance, a Boston Federal Reserve Bank study in 1989 found mortgage discrimination in more than half of the loans it reviewed.⁷⁸

WHITE FLIGHT AND BLOCKBUSTING (1950s – 1980s)

As more Black families moved to Boston and settled in redlined neighborhoods, many White homeowners sold their homes and fled to suburbs that were experiencing a surge in public and private investment. White flight was also exacerbated by blockbusting, in which real estate agents and land speculators used fear-mongering to convince White families living in “hazardous” or “declining” neighborhoods to sell their homes at cheap prices before property values plunged. These speculators then turned around and sold or rented these homes to Black families at predatory rates.⁷⁹ Blockbusting further segregated Boston and extracted wealth from Black neighborhoods as property values plummeted and Black families bought or rented housing at high prices.

SUBSTANDARD HOUSING (1950s – Present)

With few options to live outside of redlined neighborhoods, Black families often had to settle for low quality housing. A 1963 report found that “in 9 of the 12 neighborhoods [of the South End, Roxbury, and Dorchester] over half of the units occupied by nonwhites are

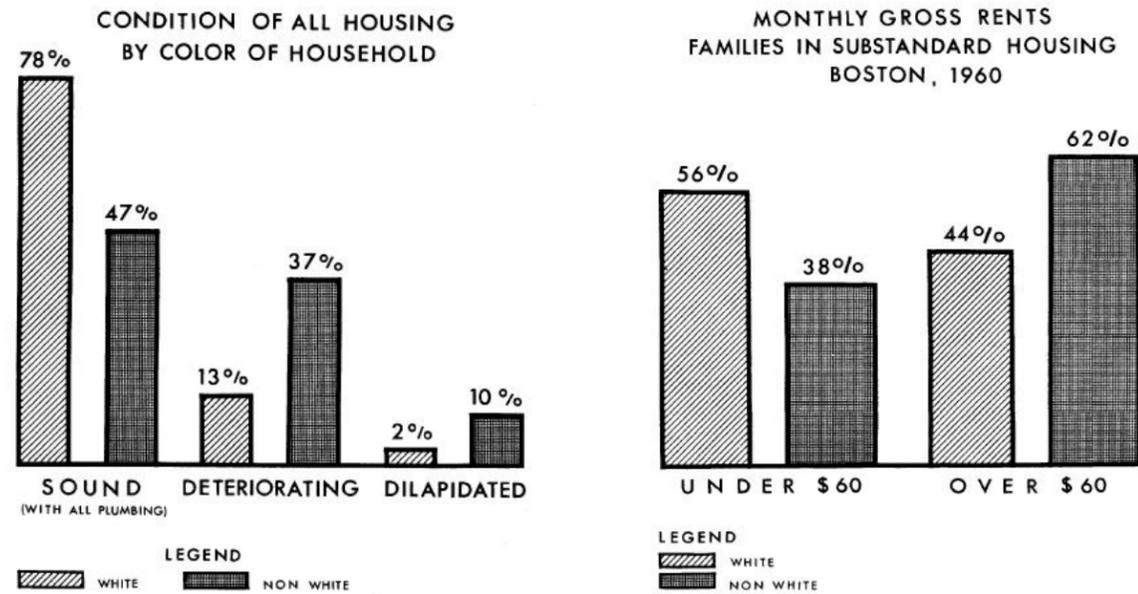


Figure 25
Racial Disparities in Housing Quality and Price; Report on Massachusetts: Housing in Boston (1963) by the Massachusetts Advisory Committee to the United States Commission on Civil Rights. pp. 11-15.

substandard.” Based on the definition of “substandard housing,” this meant that a majority of families in these neighborhoods lacked hot water, a flush toilet inside the house, or a shower inside the house. In contrast, only 13 percent of White families occupied deteriorating housing. Even though many families of color occupied sub-standard housing, they paid a disproportionately high rent for this housing. The median gross monthly rent in Boston for White families was \$57, while the median gross monthly rent for non-White families was \$65. The charging of higher rents for lower quality housing is another way that Black families in Boston were stripped of the opportunity to build wealth.⁸⁰

URBAN RENEWAL (1950s – 1960s)

While the public sector actively disinvested in certain communities

of color, contributing to high poverty rates and poor-quality housing, public investment actively targeted other communities of color for redevelopment, with massively destabilizing consequences for existing residents of these neighborhoods. This investment, called “urban renewal,” displaced tens of thousands of families in neighborhoods of color throughout the 1950s and 1960s. With money and authority granted through federal urban renewal legislation, the Boston Redevelopment Authority used eminent domain to seize and redevelop large swathes of property in neighborhoods it characterized as “blighted” or “deteriorating.” The entire immigrant neighborhood of the West End was redeveloped into higher-cost housing, displacing its 20,000 existing residents.⁸¹ Similar urban renewal projects were carried out in the South



Figure 26
Washington Park Urban Renewal Plan, Boston Redevelopment Authority

End and Roxbury. The South End plan called for the displacement of 3,500 households without adequate plans for relocation, but was met with tremendous community resistance.⁸²

REVERSE RED-LINING (1970s – 1980s)
Beginning in the 1970s, predominantly Black and Latinx communities shifted from being objects of economic exclusion to targets for financial exploitation by intermediaries seeking to expand the pool of loans available for securitization.⁸³ From the 1970s through to the present, civil rights advocates fought at the local and national level to combat discrimination in housing, winning the passage of federal laws such as the Equal Credit Opportunity Act in 1974, the Home Mortgage Disclosure Act in 1975, and the

Community Reinvestment Act in 1977.⁸⁴ At the same time, federal legislative changes in the 1980s and 1990s facilitated the continued expansion of a secondary mortgage market in which home loans originated by brokers, bankers, or non-bank lenders are sold to investment firms that securitize them, by bundling them together to back bonds for sale to investors.⁸⁵ Profits for loan originators came to depend not on long-term home values or the borrower's likelihood of default but on short-term revenues from points, fees, origination charges, and the gap between the prevailing interest rate index and the rate paid by borrowers, commonly known as the 'yield spread'.⁸⁶

After being denied credit for years, communities of color represented an

untapped market with established home equity and ample room for increased homeownership. The persistence of high levels of racial segregation combined with these structural changes in the lending industry facilitated the development of a structurally segmented mortgage market that offered separate and unequal loan products to disadvantaged borrowers located in Black and Latinx neighborhoods, particularly large numbers of high-cost, sub-prime loans.⁸⁷

RESTRICTING MULTI-FAMILY ZONING (1970s – Present)
As White flight expanded Greater Boston's suburbs, these municipalities established strong exclusionary zoning restrictions that made it exceedingly difficult for poor and working class families to live there. These restrictions included zoning all developable land for single-family homes only and establishing minimum property sizes to maintain high property values—effectively excluding lower-income households and renters. Today, 70 percent of municipalities in Greater Boston have more than 80 percent of their land zoned for single-family use.⁸⁸

VIOLENCE IN RESPONSE TO SCHOOL DESEGREGATION (1974 – 1976)
The deeply entrenched nature of racial segregation in Boston is perhaps best evidenced by the violent resistance of White communities against efforts to desegregate. In 1974, as a result of a federal court order, Boston laid out a plan to integrate its racially-segregated schools by busing students to different

schools citywide. The anti-desegregation group, Restore Our Alienated Rights (ROAR), led in part by City Councilor and former Congresswoman Louise Day Hicks, organized White Bostonians against desegregation. Between 1974 and 1976, ROAR led marches, sit-ins, and protests to block desegregation. White mobs stoned school buses, leaders of white communities in South Boston encouraged attacks on Black people, and Black students were attacked by their White peers in schools.⁸⁹ The violence and intimidation against Black students during desegregation in the 1970s demonstrated the lengths to which White Bostonians would go to preserve segregation.

LAND SPECULATION, VACANCY, AND ARSON (1978 – 1985)
At the same time that opportunities for working class people of color to live outside of Boston were being restricted, communities of color within the city faced a combination of public and private disinvestment. A particularly violent form of wealth extraction was the arson epidemic in the 1970s and 1980s in Roxbury and Dorchester. As property values plummeted in these neighborhoods, absentee property owners found it more profitable to burn their buildings and collect the insurance proceeds than to continue to maintain the property. In a 5-year period between 1978 and 1982, there were over 3,000 cases of suspected arson in Roxbury's Highland Park neighborhood.⁹⁰ The arson rates not only stripped value from



Figure 27
Boys throw objects at a bus carrying Black students in Dorchester under the new busing system, Boston (1974).
Photo by Jack O'Connell/The Boston Globe via Getty Images.

these already disinvested neighborhoods, but they also sowed fear among residents.

2008 FORECLOSURE CRISIS (2006 – 2011)

The foreclosure crisis of 2008 impacted neighborhoods of color at drastically disproportionate rates compared to other neighborhoods in Boston. There were over 4,000 foreclosures in Boston between 2006 and 2011. More than 80 percent of these foreclosures took place in 5 of Boston's 15 planning districts: Dorchester, Mattapan, Roxbury, Hyde Park, and East Boston (in order of highest to lowest foreclosure rates).⁹¹ The disproportionate rate of foreclosures in these neighborhoods reflects both existing poverty from decades of segregation, as well as the prevalence of high-cost or predatory lending in these communities.⁹² High rates of predatory lending and foreclosures represent another form of wealth extraction in Boston's Black neighborhoods and neighborhoods of color.

RACIAL SEGREGATION + DISPROPORTIONATE EFFECTS OF EVICTIONS

These interlocking forces of institutional racism throughout Boston's history have created a highly segregated metropolitan area and stripped many Black families and other families of color of the opportunities to generate wealth. **This history of racialized exclusion and disinvestment has created conditions of concentrated disadvantage in Roxbury, Dorchester,**

and Mattapan that make these neighborhoods especially vulnerable to the devastating impact of evictions. In the same way that the foreclosure crisis of 2008 hit communities of color harder than others, concentrated disadvantage in the form of lower incomes, higher poverty, and less wealth make families in these neighborhoods of color far more likely to fall behind on rent and face eviction in court.

To examine the role of poverty and race in evictions, we conducted statistical analyses to estimate the relationship between eviction filings in market-rate rental housing and demographic characteristics of Boston neighborhoods. The results (in Appendix B) show that the poverty rate, median household income, rent burden, and share of Black and Latinx residents in neighborhoods are all independently correlated with a higher likelihood of multifamily residential properties in that neighborhood having an eviction filing.

