
BOSTON HOUSING COURT DATA REPORT

AN OVERVIEW AND ANALYSIS OF 2014 BOSTON HOUSING COURT DATA BY
PROJECT HOPE, HOMESTART, AND DUDLEY STREET NEIGHBORHOOD INITIATIVE

FALL 2016





Project Hope works in partnership with families so they can move up and out of poverty. We do this by: being a catalyst for change in the lives of families and in the systems that keep them poor; developing and providing family support solutions for homelessness and poverty; and advocating for just public policies which strengthen families. We do this in collaboration with a multitude of organizations which support these goals.

HomeStart's mission is to end and prevent homelessness for low-income at-risk individuals and families residing in Greater Boston.

HomeStart works to break the cycle and stop homelessness before it starts, providing housing search and placement services to help those who are homeless move into permanent housing, housing stabilization case management to help newly-housed and formerly homeless households maintain successful tenancies and homelessness prevention services to help those who are on the verge of eviction and homelessness remain in their homes, out of shelter and off the street.



The Dudley Street Neighborhood Initiative (DSNI) is dedicated to the revitalization of Boston's Dudley neighborhood. DSNI's strategy is comprehensive, addressing physical, environmental, economic and human development. Guided by a community vision for 32 years, DSNI mobilizes resources that achieve our mission to empower Dudley residents to organize, plan for, create and control a vibrant, diverse and high-quality neighborhood in collaboration with community partners.

INTRODUCTION

As Boston becomes an increasingly expensive place to live, tenants are at growing risk of falling behind on their rent and facing eviction. In response, policy-makers and social service providers have developed a variety of eviction prevention programs that seek to help people stay in their homes. In an effort to better understand the impact of these programs and the changing housing market, three Boston-based organizations – Project Hope, HomeStart, and Dudley Street Neighborhood Initiative (DSNI) – worked together to collect and analyze data from all cases filed in Boston Housing Court during 2014. The data

was collected during the fall of 2015 and analyzed over the course of the following year.

By comparing the 2014 data from this research project with similar Boston Housing Court data from 2006, 2010, and 2011, we were able to observe trends, reflect on what factors may be driving these trends, and propose recommendations. This report provides a brief overview of the study’s key findings and recommendations; a longer, more detailed version of the report is available at <http://www.prohope.org/2014-Housing-Court-Report.pdf>.

Table 1. Comparison of 2011 and 2014 Boston Housing Court Cases

	2011	2014	Percent Change from 2011 to 2014
Total number of cases brought before Boston Housing Court	5,197	5,181	-0.3%
Total number of cases that resulted in the execution of eviction	2,068	1,635	-20.9%
Overall rate of execution	39.8%	31.6%	-8.2%
<i>Subsidized Cases</i>			
Number of cases brought before Boston Housing Court involving subsidized tenancies	2,970	3,324	11.9%
Number of subsidized cases that resulted in the execution of eviction	1,075	1,056	-1.8%
Rate of execution in subsidized cases	36.2%	31.8%	-4.4%
<i>Market-Rate Cases</i>			
Number of cases brought before Boston Housing Court involving market-rate tenancies	2,227	1,857	-16.6%
Number of market-rate cases that resulted in the execution of eviction	993	579	-41.7%
Rate of execution in market-rate cases	44.6%	31.2%	-13.4%

