



Eviction Filings in Pittsburgh and Allegheny County Return to Pre-pandemic Levels

November 2022

Renters in Pittsburgh and Allegheny County increasingly face the threat of eviction as policies end that helped keep renters in their homes during the pandemic and as rental rates and inflation increase. As we expected, the expiration of pandemic response policies, such as the Emergency Rental Assistance (ERA) program in Allegheny County and eviction moratoriums enacted by the Centers for Disease Control (CDC), Pennsylvania eviction program, and Allegheny County Eviction program,ⁱ are accompanied by eviction filing rates' return to pre-pandemic levels. (See figure below.) Note that Allegheny County is not alone in experiencing a rise in eviction filings as the entire state is also seeing eviction filings increase to pre-pandemic levels.ⁱⁱ

The City of Pittsburgh needs policies that help keep vulnerable renters in their homes because more than 50% of the population rent their homes and are paying more than 30% of their income for housing, making them "cost-burdened."ⁱⁱⁱ This return of eviction filings to pre-pandemic levels disproportionately affects female, Black, and low-income households, as these communities had higher eviction rates prior to the pandemic and had greatly benefited from the ERA program.

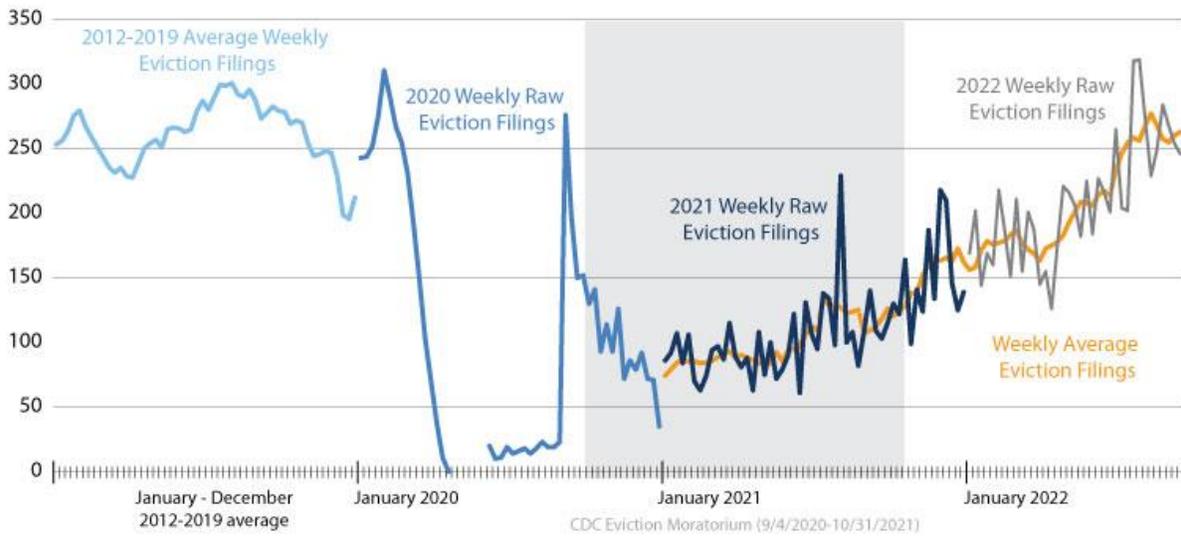
ERA rental assistance and eviction moratoriums have helped in preventing eviction filings.

The various eviction moratoriums from the federal, state, and county levels prevented the filing of evictions for various reasons, including non-payment of rent for those financially impacted by COVID.^{iv} In addition, Allegheny County ERA distributed more than \$127 million in rental assistance to more than 18,700 households.^v The end of the CDC moratorium in October 2021 stoked fears of an eviction tsunami. Instead of an immediate eviction filings spike in Pittsburgh and Allegheny County, however, it's taken a year for filings to climb back to pre-pandemic levels. And, with the Allegheny County ERA program no longer accepting new applications, eviction filings in the last 13 months (the green and dotted red lines in figure 1) continue to rise to those levels (the blue line in figure 1).