When we examine all of these factors together, we find that the share of Black renters in a neighborhood continues to be closely related to the likelihood of eviction filings, above and beyond the effects of poverty rate, median household income, or rent burden in that neighborhood.

These findings suggest that the concentrated disadvantage associated with structural racism and segregation is related to the adverse effects of evictions on neighborhoods with a large share of Black residents. The compounding influences

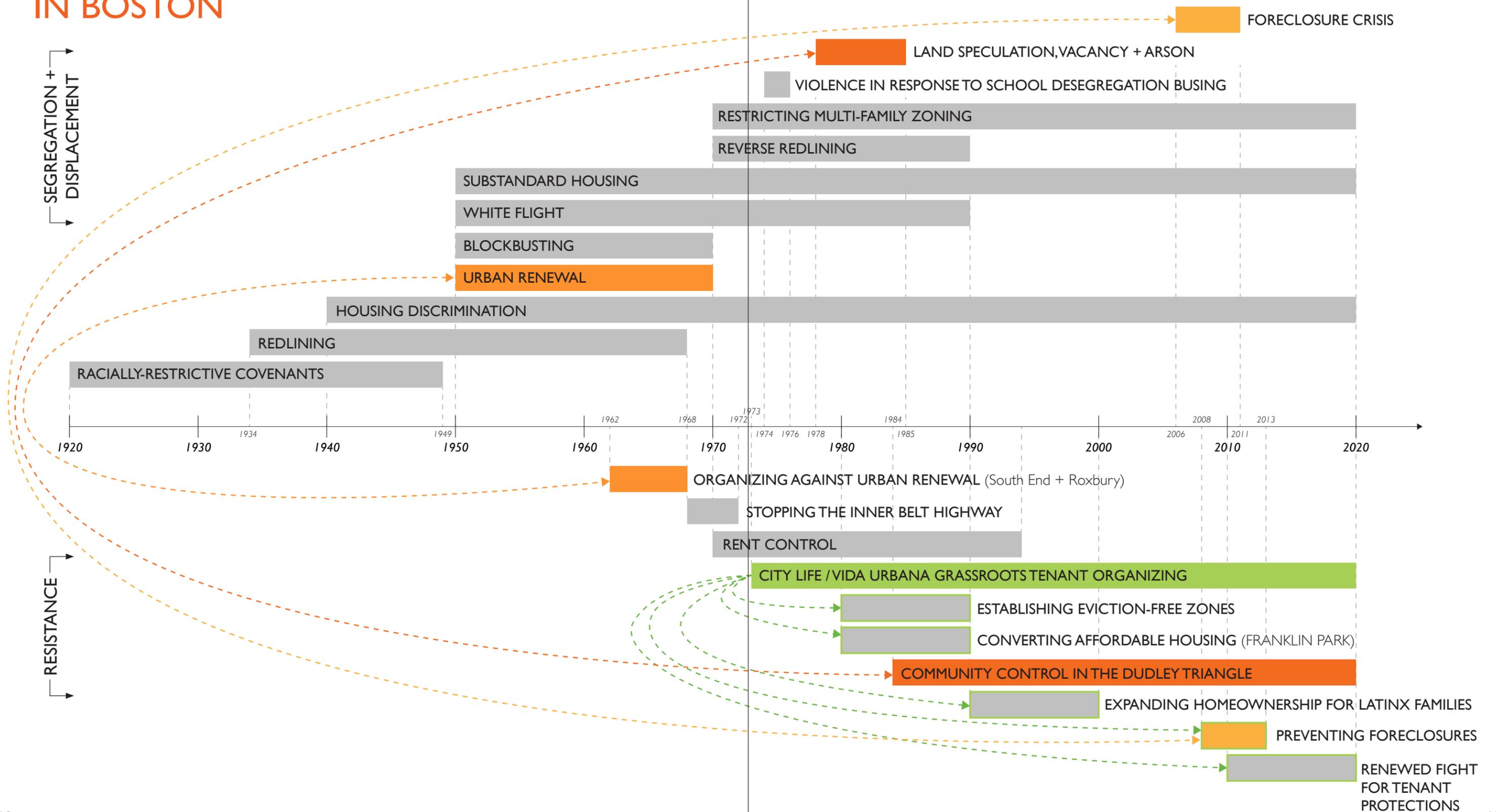


Figure 28
A Protest of Court-Ordered Busing Outside Columbus Park in South Boston (1975),
Photograph by Spencer Grant via Getty Images.

of decades of structural racism—banks denying mortgages in predominantly Black neighborhoods, real estate brokers discriminating against Black homebuyers, municipalities using zoning to exclude working class renters from living in high-cost suburbs, White Bostonians beating Black students trying to go to school, among many other economic and social factors—have contributed to conditions of concentrated disadvantage

that mean that renters in neighborhoods with a large share of Black renters, such as Roxbury, Dorchester, and Mattapan, are disproportionately affected by higher rates of eviction filings. **Addressing the destabilizing effects of evictions on families and communities requires grappling with institutional racism that has given rise to the disproportionate effects of evictions in Boston's communities of color.**

100 YEARS OF RACIAL SEGREGATION, DISPLACEMENT, AND RESISTANCE IN BOSTON



A HISTORY OF RESISTANCE



Figure 29
Members of City Life/Vida Urbana stand in front of their Jamaica Plain home (circa 1970's).
Photographer unknown,

INTRODUCTION

The history of segregation in Boston has a parallel history of community resistance to institutional racism in housing. Black communities and other communities of color in Roxbury, Dorchester, Mattapan, Hyde Park, Chinatown, and East Boston have been and continue to be leaders in a struggle for equity against the forces of structural racism in the housing market. Today, there is both an active resistance movement for greater equity in housing, as well as a number of organizations and agencies that provide critical services to mitigate housing instability in these communities.

DECADES OF RESISTANCE

Since the 1960s, community organizations and activists in Boston's communities of color have engaged in concerted organizing and action to prevent displacement, provide better living conditions, and establish greater community control over housing. This section highlights some of the key resistance movements in Boston's history.

ORGANIZING AGAINST URBAN RENEWAL IN THE SOUTH END AND ROXBURY (1962 – 1968)

Backed by federal funding, the Boston Redevelopment Authority initiated plans in 1962 to redevelop large areas of the South End. These plans would have displaced over 3,500 households. In order to prevent the mass displacement without plans for relocation, South End residents formed the Community Assembly for a United South End (CAUSE). Through negotiation and direct action, CAUSE successfully negotiated for the development and rehabilitation of hundreds of housing units for existing residents.⁹³ For example, struggles by residents of Parcel 19 in the South End, (who organized as the Emergency Tenants Council and later Inquilinos Boricuas

en Accion) ensured that residents would be able to determine the future of their neighborhood, instead of being forced out. They won the power from the Boston Redevelopment Authority to develop the site themselves and coordinated the development of 435 permanently affordable units.⁹⁴

*STOPPING THE INNER BELT HIGHWAY
(1968 – 1972)*

In the 1960s, the State of Massachusetts developed plans to build an inner belt highway that would cut through large parts of Roxbury and displace thousands of residents. Community activists built a strong coalition in opposition to the highway, arguing that it not only displaced residents, but was a misuse of crucial funding that could be repurposed

toward community development in these same neighborhoods. A protest of 2,000 people at the State House steps before Governor Francis Sargent's inauguration demonstrated to lawmakers the power of this movement. Consistent activism led to a moratorium on highway construction a year later in 1970, and the cancellation of all highway development in 1972.⁹⁵

*CITY LIFE / VIDA URBANA -
EARLY TENANT ORGANIZING (1973)*

In response to the increasing neglect and disinvestment in their properties, which left residents living in unsafe and unsanitary conditions while landlords still raised rents, a group of residents in Jamaica Plain began organizing in the early 1970s, calling themselves the Tenant Action Group (TAG). TAG helped



Figure 30
A member of the Jamaica Plain Tenants Action Group (JP TAG), the precursor of City Life/Vida Urbana, rallies for housing justice (1973). Photographer unknown.



Figure 31
Members of City Life/Vida Urbana rally for the creation of an "Eviction Free Zone" in the Jamaica Plain/Roxbury area (1980's). Photographer unknown.

activate tenant groups, organizing tenant unions in apartment buildings, and legal campaigns against neglectful landlords. This movement spurred the city of Boston to pass rent control protections and successfully led to the conviction of several property owners for arson. TAG became known as City Life/Vida Urbana (CLVU) in 1978.⁹⁶ Rent Control was narrowly defeated through a statewide ballot initiative, championed by groups of property owners, in 1994.

*ESTABLISHING EVICTION-FREE ZONES
(1980s)*

As the housing market improved in the 1980s, there were increased levels of gentrification and speculation in low-income neighborhoods in Boston,

leading to evictions of existing residents. City Life/Vida Urbana declared Jamaica Plain and Roxbury an "eviction-free zone" and organized hundreds of people to stay in their homes. Eviction-Free Zones were quickly replicated in other neighborhoods, such as East Boston.⁹⁷

*CONVERTING AFFORDABLE HOUSING
IN THE FACE OF LAND SPECULATION
(1980s)*

When their building was bought by a real estate speculator, tenants near Franklin Park partnered with CLVU and the Jamaica Plain Neighborhood Development Corporation to create a resident-controlled cooperative that preserved their housing. In Jamaica Plain, CLVU held a tent city occupation of

the Bowditch School in order to ensure that it was converted into housing for people experiencing homelessness, not condominiums.⁹⁸

COMMUNITY CONTROL IN THE DUDLEY TRIANGLE (1984 - Present)

In response to high levels of vacancy and arson along Roxbury's Dudley Street, a group of residents came together to form Dudley Street Neighborhood Initiative (DSNI), a community-based planning and organizing group. DSNI organized neighborhood clean-ups and eventually negotiated with the City of Boston to have authority to use its eminent domain powers, if necessary, to seize abandoned property and allow DSNI to hold it in the trust of the community. DSNI formed a community land trust that encouraged homeownership for first-time home-buyers. Its efforts have successfully brought community control to prevent blight and land speculation in the Dudley Triangle. Today, DSNI owns 226 affordable homes and several parks for community use.⁹⁹

EXPANDING HOMEOWNERSHIP AMONG LATINX COMMUNITIES (1990s)

In the face of mortgage discrimination that prevented Latinx families from purchasing homes, CLVU founded the Massachusetts Community and Banking Council's Task Force on Latino Lending. The resulting advocacy led three major banks to increase their lending to Latinx families by 25% and create start-up funding for a Latinx first-time home-buyer program called Latinos Comprando

Casas, which graduated 1,500 families over its lifetime.¹⁰⁰

PREVENTING FORCLOSURES (2008 - 2013)

As families of color faced foreclosure at record rates between 2008 and 2013, CLVU effectively organized 50 eviction blockades to force banks holding these properties into settlements. In addition, CLVU and a coalition of other organizations created the Coalition for Occupied Homes in Foreclosure (COHIF).¹⁰¹ COHIF sought solutions for residents of foreclosed properties (both owners and tenants) to stay in their homes. Many of the organizations in this coalition were successful in advocating for just-cause eviction protection for residents of foreclosed homes.¹⁰²

FIGHTING FOR TENANT PROTECTIONS (2010 - Present)

A coalition of tenant organizations, including CLVU, joined together to develop and advocate for the Jim Brooks Community Stabilization Act. The Jim Brooks Act would have required property owners to submit records of evictions and notify tenants of their rights. Three years of activism and advocacy led to passage of the ordinance in the Boston City Council. However, the ordinance was unsuccessful in the Massachusetts State House.