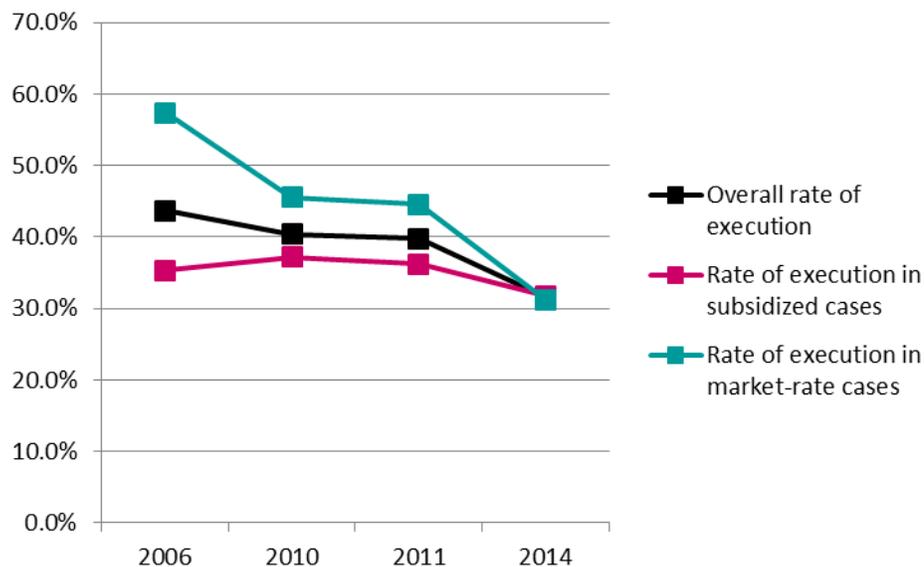
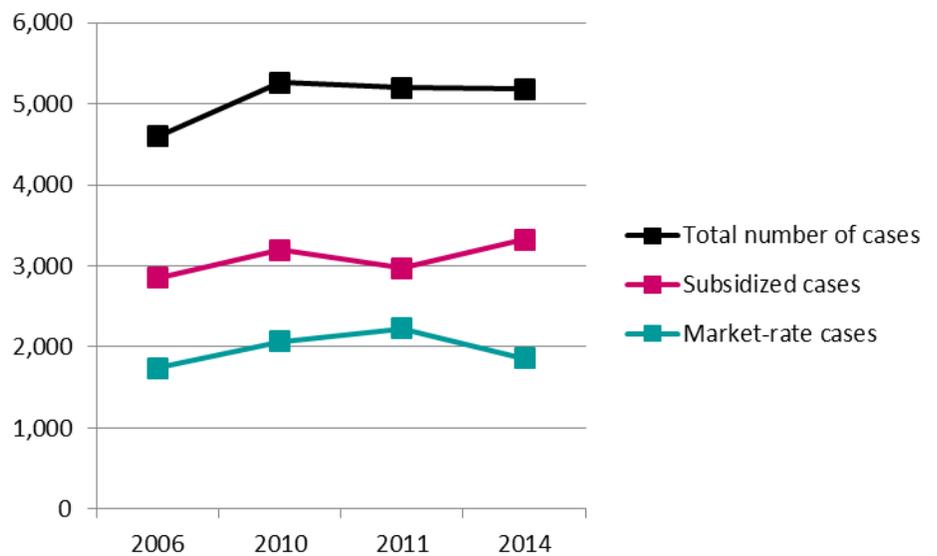
KEY FINDINGS

While the total number of cases filed in Boston Housing Court remained virtually the same from 2011 to 2014 (5,197 vs. 5,181), the rate of execution decreased by about 8%, from 40% to 32%.

Subsidized vs. Market-Rate Cases

About 64% of the cases filed in 2014 involved tenants of subsidized housing.

While the number of subsidized cases increased by 12% between 2011 and 2014, the number of market-rate cases decreased by about 17%.



Rate of Execution

Between 2011 and 2014, the rate of execution decreased by 4% for subsidized cases (from 36% to 32%) and by 14% for market-rate cases (from 45% to 31%).

Amount of Rent Owed

- ◆ In 2014, the median amount of rent that tenants owed when they were brought to court was \$1,440 (an 18% increase since 2006, but only a 3% increase since 2011). Among subsidized tenants, the median amount owed was \$1,350 (a 60% increase since 2006 and a 46% increase since 2011).

Types of Property Owners

- ◆ In 2014, cases brought to Boston Housing Court by private landlords had the highest rate of execution at 39%, compared with 29% for management companies, 26% for housing authorities, and 23% for other types of property owners.
- ◆ Since 2006, there has been a steady decrease in the percentage of subsidized cases filed by management companies and a simultaneous increase in the percentage filed by private landlords.
- ◆ The 10 property owners who filed the largest number of cases were (from highest to lowest): Winn Management, Boston Housing Authority, Trinity Management, Maloney Properties, Beacon Residential Management, Peabody Properties, United Housing Management, Cruz Management, Equity Residential Management, and Lorenzo Pitts.