Figure 1. Eviction filings in Allegheny County

Eviction Filings Are Returning to Pre-pandemic Rates

Weekly eviction filings in Allegheny County pre-pandemic to September 2022



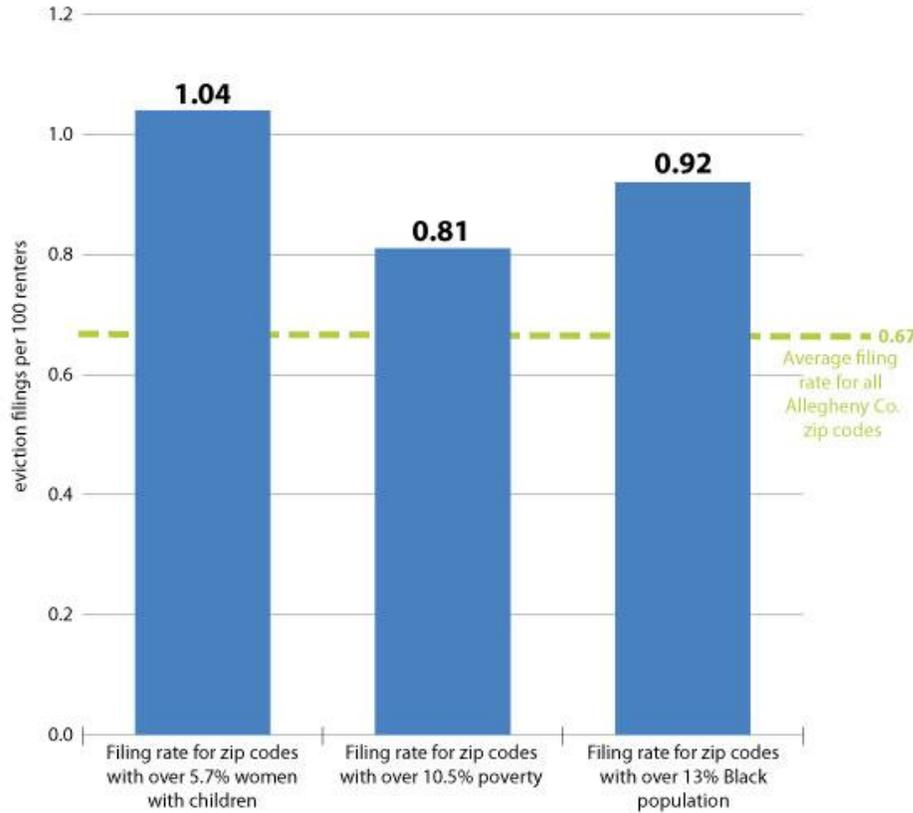
Source: Pittsburgh Budget and Policy Center analysis of Data from CMU CreateLab

Eviction filings disproportionately harm marginalized communities.

Evictions destabilize families and can have serious social and health-related consequences, including interrupted employment, adverse child health effects, and difficulty finding future housing.^{vi} And as eviction filings return to pre-pandemic levels, some of the most marginalized communities experience particularly high rates of eviction. In Allegheny County, renters in zip codes that have higher percentages of female heads of household with children, higher percentages of Black populations, and higher poverty rates are more likely to experience eviction filings (figure 2). For example, in Allegheny County, zip codes with more than 100 renters had an average filing rate of 0.67 eviction filings for every 100 renter households—but in zip codes with a higher percent of female-headed renter households with children, the eviction rate was 1.04.^{vii}

Figure 2. Eviction Filings Rate per 100 Renters in Allegheny County (August 2022)

Allegheny County Zip Codes with a Higher Populations of Black Households, Women-Headed Households with Children, and Higher Poverty Rates had Higher Eviction Filing Rates



*Calculations were done at the zip code level, for zip codes containing over 100 renters. For zip codes used in calculating filing rates the average percent of women headed households with children was 5.7%, the average percent of populations below poverty was 12.5% and the average black population was 12%.
Source: <https://evictionlab.org/> and www.census.gov/

Emergency rental assistance (ERA) recipient data further illustrates the need in marginalized communities. Seventy-one percent of ERA recipients were female heads of household, 58% were Black, 43% of household recipients had a least one child under 18, and 87% of households had incomes below 50% of the Area Median Income (AMI).^{viii}

As evictions filings rise in Allegheny County, support is needed for communities and populations that are more likely to experience the negative consequences of evictions.

Rent and past-due rent is increasing.