CURRENT EFFORTS

Today, there are many groups in Boston that are working to fight eviction and prevent and mitigate the impacts of

displacement. These organizations and their strategies vary widely. Community organizing groups such as CLVU and the Chinese Progressive Association organize renters to prevent evictions in their communities. They also partner with local legal services organizations, such as Greater Boston Legal Services, the Harvard Legal Aid Bureau, and the Legal Services Center, to provide renters with pro-bono attorneys and legal advice in eviction cases. Other organizations and agencies, such as the Boston Office of Housing Stability and HomeStart, provide information and casework services to renters who are struggling

to pay rent or need to find alternative housing. Organizations such as the Massachusetts Law Reform Institute work at the state and local level to advocate for anti-eviction policies. There are also many grassroots community groups that are heavily involved in community organizing against gentrification and displacement in their neighborhoods. **While these efforts are significant and support thousands of people each year in preventing eviction, they fall short of the mobilization that is necessary to prevent the disproportionate impacts of eviction on communities of color.**



Figure 32
Organizations Addressing Evictions and Displacement in Boston

ORGANIZATIONS LEADING THE FIGHT

City Life/Vida Urbana has helped an average of 796 people facing eviction each year between 2014 and 2019. This support has included case work and legal assistance through legal services partner organizations. A majority of people that come to City Life/Vida Urbana see positive outcomes, including gaining additional time in their homes, a fair settlement, winning their case in court, or being able to repurchase their foreclosed homes.¹⁰³

The Chinese Progressive Association is a grassroots community organization based in Chinatown, that has worked with 115 households facing eviction or rent increases in market-rate housing from 2018 to 2019.¹⁰⁴

The Boston Office of Housing Stability and its contracted partners prevented over 1,300 potential evictions through direct casework before these families made it to court between July 2018 and November 2019. Mayor Marty Walsh and the City of Boston's Office of Housing Stability have also established an Eviction Working Group and released an Action Plan to Reduce Evictions in December 2019.¹⁰⁵

Greater Boston Legal Services serves people in three housing courts and many district courts in the metropolitan area, representing an average of 3,170 households each year between 2014 and 2019. This representation ranged from limited legal assistance to full legal representation in court.¹⁰⁶

Harvard Legal Aid Bureau has supported over 2,000 tenants and homeowners facing eviction or housing instability in the past 5 years.¹⁰⁷

PROPOSED LEGISLATION + PROGRAMS

Strong coalitions of organizations have proposed a variety of legislation and programs at the state level to prevent evictions and displacement. Not all of these policies are part of the CLVU platform. These bills would:

- Permit cities and towns to regulate rent increases
- Expand legal representation for low-income tenants in eviction cases
- Require that eviction records be sealed to the public
- Expand housing stability supports such as rental assistance and tenancy preservation programs
- Mandate that seniors cannot be evicted without just-cause
- Provide opportunities for tenants to purchase their rental homes

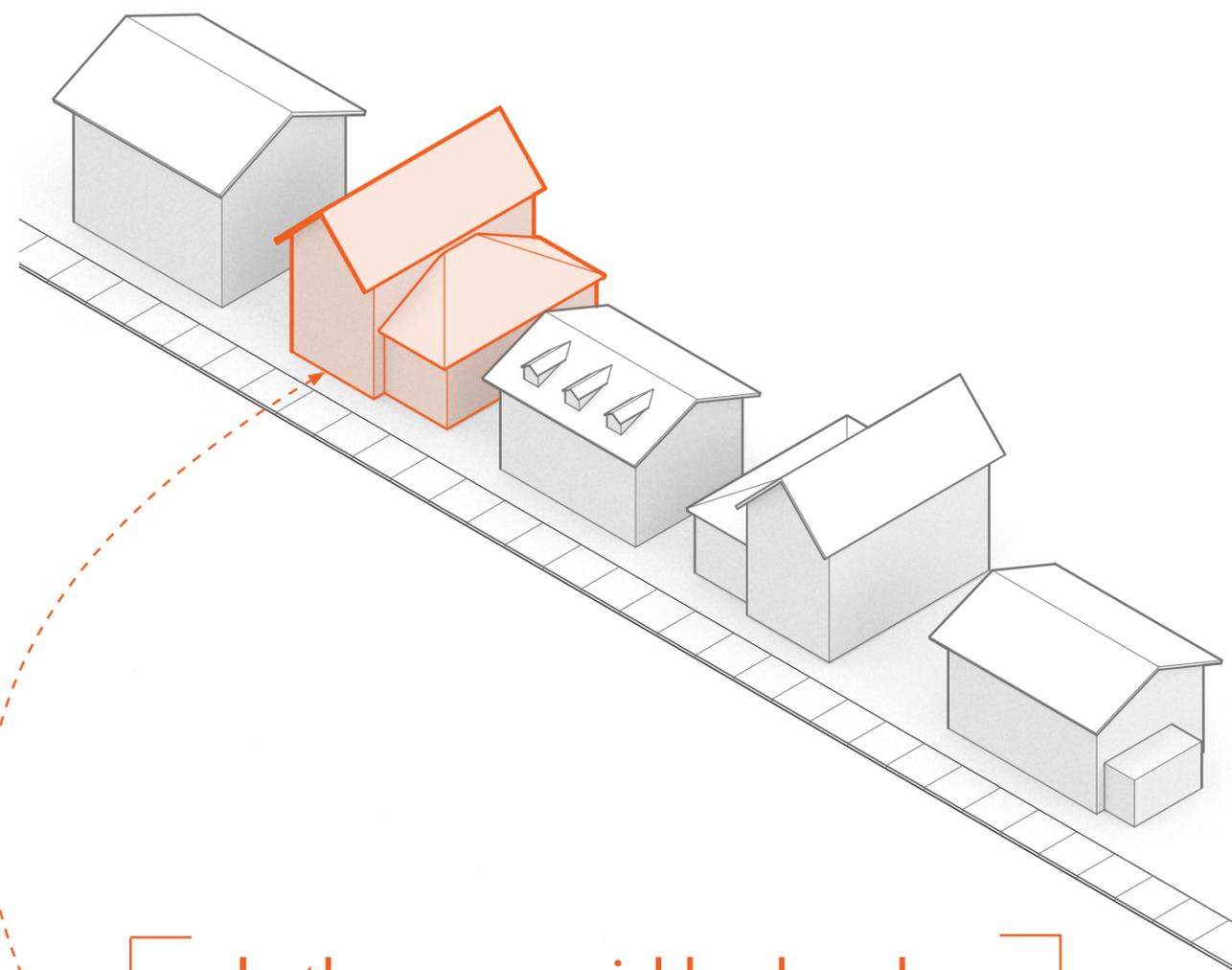
POSITIVE PROGRESS

1. Non-profit organizations, as well as the City of Boston, develop and preserve hundreds of affordable housing units for low-income households each year. Over the past five years, over 3,600 income-restricted rental housing units have been built, with 54% of these for low-income households.¹⁰⁸

2. A coalition of organizations have effectively fought against bills filed in Massachusetts that would harm tenants' rights, such as a bill mandating that tenants need to escrow all rent alleged prior to having their eviction heard in court.¹⁰⁹

3. In response to the surge in housing instability due to the COVID-19 pandemic, a wide range of organizations successfully lobbied for a statewide moratorium on all eviction proceedings, which was recognized as the strongest eviction moratorium in the country.¹¹⁰

PROPERTIES + EVICTION FILINGS



In the same neighborhood, a market-rate property is more likely to have an eviction filing if the **landlord is absentee**, the **construction is newer** or the **property value is higher**

INTRODUCTION

Evictions are happening at disproportionate rates in communities of color, especially communities with a large share of Black residents. This section explores trends in the characteristics of the specific properties where evictions occur. These findings suggest a need for future research about the relationship between evictions, building type, and property ownership.

ABSENTEE LANDLORDS AND EVICTIONS

Across Boston, market-rate eviction filings are far more common in properties where the owner does not live in the building.¹¹¹ More than half of two- and three-family properties in Boston are owner-occupied (55 percent). Yet nearly twice as many market-rate eviction filings occur in properties where the landlord does not live in the building as in properties where the landlord is an owner-occupant (67 percent of market-rate evictions in two- and three-family properties are filed by absentee landlords). For market-rate rental apartments located in owner-occupied buildings, the owner filed for an eviction in one in every 137 units each year between 2014 and 2016 (a roughly 0.7 percent annual rate). In market-rate rental apartments with absentee landlords, the owner filed for an eviction in one in every 105 units (a roughly 1 percent annual rate).¹¹² The frequency of market-rate eviction filings by absentee landlords is 24 percent higher than the frequency of market-rate eviction filings by owner-occupant landlords.

Previous research on other cities has found that larger corporate property owners file for evictions at higher rates than smaller landlords.¹¹³ While there is not enough data in Boston to conclude that larger corporate property owners

Small property owners who live in their buildings are **LESS LIKELY** to file evictions than other types of owners

are more likely to evict their tenants, we do know that small property owners who live in their buildings are less likely to file evictions than other types of owners.