In 2014, only about 7% of the tenants brought to Boston Housing Court received some type of legal assistance. However, the rate of execution was about 9% lower for these tenants compared with tenants who received no legal assistance (23% vs. 32%).

Legal Assistance

- ◆ In 2014, only about 7% of the tenants brought to Boston Housing Court received some type of legal assistance (4% had full representation, 2% had limited assistance representation, or LAR, and 1% received help filing an answer).

Table 2. 2014 Rates of Execution by Level of Legal Representation

	Rate of Execution
Received full legal representation	17.5%
Received some form of legal assistance	22.8%
Received no legal assistance	32.2%

Partnerships between Nonprofits and Large Property Owners

Between 2010 and 2014, both HomeStart and Project Hope partnered with large property owners to provide targeted services to tenants. HomeStart partners with Boston Housing Authority (BHA) to provide court-based eviction prevention services to public housing tenants, and Project Hope works in partnership with Winn Residential and Maloney Properties to provide financial assistance and case management to subsidized tenants who are behind on rent. While the rate of execution decreased among all property owners between 2011 and 2014, BHA, Winn Residential, and Maloney Properties showed greater-than-average decreases and below-average rates of execution.

Table 3. 2011 and 2014 Execution Rates for Large Property Owners

	2011 Execution Rate	2014 Execution Rate	Percent Change
BHA	37%	26%	-11%
Winn	38%	23%	-15%
Maloney	31%	19%	-12%
All Property Owners	40%	32%	-8%

Meanwhile, there was an overall reduction in the number of cases filed by Winn Residential (20% fewer cases) and Maloney Properties (26% fewer cases) between 2011 and 2014. The number of subsidized evictions in the Dudley Village Campus – the neighborhood where Project Hope has focused its eviction prevention efforts – decreased by about 42% between 2010 and 2014.

RECOMMENDATIONS

1. Improve Housing Court data collection and accessibility.

Data from the state’s Housing Court system is available online, but is very limited. In order to get more detailed information, one must go to the courthouse and sift through each individual file. Even then, it can be difficult to determine key data points, such as whether the tenant lives in a subsidized or market-rate unit and whether or not the tenant was ultimately evicted. Furthermore, the court does not collect any demographic data about the tenants, such as household composition (individual vs. family) or household income.

Without a clear picture of who is getting evicted, policymakers and providers may not be prioritizing the neediest tenants or funding the most effective interventions. We recommend that Housing Court data be made more accessible to researchers and

lawyers and that additional tenant data be collected from property owners when they file a summons and complaint. We defer to the legal services community on the specifics of how Housing Court data collection should be improved.

2. Preserve and expand funding for eviction prevention and legal assistance programs.

Our research provided compelling evidence of the effectiveness of some of Boston’s eviction prevention programs. We also know that when a family is evicted, it can be extremely costly for the property owner and the state (not to mention the harmful effect an eviction has on the family itself). We therefore recommend that policymakers preserve and, if possible, increase funding for eviction prevention programs. Our findings also confirm that receiving legal assistance reduces the likelihood of a tenant being evicted. However, the fact that only 7% of tenants received legal assistance in 2014 highlights the need for more funding for legal assistance programs.

3. Invest more in upstream prevention.

The findings from this study also highlight the importance of assisting tenants further “upstream,” before their case goes to court. We may be seeing an increase in the number of subsidized cases because many eviction prevention programs (including

the state’s Residential Assistance for Families in Transition, or RAFT, program) require that tenants have a court summons before they become eligible for assistance. We recommend that policymakers and providers invest in innovative prevention strategies that identify families who are at risk of eviction but whose landlords have not yet initiated the eviction process. By intervening earlier, we may be able to help more landlords and tenants avoid the costly and stressful court process.

4. Expand landlord outreach efforts.

Finally, we recommend that policymakers and service providers continue to build positive relationships with property owners. As discussed earlier, there is evidence that the partnerships between nonprofit service providers and large property owners have been effective in reducing the number of cases filed by and the rate of execution for those particular owners. Since management companies continue to bring the largest number of cases and some companies appear to be becoming more aggressive, there are clearly opportunities for both new and deepened partnerships. We also see a need for more outreach to private landlords, as they had the highest rate of execution of all landlord types in 2014 and there has been a steady increase in recent years in the percentage of subsidized cases filed by private landlords.

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