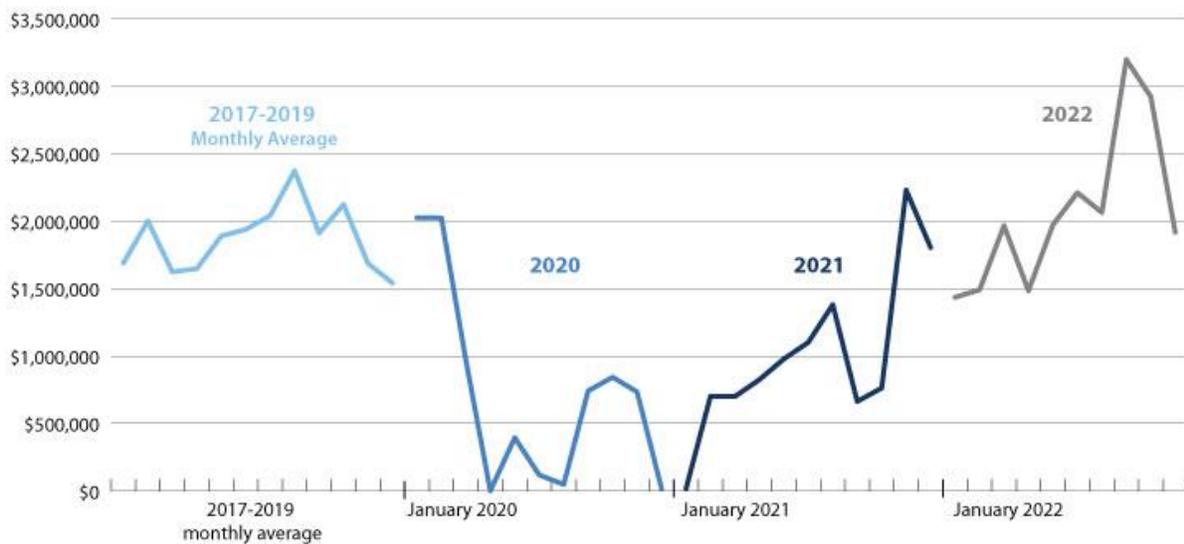
Renters have faced a 16.4% increase in rent prices since March 2020 in the Pittsburgh Metro Area.^{ix} Higher rents, in combination with rising inflation, put additional pressure on renters and could further increase eviction rates.

According to one district judge, judgement amounts—the amounts tenants owe their landlord for rent owed or for damages, etc.—in eviction cases have also increased. Judge Papas, whose district includes

Pittsburgh’s Highland Park, East Liberty, and Bloomfield areas, found that the average judgment amount in July 2019 was \$3,287. In July 2022, it was nearly \$1,000 more at \$4,262.^x In Allegheny County, from 2017 to 2019, the monthly average rent arrears, or money owed to the landlord for unpaid rent, totaled \$1.8 million. In 2020, the monthly average of rent arrears dropped to \$720,000 as courts closed and moratoriums were enacted. In 2022, the monthly average rent arrears are already over \$2 million with \$3.2 million in rent arrears in August alone (figure 3). The increase may point to a variety of factors, including rising rental prices and/or landlords waiting until the end of the ERA program to file.^{xi} The increases point to the need for continuing rental assistance, the preservation of affordable housing in the long term, and for the wider distribution of eviction diversion programs such as the successful ones described below.

Figure 3. Monthly Rent in Arrears

Monthly Rent Arrears Totals Increased by \$1 million in August 2022 after Allegheny County ERA Stopped Accepting Applications



Source: Pittsburgh Budget and Policy Center analysis of Data from CMU CreateLab

Eviction diversion programs work.

Across the state, Chester, Berks, and Philadelphia Counties have eviction diversion programs that have shown positive outcomes. In September 2020 in Chester County, the Friends Association of Care and Protection for Children (FACPC) launched an eviction prevention program. The Association started by partnering with the Chester County magisterial district judge (MDJ) who had the highest eviction filing rates. The diversion program contacts tenants, including by door-to-door, who have an eviction filed against them. Participants are provided with legal assistance and connection with a court coordinator in an effort to arrive at settlement.^{xii} Due to FACPC being an administrator of the County’s Emergency Rental Assistance Program, rental assistance was able to be closely coordinated with legal assistance, along with outreach to tenants and landlords, as part of the eviction diversion program.