PROPERTY VALUES, CONSTRUCTION, AND EVICTION

Eviction filings are more common in neighborhoods that generally have older buildings and lower value properties per square foot compared to the citywide average. However, when comparing properties within the same neighborhood, **property owners of market-rate housing are more likely to file for eviction if they own higher value and newer properties, relative to other properties within the same neighborhood.**¹¹⁴

The median assessed value per square foot in the neighborhoods with the lowest private market eviction filing rates is double the median assessed value per square foot of the neighborhoods with the highest market-rate eviction filing rates

(\$198 compared to \$94 per square foot). However, when comparing properties within a specific neighborhood, market-rate eviction filings are more common in properties that have a higher value per square foot.¹¹⁵

There are similar trends in the relationship between building age and market-rate eviction filing rates. We define building age as the number of years since a building was either constructed or substantially renovated. The median age of properties in census tracts with high eviction filing rates is more than double the median building age in census tracts with low eviction filing rates (a median time of 85 years since construction or substantial renovation compared to 40 years).¹¹⁶ Nonetheless, when comparing all properties within a census tract, market-rate eviction filings are more likely to occur in newer buildings or recently remodeled buildings than they are in older buildings relative to other buildings in the same neighborhood.¹¹⁷

These findings suggest that within the neighborhoods that are most impacted by evictions in market-rate rental housing, it is the renters who live in more recently built or remodeled buildings with higher values that are most at risk of eviction. These findings raise a number of questions about the causes of eviction. Are property owners with higher-value and newer properties more likely to evict because they can lease the property to higher-income tenants, or

convert their rental units to higher-value condominiums? Are low-income renters in higher-value and newer buildings more rent-burdened and therefore more likely to face eviction than tenants in the same neighborhood who pay less in rent? The findings here cannot answer these questions, but point in the direction of important further research to better understand the property-level dynamics of evictions in privately-owned, market-rate rental housing.

OWNER OCCUPANCY RATES OF 2-3 UNIT PROPERTIES AND MARKET-RATE EVICTION FILINGS IN THOSE PROPERTIES, BY NEIGHBORHOOD

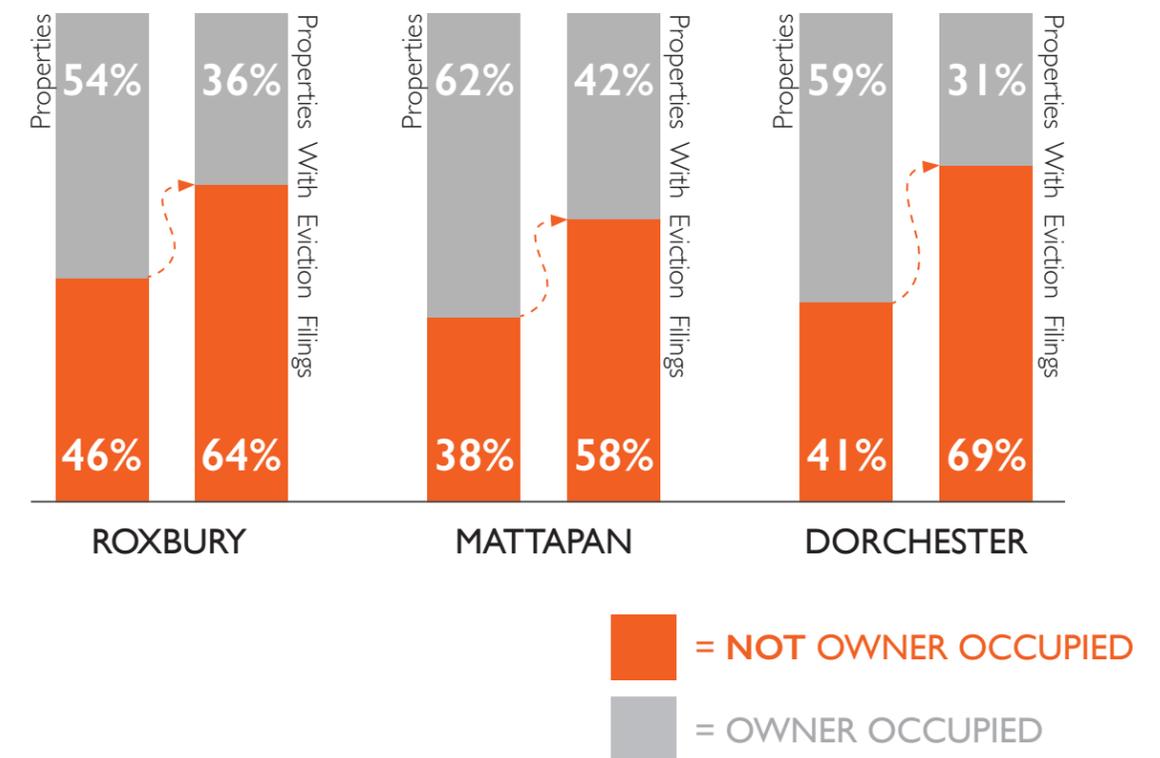


Figure 33



Figure 34
City Life/Vida Urbana Executive Director Lisa Owens
leads a rally for housing justice (2018).
Photo by Lauren Miller.

THE WAY FORWARD: Addressing Evictions and Their Impacts

INTRODUCTION

Boston's communities of color, particularly communities with a large share of Black residents, experience high rates of housing instability and evictions. Within these neighborhoods, renters in non-owner-occupied, higher value properties that have been recently built or remodeled are particularly at risk of eviction.

These threats to housing stability have significant impacts on the health and wellbeing of families that face eviction, and entire communities where eviction is common. Despite a higher share of affordable housing in these neighborhoods compared to more affluent neighborhoods, and active efforts to combat evictions and housing instability, communities of color still struggle with chronic housing instability. **Addressing the legacy of institutional racism in our housing market and the impacts that evictions have on communities of color requires a significantly more far-reaching and comprehensive effort than what is currently being done.**

PRACTICAL STEPS TOWARD HOUSING STABILITY

There are no magic solutions to the housing crisis in general or the acute housing crisis in communities of color. However, there are many viable policy solutions, endorsed by community organizations representing residents most impacted by evictions, which can reduce the trauma of housing instability and eviction in communities of color. **We highlight these policies because they have the potential to mitigate housing instability in communities of color and are currently under consideration in the Massachusetts state legislature.** Many of these policies, including Right to Counsel, the Right of First Refusal, and a Transfer Tax on real estate transactions, are also part of the City of Boston's legislative agenda on housing.

POLICY SOLUTIONS:

1 RENT CONTROL

Nearly three-fourths of market-rate eviction filings in Boston Housing Court are for non-payment of rent. One cause of non-payment filings is a large rent increase that is unattainable for many low-income renters.¹¹⁸ Because many evictions related to rent increases never even end up in court, these types of evictions are likely even more common than the data suggest.¹¹⁹

One way to address non-payment eviction filings is to allow cities and towns to establish sensible limits on rent increases, which can moderate rapid increases in property value and reduce non-payment evictions. Between 1970 and 1994, Boston and surrounding towns had rent regulation ordinances, but rent control was repealed by a narrow margin on a statewide ballot initiative in 1994. In the two years after rent control was lifted in Boston, evictions increased by 29 percent and 5,000 of the 60,000 formerly rent-controlled households were evicted. In addition, according to a survey from 1998, in Cambridge (4 years after the repeal of rent control), rental costs in formerly rent-controlled apartments increased by 40 percent, and rental costs in formerly un-controlled apartments increased by 13 percent.¹²⁰ Rent control policies are currently being adopted by cities and states across the country. Oregon passed significant rental regulation in 2019, which, among other provisions, limited large rent increases.¹²¹ California passed a bill in 2019 that protects against significant rent increases and requires that landlords show just-cause when terminating a lease.¹²² In 2019, New York State passed legislation expanding its existing protections against rent increases.¹²³

2 LEGAL REPRESENTATION

More often than not, formal eviction filings cause tenants to lose possession of their homes.¹²⁴ In Boston, only 8 percent of tenants have a lawyer, while 85 percent of landlords have one. Providing tenants with a “Right to Counsel” in eviction cases not only improves the chances that tenants with eviction filings may remain in their homes, but it decreases the number of eviction filings, presumably because landlords are less likely to win these eviction cases.

A study from Quincy, MA found that with only limited legal assistance, 34 percent of tenants retained possession of their homes. Tenants who had full legal representation retained possession of their homes in 62 percent of cases.¹²⁵ Evidence from New York City, which established a Right to Counsel in 2017 found that tenants who had legal representation stayed in their homes 84 percent of the time. Moreover, in zip codes where Right to Counsel was introduced in NYC, there was a decrease in the number of evictions filed.¹²⁶ Right to Counsel policies, like rent control regulations, are growing nationwide. Five municipalities have passed Right to Counsel ordinances in the past decade.¹²⁷

3 JUST-CAUSE EVICTION ORDINANCES

In Boston Housing Court between 2014 and 2016 there were more than 3,600 eviction cases in which landlords sought to remove tenants without an explicit reason at the end of a lease. These no-fault evictions may also be common outside of court.¹²⁸ Just-cause eviction ordinances prohibit landlords from removing tenants without a substantial reason (such as rent nonpayment, intentional property damage, or a lease violation), a powerful tool for limiting eviction. Just-cause eviction ordinances can apply to only a subset of particularly vulnerable renters, such as seniors, or to different types of leases that are at risk of no-fault evictions, such as month-to-month leases. A number of cities, including Seattle, San Francisco, and Washington D.C. have just-cause eviction ordinances.¹²⁹

4 TENANT OPTIONS TO PURCHASE

Tenants can be displaced when landlords sell their property.¹³⁰ Tenant Opportunity to Purchase laws give existing tenants of a building the “right of first refusal,” meaning they have the first chance to purchase the property that is being sold at the market price. These laws are a powerful tool to prevent evictions and displacement at the point of sale for existing residents. They also help maintain stability for neighborhoods facing development pressures and preserve affordable housing by potentially preventing these properties from being purchased by for-profit investors. In 1980, Washington, D.C. enacted one of the first Tenant Opportunity to Purchase laws in the United States.¹³¹ In D.C., residents of single-family homes have the right to purchase these homes individually. Residents of multifamily buildings have the right to purchase collectively. The District of Columbia’s housing department provides low-interest loans for tenants to purchase properties with requirements to preserve the property’s affordability. Between 2002 and 2013 in Washington, D.C., approximately 1,400 affordable housing units across 49 buildings had been preserved through the Tenant Opportunity to Purchase.¹³²

5 EVICTION RECORD SEALING

Similar to criminal records that make it difficult for people charged with a felony to find employment, families who have an eviction filing against them often find it challenging to find housing, particularly in a competitive housing market like Boston. Eviction filings are public records, and many property management companies and landlords use those records to screen tenants based on their past eviction history.¹³³ Some types of evictions also disqualify families from some affordable housing programs.¹³⁴ Even when tenants win their eviction case or settle, they are still saddled with a permanent and publicly available record that an eviction filing was entered against them. Eviction sealing legislation limits the types of eviction records that are public and to whom they can be distributed. They also limit the amount of time that eviction records are public.¹³⁵ This can play a crucial role in preserving housing stability for families who have previously faced eviction.

6 EXPANSION OF RENTAL ASSISTANCE

Most eviction filings in Boston Housing Court are for non-payment of rent. The Massachusetts Department of Housing and Community Development currently administers a program called Rental Assistance for Families in Transition (RAFT). Rental assistance through RAFT is available for families who are either experiencing homelessness or are at risk of experiencing homelessness. In addition, the City of Boston provides city-funded rental assistance. This assistance has expanded in response to the COVID-19 crisis. In April, Boston began distributing \$3 million in rental assistance funds for households who were not able to access federal unemployment benefits. The need for assistance, however, far outstrips the amount of rental assistance available even from the combined state and local assistance.¹³⁶ While RAFT has generally been available only once a family is facing an eviction in court, policies are changing to make RAFT more flexible to families who have not received an eviction notice. Expanding RAFT and other rental assistance programs, particularly for families prior to receiving a formal eviction filing, can help prevent evictions before court.

7 MORE FUNDING FOR AFFORDABLE HOUSING

One of the indirect causes of evictions is a lack of truly affordable housing for families with extremely low-incomes. Even though 20 percent of Boston’s housing stock is income-restricted, Boston has a shortage of over 32,000 units of affordable housing for extremely low-income households.¹³⁷ Without affordable housing, families face chronic housing instability and are vulnerable to eviction. A significant challenge to the production of affordable housing for extremely low-income people is the lack of available financing tools and operating subsidies for development and maintenance of affordable housing. Housing people with lower rents is expensive; therefore there must be large subsidies for affordable housing development. One potential source of funding for affordable housing development would be a real estate transfer tax on large real estate transactions. One study estimates that a real estate transfer tax in Massachusetts could generate between \$42 and \$88 million dollars annually for affordable housing.¹³⁸

HOUSING: FROM COMMODITY TO HUMAN RIGHT

While stronger tenant protections and a larger supply of affordable housing are critical to stabilizing communities and preventing evictions, they are not sufficient to fully address the housing crisis in low-income communities of color.

Chronic housing instability and evictions in our most disadvantaged communities are not only related to decades of racial discrimination in housing, but are also intertwined with the structure of the private market-rate housing market, in which housing is a lucrative commodity for speculative investment. Developers, for-profit investors, and lenders primarily invest in housing in order to maximize profit. **In our current market, the basic human need of having safe and affordable shelter is far from guaranteed. The commodification of housing and the lack of universal access to housing mean that evictions will continue and these evictions will disproportionately impact communities of color and others who are most vulnerable.**

A profit-driven housing market is not the only way forward. **Rather than treating housing as a commodity, we could design a housing system that treats housing as a fundamental human right.** In this alternate system, everyone would have access to safe and quality housing at prices that are truly affordable. This system is not far-fetched.

Prior to 2008 in the United States, healthcare was, like housing is now, a commodity. Those who could not access healthcare were at risk of significant medical and financial hardship. However, as a result of years of organizing and advocacy, “healthcare as a human right” is now a strong part of the public discourse and our healthcare system insures far more people than before. A similar shift in housing is necessary to prevent significant housing instability and evictions. And this system is not only possible in the abstract. There are tangible examples in Massachusetts of a housing system that recognizes housing as a basic human right and not a commodity.

One example of de-commodified, permanently affordable housing is Dudley Neighbors Inc. (DNI), a community-operated land trust in Roxbury. In response to the arson epidemic in the 1980s, community activists and the City of Boston worked together to bring hundreds of properties under community control and make them into permanently affordable, limited-equity housing. Today, DNI owns 226 homes and a variety of other community amenities that are perpetually affordable for residents of the neighborhood. DNI’s board of directors consists of many community residents who are committed to economic and housing development that does not displace existing residents.¹³⁹

Another example is the successful efforts to preserve affordable housing by acquiring housing with expiring subsidies

or housing in which rents are likely to increase and extending new subsidies along with deed restrictions that make the housing permanently affordable to low-income tenants. According to data from the Massachusetts Community Economic Development Assistance Corporation, approximately 4,000 units of housing are preserved in the state each year.¹⁴⁰

The efforts of community land trusts and housing preservationists are small relative to investment in market-rate housing. However, these examples demonstrate

alternatives to a commodified housing market and present a strong example of change that is possible. Addressing the trauma of eviction in Boston’s communities of color requires an approach that secures stronger tenant protections and generates more resources for affordable housing for low-income people in the short term. However, actually creating equity and addressing injustice in housing will require looking beyond our current commodified housing market to see an alternative way of providing housing that prioritizes safe, quality, and affordable housing for existing residents of a community.



Figure 35
Lift the Ban of Rent Control Protest, Massachusetts State House (January 14, 2020).
Photo from BostonHassle.com.

APPENDICES

Appendix A: The Disproportionate Effects of All Evictions on Boston's Communities of Color (Market-Rate + Subsidized)

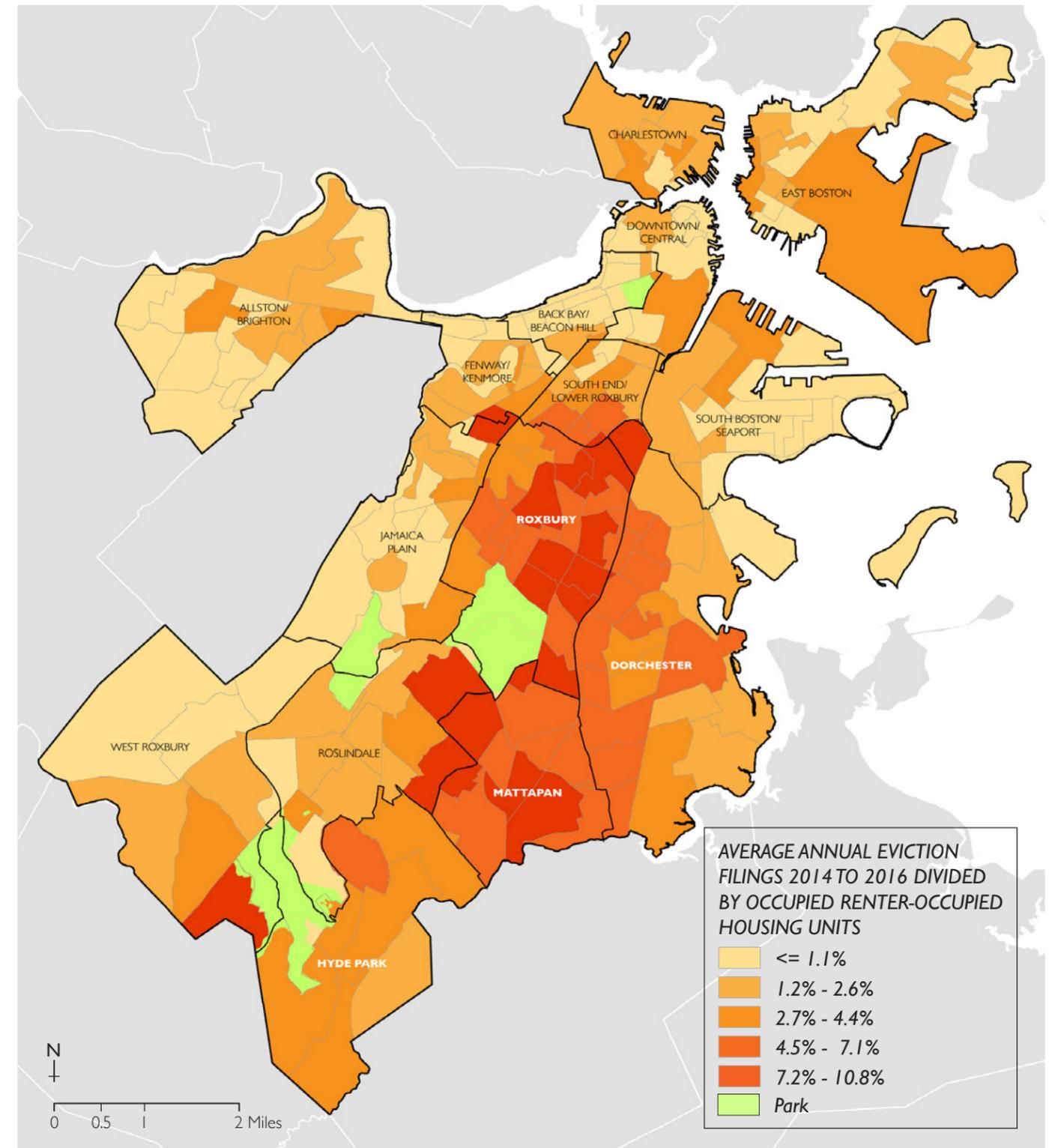
OVERVIEW

Looking at the combination of eviction filings in market-rate and subsidized housing, 78 percent of eviction filings in Boston Housing Court between 2014 and 2016 occurred in neighborhoods where the majority of residents identify as people of color, even though only half of the city's rental housing stock (52 percent) are located in these neighborhoods. These disparities are even more pronounced in neighborhoods with large Black populations. **Nearly half (40 percent) of all eviction filings between 2014 and 2016 occurred in neighborhoods where a majority of residents were Black, even though only 18 percent of all rental housing units are located in these neighborhoods.** A map of eviction filing rates demonstrates the high concentration of eviction filings in Roxbury, Mattapan, Hyde Park, and the western areas of Dorchester. It is possible that eviction filings in neighborhoods with large immigrant populations, such as East Boston and Chinatown, are underrepresented in official court records.

GEOGRAPHIC CONCENTRATION

More than half of all market-rate and subsidized eviction filings in between 2014 and 2016 (55 percent) occurred in just three neighborhoods—Roxbury, Dorchester, and Mattapan—even though only 28 percent of rental housing units are located in these neighborhoods.