In the participating courts, the proportion of settlements reached between landlords and tenants doubled, and cases were more likely to be withdrawn. Additionally, orders of possession, which

authorize a legal officer to physically evict a tenant, were also reduced to 12% compared to 24% in non-participating courts in 2022.^{xiii}

Philadelphia has also implemented an eviction diversion program where landlords are required to participate in “reasonably good faith” before filing an eviction case in court.^{xiv} Although tenants cannot apply for mediation, the program has resulted in more than 2,500 mediations and more than 90% agreements or agreements to continue to negotiate.^{xv}

Solutions

Pittsburgh and Allegheny County can support renters in communities that are experiencing high eviction rates by ensuring: rental assistance continues to flow in the future; renters have access to legal representation; and mediation between landlords and tenants is used to prevent eviction filings turning into completed evictions. Steps that should be taken include

- *using American Rescue Plan Act (ARPA) funds and other money at the city, county, and state levels for rental assistance.* The City of Pittsburgh has allocated some of its ARPA money for rental assistance, and there are still unspent ARPA monies at the county and state levels. There is currently an RFP out for an ERAP pilot from the Allegheny County Department of Human Services that utilizes city, county, state, and federal funds. This program should continue the good work of the prior ERA program and prioritize vulnerable communities while ensuring collaboration between rental assistance and legal assistance.
- *supporting and promoting eviction diversion programs.* Eviction diversion programs, such as the ones in Chester County and Philadelphia, have proven to be effective. In Allegheny County and Pittsburgh, increasing funding, capacity, and awareness of eviction mediation between landlords and tenants to organizations currently engaging in eviction prevention efforts (i.e., Just Mediation Pittsburgh) can help renters and landlords come to agreements and avoid the harmful impact of an eviction.
- *providing funding and support for legal assistance to renters.* In Pittsburgh and Chester County, tenants with legal representation are less likely to have a judgement for the landlord and less likely to have an order of possession.^{xvi} Increasing funding through the Housing Opportunity Fund’s Legal Assistance Program (LAP) and supporting the coordination of efforts with rental assistance can help tenants avoid an eviction.
- *preserving, promoting, and producing affordable housing.* No matter who you are or where you live, you should have access to affordable housing. The County and City can support these efforts by continuing to support policies and funding that promote affordable housing, including city-wide inclusionary zoning, increased investment in the Housing Opportunity Fund, and increased investment in the preservation of affordable housing.

These programs need an increase in funding and support for eviction mediation, rental assistance, and legal assistance. These simultaneous investments in affordable housing can help create a city and county where communities can thrive without the looming threat of evictions.