Mattapan and Roxbury have particularly high eviction filing rates. Between 2014 and 2016, Mattapan and Roxbury had an average annual eviction filing rate of 6.8 and 6.7 percent respectively. At this rate, 1 in every 15 rental housing units in Roxbury and Mattapan had an eviction filing each year between 2014 and 2016. At this rate, and assuming for illustration purposes that eviction filings were evenly distributed throughout the neighborhood (which they are



Annual Boston Eviction Filing Rate, 2014-2016
(Both Subsidized and Market-Rate Housing)

Author: David Robinson, 2020; Design: Patricia Cafferky
Source: Boston Department of Neighborhood Development;
American Community Survey 2013-2017 5-Year Estimate

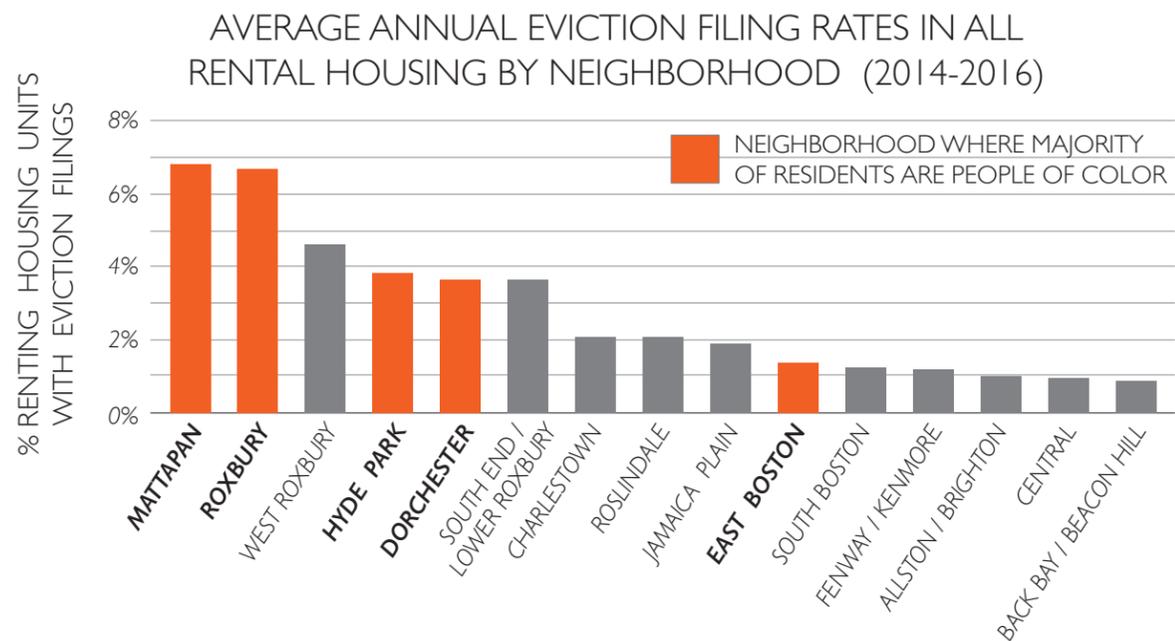


Figure 36

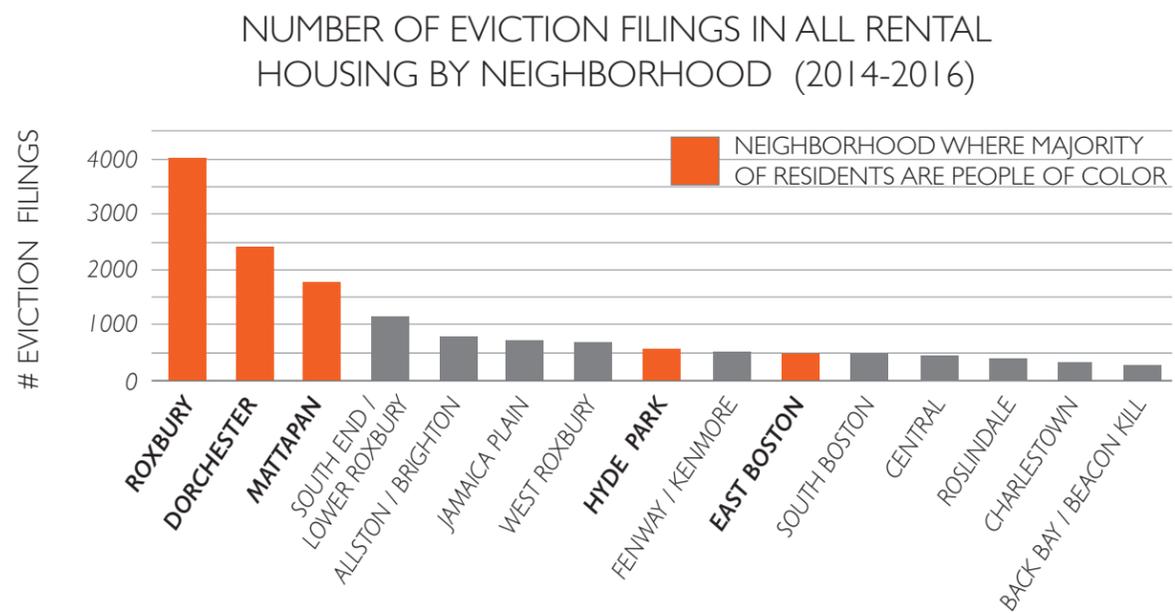


Figure 37

NEIGHBORHOOD COMPARISONS

not), on a block with 20 market-rate rental properties and 60 units (three units in each property), approximately 4 units on every block in these neighborhoods would have had an eviction filing.

These eviction filing rates are significantly higher than in other neighborhoods. The eviction filing rate in Roxbury and Mattapan is 8 times higher than in Back Bay, Beacon Hill and Downtown (including the North End), 7 times higher than in Allston/Brighton, and 6 times higher than in Fenway/Kenmore and South Boston.¹⁴¹

Within these hard-hit neighborhoods, the specific areas where eviction filings are most concentrated have even larger representations of residents of color. The census tracts with the highest eviction filings rates in 2014 through 2016 (those in the 90th percentile of eviction filing rates) are home to approximately 10 percent of the Boston population (68,000 people).¹⁴²

In these areas hardest hit by evictions, the racial composition is almost entirely people of color—91 percent of the population identify as people of color, and 56 percent identify as Black. For comparison, 55 percent of Boston residents identify as people of color, and 23 percent identify as Black.¹⁴³

SUBSIDIZED HOUSING

Part of the reason for these significant disparities is that many eviction filings occur in subsidized housing, and a large share of rental housing in Roxbury, Mattapan, and Dorchester is subsidized.¹⁴⁴ While the magnitude of eviction filings in subsidized housing is of significant concern and contributes to chronic housing instability in communities of color, this pattern of eviction filings in subsidized housing is not surprising. Since subsidized housing serves low-income people, and low-income people tend to experience higher rates of housing instability, eviction filings will tend to be concentrated in neighborhoods where there is a larger share of subsidized housing, such as Roxbury, Mattapan, and Dorchester.

Appendix B: Detailed Results of Statistical Analysis

METHODOLOGY To test the statistical relationship between market-rate eviction filings and both census tract characteristics and property-level characteristics, we fit two logistic regression models: a traditional logistic regression model with clustered robust standard errors at the census tract-level and a random-intercept logistic regression model. These techniques generated regression models of the likelihood that a property had at least one market-rate eviction filing based on both property- and neighborhood-level characteristics. Our dataset used all 2014-2016 eviction filings in market-rate housing, data from the Boston Assessing Department for 2016, and U.S. Census Bureau American Community Survey 2013-2017 5-year estimates. We joined these data at the property level.

Our outcome variable was a binary measure of whether or not a property had at least one market-rate eviction filing. Our dependent variables included both characteristics about the properties and the census tracts in which properties were located (see variable table). The variables used in our analysis are consistent with all previous studies on neighborhood and property-level characteristics of eviction filings.¹⁴⁵ Our sample of 38,254 properties includes all two-family, three-family, 4-6 unit, and 7 or more unit residential properties, as well as mixed-use residential and commercial properties. Single-family homes and condominiums are excluded, as only 3.7 percent and 1.3 percent of market-rate eviction filings occurred in these property types, respectively.

Together, the two models provide consistent results. The logistic regression model assumes that properties are independent of the census tracts they are in. It clusters standard errors at the

VARIABLES USED IN ANALYSIS

CATEGORY	DESCRIPTION OF VARIABLE
DEPENDENT	Whether or not a property has at least one market-rate eviction filing between 2014 and 2016
PROPERTY	Assessed value per square foot
	Natural log of gross living area
	Owner occupancy
	Year of most recent construction or remodeling
ECONOMIC CHARACTERISTICS (CENSUS TRACT)	Median household income
	Percent of population with rental housing costs greater than 30% of income
	Percent of population living under federal poverty line
HOUSING MARKET CHARACTERISTICS (CENSUS TRACT)	Percent of occupied housing units that are renter-occupied
	Percent of housing units that are vacant
	Median gross rent payment
HOUSEHOLD COMPOSITION CHARACTERISTICS (CENSUS TRACT)	Percent of households that are married couples
	Percent of population under age 18
	Percent of population with a bachelor's degree or higher degree
	Percent of households that are female-headed with children under 18
RACIAL AND ETHNIC CHARACTERISTICS (CENSUS TRACT)	Percent of renter-occupied housing units occupied by Black head of household
	Percent of renter-occupied housing units occupied by Asian head of household
	Percent of renter-occupied housing units occupied by Hispanic head of household

Figure 38

census tract level to acknowledge similarities in neighborhood-level characteristics. The random-intercept model assumes that properties are not independent of the census tracts they are in and therefore uses a multi-level nested structure. The random-intercept approach allows for the effect of eviction filings on census tracts to vary across the census tracts in the sample.

PRIMARY FINDINGS

1. Market-rate eviction filings are more likely to occur in census tracts where there is a larger share of Black renters, controlling for other variables.
2. Independently, indicators of poverty such as the poverty rate, median income, and percent of renters in a census tract who pay more than 30 percent of their income to rent, are correlated with the likelihood of market-rate eviction filings. However, when including the racial makeup of renters in a census tract, these variables become statistically insignificant.
3. Market-rate eviction filings are more likely to occur in census tracts where there is lower educational attainment (fewer renters have a Bachelor's degree), controlling for other variables.
4. Market-rate eviction filings are more likely to occur in non-owner-occupied properties, controlling for other variables.
5. While market-rate eviction filings are more common in census tracts with lower average assessed values and older buildings, within these census tracts, eviction filings are more likely to occur in properties with higher assessed values and properties that are more recently constructed or remodeled, controlling for other variables.

LOGISTIC REGRESSION RESULTS
(Clustered Standard Error at the Census Tract Level)

	VARIABLES	COEFFICIENT	p>z
		(Clustered Standard Error)	
PROPERTY	Log Gross Living Area	1.1022*** (0.0430)	0.000
	Assessed Value (square foot)	0.1845*** (0.0360)	0.000
	Year most recent Construction/Renovation	0.0013* (0.0005)	0.011
	Owner Occupancy Status	-0.9824*** (0.0636)	0.000
CENSUS TRACT	Median Household Income	-0.0038 (0.0039)	0.326
	% with Rental Burden	0.0086 (0.0056)	0.125
	% Under federal poverty line	0.0024 (0.0057)	0.674
	Vacancy Rate	-0.0113 (0.0104)	0.277
	Median Gross Rent	0.0098 (0.0187)	0.602
	% Renter-Occupied Housing Units	-0.0121* (0.0051)	0.017
	% Married Households	-0.0174 (0.0087)	0.046
	% of Population under 18	-0.0030 (0.0091)	0.738
	% of Population with Bachelor's degree or higher	-0.0238*** (0.0040)	0.000
	% female-headed households with children	-0.0107 (0.0063)	0.087
	% renters Black	0.0281*** (0.0052)	0.000
	(% renters Black)^2	-0.0002*** (0.0001)	0.000
	% renters Asian	-0.0076 (0.0054)	0.163
	% renters Hispanic	-0.0057 (0.0037)	0.124
	Constant	-12.7273*** (1.2170)	0.000
Sample Size	38,254		
Pseudo R ²	0.1556		

p = p-value; z = z-score
* = p<.05; ** = p<.01; *** = p<.001

Figure 39

RANDOM-INTERCEPT LOGISTIC REGRESSION RESULTS

	VARIABLES	COEFFICIENT	p>z
		(Standard Error)	
PROPERTY	Log gross living area	1.1005*** (0.0358)	0.000
	Assessed value (per square foot)	0.2015*** (0.0295)	0.000
	Year most recent construction/remodeling	0.0014** (0.0005)	0.007
	Owner occupancy status	-0.9812*** (0.0571)	0.000
CENSUS TRACT	Median household income	-0.0046 (0.0036)	0.200
	% rent burdened	0.0101 (0.0052)	0.053
	% under federal poverty line	0.0015 (0.0056)	0.794
	Vacancy rate	-0.0128 (0.0100)	0.201
	Median gross rent	0.0125 (0.0164)	0.449
	% renter-occupied housing units	-0.0127** (0.0164)	0.005
	% married households	-0.0162 (0.0084)	0.052
	% of population under 18	-0.0003 (0.0101)	0.976
	% of population with bachelor's degree or higher	-0.0249*** (0.0039)	0.000
	% female-headed households with children	-0.0086 (0.0057)	0.131
	% renters Black	0.0278*** (0.0055)	0.000
	(% renters Black) ²	-0.0002*** (0.0001)	0.000
	% renters Asian	-0.0097 (0.0053)	0.067
	% renters Hispanic	-0.0065 (0.0035)	0.065
	Constant	-12.8352*** (1.2153)	0.000
Sample Size	38,254		
Wald Chi Squared	1946.48***	0.000	

p = p-value; z = z-score
 * = p<.05; ** = p<.01; *** = p<.001

Figure 40

END NOTES + REFERENCES

- 1 Boston Housing Court, now Eastern Housing Court, covers multiple jurisdictions, but the vast majority of the annual eviction filings in Boston Housing Court occur in the City of Boston.
- 2 Sarah Philbrick, Timothy Reardon, and Seleeke Flingai, "The COVID-19 Layoff Housing Gap" (Metropolitan Area Planning Council, n.d.), <https://www.mapc.org/covid19-layoffs/>.
- 3 Saraya Wintersmith, "City Flooded with Applications for Rental Assistance," WGBH News, April 13, 2020, <https://www.wgbh.org/news/local-news/2020/04/13/city-flooded-with-applications-for-rental-assistance>.
- 4 Among the 100 largest cities in the United States, Boston has the second most expensive rental housing market when averaging monthly rent indices between September 2010 and January 2020, behind only San Francisco. The monthly Zillow Rent Index measures the typical estimated market-rate rent across housing type based on the mean rent estimates between the 40th and 60th percentile range for all homes and apartments in the region. This is consistent with other sources. Other rental websites, including Zumper and Apartment List, estimate that Boston is consistently among the five most expensive rental housing markets over the past five years. See: Zillow, "Zillow Research: Housing Data," www.zillow.com/research/data/; Crystal Chen, "Zumper National Rent : May 2020," Zumper National Rent Report (blog), May 11, 2020, <https://www.zumper.com/blog/rental-price-data/>; Igor Popov, Chris Salviati, and Rob Warnock, "Rentonomics Data," www.apartmentlist.com, April 28, 2020, <https://www.apartmentlist.com/rentonomics/rental-price-data/>.
- 5 The number of permits for income-restricted housing was drawn from data from the City of Boston's Inspectional Services Department. The eight percent of approved housing permits for very low-income households refers to units developed at 60 percent of Area Median Income or below. Many units that meet the Department of Housing and Urban Development's standards for affordability are still out of reach to low-income and extremely low-income households. In 2017, a family of four was deemed low-income and could qualify for an affordable unit at 80 percent of Area Median Income with \$78,150 of gross income. A family of four was deemed very low-income and could qualify for an affordable unit at 50 percent of Area Median Income if they made \$51,700 of gross income in 2017. See: City of Boston Inspectional Services Department, "Chapter 15 Housing Permits," 2014-2019; United States Department of Housing and Urban Development, "FY 2017 Income Limits Summary," 2017. <https://www.huduser.gov/portal/datasets/il/il2017/2017summary.odn>.
- 6 This is based on analysis of Public Use Micro Data (PUMS) from the 2017 American Community Survey. See: United States Census Bureau, "Public Use Microdata Areas (PUMA)," n.d., <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/pumas.html>.
- 7 Massachusetts Law Reform Institute, "Evicted for Life: How Eviction Court Records Are Creating a New Barrier to Housing," June 12, 2019, https://www.passtheshomesact.org/uploads/2/7/0/4/27042339/evicted_for_life_mlri.pdf.
- 8 Income-restricted housing comes from a variety of sources, including public housing developments run by the Boston Housing Authority, units from the city's Inclusionary Development Policy, and units funded by the Low-Income Housing Tax Credit. See: City of Boston, "Income-Restricted Housing in Boston," November 2018, https://docs.google.com/document/d/15gKQAmTirdx6jqiAZIECsSG_RwneYbA8cdrZif8_ms/edit.
- 9 Justin Steil et al., "Boston Rental Affordability," 2017, <https://steil.mit.edu/affordablehousing>.
- 10 Isaiah Thompson, "In Massachusetts, An Uneven Impact From Rising Rents," WGBH News, July 11, 2019, <https://www.wgbh.org/news/local-news/2019/07/11/in-massachusetts-an-uneven-impact-from-rising-rents>.
- 11 This definition is drawn from definitions of displacement by Eunice and George Grier and Peter Marcuse. Further discussion of these definitions is provided by a literature review on gentrification and displacement from the Federal Reserve Bank of San Francisco. See: George Grier and Eunice Grier, *Urban Displacement: A Reconnaissance* (Bethesda, Maryland: The Grier Partnership, 1978); Peter Marcuse, "Abandonment, Gentrification, and Displacement: The Linkages in New York City," in *Gentrification of the City* (Routledge, 1986), 153-77; Miriam Zuk et al., "Gentrification, Displacement and the Role of Public Investment: A Literature Review" (Federal Reserve Bank of San Francisco, August 2015), <https://static.spokane-city.org/documents/projects/mayors-housing-quality-task-force/additional-materials/gentrification-displacement-and-the-role-of-public-investment-a-literature-review.pdf>.
- 12 A 2015 review of literature on gentrification and displacement found that "despite severe data and analytic challenges in measuring the extent of displacement, most studies agree that gentrification at a minimum leads to exclusionary displacement" See: Zuk et al., "Gentrification, Displacement and the Role of Public Investment: A Literature Review." pp. 33
- 13 Lei Ding, Jackelyn Hwang, and Eileen Divringi, "Gentrification and Residential Mobility in Philadelphia," *Regional Science and Urban Economics* 61 (November 2016), <https://doi.org/10.1016/j.regsciurbeco.2016.09.004>.
- 14 Jason Richardson, Bruce Mitchell, and Juan Franco, "Shifting Neighborhoods: Gentrification and Cultural Displacement in American Cities," March 19, 2019, https://ncrc.org/gentrification/#_edn1.
- 15 Annette Duke, *Legal Tactics: Tenants' Rights in Massachusetts*, 8th ed. (Massachusetts Law Reform Institute, 2017).
- 16 Matthew Desmond, *Evicted: Poverty and Profit in the American City* (New York: Crown, 2016). pp 399
- 17 Kelly Leilani Main and Diana X. Bell, "Forced From Home: A Human Rights Assessment of Displacement and Evictions in Boston's Chinatown" (Displacement Research Action Network, 2019), <https://static1.squarespace.com/static/56340b91e4b017e2546998c0/t/5c7811640852290f392207ca/1551372655581/CPA+report+final+2019.pdf>.
- 18 This definition is drawn from definitions of displacement coined by Eunice and George Grier's and Peter Marcuse. For discussion of these definitions see: Zuk et al., "Gentrification, Displacement and the Role of Public Investment: A Literature Review." pp. 23-26
- 19 Tyler J. Frederick et al., "How Stable Is Stable? Defining and Measuring Housing Stability," *Journal of Community Psychology* 42, no. 8 (October 14, 2014), <https://doi.org/10.1002/jcop.21665>.
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- 21 The Eviction Lab, "Why Eviction Matters," Why Eviction Matters: What is an Eviction, n.d., <https://evictionlab.org/why-eviction-matters/#what-is-an-eviction>.
- 22 Massachusetts Law Reform Institute, "Evicted for Life: How Eviction Court Records Are Creating a New Barrier to Housing."
- 23 These requirements take different forms depending on the housing program. Section 8 Programs are required to deny applicants who were previously in Section 8 housing and evicted for a serious lease violation, and public housing must deny applicants who were evicted due to drug activity in the past three years. If an eviction is related to non-payment, housing programs are allowed to deny applications. See: Massachusetts Law Reform Institute, "Reasons for Denial," December 2009, <https://www.masslegalhelp.org/housing/reasons-for-denial>. Matthew Desmond, "Eviction and the Reproduction of Urban Poverty," *American Journal of Sociology* 118, no. 1 (July 2012): 88-133, <https://doi.org/10.1086/666082>.