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- ⁱ The CDC Eviction Moratorium took effect September 4, 2020, and ended October 3, 2021. “CDC Issues Eviction Moratorium Order in Areas of Substantial and High Transmission,” Center for Disease Control and Prevention, <https://www.cdc.gov/media/releases/2021/s0803-cdc-eviction-order.html>. The Allegheny County Eviction moratorium ended October 31, 2021. Jason Phox, “Allegheny County Eviction Moratorium Extension rejected by Court,” November 4, 2021, <https://www.pghcitypaper.com/pittsburgh/allegheny-countys-eviction-moratorium-extension-rejected-by-court/Content?oid=20497480>. The Pennsylvania eviction moratorium ended on August 31, 2020. “Updated Information on COVID-19 and Eviction Protections for Renters and Homeowners,” Housing Equality Center of Pennsylvania, <https://www.equalhousing.org/updated-information-on-covid-19-and-eviction-protections-for-renters/>. Allegheny County ERAP stopped accepting new applications on July 31, 2022.
- ⁱⁱ “Trends in Eviction Filings,” Legal Services Corporation, <https://www.lsctracker.org/pennsylvania/state-wide>.
- ⁱⁱⁱ Nthando Thandiwe and Diana Polson, “Pivoting to a Moral Pittsburgh Economy: New Mayor, New Opportunities,” Pittsburgh Budget and Policy Center, December 10, 2021, 36, https://krc-pbpc.org/research_publication/pivoting-to-a-moral-pittsburgh-economy-new-mayor-new-opportunities/.
- ^{iv} CDC Eviction Moratorium requirements included earning less than \$99,000, having a substantial loss of income, and being at risk of being homeless if evicted. “Federal Moratorium on Evictions For Nonpayment of Rent: FAQ for Renters,” National Low-Income Housing Coalition, August 2021, https://nlihc.org/sites/default/files/National-Eviction-Moratorium_FAQ-for-Renters.pdf.
- ^v “COVID-19 Emergency Rental Assistance Program: Interactive Dashboard,” Allegheny County Analytics, June 23, 2021, <https://analytics.alleghenycounty.us/2021/06/23/allegheny-county-covid-19-emergency-rental-assistance-program-dashboard/>.
- ^{vi} “Prevalence and Impact of Evictions,” US Office of Policy Development and Research, HUD, Summer 2021, <https://www.huduser.gov/portal/periodicals/em/Summer21/highlight2.html#:~:text=5%20Eviction%20proceeding%20can%20become,housing%20instability%20and%20economic%20challenges>.
- ^{viii} The averages were calculated based on zip codes with over 100 renters. Demographic data was calculated using American Community Survey 5-year 2020 data.
- ^{viii} “COVID-19 Emergency Rental Assistance Program: Interactive Dashboard,” Allegheny County Analytics, June 23, 2021, <https://analytics.alleghenycounty.us/2021/06/23/allegheny-county-covid-19-emergency-rental-assistance-program-dashboard/>.
- ^{ix} Tim Grant, “Pittsburgh renters cope with sticker shock as apartment costs spike,” *Pittsburgh Post-Gazette*, September 12, 2020, <https://www.post-gazette.com/business/money/2022/09/12/pittsburgh-renters-single-family-residential-prices-inflation-landlord-apartment-house-covid-eviction-blacks-hispanic-luxury/stories/202209110032#:~:text=Rent%20prices%20in%20the%20Pittsburgh,%2C%20according%20to%20ApartmentList.com>.
- ^x Rebecca Spiess, “Evictions in Pittsburgh are back to pre-pandemic levels. But now they cost more.” *Pittsburgh Post-Gazette*, September 6, 2022, <https://www.post-gazette.com/news/social-services/2022/09/05/evictions-pittsburgh-emergency-rental-assistance-program-mediation-landlords-tenants-data/stories/202209020123>.
- ^{xi} Ibid.
- ^{xii} “Revealing Opportunities and Challenges: An Analysis of Eviction Filings in Pennsylvania,” The Housing Alliance of Pennsylvania, February 2022, <https://housingalliancepa.org/eviction-data-report/>.
- ^{xiii} “Addressing the Eviction Crisis: An Evaluation of Two Court-Based Eviction Diversion Programs in Pennsylvania,” The Housing Alliance of Pennsylvania, September 30, 2022, <https://housingalliancepa.org/resources/addressing-the-eviction-crisis-an-evaluation-of-two-court-based-eviction-diversion-programs-in-pennsylvania/>.
- ^{xiv} “Reasonable good faith” participation means that when a notice of diversion rights is sent to tenants, landlords respond in a timely fashion to the request for communication. Landlords then attend mediation sessions as scheduled and make reasonable efforts to address the issues that led to eviction. There are other eviction mediation services available in Philadelphia, including the CORA Good Shepherd Mediation. “PHL Eviction Diversion,” City of Philadelphia, <https://eviction-diversion.phila.gov/#/About>.
- ^{xv} “PHL Eviction Diversion,” City of Philadelphia, <https://eviction-diversion.phila.gov/#/About>. Kehinde Akande and Diana Polson, “Housing Affordability in Pennsylvania During and After the COVID-19 Pandemic: Evictions and Recommendations to Help Families,” Pennsylvania Budget and Policy Center,

pbpc.org/research_publication/report-draft-housing-affordability-in-pa-in-and-after-covid-19-evictions-and-recommendations-to-help-families/?link_id=5&can_id=b60ef5dc37402d568f65ae32f48aa19e&source=email-advisory-today-new-reportpress-conference-affordable-rental-housing-after-the-pandemic&email_referrer=email_1507430&email_subject=release-new-report-affordable-rental-housing-after-the-pandemic.

^{xvi} “Addressing the Eviction Crisis: An Evaluation of Two Court-Based Eviction Diversion Programs in Pennsylvania,” The Housing Alliance of Pennsylvania, September 30, 2022, <https://housingalliancepa.org/resources/addressing-the-eviction-crisis-an-evaluation-of-two-court-based-eviction-diversion-programs-in-pennsylvania/>. In Chester County, tenants who had legal representation were half as likely to have an order of possession, and in Pittsburgh the “Lawyer of the Day” program has represented 50 tenants—nearly all these cases have been continued, withdrawn, or dismissed.