- 24 Stephanie Deluca, Holly Wood, and Peter Rosenblatt, "Why Poor Families Move (And Where They Go): Reactive Mobility and Residential Decisions," *City & Community* 18, no. 2 (n.d.): 556–93, <https://doi.org/10.1111/cico.12386>.
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- 29 Up until July 2017, a vast majority of the eviction filings in the Boston Housing Court were from the City of Boston. In 2017 (after our data was collected) the Boston Housing Court became the Eastern Housing Court with jurisdiction over neighboring cities, such as Revere, Chelsea, Newton, Cambridge, and Somerville, adding to the number of non-Boston cases in Eastern Housing Court. Landlords in the City of Boston can also file evictions in the Boston Municipal Court, which are not included in these data. The overwhelming number of eviction cases in Boston are filed the Boston Housing Court, making this the most comprehensive dataset of formal eviction filings in Boston. For data source, see: The Commonwealth of Massachusetts, "Trial Court Statistical Reports and Dashboards," 2020, <https://www.mass.gov/info-details/trial-court-statistical-reports-and-dashboards>.
- 30 We used the Boston Housing Court data to determine the eviction filing rate in Boston, which is slightly different from the rate given by the Eviction Lab, which is 3.3 percent. This is because the Eviction Lab data includes all Boston Housing Court cases, including those filed from other municipalities.
- 31 Eviction filing rates from other cities come from the Eviction lab at Princeton University. See: The Eviction Lab, "Eviction Data and Maps," 2018, <https://evictionlab.org/map/#/2016?geography=states&bounds=-117.52,25.843,-51.451,65.526&type=er>.
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- 33 Massachusetts court data from 2015-2017 provided to MLRI from the Massachusetts Trial Court Department. From 2015-2017, there were a total 3,587 cases that defaulted out of a total of 16,827 cases disposed.
- 34 According to a survey of Massachusetts renters who defaulted, the vast majority of defaults were due to either a lack of information (for instance, tenants had not received their court summons or believed that they had paid what they owed and did not have to show up in court), misinformation (tenants were told affirmatively by landlords or property managers that they did not have to show up to court), or disability-related reasons that prevented them from attending. See: Massachusetts Law Reform Institute, Justice Center of Southeast Massachusetts, and Americorps Legal Advocates of Massachusetts, "The Default Project: Tenant Defaults in Housing Court Eviction Cases: Preliminary Findings and Policy Recommendations," Expected Publication Date 2020.
- 35 A quasi-experimental study of 200,000 eviction filings between 2007 and 2016 in New York City found no statistically significant relationship between whether a judge issued an execution and whether a household moves. See: Collinson and Reed, "The Effects of Evictions on Low-Income Households." pp. 11.
- 36 Greiner, Pattanayak, and Hennessy, "The Limits of Unbundled Legal Assistance: A Randomized Study In a Massachusetts District Court And Prospects for the Future."
- 37 Massachusetts Law Reform Institute, "Evicted for Life: How Eviction Court Records Are Creating a New Barrier to Housing."
- 38 The prevalence of non-payment eviction filings is fairly consistent across both subsidized and market-rate housing, though a slightly larger share of eviction filings in subsidized housing are for non-payment (78 percent) than market-rate housing (71 percent).
- 39 In the data the reason for no-fault eviction filings is listed as "other." Based on information from HomeStart, the organization that collects the data, we assume that those records marked as "other" are no-fault eviction filings.
- 40 There is no available research that reports the magnitude of no-fault evictions outside of court. However, grassroots tenant's rights organizations such as the Anti-Eviction Mapping Project in San Francisco report that official court records significantly undercount the number of no-fault evictions that occur. See: Anti-Eviction Mapping Project, "Anti-Eviction Mapping Project: Reports," n.d., <https://www.antievictionmap.com/dislocationblack-exodus>.
- 41 Data collectors with HomeStart tried to identify every eviction filing in which the rent was subsidized. Data collectors used clues in the case files, such as the tenant's monthly rent share, information about the property, the property owner, and any additional documentation to determine whether the unit was subsidized. Given the lack of information about housing subsidies in some case files, it is likely that the data contain some inaccuracies.
- 42 According to the City of Boston's Income-Restricted Housing Database, 22 percent of Boston's income-restricted housing units are publicly-owned, 77.5 percent are privately owned, and 0.5 percent are owned through public-private partnerships. These private property owners who file eviction filings in subsidized housing are a mix of mission-driven and for-profit owners. However, the data do not provide any more information about the breakdown of these ownership types. See: City of Boston, "Income-Restricted Housing in Boston."
- 43 City of Boston, "An Action Plan to Reduce Evictions in Boston" (Boston, MA, December 2019), https://www.boston.gov/sites/default/files/file/2020/01/An_Action_Plan_to_Reduce_Evictions_in_Boston_%28report%29%2020109_1.pdf.
- 44 City of Boston, "Income-Restricted Housing in Boston."
- 45 These findings are from 2014 and 2015. Data on legal representation in Boston Housing Court was not collected in 2016.
- 46 In this study, tenants with only limited legal assistance (i.e. legal advice the day of the trial) retained possession of their homes in 34 percent of cases. In comparison, tenants with full legal representation retained possession of their homes in 62 percent of cases. The positive outcomes associated with having legal representation are not exclusive to Massachusetts. A New York City Internal Budget Office report on legal representation in eviction

cases cited a study conducted by the Legal Aid Society and the Bar Association of the City of New York. In this program, 44 percent of tenants with no legal representation received a warrant of eviction, whereas only 10 percent of tenants with legal representation received a warrant of eviction. Right to Counsel legislation was passed in 2017 in New York City. Outcomes from the first year of implementation found that 84 percent of tenants who received full legal representation remained in their homes (the report gave no baseline measure of the number of tenants without legal representation that remained in their homes). See: Greiner, Pattanayak, and Hennessy, "The Limits of Unbundled Legal Assistance: A Randomized Study In a Massachusetts District Court And Prospects for the Future."; Elizabeth Brown, "Estimate of the Cost of Legal Counsel in Housing Court and Potential Homeless Shelter Savings Due to Averted Evictions" (The City of New York Independent Budget Office, December 10, 2014), <https://ibo.nyc.ny.us/iboreports/2014housingcourtleter.pdf>; City of New York, "Universal Access to Legal Services: A Report on Year One of Implementation in New York City," 2018, <https://www1.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ-UA-2018-Report.pdf>.

- 47 We define communities of color as census tracts where a majority of residents identify as non-White. This includes residents who identify as Black/African-American, Asian/Pacific Islander, Hispanic/non-white, Native American, or as other racial categories. We define Black communities as census tracts where a majority of residents identify as Black/African-American. These racial categories are based on American Community Survey 2013-2017 5-year estimates.
- 48 While grassroots organizations working on eviction report high levels of evictions in East Boston and Chinatown, there is limited data on eviction in these neighborhoods. A survey of renters who faced eviction in Chinatown found that a majority of these evictions occurred informally outside of court processes. While the survey has a small sample, these findings suggest that eviction filings in Chinatown and perhaps other neighborhoods with large immigrant populations such as East Boston may be underrepresented in official court data. See: Main and Bell, "Forced From Home: A Human Rights Assessment of Displacement and Evictions in Boston's Chinatown."
- 49 See Appendix B for more detailed results of statistical analyses. Our findings that there is a statistical relationship between eviction filings and Black renters is consistent with previous academic research on this topic, though there is no existing research on this subject in Boston. A study of eviction filing rates in large multi-family buildings in Atlanta, Georgia found that the share of Black renters in a census tract was a statistically significant predictor of eviction filing rates. Another study of evictions in single-family rental homes in Atlanta, Georgia found a similar relationship. Research in Richmond, Virginia found that the share of Black residents in a census tract was statistically related to the eviction filing rate in that tract. See: Daniel Immergluck et al., "Evictions, Large Owners, and Serial Filings: Findings from Atlanta," *Housing Studies*, July 2019, <https://doi.org/10.1080/02673037.2019.1639635>; Elora Lee Raymond et al., "From Foreclosure to Eviction: Housing Insecurity in Corporate-Owned Single-Family Rentals," *Cityscape* 20, no. 3 (n.d.), https://www.huduser.gov/portal/periodicals/cityscpe/vol20num3/Cityscape-November_2018.pdf#page=165; Benjamin Teresa, "The Geography of Eviction in Richmond: Beyond Poverty," 2018, <https://cura.vcu.edu/media/cura/pdfs/cura-documents/GeographiesofEviction.pdf>.
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- 51 Due to a lack of data on the number of market-rate rental housing units at the census tract-level, the calculations of eviction filing rates in market-rate rental housing are done at the neighborhood level. Since there is no number of market-rate rental housing units in Boston publically available, we estimated this number by multiplying the total number of rental housing units in each neighborhood (given by the City of Boston's Income-Restricted Housing Report that draws on both 2010 Decennial Census data and new rental housing construction since 2010 from the City's Inspectional Services Department) by the share of rental units in each neighborhood that are income-restricted (also given by the City of Boston's Income-Restricted Housing Report). We then subtracted this estimate of the number of subsidized rental units from the City of Boston's estimate of the total number of rental units to estimate the number of market-rate rental units in each neighborhood. We calculated the eviction filing rate in market-rate housing by dividing the average annual number of market-rate eviction filings (as identified by HomeStart in their manual coding of eviction filings) by the estimated number of market-rate rental housing units. See: City of Boston, "Income-Restricted Housing in Boston."

- 52 There is no available estimate of the average block size in Boston. We used Google Maps to determine that a reasonable estimate of block size in Roxbury was 20 properties on each block.
- 53 Estimates of market-rate rental housing units are not available at the census tract level. Because there is no data on the total number of market-rate occupied rental units at the census tract level, the rates depicted in this map are the number of eviction filings over the total number of occupied rental units from the American Community Survey 2013-2017 estimates, which includes both market-rate and subsidized units. In areas where a large portion of rental housing units are subsidized, the rates depicted in these maps are therefore lower than the actual eviction filing rate in market-rate housing represented in the charts above.
- 54 See Appendix B for a detailed description of our statistical analysis.
- 55 Desmond, "Eviction and the Reproduction of Urban Poverty."
- 56 Based on analysis of census tract-level data from the American Community Survey 2013-2017 5-year estimates.
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112 These calculations exclude the units occupied by the property owner.

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115 Results from our logistic regression model find that within a given census tract a one standard deviation increase in assessed value per square foot (from \$136 to \$228) is correlated with a 19 percent increase in the probability of a market-rate eviction filing.

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